

By-law Number 77-2021

of The Corporation of the Municipality of Chatham-Kent

Being an Interim Control By-law under Section 38 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Finally Passed the 10<sup>th</sup> day of May, 2021

Whereas Section 38 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 on May 10, 2021, the Council of the Corporation of the Municipality of Chatham-Kent passed a resolution authorizing the study of agricultural areas, including lands abutting settlement areas to study the effects of greenhouse development in Chatham-Kent with respect to greenhouse lighting;

And Whereas the Municipality will be undertaking a study to examine the effects of greenhouse development within the entire municipal boundary of the Municipality of Chatham-Kent, so as to allow the Municipality to review and, if considered appropriate, implement the findings of the review and study referred to herein;

And Whereas Council has deemed it necessary and expedient to pass this Interim Control By-law to provide the Municipality with time to undertake the review and study referenced above;

Now Therefore Council Enacts As Follows:

1. For the purposes of this By-law "Interim Control Area" shall mean those lands identified in Schedules "A", "B", "C", "D", "E", "F", "G" & "H" attached hereto and forming part of this By-Law.
2. The provisions of this By-law shall only apply to the Interim Control Area.
3. Notwithstanding any other by-law to the contrary, no person shall, within the Interim Control Area:
  - (a) Use any land, building, or structure for a Greenhouse Farm Large Scale, Greenhouse Large Scale, or Greenhouse Small Scale, as defined in the Zoning By-law, except for a use that lawfully existed on the date of the passing of this by-law if the land, building or structure continues to be used for such purpose;
  - (b) Be permitted to construct, alter, or expand any building or structure for a legally existing Greenhouse Farm Large Scale, Greenhouse Large Scale, or Greenhouse Small Scale, as defined in the Zoning By-law, except:
    1. If altering the interior or facade of a legally existing Greenhouse Farm Large Scale, Greenhouse Large Scale, or Greenhouse Small Scale; or,
    2. Repairing or restoring the Greenhouse Farm Large Scale, Greenhouse Large Scale, or Greenhouse Small Scale or a part thereof to a safe condition, provided that such repair or restoration will not increase the height, area, volume or site coverage of such structure and that the building continues to be used for the same purpose and in the same manner as it was used on the effective date of this by-law.

4. A Greenhouse is permitted where the Greenhouse is a temporary or seasonal Accessory use permitted by the Zoning By-law for a Home Improvement Related Merchandise Store, Retail Store, Supermarket, or other like use, as defined in the Zoning By-law.
5. A Greenhouse is permitted where Site Plan approval already exists.
6. 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.
7. This By-law shall come into force and take effect immediately upon its passing by Council and shall be in effect until 11:59 p.m. local time on May 10, 2022, unless otherwise extended in accordance with the provisions of the Planning Act, R.S.O., 1990, c.P.13, as amended.

Read a First, Second and Third Time this 10th day of May, 2021.

Original signed by:

