

THE CORPORATION OF THE TOWN OF AMHERSTBURG

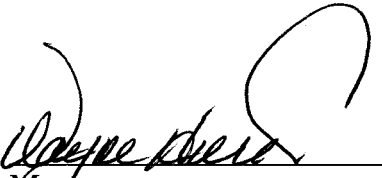
BY-LAW NO. 2007-93

**A by-law to adopt Amendment No. 7 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. 7 to the Official Plan for the Town of Amherstburg consisting of the attached text and map schedule is hereby adopted.
2. This By-law shall come into force and effect on the date of final passage thereof.

Read a first, second and third time and finally passed this 10th day of December, 2007.

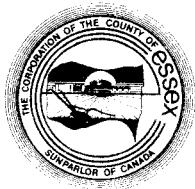


Mayor



Clerk

Certified to be a true copy of By-law
No. 2007-93 passed by the Amherstburg
Municipal Council on December 10, 2007.



Corporation of the County of Essex
Planning Services

William J. King, AMCT, MCIP, RPP
Manager, Planning Services

March 5, 2008

Ms. Pamela Malott
Clerk
Town of Amherstburg
271 Sandwich Street South
Amherstburg, ON N9V 2A5

RECEIVED
MAR - 6 2008

Re: Official Plan Amendment No. 7
Part of Lot 23, Concession 2, Part 2, Plan 12R-3528
Town of Amherstburg
File No.: 37-OP-2008-001

Dear Ms. Malott:

Please be advised that the appeal period for the approval of the above noted Official Plan amendment has now expired without appeals being filed. As such, the amendment is in full force and effect. Please find attached a certified copy of the by-law and amendment with the County's approval attached thereto.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

WILLIAM J. KING, AMCT, MCIP, RPP
Manager, Planning Services

Enclosure

c.c. Lory Bratt
Jason Laframboise

THE CORPORATION OF THE TOWN OF AMHERSTBURG

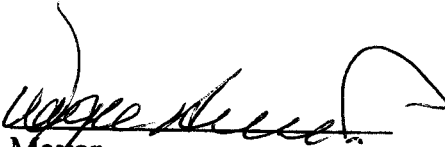
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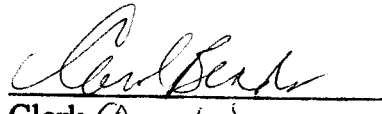
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Mayor


Clerk (Deputy)

Certified to be a true copy of By-law
No. 2007-93 passed by the Amherstburg
Municipal Council on December 10, 2007.


Carol Bendo, Deputy Clerk

DECISION

**With respect to Official Plan Amendment #7
Subsection 17(34) of the Planning Act**

I hereby approve Amendment # 7 to the Official Plan for the Town of Amherstburg,
as adopted by By-Law 2007-93.

Dated at Essex, Ontario this 30th of JANUARY, 2008



William J. King, MCIP, RPP
Manager, Planning Services
County of Essex

**AMENDMENT NO. 7
TO THE OFFICIAL PLAN
FOR THE
TOWN OF AMHERSTBURG**

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AMENDMENT NO. 7
TO THE OFFICIAL PLAN
FOR THE TOWN OF AMHERSTBURG

PART A: PREAMBLE TO THE AMENDMENT

1. **PURPOSE**

The purpose of this Official Plan Amendment is to change the designation of lands from a Low Density Residential designation to a Medium Density Residential designation.

2. **LOCATION**

As shown on the attached Schedule "A", the subject lands include:
Part Lot 23, Concession 2, R.P. 12R-3528, Part 2, municipal street address 440-448 Simcoe Street. The subject lands are located on the north side of Simcoe Street east of Fryer Street.

3. **BASIS**

The subject lands are approximately .64 hectares (1.59 ac.) in area. The property has been used in the past as a cartage business. There is an existing single family home, currently rented and an older building where trucks were stored for the cartage business. This structure is in disrepair. There is an existing commercial/residential building to the west and residential use to the north, east and south.

The applicant plans to remove the existing buildings from the site and construct an all brick, 2 storey, 16 unit residential structure.

The 2005 Provincial Policy Statement (P.P.S. 2005) provides policy to permit the proposed development. The P.P.S. 2005 contains several policies which address densities which efficiently use land and infrastructure (Sections 1.0 and 1.1 to 3.2); opportunities for growth through intensification and redevelopment (Section 1.1.3.3); promotion of intensification, redevelopment and compact form (Sections 1.1.3.4, 1.1.3.5). The P.P.S. 2005 also addresses efficient use of infrastructure and services (1.6.2 and 1.6.5.2) and the promotion of land use patterns that minimize the length and number of vehicle trips and support public transit (Section 1.6.5.4).

The P.P.S. 2005 also calls for appropriate development standards. Appropriate development standards are expressed in the Official Plan, Zoning By-law and Site Plans. The proposal generally maintains the intent of the Official Plan policies related to determining the appropriateness of the proposed change including the requirements of the Zoning By-law. The proposal is consistent with the policies of the P.P.S. 2005.

The County of Essex Official Plan contains provisions which apply to the proposed amendment. The County Plan contains a long term planning strategy which promotes the planning principles of creating more compact development within designated and fully serviced urban settlement areas and providing a broad range of housing opportunities. The proposal conforms to these principles.

