The Corporation of the Town of South Bruce Peninsula

By-Law Number 79-2014

Being a By-Law to Amend the Comprehensive Zoning By-Law of the Town of South Bruce Peninsula

Whereas the Planning Act, RSO 1990 Section 34 provides provisions for the passing of zoning by-laws;

And whereas in accordance with the Planning Act, application has been received to change the definitions and general provisions for all zone;

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

1. That By-Law 122-2009, as amended, being the Comprehensive Zoning By-Law for the Town of South Bruce Peninsula, is hereby further amended by adding the following definition to Section 5 (Definitions):

   Restaurant - Portable Food Outlet means a trailer, vehicle, cart or similar moveable or temporary structure that is located on a private lot and from which food is prepared and offered for sale to the public for consumption outside.

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

   6.1.8 Portable Food Outlets
   Where stated as a permitted use, a “Portable Food Outlet” shall be permitted in accordance with the provisions for the zone in which it is located and shall also comply with the following regulations:

   1. A Portable Food Outlet may only be permitted as a second or additional use and may not be established or used on a lot unless a commercial building, structure, or use is existing.

   2. A portable food outlet shall be considered a building for the purposes of Section 6.1.4 – Number of Accessory Buildings and Section 6.1.3 – Lot Coverage – Accessory Uses and Structures.

   3. Notwithstanding Section 6.1.1 Location – Accessory Uses and Structures, a Portable Food Outlet shall be subject to the same yard setbacks as a main building or structure and any more restrictive setback such as to a County or Provincial Street or Environmental Hazard shall apply.
A lot with a Portable Food Outlet shall be subject to site plan control which may address matters including but not limited to garbage and recycling facilities, parking, washrooms, landscaping and buffering.

3. 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 South Bruce Peninsula Official Plan Amendment 35 coming into force and effect.

Read a first and second time this 5th day of August, 2014.

Mayor

Clerk

Read a third time and finally passed this 5th day of August, 2014.

Mayor

Clerk