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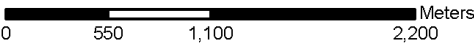
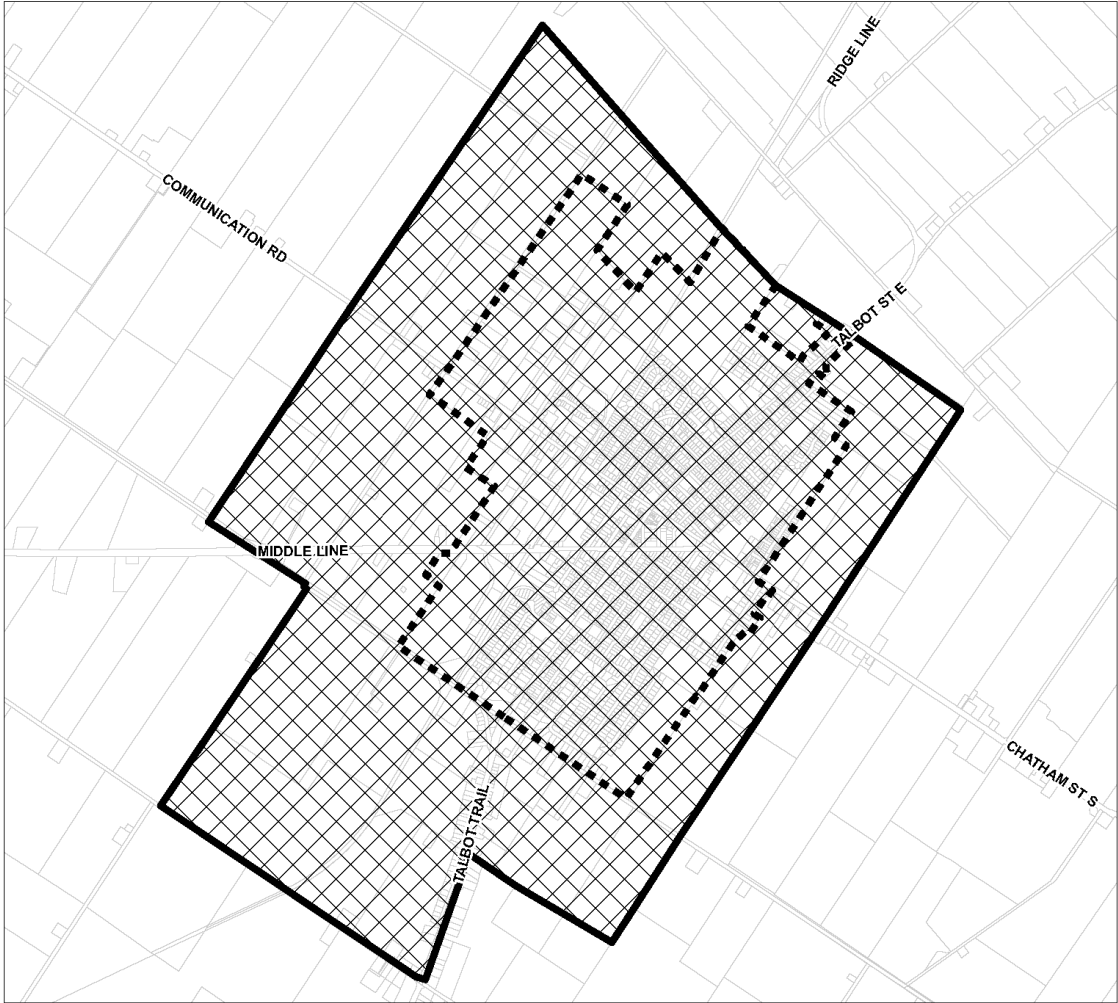
Mayor – Darrin Canniff


Original signed by:

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Deputy Clerk – Meredith Cadotte

