

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 96-2024

Being a By-law to amend By-law No. 1-2014,
the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS the application conforms to the Official Plan of the Town of Kingsville;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 6.2.2 Residential Zone 2 Rural/Urban (R2.2) is amended by adding Exception 12 (R2.2-12) as follows:

a) Permitted Uses

- i) Those uses permitted under 6.2.2 Residential Zone 2 Rural/Urban (R2.2), EXCEPT Nursing or Rest home.

b) Permitted Buildings and Structures

- i) One single detached dwelling;
- ii) One semi-detached dwelling; One semi-detached dwelling unit;
- iii) One Townhouse dwelling; One Townhouse dwelling unit;
- iv) One Multi-residential Townhouse dwelling Complex containing no more than twenty-four (24) dwelling units, and no Additional Dwelling Units permitted;
- v) One Group home;
- vi) Buildings and structures accessory to the main use.

c) Regulations

	Single detached dwelling	Semi-detached dwelling/ Semi-detached dwelling unit	Townhouse dwelling (per unit)	Multi-residential Townhouse dwelling Complex (per unit)
Lot Area (Minimum)	470m ² (5,059.2 ft ²)	650m ² (6,996.8 ft ²)/ 325m ² (3,498.4ft ²)	320m ² (3,444.6ft ²)	213m ² (2,296.4ft ²)
Lot Frontage (Minimum)	12.5m (41ft)	18m (59.1ft)/9m (29.5ft)	9m (29.5ft)	53m (173.9ft)
Landscaped Open Space (Minimum)	30%	30%	30%	30%
Lot Coverage (Maximum)	Main building without ADU 50%, and 10% for accessory structures	Main building without ADU 50%, and 10% for accessory structures	Main building without ADU 50%, and 10% for accessory structures	Main building 50% Accessory structures 10% Legal ADU 0%

	Main building with legal ADU 60%, and no accessory structures	Main building with legal ADU 60%, and no accessory structures	Main building with legal ADU 60%, and no accessory structures	
Building Height (Maximum)	11 m (36.1 ft)	11 m (36.1 ft)	11 m (36.1 ft)	11 m (36.1 ft)
Front Yard Depth (minimum)	4m (13.12ft) for the main dwelling 5.5m (18.04ft) for attached garage	4m (13.12ft) for the main dwelling 5.5m (18.04ft) for attached garage	4m (13.12ft) for the main dwelling 5.5m (18.04ft) for attached garage	3m (9.8ft)
Rear Yard Depth (minimum)	6m (19.7ft)	6m (19.7ft)	6m (19.7ft)	6m (19.7ft)
Interior Side Yard Width (Minimum)	1.2m (3.9ft) with an attached garage/carport 3m (9.8ft) without an attached garage/carport	1.2m (3.9ft) with an attached garage/carport, when there is no common wall 3m (9.8ft) without an attached garage/carport, when there is no common wall 0m (0ft) when there is a common wall for a semi-detached dwelling unit or townhouse dwelling unit	1.2m (3.9ft) with an attached garage/carport, when there is no common wall 3m (9.8ft) without an attached garage/carport, when there is no common wall 0m (0ft) when there is a common wall for a semi-detached dwelling unit or townhouse dwelling unit	6m (19.7ft)
Exterior Side Yard Width (minimum)	1.5m (4.9ft) with an attached garage/carport 5m (16.4ft) without an attached garage/carport	1.5m (4.9ft) with an attached garage/carport 5m (16.4ft) without an attached garage/carport	1.5m (4.9ft) with an attached garage/carport 5m (16.4ft) without an attached garage/carport	6m (19.7ft)

- Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zoning designation on those parts of the lands, municipally known as 1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot), having legal description Part of Lot 9, Concession 2 Eastern Division in the Town of Kingsville, as shown on Schedule 'A' attached hereto, from 'General Agricultural (A1)' to a 'Site-Specific Residential Zone 2 Rural/Urban - Hold (R2.2-12[H])' and 'Public Utilities/Facilities Zone - Hold (MG [H])'.

3. That Table 1 – Site-specific Holding Provisions is provided as follows:

Table 1	
Zone	Special Provisions
<p>R2.2-12[H] and MG [H]</p>	<p>The Holding Provision applies to the entirety of the subject lands forming Mivita Estate Draft Plan of Subdivision, municipally known as 1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot), having legal description Part of Lot 9, Concession 2 Eastern Division in the Town of Kingsville; and</p> <p>The holding provision shall not be removed from these lands, and no development shall occur, until the following has been completed to the satisfaction of the Town of Kingsville:</p> <ul style="list-style-type: none"> a. Confirmation of availability and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity to the satisfaction of the Town of Kingsville; b. Execution of a Subdivision Agreement for specified phase(s), where the holding provisions will be removed only on those phase(s) included in the Subdivision Agreement; and c. Collection of all required securities by the Town of Kingsville according to the executed Subdivision Agreement.

4. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
25th DAY OF NOVEMBER, 2024.**

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

Schedule A

