

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 89-2019

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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** a housekeeping amendment to the Kingsville Zoning By-law has been undertaken to make a number of updates and revisions to the regulations specific to greenhouse development;

**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;

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

1. That Section 3 Definitions is hereby amended by adding the following, Subsection 3.1.4.1 "Adverse Effect" between Subsection 3.1.4 and 3.1.5.

3.1.4.1 "**Adverse Effect**" means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

2. That Subsection 4.16 Greenhouse Facilities is deleted and replaced with the following:

4.16 Greenhouse Facility Regulations and Definitions

The following definitions apply to greenhouse facilities in the Corporation and are provided for clarification purposes during site plan approval:

Buffering and/or Separation may include the use of fencing, Provincial or Federal separation standards, berming or screening

Landscaped Open Space shall consist of a combination of grass, trees, shrubs, flowers and other features as illustrated in an approved site plan.

Outdoor Amenity Space is considered any green space capable of accommodating recreational space for items such as sports fields, walking paths or picnic areas.

Sensitive Land Use, for the purpose of greenhouse development and supplementary to Section 3.10.28, means any non-accessory or off-site residential use, natural heritage feature, as defined in Provincial Policy Statement, institutional use, park land or active recreational facilities.

The following regulations apply to greenhouse facilities in the Corporation:

- a) Landscaping Buffer/Separation – 5 m, minimum wide abutting the lot line of a sensitive land use.
  - b) Bicycle Racks shall be provided for all housed on-site workers and locate to the rear of the housing facility or appropriately screened from view.
  - c) Main Driveway Access – 10 m, minimum from an abutting sensitive land use, secondary access locations shall be determined in consultation with the Town and County.
  - d) Loading Area – 100 m, minimum from the nearest residential dwelling, subject to screening and noise and light abatement during site plan approval.
3. That Subsection 5.16 Loading Space Requirements is amended by adding item i) and j) as follows:
- i) Notwithstanding item 5.16 a), b), and c) the minimum loading space requirement for a greenhouse is 1 space per 4 ha of growing area.
  - j) Notwithstanding item h) the location of loading spaces will be as shown on an approved site plan.

4. That Subsection 5.17 Parking Requirements is amended by deleting Greenhouse from Table 5 and replacing with the following:

Greenhouse

1 parking space per 2 ha of growing area, plus  
1 parking space per 30 sq. m of office space, plus  
2 parking space per 30 sq. m of land and processing area, and  
1 parking space per loading dock

5. That Subsection 7.1 b) is amended by replacing 'Seasonal worker housing' with 'Seasonal worker housing/bunkhouse'.
6. That Subsection 7.1 d) i) a) to f) is deleted and replaced with the following:

Notwithstanding any other provisions of the By-law to the contrary, the following provisions shall also apply to a greenhouse facility:

- a) Lot Frontage – 60 m, minimum or as shown on an approved site plan demonstrating adequate setbacks and buffering from abutting sensitive lands uses but at no time less than 30 m.
- b) Front Yard Setback – 20 m, minimum
- c) Interior Side Yard – 3 m or equal to the height of the sidewall of the greenhouse, whichever is greater; when abutting a sensitive land use 15 m, minimum
- d) Rear Yard – 5 m, minimum
- e) Lot Coverage – 80%, maximum
- f) Landscaped Open Space – 25%, minimum of the required front yard setback area

7. That Subsection 7.2 d) i) a) to f) is deleted and replaced with the following:

Notwithstanding any other provisions of the By-law to the contrary, the following provisions shall also apply to a greenhouse facility:

- a) Lot Frontage – 60 m, minimum or as shown on an approved site plan demonstrating adequate setbacks and buffering from abutting sensitive lands uses but at no time less than 30 m.
- b) Front Yard Setback – 20 m, minimum
- c) Interior Side Yard – 3 m or equal to the height of the sidewall of the greenhouse, whichever is greater; when abutting a sensitive land use 15 m, minimum
- d) Rear Yard – 5 m, minimum
- e) Lot Coverage – 80%, maximum
- f) Landscaped Open Space – 25%, minimum of the required front yard setback area.

8. That Subsection 7.2 d) ii) is deleted and replaced with the following:

A single detached dwelling or secondary dwelling unit accessory to a permitted use is prohibited on lands zoned 'Agriculture – Restricted (A2)'

9. 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  
9<sup>th</sup> DAY OF MARCH, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**