

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. ____-2023

A BY-LAW TO AMEND ZONING BY-LAW 216-2009

OF THE MUNICIPALITY OF CHATHAM-KENT

(Temporary Extensions of Outdoor Patios)

WHEREAS the Council of the Municipality of Chatham-Kent enacted By-law 216-2009 to regulate the use of land and the character, location and use of buildings and structures in the Municipality of Chatham-Kent on December 14, 2009 (Zoning By-law);

AND WHEREAS The Government of Ontario has amended Regulation 746/21 under the Liquor Licence and Control Act, 2019 establishing a new framework for temporary outdoor physical extensions (temporary patios), which took effect on January 1, 2023.

AND WHEREAS Council has determined that certain amendments be made to By-law 216-2009 pursuant to Section 34 of the Planning Act, R.S.O. 1990 Chapter P. 13, as amended, to amend certain regulations related to Outdoor Patios;

AND WHEREAS the proposed amendments and updates to Zoning By-law 216-2009 conform with the general intent and purpose of the Municipality of Chatham-Kent Official Plan;

AND WHEREAS Council has the authority pursuant to Section 34 of the Planning Act R.S.O. 1990 Chapter P. 13, as amended, to pass amendments to the Zoning By-law;

NOW THEREFORE BE IT AND IT IS HEREBY ENACTED AS By-law No. ____-2023 of the Corporation of the Municipality of Chatham-Kent:

1. That By-law 216-2009, as amended, of the Municipality of Chatham-Kent, be amended by amending Section 4.32 – Outdoor Patio by:
 - 1.1 Delete the words “An outdoor patio” and replace with the words “A temporary or permanent outdoor patio”.
 - 1.2 Add a new subsection after subsection (h), being:
 - (i) Temporary outdoor patios shall only be permitted to operate a maximum of eight months per calendar year

THIS By-law shall come into force and effect upon the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990 Chapter P. 13, as amended.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 24th day of April, 2023.

MAYOR – Darrin Canniff

CLERK – Judy Smith