

CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2002-52

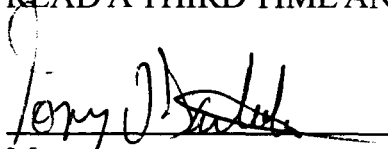
**Being a by-law to adopt Amendment No. 4 to the
Official Plan for the Town of Amherstburg.**

The Council of the Corporation of the Town of Amherstburg in accordance with the provisions of Sections 17 and 21 of the Planning Act, hereby enacts as follows:

1. Amendment No. 4 to the Official Plan for the Town of Amherstburg consisting of the attached text is hereby adopted.
2. The By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 15TH DAY OF OCTOBER, 2002.

READ A THIRD TIME AND FINALLY PASSED THIS 15TH DAY OF OCTOBER, 2002.



Mayor



Clerk

I, David Mailloux, Clerk of the Corporation of the Town of Amherstburg, do hereby CERTIFY that the above is a TRUE COPY of By-law No. 2002-52, as enacted and passed by the Council of the Corporation of the Town of Amherstburg on the 15th day of October, 2002.

Clerk

AMENDMENT NO. 4
TO THE OFFICIAL PLAN
FOR THE
TOWN OF AMHERSTBURG

APPROVAL PAGE

This Amendment to the Official Plan for the Town of Amherstburg which has been adopted by the Council of the Corporation of the Municipality of Amherstburg is hereby approved in accordance with Section 17 of the Planning Act, as AMENDMENT No. 4 to the Official Plan for the Town of Amherstburg.

Date

Approval Authority

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AMENDMENT NO. 4
TO THE OFFICIAL PLAN
FOR THE TOWN OF AMHERSTBURG

PART "A" - PREAMBLE does not constitute part of this Amendment.

PART "B" - THE AMENDMENT consisting of the following text and map schedule, constitute Amendment No. 4 to the Official Plan for the Town of Amherstburg.

PART "A" - THE PREAMBLE

1. PURPOSE

The purpose of this Amendment is extend the General Commercial designation of the Town of Amherstburg and to create a dual designation on specified lands. The General Commercial designation is to extend northerly along the east side of Sandwich Street up to the existing Highway Commercial designation while retaining the High Density Residential designation and/or Office Residential Designation. The purpose is to increase the acreage of lands designated for commercial development. The dual designation will permit the use of the lands for either retail/commercial uses or /and residential uses and/or office residential uses.

2. LOCATION

The subject lands are located immediately north of lands designated General Commercial by Official Plan Amendment No. 1 on east side of Sandwich Street.

3. BASIS

Two applications for the extensions of the General Commercial designation of the Town of Amherstburg's Official were received in 2001. Council requested that an analysis be undertaken to determine whether or not there was sufficient lands designated for commercial development. The results of that study indicated that additional lands could be designated for commercial development. Council after reviewing the commercial study and following the public meetings on Official Plan Amendment No. 1, recommended that the lands to the north of Official Plan Amendment No. 1 also be placed in a General Commercial designation.

The purpose of the Commercial Review Study was to:

- review and analyze the historical commercial land use patterns in the Study Area in order to determine growth trends;
- review and evaluate the commercial land use, economic development, and downtown revitalization policies in the Town of Amherstburg's Official Plan to ensure that they:
 - (1) are consistent with the purpose and intent of the Official Plan and the goals and objectives of the Town;
 - (2) are clear, unambiguous, and consistent in their interpretation and application;
 - (3) provide appropriate guidance to the Town, developers and the public;
 - (4) meet the needs of the municipality now and for the next 20 years; and
 - (5) allow for logical and necessary growth in the Town, while ensuring that the quality of existing commercial areas are maintained and/or enhanced.
- determine if there is sufficient land designated for commercial purposes, that this land is in appropriate locations, and that it is designated for the appropriate type of commercial development;
- generate recommended alternatives to the existing policies and analyze their short and long term implications;
- ensure that land use incompatibility issues are properly addressed and, if necessary, appropriate mitigating measures are required; and
- ensure that the historical significance of Amherstburg and its built form are properly recognized, protected and enhanced by the policies of the Official Plan.

With the extension of the General Commercial designation northerly into the block of land between Fort Street and Alma Street, Council felt that the commercial land use pattern should be completed for the eastern side of Sandwich Street. Requests had been made to Council in the past and during the 1998 Official Plan update to permit a broader range of commercial uses in this area and to be more flexible on how this portion of Sandwich Street developed.

The proposed amendment gives the same designation to the remaining portion of Sandwich Street as had been granted to the lands affected by Official Plan Amendment No. 1. This amendment also proposes that all of the lands retain a second or dual designation. Should the lands not develop commercially the lands are still aptly suited for their original designations of High Density Residential and Office Residential.

Existing General Commercial policies are sufficient to ensure appropriate site design and buffer to existing residential areas.

PART "B" - THE AMENDMENT

All of this part of the document, entitled, "Part 'B' - The Amendment" consisting of the following text and map schedule constitutes Amendment No. 4 to the Official Plan for the Town of Amherstburg.

1. DETAILS OF THE AMENDMENT

The Official Plan of the Town of Amherstburg is amended as follows:

1.1 "Schedule B-1 to the Town of Amherstburg Official Plan is hereby amended by changing the land use designation of the lands so indicated on the attached map. Specifically the lands affected by this amendment are hereby placed in a General Commercial designation. A dual designation shall apply as so indicated on the attached map.

1.2 Section "3.4.5 Special Policy Areas" of the Town of Amherstburg Official Plan is amended to add the following special policy after subsection (4):

"(5) The General Commercial Area on the east side of Sandwich Street, north of Fort Street, and south of the Highway Commercial designation at the corner of Alma and Sandwich Street, has dual designations which shall allow the lands to develop as one or the other designation but not both designations and the appropriate policies of the Official Plan would apply. The specific dual designations of "General Commercial" and, "High Density Residential", and "Office Residential" are as follows:

The area on the east side of Sandwich Street, between Fort Street and Alma Street, has the dual designation of "Office Residential" and "General Commercial";

The area on the north side of Fort Street, between the abandoned railway line and the rear of the lots on Sandwich Street, has the dual designation of "High Density Residential" and "General Commercial";

2. IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of the Amendment shall be in accordance with the respective policies of the Official Plan of the Town of Amherstburg.

**SCHEDULE "A"
OFFICIAL PLAN OF THE TOWN OF
AMHERSTBURG
OPA No. 4**



AREA AFFECTED BY OPA No. 4

CHANGE FROM HIGH DENSITY RESIDENTIAL TO A DUAL DESIGNATION OF HIGH DENSITY RESIDENTIAL AND GENERAL COMMERCIAL

CHANGE FROM OFFICE RESIDENTIAL TO A DUAL DESIGNATION OF OFFICE RESIDENTIAL AND GENERAL COMMERCIAL

