

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2023-004**

**By-law to amend Zoning By-law No. 1999-52
580 Middle Sideroad, Amherstburg**

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 11 of By-law 1999-52, as amended, is hereby amended by changing the zone symbol on those lands shown as “Zone Change from CN-12/R1A to CN-12” and “Zone Change from CN-12/R1A to CN-14” on Schedule “A” attached hereto and forming part of this By-law from “Special Provision Commercial Neighbourhood/Residential Type 1A (CN-12/R1A) Zone” to “Special Provision Commercial Neighbourhood (CN-12) Zone” and “Special Provision Commercial Neighbourhood (CN-14) Zone”
2. THAT Section 17(4)(l) of By-law 1999-52, as amended, is hereby amended with the addition of the following:
 - “(ii) Interior Side Yard Width (Minimum) to north property line 1.5 m
 - “(iii) Notwithstanding Section 3(16)(d) the required loading spaces may be supplied on the abutting lot provided a Site Plan Agreement, easement and reciprocal use agreement is registered on title of the lands used for loading space committing said loading space to the related commercial site.”
3. THAT Section 17(4)(n) of By-law 1999-52, as amended, is hereby added with the following:
 - “(i) Uses Permitted
 1. A maximum of six (6) dwelling units restricted to above the first floor;
 2. Any use permitted in the CN Zone.
 - “(ii) Dwelling Unit Area (Minimum) 55 m²
 - “(iii) Commercial Gross Floor Area Per Permitted Use (Maximum) 558 m²
 - “(iv) Notwithstanding Section 3(23)(i)(i) and Section 3(23)(i)(viii) the maximum width for a two-way driveway shall not exceed 11 m in total width inclusive of any curb, landscaped open space or any other obstruction.”
4. 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 Neighbourhood Zone, as applicable and all other general provisions or regulations of By-law 1999-52, as amended from time to time.

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 --th day of January, 2023.

MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX

DRAFT

SCHEDULE "A" TO BY-LAW No. 2023-004
A BY-LAW TO AMEND BY-LAW No. 1999-52