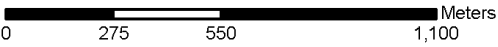
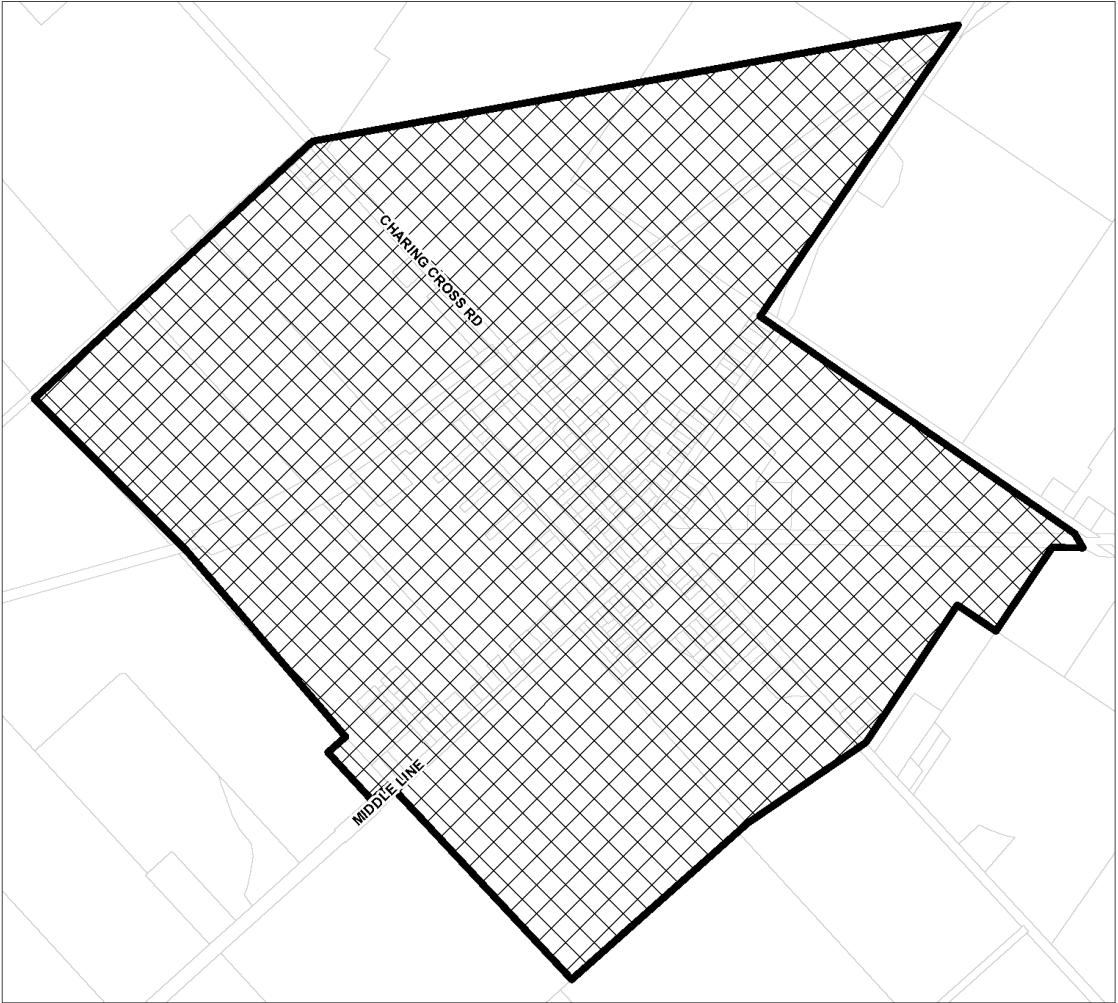
Schedule A - Blenheim




