

**CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2010-03**

**Being a by-law to amend Zoning By-law No. 1999-52**

**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 as amended by Official Plan Amendment No. 9 and is the subject of an Interim Control By-law 2008-03;

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

1. Section 4(6) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (viii) as follows:

“(viii) h-7 Purpose : To ensure that development and redevelopment will not take place until the necessary mitigating measures have been undertaken to the Town and to the Ministry of the Environment’s satisfaction including the demolition of the existing factory structures. In addition, prior to the finalization of any site plan for development the Town is satisfied that a drainage study has been completed by a qualified hydrologist, that archeological reports have been completed, and that any necessary traffic studies have been completed.

Permitted Interim Uses: Existing uses and any activities necessary for an environmental cleanup.

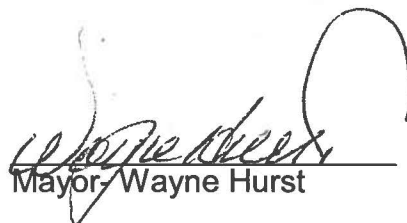
2. Schedule “A”, Maps 28, 29, and 30 of By-law-1999-52, as amended, are hereby amended by changing the zone symbol on those lands shown as “ZONE CHANGE FROM HI TO h-7 HI-3” on Schedule “A” attached hereto and forming part of this By-law from “Heavy Industrial (HI) Zone” to “Holding Provision 7 (h-7) - Heavy Industrial Special Provision (HI-3) Zone” (h-7 HI-3).
3. Schedule “A”, Map 28, of By-law-1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as “ZONE CHANGE FROM RE TO RE-7” on Schedule “A” attached hereto and forming part of this By-law from “Recreation (RE) Zone” to “Recreation Special Provision (RE-7) Zone”.
4. Section 19(4) Recreation Special Provisions is hereby amended by adding a new subsection (f) as follows:

“(f) RE-7  
Notwithstanding any provision of this By-law to the contrary, within any areas zoned RE-7 the following special provisions apply:

- (i) Permitted Uses  
Uses restricted to a marina and related activities including a snack bar and gas bar

- (ii) Regulation  
Notwithstanding Section 3(2) development is permitted without direct frontage on a public street. All other regulations of the by-law apply.  
Building Height shall be restricted to 8 metres.”
5. Section 22(4) Heavy Industrial Special Provisions is hereby amended by adding a new subsection (c) as follows:
- “(c) HI-3  
Notwithstanding any provision of this By-law to the contrary, within any areas zoned HI-3 the following special provisions apply:
- (i) Permitted Uses  
For the lands located to the west of Concession 3 North known as the Soda Ash Settling Bed, the uses permitted shall be restricted to passive opens space uses and any use necessary in the rehabilitation of the site in accordance with the requirements of the Ministry of the Environment.
- For all other lands within the HI-3 zone the uses permitted in the HI zone are allowed subject to added zone requirements as provided below.
- Required Yards (Minimum) Abutting any Non Industrial Zone shall be 50 metres.
- Landscaped Open Space abutting Sandwich Street shall be required and no open storage shall be permitted and no access shall be permitted to Brunner Ave.”
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, cP. 13.

Read a first, second and third time and finally passed this 11th day of January, 2010.

