

CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2006--40

Being a by-law to amend Zoning By-law 1999-52, as amended.

WHEREAS By-law 1999-52, as amended, is a land use control by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Amherstburg;

AND WHEREAS the Council of the Town of Amherstburg deems it appropriate and in the best interest of proper planning to further amend By-law 1999-52 as herein provided;

AND WHEREAS this By-law conforms to the Official Plan for the Town of Amherstburg;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG ENACTS AS FOLLOWS:

1. Section 2 –Definitions is hereby amended by the addition, in the appropriate alphabetical listing order, of the following definitions

“(111a) “Establishment” , when used as part of a definition for a specific use, means a building or structure or use that is a place of business or manufacturing or public or private institution not intended to be interpreted as a retail store for the purposes of this by-law.
2. Section 3(1)(c) Accessory Uses, Height Restriction is hereby amended by the changing the maximum height measurement from 4.5 metres to 5.5 metres so that the section now reads:

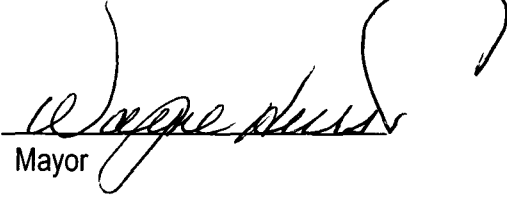
“No accessory building or structure in any zone other than an Industrial or Agricultural zone shall exceed 5.5 metres in height measured to the peak of the roof for any accessory structure.”
3. Section 3(8) Height Restriction is hereby amended by deleting from the list of exempt structures item (xvii) a tower and item (xix) a windmill.
4. Section 3(25) Swimming Pools is hereby amended by changing the required setback for circulation equipment etc from 3.0 metres to 1.0 metres so that the section now reads as follows:

“(iii) No water circulation or treatment equipment such as pumps or filters or any accessory building or structure containing such equipment shall be located closer than 1.0 metres to any lot line.”
5. Section 26(3)(i) Agricultural Zone, Undersized Lots for single detached dwellings is hereby amended by adding an additional requirement (vi) for accessory buildings as follows:

“(vi) Accessory buildings or structures
A building or structure accessory to a single detached dwelling may locate anywhere within an interior side yard or rear yard provided that such accessory building or structure is not located closer than 3.0 metres to any lot line. All other regulations of the Accessory Uses provisions of Section 3(1) shall apply.

6. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990.

Read a first, second and third time and finally passed this 8th day of May, 2006.



Mayor



Clerk