-  Urban Area
-  Lands Included in the Interim Control Area



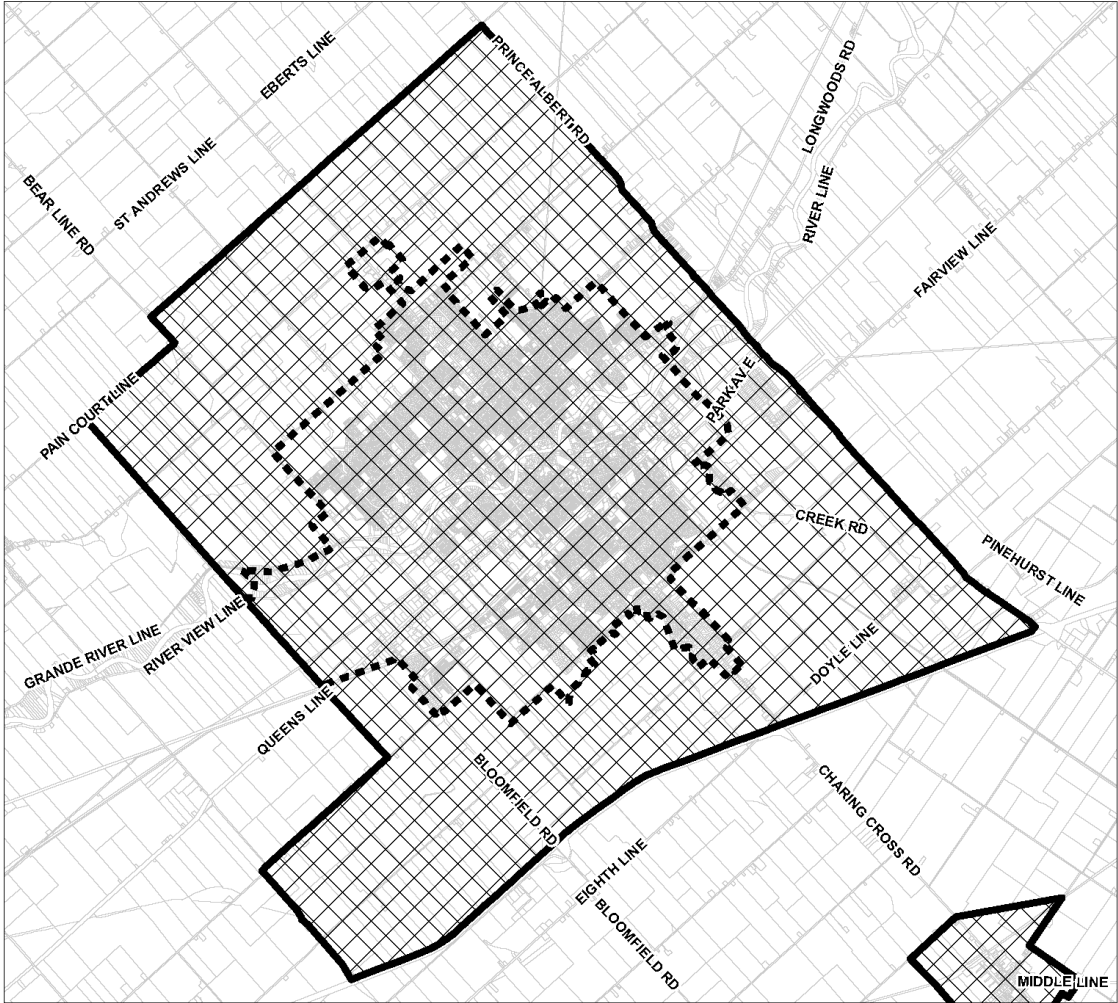
Schedule B - Charing Cross



-  Urban Area
-  Lands Included in the Interim Control Area



Schedule C - Chatham



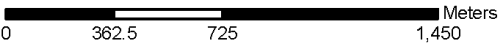
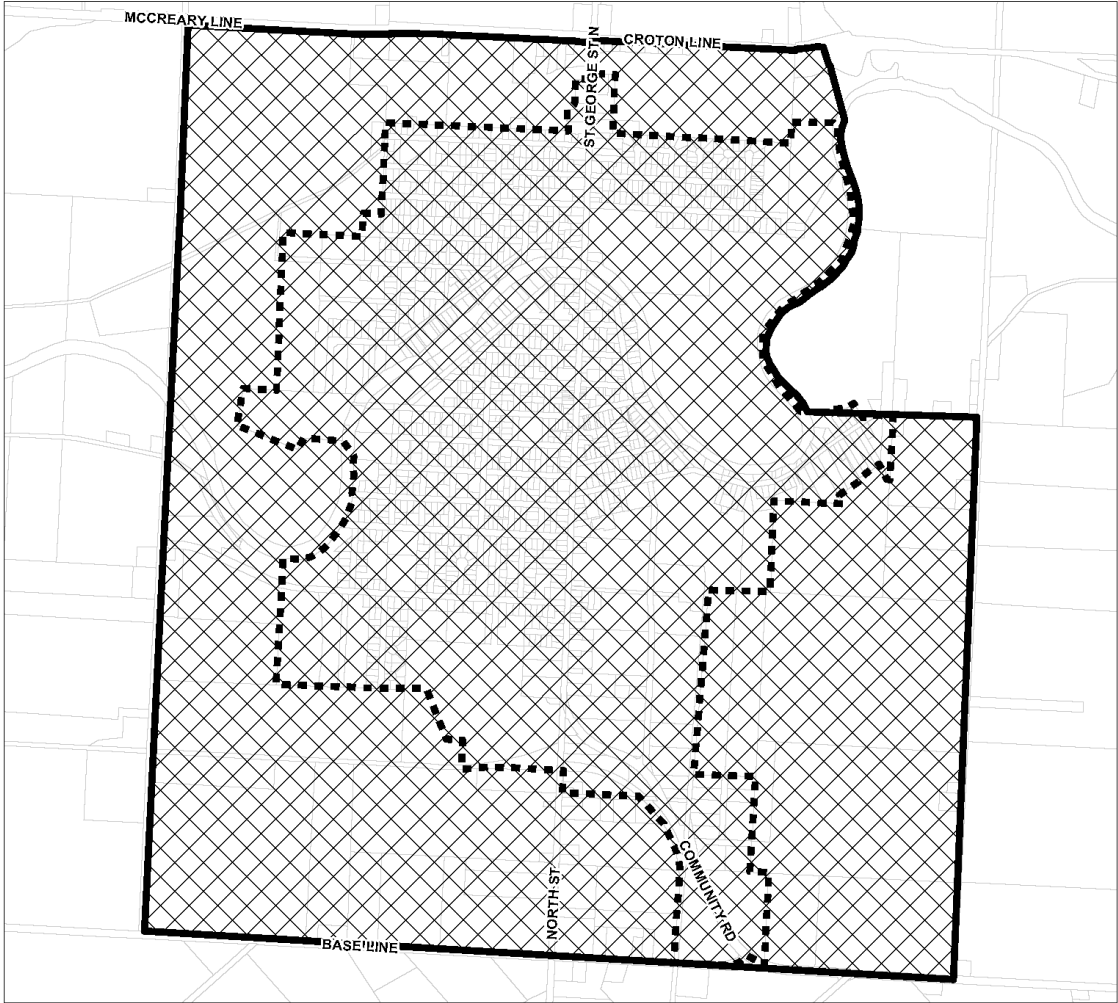
Urban Area





