



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca

NOTICE OF ADOPTION OF AN OFFICIAL PLAN AMENDMENT AND NOTICE OF PASSING OF ZONING BY-LAW AMENDMENT

TAKE NOTICE the Council of the Corporation of the Town of Kingsville passed By-law 63-2019 on the 24th day of June, 2019 in accordance with Section 17 of the Planning Act, R.S.O. 1990 c.P. 13. By-law 63-2019 is an authorizing by-law to adopt an amendment to the Official Plan (OPA #10) for the Town of Kingsville to redesignate lands from Residential and Agriculture to Highway Commercial. The Official Plan amendment requires the approval of the County of Essex as the approval authority and only comes into effect once that approval is granted.

Council also passed By-law 64-2019 on the 24th day of June, 2019 in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P. 13. By-law 64-2019 will only come into full effect once OPA# 10 has been approved by the County of Essex.

EFFECT OF PUBLIC INPUT: Public input was received and considered by Council.

THE APPEAL PROCESS

Any person of public body who, before the by-law was passed or Official Plan amendment adopted, made oral submissions at a public meeting or written submissions to Council may appeal to the Local Planning Appeal Tribunal (LPAT) in respect of these By-laws by filing with the Municipal Clerk of the Town of Kingsville not later than 4:30 pm EST, on July 16th, 2019, A Notice of Appeal must set out the reasons for the appeal using LPAT Appellant Form "A1" (available on-line at <http://elto.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/>) or at the municipal office). Such notice must be accompanied by the filing fee of \$300.00 for each application appealed, made payable to the Minister of Finance by certified cheque or money order only, as required by the LPAT. For additional LPAT fees please see the LPAT Fee Schedule.

Only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association of the group on its behalf.

No person of public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed or Official Plan amendment adopted, the person or public body made oral submissions at a public meeting or written submission to the Council of the Town of Kingsville or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

An explanation of the purpose and effect of the By-law(s) is attached. The complete By-law and associated information is available for inspection during regular office hours.

EXPLANATORY NOTE TO BY-LAW NO. 64-2019

By-law No. 64-2019 of the Corporation of the Town of Kingsville is an amendment to the Comprehensive Zoning By-law No. 1-2014 for the Town of Kingsville and affects property in the Town known municipally as 289 Main St. W, in Part of Lots 4 and 5, Concession 1, WD.

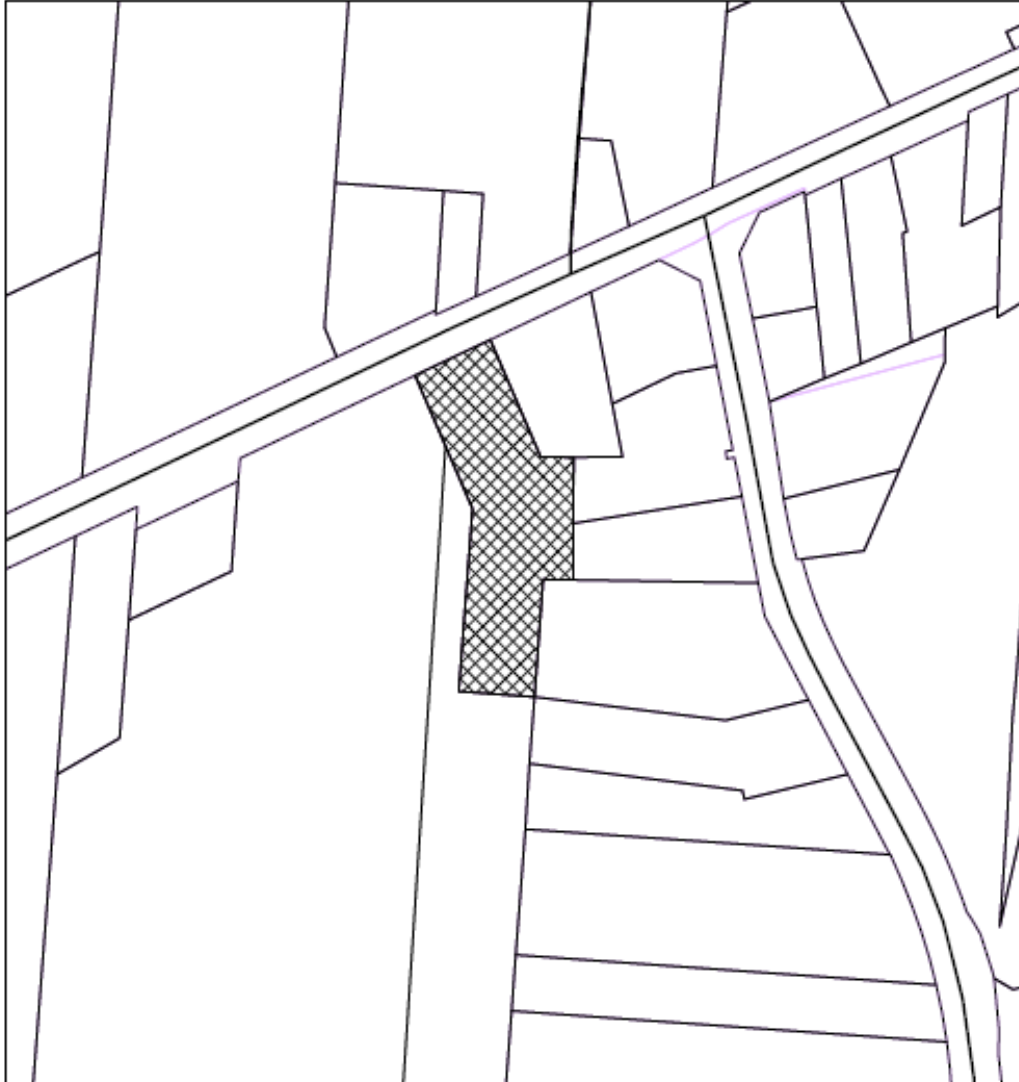
The subject land totals 0.5 ha (1.238 ac.) and is located at what is considered the easterly limit of the Primary Settlement Area boundary for Kingsville. The former dwelling and detached accessory building were converted for retail use in 2016. The prospective purchaser (applicant) currently operates a fitness centre located at 106 Wigle Ave. They are proposing to relocate to the subject property, constructing an addition to the existing accessory building to accommodate their fitness centre, renovate the former dwelling from the current retail use to office space, and expand the parking lot.

The approved zoning by-law amendment will change the area currently zoned 'Residential Zone 1 Urban - holding (R1.1(h))' and 'Agricultural, (A1)' to 'General Commercial Exception 6 (C4-6)' and establish any required site-specific regulations.

The property does not currently have an approved site plan in place. With the amendment approved the next step will be approval of a site plan for the proposed addition and development of the parking area.

Schedule "A" of By-law No. 64- 2019 shows the location and approved zoning of the subject property.

Schedule A



0 20 40 80 120 160 Meters

289 MAIN STREET W
PART OF LOTS 4 & 5, CONCESSION 1
ZBA/08/19



Schedule "A", Map 64 and Map 68 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)', 'General Commercial (C4)', and 'Residential Zone 1 Urban – holding (R1.1(h))', to 'General Commercial Exception 6 (C4-6)'.