

**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**

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 5th day of December, 2022.

MAYOR – MICHAEL PRUE

CLERK – KEVIN FOX