

The Corporation of the Town of Essex

By-Law Number 2306

Being a by-law to Amend By-Law Number 1037
The Comprehensive Zoning By-law for the Town
of Essex

WHEREAS By-Law Number 1037 is the Town's Comprehensive Zoning By-Law regulating the use of lands and the character, location and use of buildings and structures within the Town of Essex;

AND WHEREAS the Council of the Corporation of the Town of Essex deems it expedient and in the best interest of proper planning to amend By-Law Number 1037;

NOW THEREFOERE be it resolved that the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. **That** Section 7, Definitions, of Bylaw 1037, is hereby amended by:

adding between the definitions "Commercial Biomass Energy Facility" and "Commercial School" the following definition:

"Commercial Outdoor Recreational Facility" means a lot or part thereof, with or without buildings, used for commercial recreational purposes but shall not include a campground, and may include, in combination therewith, one (1) or more of the following as an ancillary use: a confectioner's shop, an entertainment lounge, and retail store.

adding between the definitions "Rear Yard" and "Recreational Vehicle" the following definition:

"Recreational Facility" means a building or grouping of buildings and structures designed and intended to accommodate various forms of indoor sports and recreation and may include, in combination therewith, one (1) or more of the following as an ancillary use: a day care centre, indoor and/or outdoor exhibition areas, professional studio, entertainment lounge, restaurant, and confectioner's shop.

2. **That** Section 15, of By-Law 1037, is hereby amended by adding the following subsection:

Subsection 23.2 Green District 1.6 (G1.6)

Major Public/Private Recreational Uses			
a) Permitted Uses			
i. Main use	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Recreational Facility Commercial Outdoor Recreational Facility Fairground </td> <td style="width: 50%; border: none;"> Greenway Public Park Outdoor Market Temporary Outdoor Vendor's Site </td> </tr> </table>	Recreational Facility Commercial Outdoor Recreational Facility Fairground	Greenway Public Park Outdoor Market Temporary Outdoor Vendor's Site
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ii. ii) Accessory Uses	Any use accessory to the main use		
b) Regulations			
i. Lot Area - Minimum	1850m ² (20000f ²)		
ii. Front Yard Depth - Minimum	7.5m (25f)		
iii. Side Yard Width - Minimum	the greater of 50% of the building height or 7.5m (25f) from an interior lot line 7.5m from an exterior lot line		
iv. Rear Yard Depth - Minimum	the greater of 50% of the building height or 7.5m (25f) from an interior lot line 7.5m from an exterior lot line		
v. Building Height – Maximum	10m (32f) on a lot having a lot area of less than 0.5h (1.3ha) 15m (49f) on a lot having a lot area of 0.5h or greater		
vi.	<p>Provisions of the following subsections shall apply in whole or in part to lands situated within any one (1) of the following restricted areas shown on the Zoning District Maps:</p> <ol style="list-style-type: none"> 1. Floodplain Development Control Area – see subsection 10.6 2. Lake Erie Flood Prone Area – see subsection 10.6 		
c) Supplementary Regulations: See Sections			
7: Definitions 8: Supplementary Use Regulations 9: Supplementary Lot Regulations	10: Supplementary Building Regulations 11: Parking Space Regulations 12: Parking Area Regulations.		

3. **That** Schedule 'A', Map 03, of By-Law 1037 be amended to redesignate the lands located at the corner of North Malden and Batten Side Road, South of Kings Highway Number 3, from Agricultural District 1.1 (A1.1) to Green District 1.6 (G1.6).

4. **That** By-Law Number 2306 shall come into force and take effect on the date of approval of Official Plan Amendment No. 9 by the Manager of Planning Services for the County of Essex.

Read a first, a second and a third time and finally passed on February 5, 2024.

Mayor

Clerk