

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 120-2017

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### *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** there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan;

**AND WHEREAS** it is deemed advisable to make the said lands subject to a holding classification for which the owner may apply to have the said holding classification removed once; an Environmental Clearance Approval (ECA) is issued by MOECC and a satisfactory site plan and associated site plan agreement are prepared, specific to the waste transfer use, to the satisfaction of the Town;

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

1. That Subsection 9.3.1 HEAVY INDUSTRIAL ZONE 3 EXCEPTION 1 (M3-1) is deleted and replaced with the following:

#### **9.3.1 'HEAVY INDUSTRIAL ZONE 3 EXCEPTION 1 (M3-1)'**

For lands shown as M3-1 on Map 54 Schedule "A" of this By-law.

#### **a) *Permitted Uses***

All uses identified in the (M1), M2 and (M3) zone;  
A waste transfer station

#### **b) *Permitted Buildings and Structures***

Industrial buildings  
Accessory structures and buildings

#### **c) *Zone Provisions***

All lot and building requirements for the permitted buildings and structures shall be in accordance with 9.3 (c).

Notwithstanding Section 9.3 (c) the easterly side yard setback shall be 15 m minimum and the permitted use shall be limited to a passive green space buffer and may include berming, landscaping and/or fencing abutting the existing agricultural use to the east.

#### **d) *Other Requirements***

- i) Permitted Uses, Buildings and Structures for lands zoned 'Heavy Industrial Zone 3 Exception 1, holding, (M3-1(h))' shall not include a waste transfer station.

- ii) For lands zoned 'Heavy Industrial Zone 3 Exception 1, holding, (M3-1(h))' the zoning may be amended under Section 36 of the Planning Act to '(M3-1)' once:
  - a. An Environmental Clearance Approval is issued by MOECC and a site plan and associated site plan agreement are prepared, specific to the waste transfer station use, to the satisfaction of the Town.
- 2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27<sup>th</sup> day of November, 2017.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**