Lands Included in the Interim Control Area



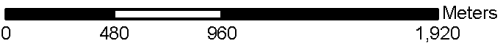
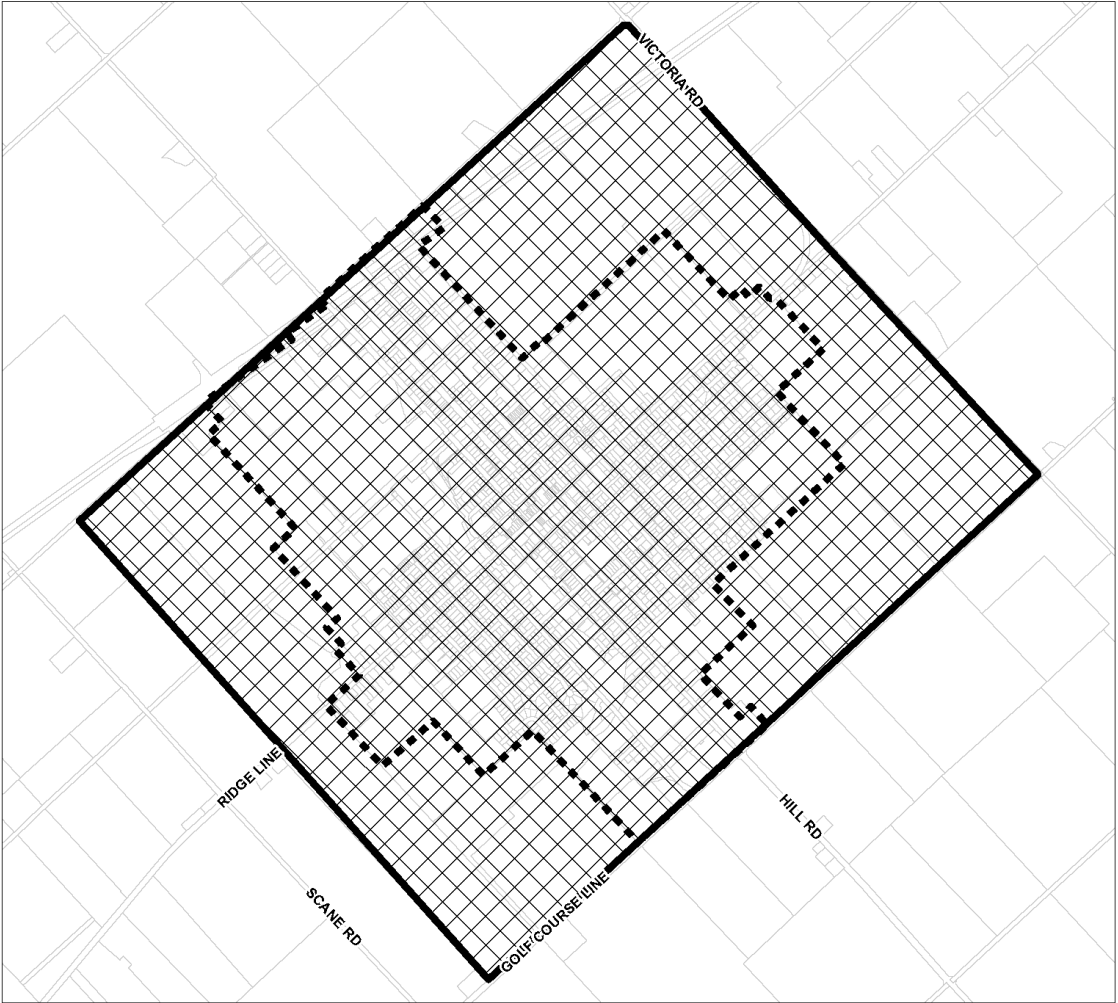
Schedule D - Dresden



