

**CORPORATION OF THE TOWN OF AMHERSTBURG
BY-LAW NO. 2022-105**

By-law to amend Zoning By-law No. 1999-52

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. THAT Section 3(1)(b) of By-law 1999-52, as amended, is hereby amended by replacing “In the Agricultural Zone the total lot coverage of all non-farm accessory use structures are permitted to a maximum of 185 square meters (1991 sq ft)” with “In the Agricultural Zone the total lot coverage of all accessory structures is permitted to a maximum of 10 percent of the lot area. In the Agricultural Zone the total lot coverage of a secondary dwelling unit is permitted to a maximum of 185 square meters (1991 sq ft). All other regulations of Secondary Dwelling Unit provisions of Section 3(3)(f) shall apply”.

2. THAT Section 3(23) of By-law 1999-52, as amended, is hereby amended by deleting and replacing subsection (a) as follows;

“(a) **PARKING SPACES REQUIRED**

Except as otherwise provided herein, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in Clause (b) and Clause (c) of this Subsection, shall provide and maintain, for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, one or more parking spaces in accordance with the provisions of this Subsection.

In addition to the parking spaces required by Section 3(23)(b) and 3(23)(c) accessible parking spaces shall be required as set forth in the following;

Types of accessible parking spaces:

- (i) Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:
 - a. Type A, a wider parking space which has a minimum width of 3,400 mm and signage that identifies the space as “van accessible”.
 - b. Type B, a standard parking space which has a minimum width of 2,400 mm.

Access Aisles:

- (ii) Access aisles, that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.

(iii) Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:

- a. They must have a minimum width of 1,500 mm.
- b. They must extend the full length of the parking space.
- c. They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

Minimum Number and Type of Accessible Parking Spaces:

(iv) Off-street parking facilities must have a minimum number of parking spaces for the use of persons with disabilities, in accordance with the following requirements:

- a. One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer.
- b. Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:
 - i. Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
 - ii. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.
- c. One parking space for the use of persons with disabilities and an additional three per cent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with ratios set out in subparagraphs b i and ii, rounding up to the nearest whole number.
- d. Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs b(i) and b(ii), rounding up to the nearest whole number.
- e. Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking

spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs b(i) and b(ii), rounding up to the nearest whole number.”

- 3. 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 12th day of December, 2022.

MAYOR- MICHAEL PRUE

CLERK- KEVIN FOX

DRAFT