

**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2022-071**

**By-law to amend Zoning By-law No. 1999-52  
51 & 57 Sandwich Street South, 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. Schedule "A", Map 37 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as "Zone Change from RO to CG-16" on Schedule "A" attached hereto and forming part of this By-law from "Residential Office (RO) Zone" to "Special Provision Commercial General (CG-16) Zone".
2. THAT Section 15(4) of By-law 1999-52, as amended, is hereby amended by adding a new subsection (p) as follows;

"(p) CG-16 (51 and 57 Sandwich Street South)

Notwithstanding any other provisions of this By-law to the contrary, within any area zoned CG-16 on Schedule "A" hereto, the zone requirements of Section 15 of the By-law shall apply with the addition of the following special provisions:

- (i) Uses Permitted;
    - (a) restaurant, drive-through;
    - (b) multiple dwelling;
    - (c) any use permitted in a CG Zone.
  - (ii) Rear Yard Depth (Minimum) 2 m
  - (iii) Height (Maximum) 14 m
  - (iv) Notwithstanding Section 3(12)(b), the planting strip on the south side of the lands shall be 1.5 m in width.
  - (v) Notwithstanding Section 3(22)(b), an outdoor patio associated with a restaurant shall be permitted on the lands adjoining a residential zone class. All other provisions in Section 3(22) shall apply.
  - (vi) Notwithstanding Section 3(26)(f), the minimum setback of a drive-through restaurant from a Residential Zone shall be 3 m.
3. THAT all other appropriate regulations for the use of land and the character, location and use of buildings and structures conforms to the regulations of the Commercial General Zone, as applicable and all other general provisions or regulations of By-law 1999-52, as amended from time to time.

4. THIS By-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 of the Planning Act, R.S.O. 1990, c.P. 13.

Read a first, second and third time and finally passed this 12<sup>th</sup> day of September, 2022.



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MAYOR- ALDO DICARLO



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CLERK- VALERIE CRITCHLEY

TOWN OF AMHERSTBURG

SCHEDULE "A" TO BY-LAW No. 2022-071  
A BY-LAW TO AMEND BY-LAW No. 1999-52



SCHEDULE "A"  
MAP 37  
ZONING BY-LAW NO. 1999-52

RO to CG-16 