

CORPORATION OF THE MUNICIPALITY OF Amherstburg

BY-LAW NO. 2004-31

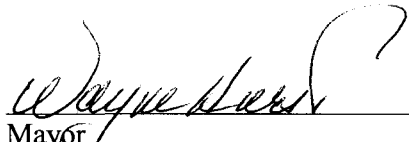
A BY-LAW TO ADOPT AMENDMENT No. 5 TO THE
OFFICIAL PLAN FOR THE TOWN OF AMHERSTBURG

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

1. Amendment No. 5 to the Official Plan for the Town of Amherstburg consisting of the attached text and map schedule 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 26th DAY OF APRIL, 2004.

READ A THIRD TIME AND FINALLY PASSED THIS 26th DAY OF APRIL, 2004.



Mayor



Clerk

I, David Mailloux, Clerk of the Corporation of the Municipality of Amherstburg, do hereby CERTIFY that the above is a TRUE COPY of By-Law No. 2004-31, as enacted and passed by the Council of the Corporation of the Municipality of Amherstburg on the 26th day of April, 2004.

Clerk

AMENDMENT NO. 5
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. 5 to the Official Plan for the Town of Amherstburg.

Date

Approval Authority

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AMENDMENT NO. 5
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. 5 to the Official Plan for the Town of Amherstburg.

PART "A" - THE PREAMBLE

1. PURPOSE

The purpose of this Amendment is to re-designate the subject lands from "Light Industrial" to "Institutional" to permit a place of worship and day nursery.

2. LOCATION

The subject lands are located at the north-east corner of Alma Street and Fox Road. The portion of the property subject to the amendment includes a 1.76 ha (4.38 acre) rectangular area of land having 155 metres (509 ft) of frontage along Alma Street and 114 metres (375 feet) of frontage along Fox Road.

3. BASIS

An application has been received for the development of a place of worship and day nursery at the location noted above. The lands are currently designated "Light Industrial", which permits a range of industrial uses (with limited open storage), including workshops, warehousing, service shops, processing, manufacturing and assembling operations, offices, medical/dental clinics, laboratories and research facilities, communication facilities, and printing and publishing plants. A place of worship and day nursery are not permitted uses in this designation. In order to permit these uses, a change in designation to "Institutional" is required.

The Town of Amherstburg Official Plan does not pre-designate land for Institutional uses. Although Institutional uses are permitted within the Residential designation there is a very specific set of criteria that must also be met. Finding sites that can meet the criteria can be

difficult. Vacant Residential land in Amherstburg is held by developers with either established plans of subdivision, or are in areas awaiting servicing solutions. Institutional uses are also permitted within the General Commercial designation but finding any parcel of land of suitable size is also difficult. The applicant was asked to do a search of available land within the Settlement Area with particular attention to the Residential and Commercial designations. No sites were available.

The location criteria within the Residential designation requires that Institutional uses locate on sites having frontage or flankage on an arterial or collector street.

The lands in question are located at the intersection of an Arterial and a Collector road on the extreme periphery of the Light Industrial designation. Lands to the north of the site are in agricultural production though within the Heavy Industrial designation. Lands to the east of the site are also in agricultural production though they are designated Light Industrial. Lands to the south are designated Agricultural and are in crop production. There are no livestock operations in the area.

The site will be regulated through site plan control to limit the location of the access point to Fox Road.

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. 5 to the Official Plan for the Town of Amherstburg.

