

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 24-2025

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### Being a By-law to establish Interim Control on lands within The Corporation of the Town of Kingsville

**Whereas** Section 38(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, authorizes the council of a municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas thereof;

**And whereas** Council has directed, by resolution, that a study be undertaken to review the land use planning policies related to lands in the Town of Kingsville that discharge into the Ruthven Sanitary System, as defined by the area shown in Schedule "A" to this By-law;

**And whereas** it is deemed desirable and expedient to enact this Interim Control By-law to provide the Town with the necessary time to complete the study and allow Council to consider the results of such study;

**Now therefore The Council of the Corporation of the Town of Kingsville enacts as follows:**

1. The Town's Administration is hereby directed to undertake a review and study in respect of land use planning policies in relation to required changes to the Town's land use planning policies, and other regulatory framework, as a result of the Town's sanitary sewer constraints for the lands reliant on the Ruthven Sanitary System.
2. The provisions of this By-law shall apply to all lands within the Town of Kingsville that currently discharge or would require a connection to discharge into the Ruthven Sanitary System.
3. This By-law prohibits the construction, alteration, or expansion of any building or structure in the Town of Kingsville which would add discharge into the Ruthven Sanitary System.
4. Nothing in this By-law prohibits the construction, alteration, or expansion of any building or structure in the Town of Kingsville which does not add discharge into the Ruthven Sanitary System.
5. Notwithstanding paragraph 3 of this By-law, the Town's Administration is hereby authorized to allow the construction, alteration, or expansion of any building or structure which would add discharge into the Ruthven Sanitary System to the extent that the addition would not result in exceeding actual Ruthven Pump Station capacity. This will arise where the Ruthven Pump Station capacity is improved above measured peak flow rates, or if the measured peak flow rates are reduced below actual Ruthven Pump Station capacity. Priority for this additional discharge into the Ruthven Sanitary System shall be given first to:
  - a. Projects within approved residential plans of subdivision;
  - b. Other residential properties; and
  - c. Projects within approved industrial plans of subdivision.
6. This By-law shall not apply to prevent the erection or use of any building or structure for which a permit has been issued under Subsection 8(1) of the *Building Code Act* prior to the day of the passing of the By-law, so long as the structure when erected, is used and continues to be used for the

purpose for which it was erected and provided the permit has not been revoked.

- 7. Where any conflict exists between the provisions of this By-law and any other By-law of The Corporation of the Town of Kingsville, this By-law shall prevail.
- 8. If any provision or requirement of this By-law, or the application thereof to any person, shall to any extent be held to be invalid or unenforceable, the remainder of this By-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby, and each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.
- 9. This By-law shall come into force and take effect on the day it is finally passed and shall remain in effect for one (1) year from the passage of this By-law unless otherwise extended in accordance with Section 38 of the *Planning Act*, or repealed by Council at an earlier date.


**Read a first, second and third time and finally passed this 14<sup>th</sup> day of April, 2025.**

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Mayor, Dennis Rogers


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Acting Clerk, Angela Toole

# Schedule "A" - Sanitary Infrastructure - Ruthven

Legend



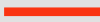
Pumping Station




Sanitary Manholes

Sanitary Lines

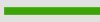
Type



Force Main



Gravity



ERCA Greenway