  
\_\_\_\_\_  
Mayor Wayne Hurst

  
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Clerk- Brenda Percy



# TOWN OF AMHERSTBURG

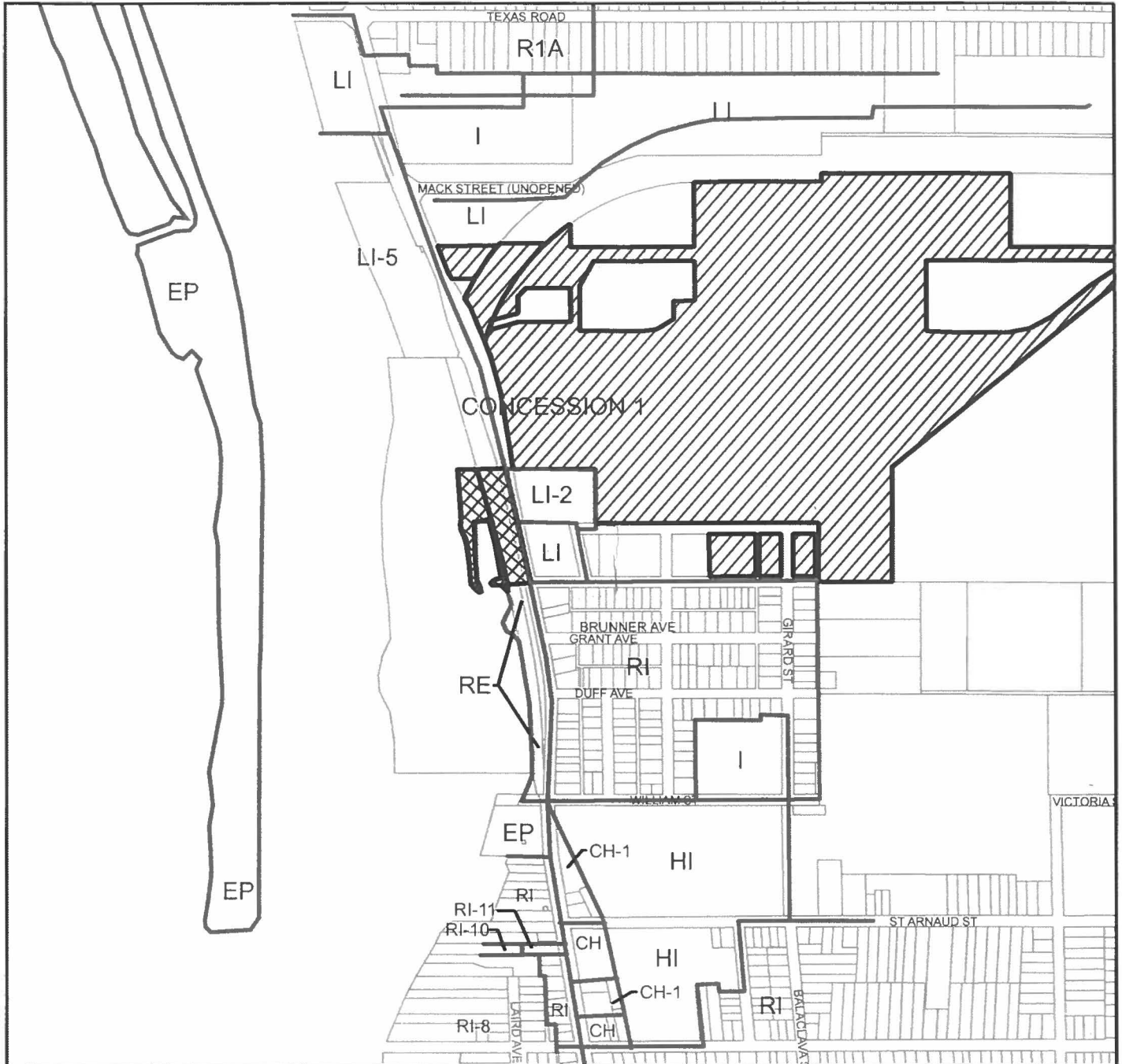
## SCHEDULE "A" TO BY-LAW No. 2010-03

A BY-LAW TO AMEND BY-LAW No. 1999-52,

PASSED THIS 11th DAY OF January 2010



*Wayne Hurst*  
MAYOR - Wayne Hurst

*Brenda Percy*  
CLERK - Brenda Percy



KEY MAP No. 28



-  CHANGE FROM HEAVY INDUSTRIAL TO HOLDING PROVISION (h-7) - HEAVY INDUSTRIAL SPECIAL PROVISION HI-3 [h-7 HI-3]
-  CHANGE FROM RECREATION TO RECREATION SPECIAL PROVISION RE-7 [RE-7]