1. DETAILS OF THE AMENDMENT

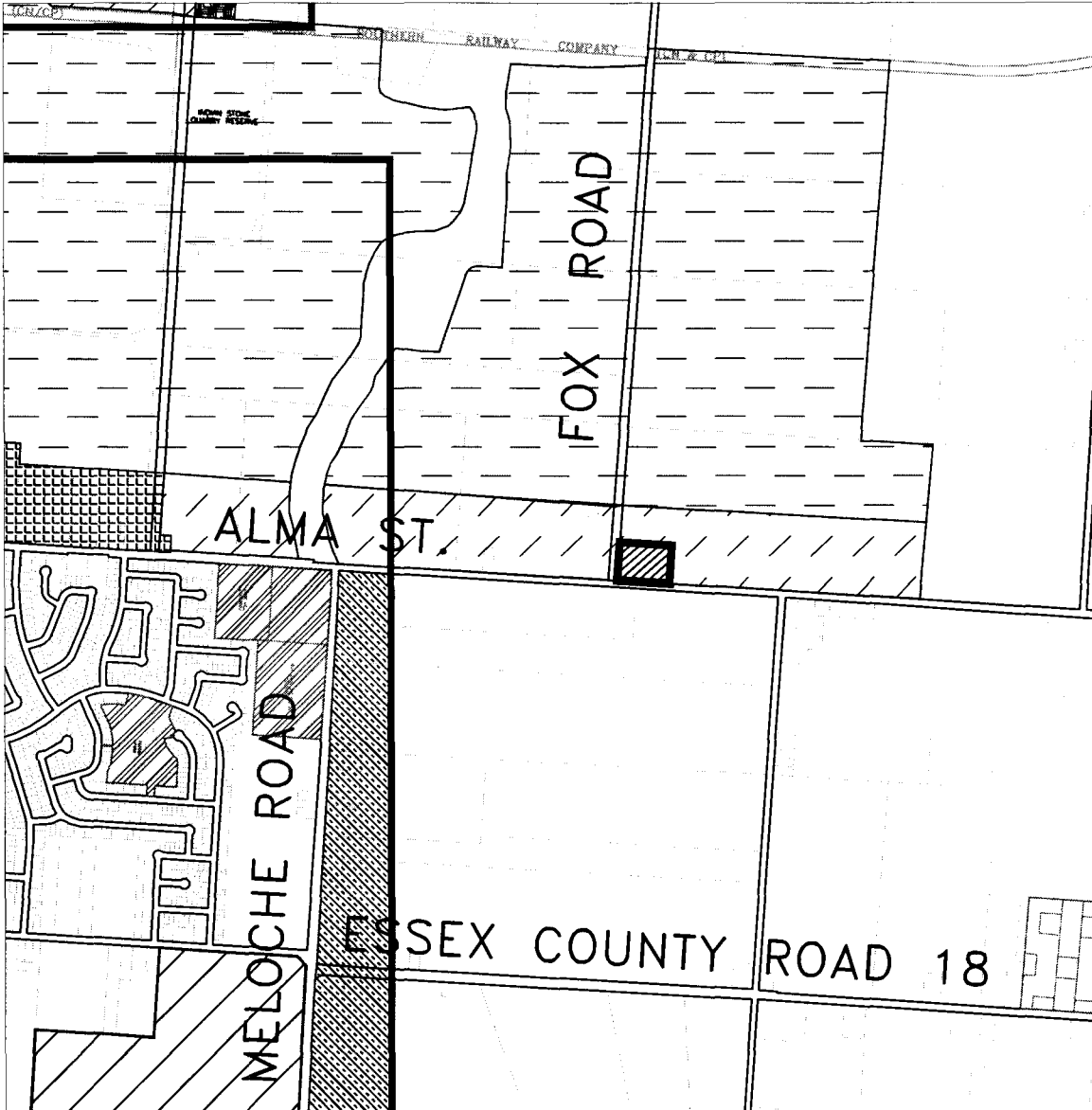
The Official Plan of the Town of Amherstburg is amended as follows:

- 1.1 "Schedule A 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 an Institutional designation.

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. 5



 CHANGE FROM LIGHT INDUSTRIAL TO INSTITUTIONAL

LEGEND

- | | |
|---|--|
|  SETTLEMENT AREA |  INSTITUTIONAL |
|  AGRICULTURAL |  RECREATIONAL DEVELOPMENT |
|  LOW DENSITY RESIDENTIAL |  NATURAL ENVIRONMENT |
|  HAMLET RESIDENTIAL |  WETLAND |
|  MOBILE HOME RESIDENTIAL |  SEWAGE LAGOON |
|  LIGHT INDUSTRIAL |  FORMER WASTE DISPOSAL SITE |
|  HEAVY INDUSTRIAL | |
|  EXTRACTIVE INDUSTRIAL | |
|  SPECIAL POLICY INDUSTRIAL | |

