

The Corporation of the Town of Grimsby

By-law No. 20-05

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

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 February 3, 2020, the Council of the Corporation of the Town of Grimsby passed the following resolution:

That Report P.A. 20-02, dated February 3, 2020, entitled "Planning Study and Interim Control By-law for Grimsby Beach" be adopted;

And that Council initiate a Land Use Planning Study that will:

1. Examine the planning structure including the existing subdivision pattern, its existing land use arrangement, and its mix and intensity, of the lands identified on Schedule 'A' of Appendix A;
2. Assess the transportation pattern including the function of the road network and inventory the associated parking supply of the lands identified on Schedule 'A' of Appendix A;
3. Assess the contributing role and function of Township Plans 45, 45A, 64, and part of Plan 187 to the lands identified on Schedule 'A' of Appendix A;
4. Update as necessary the existing inventory of built heritage resources associated with the lands identified on Schedule 'A' of Appendix A;
5. Update as necessary and assess the existing mapping of natural heritage features and other related elements that are valued together for their interrelationship and association with the lands identified on Schedule 'A' of Appendix A;
6. Conduct as necessary additional public consultation to address potential impacts identified in the 2017 Conservation Management Plan;
7. Consider architectural design, natural features and cultural heritage guidelines for the lands identified on Schedule 'A' of Appendix A;
8. Update as necessary the Grimsby Official Plan with any new planning policies emerging from the Land Use Planning Study to implement the Secondary Plan for Grimsby Beach as identified on Schedule D of the Official Plan on Schedule 'A' of Appendix A; and
9. Update as necessary the Grimsby Zoning Bylaw, including any other municipal bylaws, to give effect to any new planning policies emerging from the Land Use Planning Study for Grimsby Beach as identified on Schedule D of the Official Plan.

And that the formal tendering process to select consultant(s), to undertake the Land Use Planning Study (the "Consultant"), be commenced in accordance with the Corporation of the Town of Grimsby By-Law No. 04-119 (A By-law Respecting Purchasing).

And that the necessary funds be allocated in order to complete the Land Use Planning Study.

And that the Consultant selected immediately initiate and complete the Land Use Planning Study for the lands identified on Schedule 'A' of Appendix A.

And that Interim Control By-law 20-05, as attached as Appendix A be passed to restrict the use of all lands within the Study Area to the existing uses only, for a period of one year, pending the completion of the Land Use Study to the satisfaction of Council.

And that it be deemed that Section 38 of The Planning Act has been met.

And that the City Clerk be instructed to prepare the necessary notice adopting the Interim Control By-law, as contained in Appendix A of Report P.A. 20-02.

AND WHEREAS Council has deemed it necessary and expedient to pass this interim control by-law to provide the Town with time to undertake the Land Use Planning Study for the lands identified on Schedule 'A' of this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Grimsby hereby enacts as follows:

1. An interim control by-law be placed on lands identified on Schedule 'A' of this by-law until the Land Use Planning Study is completed.
2. It is hereby directed that the Land Use Planning Study be completed to:
 - a. Examine the planning structure including the existing subdivision pattern, its existing land use arrangement, and its mix and intensity, of the lands identified on Schedule 'A' of Appendix A;
 - b. Assess the transportation pattern including the function of the road network and inventory the associated parking supply of the lands identified on Schedule 'A' of Appendix A;
 - c. Assess the contributing role and function of Township Plans 45, 45A, 64, and part of Plan 187 to the lands identified on Schedule 'A' of Appendix A;
 - d. Update as necessary the existing inventory of built heritage resources associated with the lands identified on Schedule 'A' of Appendix A;
 - e. Update as necessary and assess the existing mapping of natural heritage features and other related elements that are valued together for their interrelationship and association with the lands identified on Schedule 'A' of Appendix A;
 - f. Conduct as necessary additional public consultation to address potential impacts identified in the 2017 Conservation Management Plan;
 - g. Consider architectural design, natural features and cultural heritage guidelines for the lands identified on Schedule 'A' of Appendix A;
 - h. Update as necessary the Grimsby Official Plan with any new planning policies emerging from the Land Use Planning Study to implement the Secondary Plan for Grimsby Beach as identified on Schedule D of the Official Plan on Schedule 'A' of Appendix A; and
 - i. Update as necessary the Grimsby Zoning Bylaw, including any other municipal bylaws, to give effect to any new planning policies emerging from the Land Use Planning Study for Grimsby Beach as identified on Schedule D of the Official Plan.