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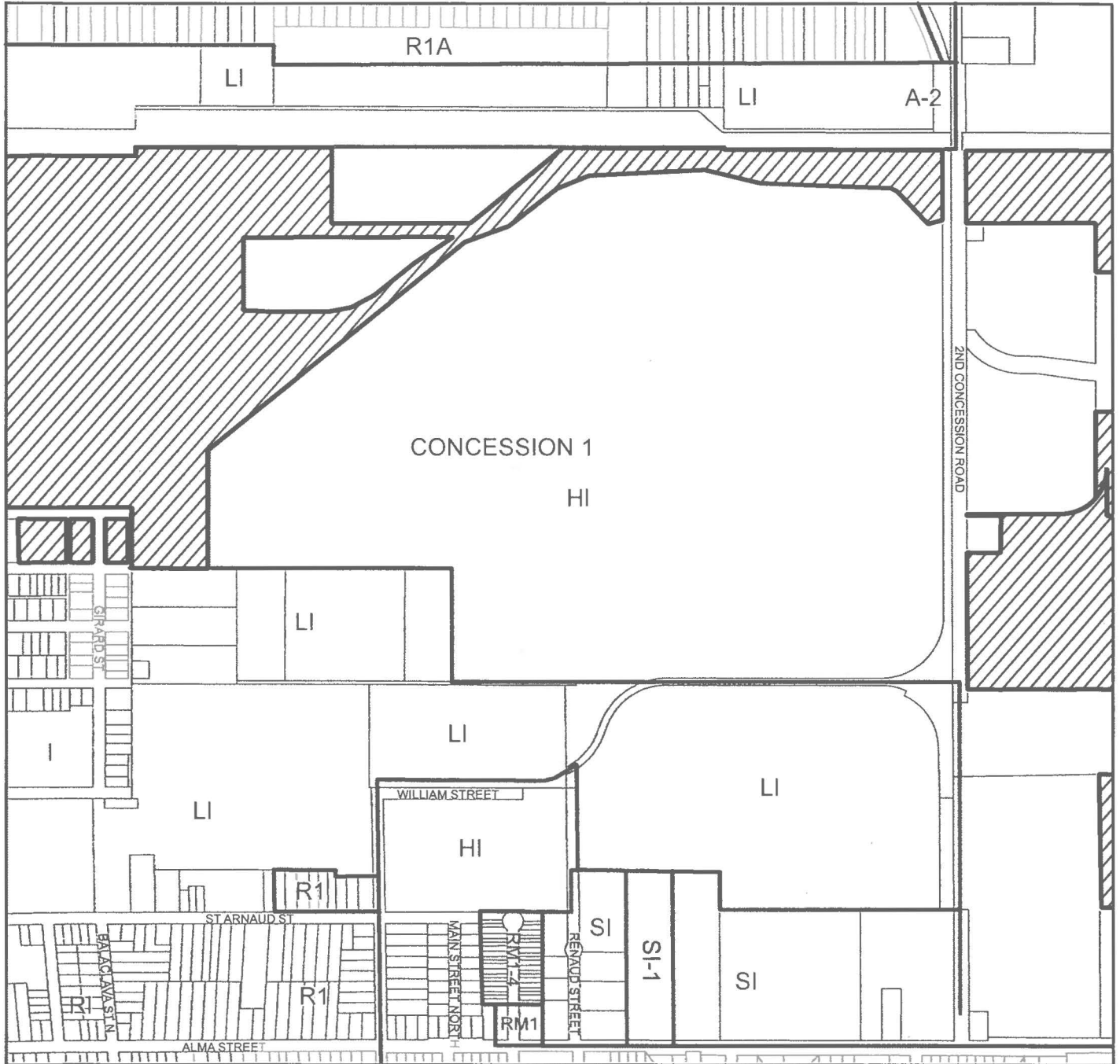
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MAYOR - Wayne Hurst

*Brenda Percy*  
CLERK - Brenda Percy



KEY MAP No. 29



CHANGE FROM HEAVY INDUSTRIAL TO  
HOLDING PROVISION (h-7) - HEAVY INDUSTRIAL  
SPECIAL PROVISION HI-3 [h-7 HI-3]



