

**THE CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2022-108**

**By-law to Remove a Restrictive Covenant from the title of property  
municipally known as 4091 Concession 4 N**

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**WHEREAS** pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the powers of a municipality shall be exercised by its Council;

**WHEREAS** pursuant to Section 5(3) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, shall be exercised by By-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS** consent of the Committee of Adjustment of the Town of Amherstburg was given on August 14, 2001.

**AND WHEREAS** as a condition of consent required a restrictive covenant restricting further residential development be registered on the title of the retained farmland.

**AND WHEREAS** at the time of registration of the consent certificate, registering the restrictive covenant was registered inappropriately on the title of the severed parcel.

**AND WHEREAS** it has been requested that Council consent to the removal of this restriction from the title of the severed lands.

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

1. THAT the removal of the restriction for no further residential development on the lands described as Concession 4, Part of Lot 2, designated as Part 1 on RP 12R-19166, municipally known as 4091 Concession 4 N in the Town of Amherstburg, County of Essex, Province of Ontario, PIN 05143-0591 be removed from title.
2. THAT this By-law shall come into force and take effect immediately upon the final passing thereof at which time all by-laws that are inconsistent with the provisions of this by-law and the same are hereby amended insofar as it is necessary to give effect to the provisions of this by-law.

Read a first, second and third time and finally passed this 5<sup>th</sup> day of December, 2022.

  
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MAYOR – MICHAEL PRUE

  
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CLERK – KEVIN FOX