-  Urban Area
-  Lands Included in the Interim Control Area



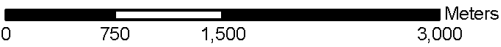
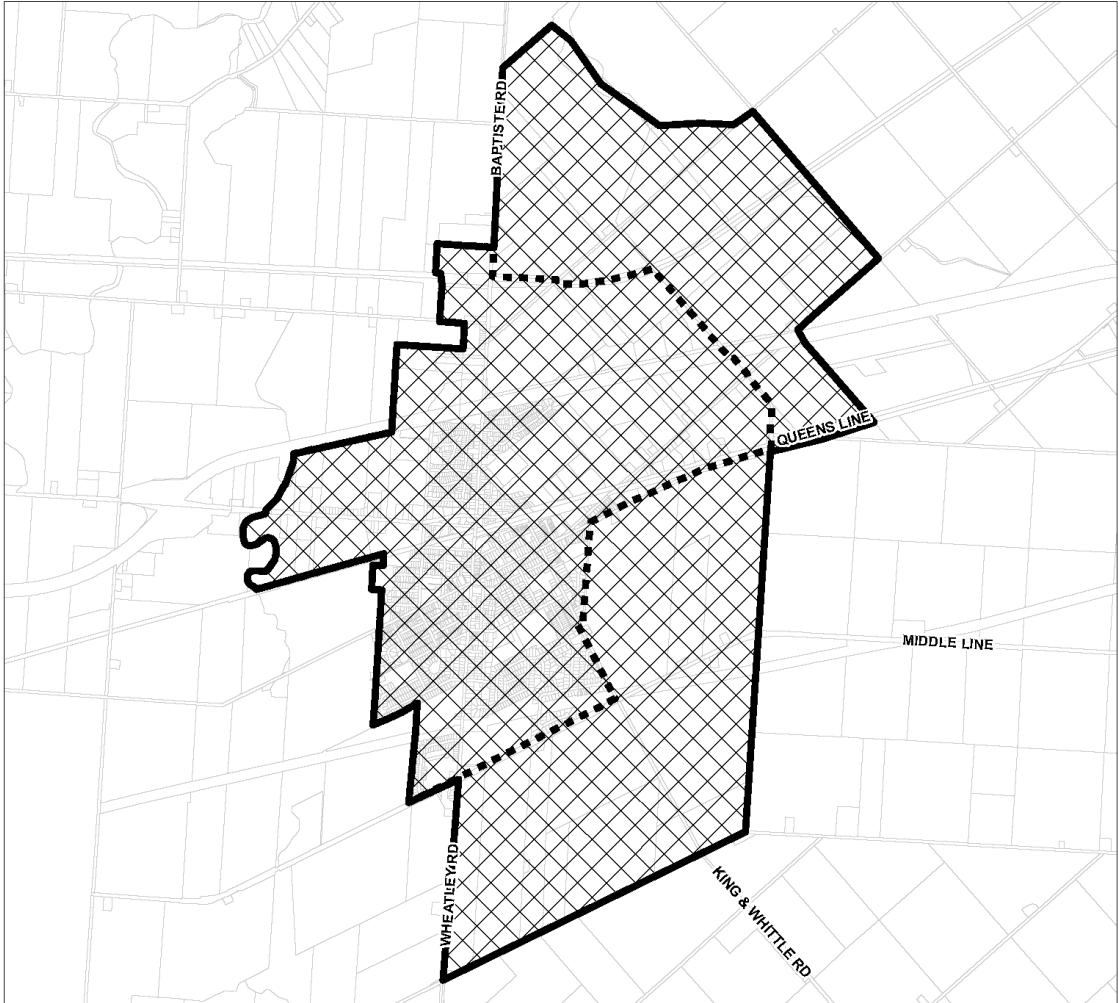
Schedule E - Ridgetown




