

The Corporation of the Town of South Bruce Peninsula

By-Law Number 58-2020

Being a By-Law to Amend By-Law Number 122-2009, as Amended, Being the Comprehensive Zoning By-Law for the Town of South Bruce Peninsula

Whereas the Planning Act, RSO 1990 Section 34 provides for the passing of Zoning By-Laws;

And whereas in accordance with the Planning Act, application has been received to change the zoning provisions for the subject lands.

Now therefore the Corporation of the Town of South Bruce Peninsula enacts as follows:

1. **That** By-Law 122-2009, as amended, being the Zoning By-Law for the Town of South Bruce Peninsula, is further amended by adding (underlined) and deleting (strikeout) to and from Section 5 – Definitions thereof, as shown below:

Restaurant means a building or part thereof, other than a tavern, or a restaurant-mobile where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises. Dining Restaurant, Drive-In Restaurant, Drive-Thru Restaurant and Take-Out Restaurant are defined below for the purposes of calculating off-street parking requirements

Restaurant – Mobile means any vehicle, trailer, cart or other structure not placed on a permanent foundation which is equipped for cartage, storage and the preparation of food stuffs, beverages, confections and where such items are offered directly for consumption to the general public and excluding private guests, and includes a chip wagon, mobile canteen and other refreshment vehicles”

2. **That** By-Law 122-2009, as amended, being the Zoning By-Law for the Town of South Bruce Peninsula, is further amended by adding the following to Section 6– General Provisions thereof:

“6.4 Commercial use accessory an established and operating permitted use.

6.4.1. Restaurant – Mobile

Restaurant – Mobile that are not a licenced motorized vehicle as regulated by the Highway Traffic Act R.S.O. 1990, CHAPTER H.8 are limited to one per property. All other provisions of this by-law apply.

Where a Restaurant-Mobile is a licenced motorized vehicle as regulated by the Highway Traffic Act R.S.O. 1990, CHAPTER H.8 as amended the following shall apply:

- i. Shall be in accordance with Section 6.1 through 6.1.5 of this by-law.
- ii. Shall not be permitted unless the principal use is established and operating
- iv. Despite any other provision of this by-law a restaurant-mobile may be located on Public Parklands and Road Allowances owned by the Town.

Note: A valid business licence is required for each Restaurant – Mobile from the Town of South Bruce Peninsula and Restaurant-mobile may be subject to other municipal by-laws.”

3. **That** By-Law 122-2009, as amended, being the Zoning By-Law for the Town of South Bruce Peninsula, is further amended by adding the following to Section 6.33 Parking Regulations thereof:

-Add “Mobile” following “Drive-In/Drive Thru/Take-Out which requires 1 space per 20m² G.F.A.

4. **That** By-Law 122-2009, as amended, being the Zoning By-Law for the Town of South Bruce Peninsula, is further amended by adding the following to Section 15.2 – Permitted Uses (C1A Un-Serviced General Commercial Zone) and Section 16.2 Sub-Section 16.2 - Permitted Uses (C1B Serviced General Commercial Zone) thereof:

“ **Restaurant - Mobile** in accordance with Section 6.4.”

5. **That** this by-law shall come into force and effect on the final passing thereof by the Council of the Town of South Bruce Peninsula, subject to compliance with the provisions of the Planning Act, R.S.O. 1990, as amended and subject to Official Plan Amendment L-2020-012 coming into force and effect.

Read a first and second time this 2nd day of June, 2020.

Mayor
 Clerk

Read a third time and finally passed this 2nd day of June, 2020.

Mayor
 Clerk