

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2008-74

**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 HEREBY ENACTS AS FOLLOWS:

1. Schedule "A" Map 37 of By-law 1999-52, as amended, is hereby further amended by changing the zone symbol on those lands shown as Zone Change From 'R1-13' to 'T-R1-13' on Schedule "A" attached hereto and forming part of this By-law from "Special Provision Residential First Density (R1-13) Zone" to "Temporary Special Provision Residential First Density (T-R1-13) Zone".
2. Section 5 Residential First Density (R1) Zone of the Town of Amherstburg Zoning By-law 1999-52 is hereby amended by adding a new subsection (5) Temporary Zones and the new subsection (5) is hereby further amended by adding a new subsection (a) T-R1-13 as follows:

“a” T-R1-13 (Temporary Restaurant)

(i) Permitted Uses

A Restaurant – in addition to the other uses permitted by subsection 5(4)(l) of this by-law.

(ii) Zone Provisions

The Temporary Use shall be as approved on a site plan under Section 41 of the Planning Act. The permitted commercial retail uses and restaurant shall be restricted to the main floor of the existing building and shall not exceed 65 square metres of floor area. The restaurant use may include seasonal use under the existing verandah. All lot and building requirements for the permitted use and for uses permitted in Subsection 5(4)(l) of this By-law shall be in accordance with Subsection 5(4)(l) (i) and (ii)

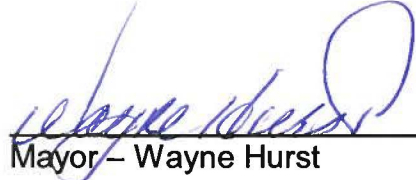
(iii) Temporary (T) Zone

The zone symbol on Schedule "A" is preceded by a "T" which stands for a Temporary Zone as permitted under Section 39 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 "R1-13" Zone and the uses permitted by the Temporary Zone that are not also permitted by the base "R1-13" Zone shall be removed.

- (iv) Expiry
The Permitted Uses and Zone Provisions of the T-R1-13 Zone shall expire on November 24, 2011.

- 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 39 of the Planning Act, R.S.O. 1990.

Read a first, second and third time and finally passed this 24th day of November, 2008.



Mayor – Wayne Hurst



CAO/Clerk – Pamela Malott

Certified to be a true copy of By-Law
No. 2008-74 passed by the Amherstburg
Municipal Council on November 24, 2008.