- Urban Area
- Lands Included in the Interim Control Area



Schedule F - Tilbury

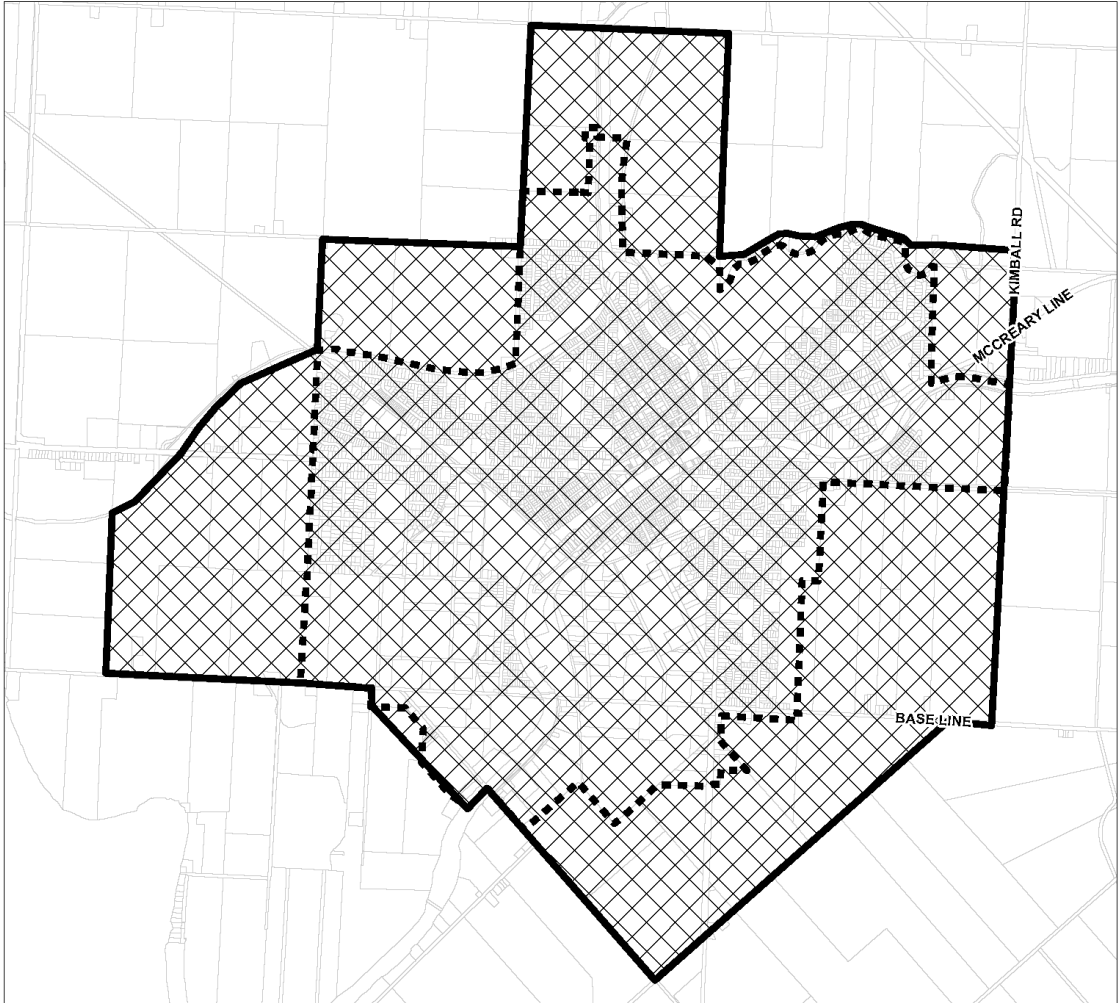


-  Urban Area
-  Lands Included in the Interim Control Area





Schedule G - Wallaceburg



