

**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2018-86**

**By-law to amend Zoning By-law No. 1999-52  
Private Wells within the Town of Amherstburg**

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**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 Council of the Corporation of the Town of Amherstburg enacts as follows:

1. Section 2, Definitions of the Town of Amherstburg Zoning By-law 1999-52, as amended, is hereby amended by adding the following definition to be inserted into the By-law in an appropriate alphabetic location.

“Private Well” A hole made in the ground to locate or to obtain groundwater or to test or to obtain information in respect of groundwater or an aquifer, and includes a spring around or in which works are made or equipment is installed for collection or transmission of water and that is or is likely to be used as a source of water for human consumption.

There are three parts to the definition:

1. a hole used to locate or obtain groundwater is a well
  2. a hole to test or obtain information with respect to groundwater or an aquifer is a well
  3. a spring (natural groundwater discharge at ground surface) where works or equipment are installed and where the water will, or is likely to be used for human consumption is a well.
2. Section 3, General Provisions of the Town of Amherstburg Zoning By-law 1999-52, as amended, is hereby amended by adding the following general provision to be inserted into the By-law in an appropriate alphabetic location.

“(22) PRIVATE WELLS

1. ‘Well Drilling Prohibition’ Area

A private well shall only be permitted within the ‘Well Drilling Prohibition’ area (Schedule E) for the purposes of environmental site remediation, water monitoring or site de-watering, heating and cooling or manufacturing purposes.

2. All Other Areas of the Municipality

- i. The addition of Regulations in the General Provisions that for all other areas of the municipality, a private well may be permitted for non-residential uses other than human consumption such as irrigation, cooling, heating, manufacturing, water monitoring, environmental site remediation, and site de-watering.

- ii. Within the area outside of the ‘Well Drilling Prohibition’ area (remainder of the municipality) a well which legally existed on the date of the adoption of this by-law shall also be permitted as existing.

3. The Schedules of By-law 1999-52, as amended, are hereby amended by adding Schedule "E" attached hereto and forming part of this By-law.

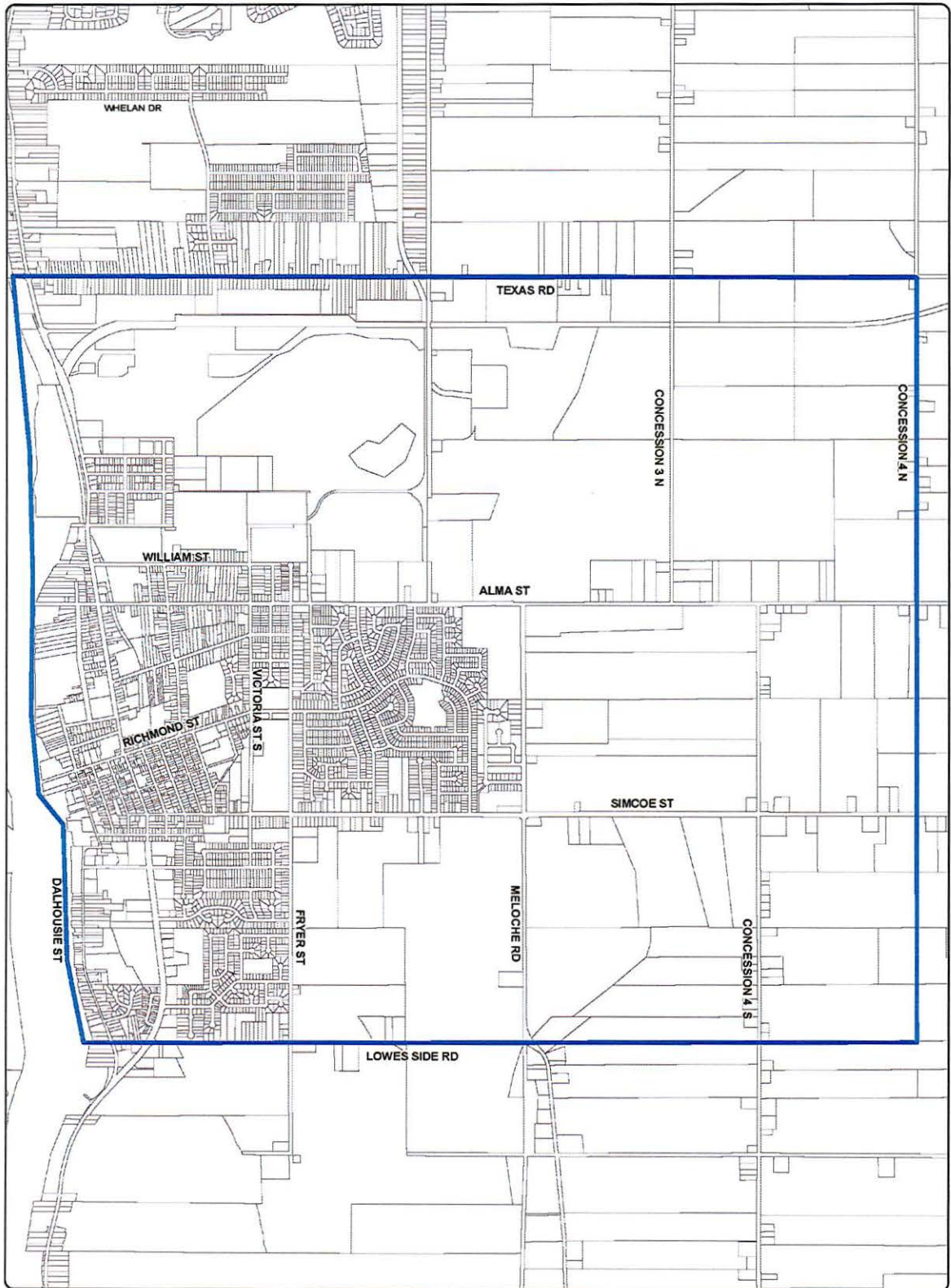
THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990.

Read a first, second and third time and finally passed this 24<sup>th</sup> day of September, 2018.

*Albo DiCarlo*  
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MAYOR-ALBO DICARLO  
*Best DiPasquale*  
Deputy Mayor- Best DiPasquale  
*Paula Parker*  
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CLERK- PAULA PARKER

TOWN OF AMHERSTBURG

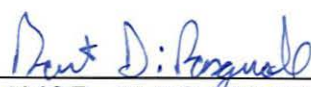
SCHEDULE "A" TO BY-LAW No. 2018-86  
A BY-LAW TO AMEND BY-LAW No. 1999-52



Legend

 Area of Well Drilling Prohibition

**SCHEDULE "E"**  
Area of Well Drilling Prohibition  
TOWN OF AMHERSTBURG  
ZONING BY-LAW No.1999-52

  
MAYOR ALDO DICARLO  
Deputy Mayor - Bart DiPasquale

  
CLERK- PAULA PARKER