# TOWN OF AMHERSTBURG

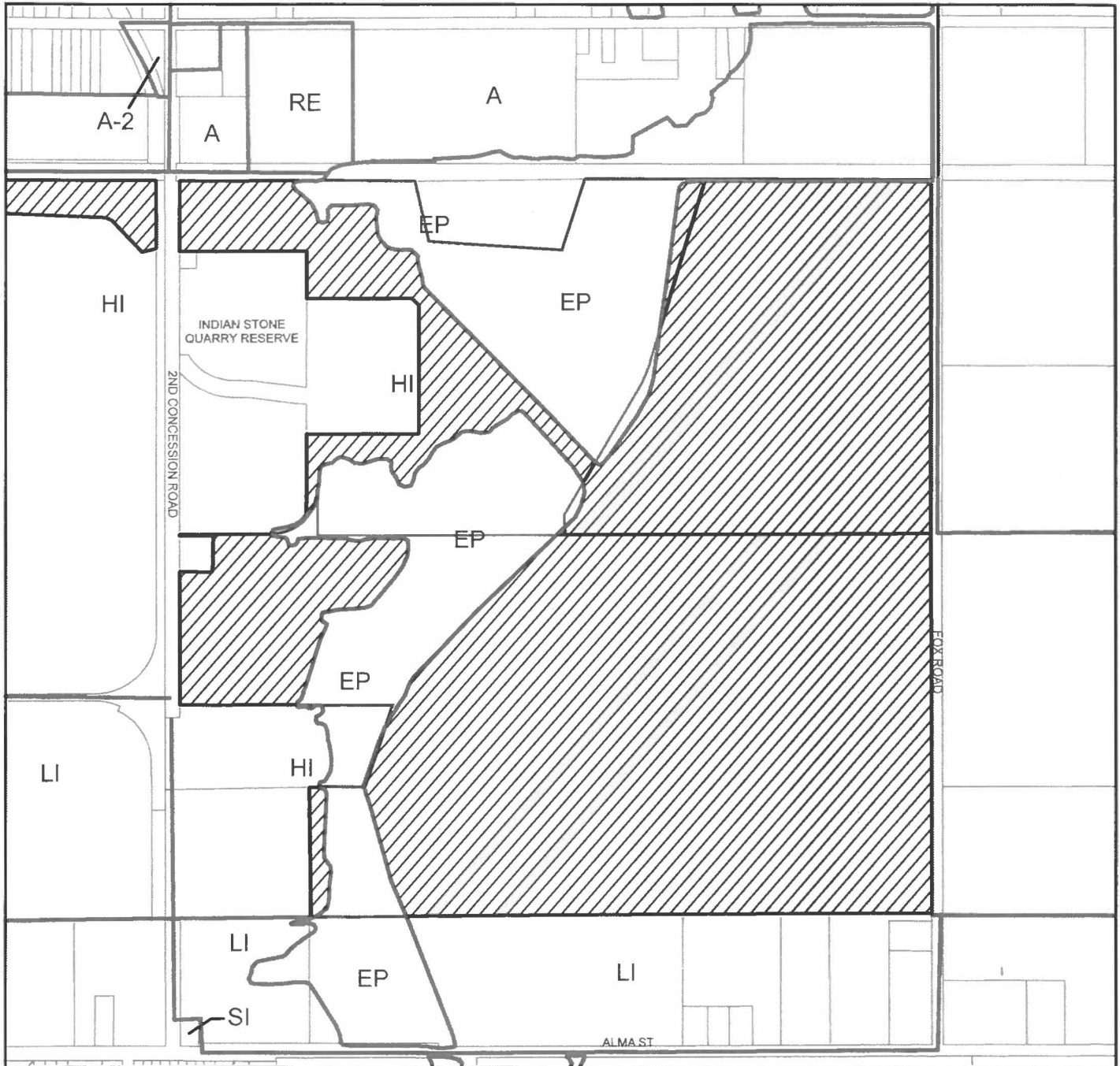
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MAYOR - Wayne Hurst

*Brenda Percy*  
CLERK - Brenda Percy



KEY MAP No. 30



 CHANGE FROM HEAVY INDUSTRIAL TO HOLDING PROVISION (h-7) - HEAVY INDUSTRIAL SPECIAL PROVISION HI-3 [h-7 HI-3]