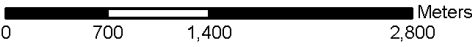
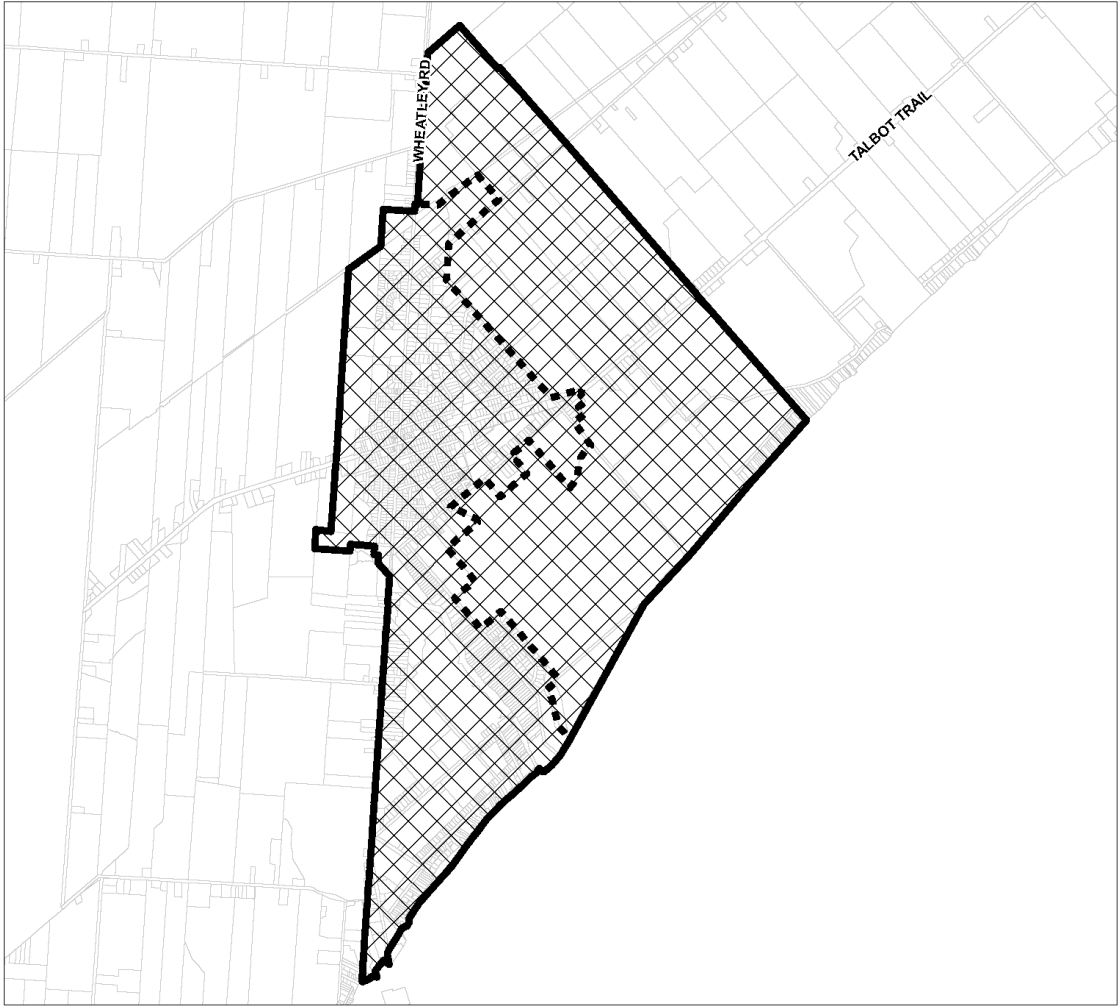
Urban Area



Lands Included in the Interim Control Area



Schedule H - Wheatley



-  Urban Area
-  Lands Included in the Interim Control Area

