

CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2006-73

Being a by-law to amend Zoning By-law No. 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 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. Schedule "A", Map 15 of By-law-1999-52, as amended, is hereby further amended by changing the zone symbol on those lands shown as "ZONE CHANGE FROM "A" TO "T-A-35" on Schedule "A" attached hereto and forming part of this By-law from "Agricultural (A) Zone" to "Temporary Special Provision Agricultural (T-A-35) Zone".
2. Section 26 (4) Special Provisions of the Town of Amherstburg Zoning By-law 1999-52 is hereby amended by adding a new clause (z) after clause (y) as follows:

"(z) T-A-35 (TEMPORARY WIND TESTING TOWER)

(i) Permitted Uses

A Wind Testing Facility, in addition to the other uses permitted by subsection 26(2) of this By-law.

(ii) Zone Provisions

For a wind testing facility, the maximum height, measured to the highest point, shall be 50 metres, and the minimum setbacks to the northerly, easterly and westerly lot lines shall be equal to the height of the tower, and the minimum setback to the southerly lot line shall be 3 metres (10 feet). Setbacks shall be measured from the nearest part of the applicable lot line to the closest of any part of the wind testing facility, including the tower and any guy wires or other part of the structure and its supports.

All lot and building requirements for uses permitted by Subsection 26 (2) shall be in accordance with Subsection 26(3) of this By-Law.

(iii) Temporary (T) Zone

The zone symbol on Schedule "A" is preceded by a "T" which stands for a Temporary Zone as permitted under section 38 of the Planning Act. When the date of expiry specified in subclause (iv) below is reached, and if no extension has been granted by Council, the zoning of the land shall revert to the base "A" Zone and the uses permitted by the Temporary Zone that are not also permitted by the base "A" Zone shall be removed.

(iv) Expiry

The Permitted Uses and Zone Provisions of the T-A-35 Zone shall expire on September 25, 2009."

3. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 and Section 38 of the Planning Act, R.S.O. 1990.

Read a first, second and third time and finally passed this 25th day of September, 2006.



Mayer



Clerk

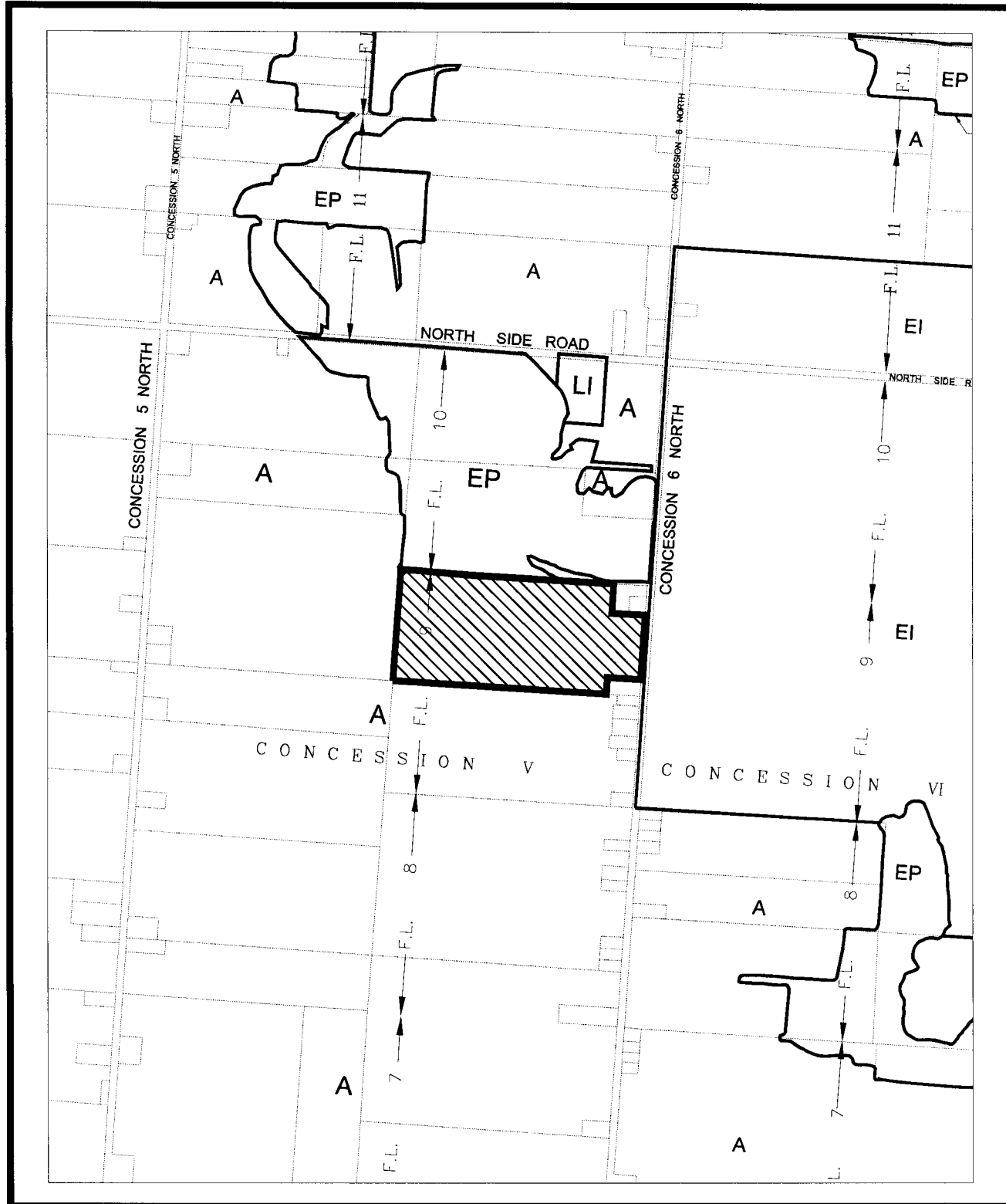
TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2006-73
A BY-LAW TO AMEND BY-LAW No. 1999-52,

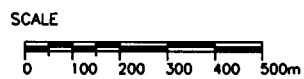
PASSED THIS 25th DAY OF SEPTEMBER, 2006

Wayne Duss
MAYOR

Jeffery
CLERK



KEY MAP No. 15



 ZONE CHANGE FROM
A to T-A-35