3. And that the formal tendering process to select consultant(s), to undertake the Land Use Planning Study (the "Consultant"), be commenced in accordance with the Corporation of the Town of Grimsby By-Law No. 04-119 (A By-law Respecting Purchasing).
4. And that the necessary funds be allocated in order to complete the Land Use Planning Study.
5. That the Consultant selected immediately initiate and complete the Land Use Planning Study for the lands identified on Schedule 'A' of Appendix A.
6. Notwithstanding any other by-law to the contrary, no person shall, for the lands identified on Schedule 'A' attached hereto:
 - a) use any land, building or structure for any purpose whatsoever except for a use that lawfully existed on the date of the passage of this By-law as long as it continues to be used for such purpose; or
 - b) be permitted to construct, alter or expand any building or structure, save and except where such construction, is that of a minor structure, such as decks, pools, patios, porches, fences, and temporary buildings and structures as defined in the Town Zoning By-law 14-45, Section 4.3 Temporary Uses as well as renovations to the interior of an existing building and is a continuation of a lawful use in existence on the date of the passage of this By-law.
7. This By-law shall come into force and take effect immediately upon its passing by Council and shall be in effect for a period of one year from the date of passage of this By-law, or until such time that the Land Use Planning Study is completed to the satisfaction of the Town Council, unless this By-law is otherwise extended in accordance with the provisions of the *Planning Act*, R.S.O., 1990, c.P.13, as amended.
8. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*, R.S.O., 1990, c.P.13, as amended.

Read a first time this 3rd day of February, 2020.

Read a second and third time and finally passed this 3rd day of February, 2020.




J.A. Jordan, Mayor

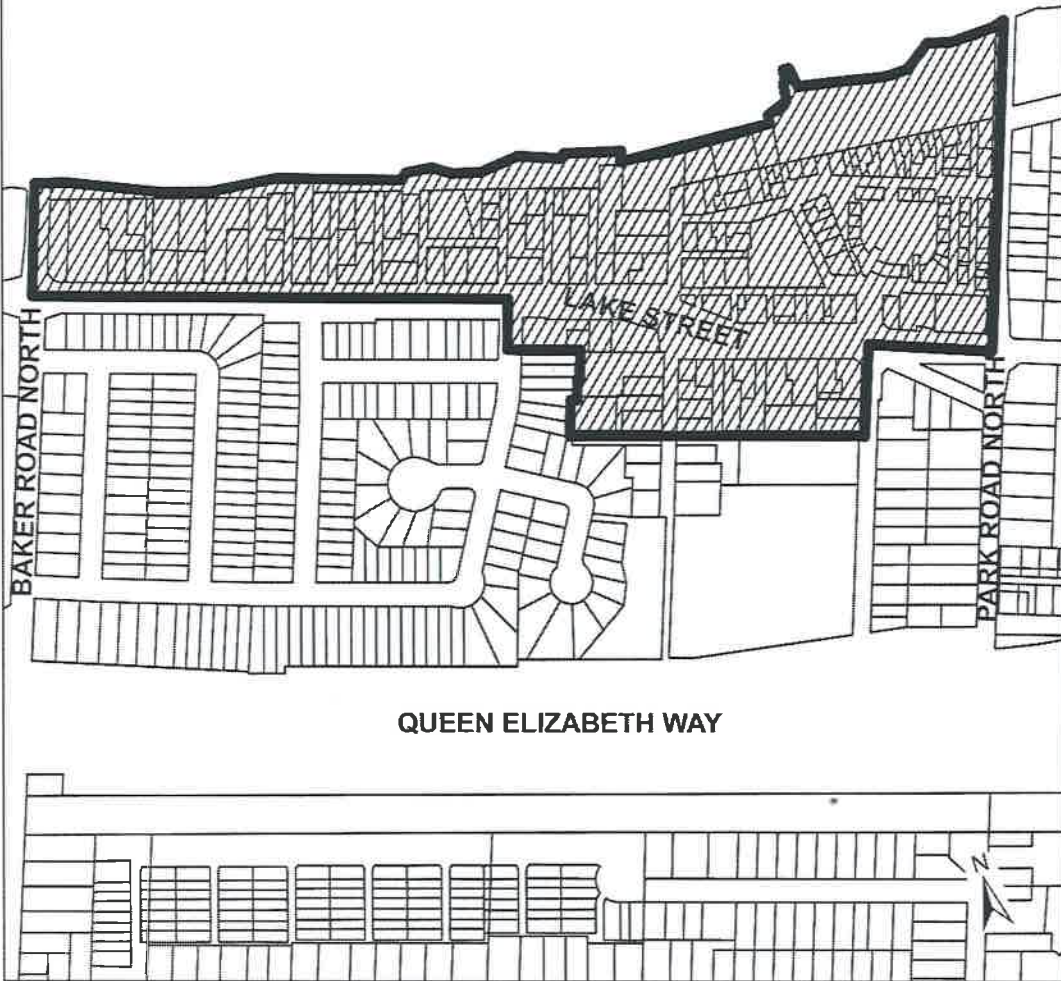


S. Kim, Clerk

Legend

 Lands subject to By-law No. 20-05

LAKE ONTARIO



THIS IS SCHEDULE "A" TO BY-LAW NO. 20-05
PASSED THE 3rd DAY OF FEBRUARY 2020.


MAYOR


CLERK

THE CORPORATION OF THE TOWN OF GRIMSBY

SCALE NOT TO SCALE	FILE NUMBER 26Z-16-2001	PAGE 4 OF 4
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