The subject site is within the urban area of Amherstburg, which is designated as a "Settlement Area" in the County of Essex Official Plan. The Settlement Areas identified in the County Plan coincide with areas that are currently designated for development in local Official Plans and have full municipal services. The Plan directs future growth and development into these settlement areas and defers to the Local Plans to detail the various land uses and where these uses will be located. The County Plan also encourages local Official Plans to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure.

The amendment proposes a land use which is in conformity with the location requirements, the principles and the relevant goals and policies for Settlement Areas as contained in the County Plan.

The Housing objectives of the Town of Amherstburg Official Plan encourage a broad range of housing types which are suitable for different age groups, lifestyles and household structure of existing and future residents. The objectives encourage an adequate supply of affordable housing as required by the P.P.S. 2005.

The Official Plan encourages the use of federal and provincial housing programs and the production of an adequate supply and mix of affordable housing by actions such as implementing senior government housing programs. This application is made under the Canada-Ontario Affordable Housing Program. The Town of Amherstburg supports the program and the applicant has been accepted as one of the proponents chosen to complete a project.

The Official Plan contemplates residential development on this site. The lands are designated low density residential, however, the existing zoning permits a cartage business. The proposed amendment will be implemented by a zoning which will permit residential uses, but not the cartage business. The proposed use is more compatible with the adjacent residential uses and consequently is more in keeping with the intent of the Official Plan.

The proposed amendment is consistent with the provisions of the P.P.S. 2005, conforms to the County Official Plan and maintains the residential function contemplated in the Official Plan.

PART B: THE AMENDMENT

1. DETAILS OF THE AMENDMENT

That the Town of Amherstburg Official Plan is hereby amended as follows:

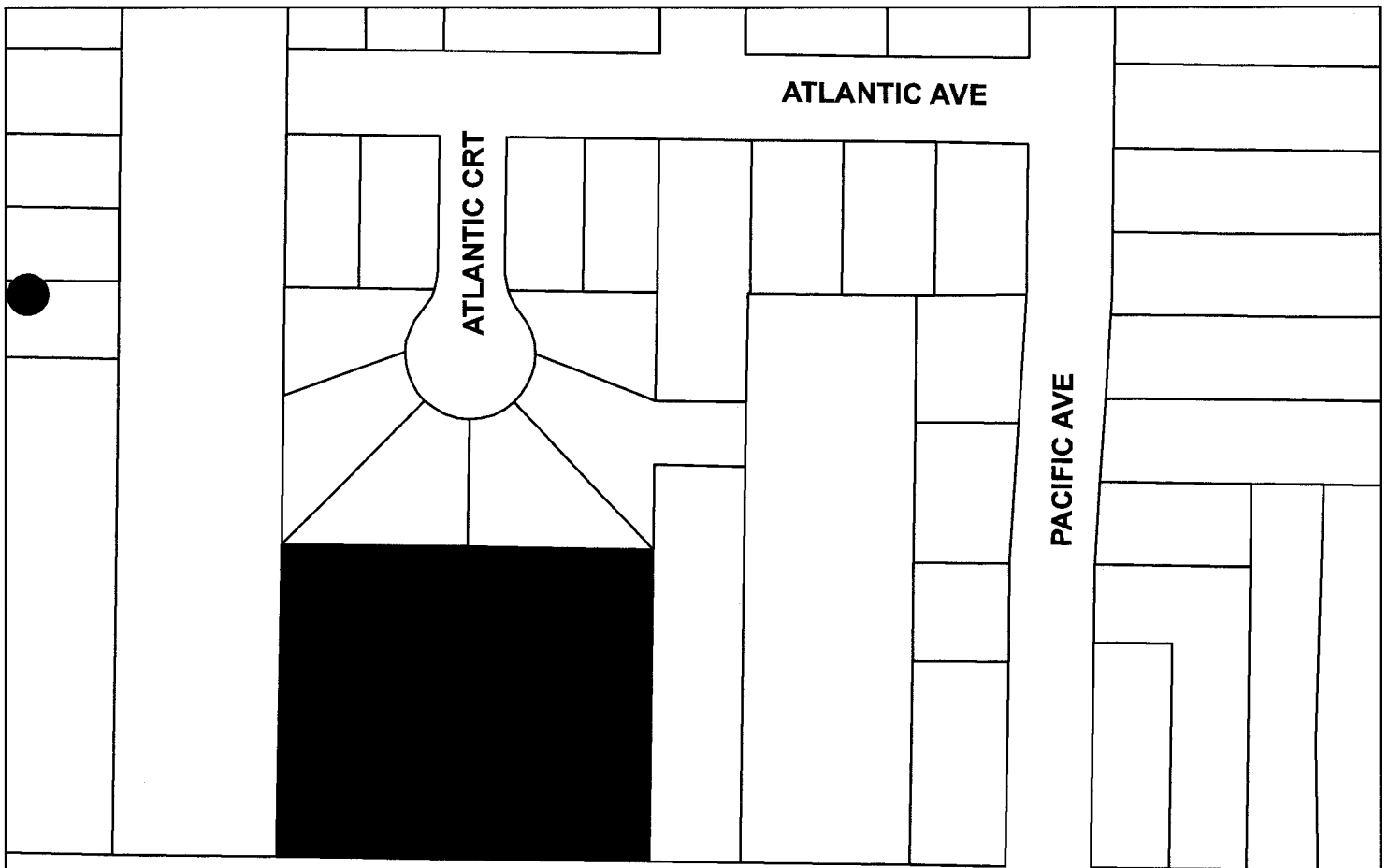
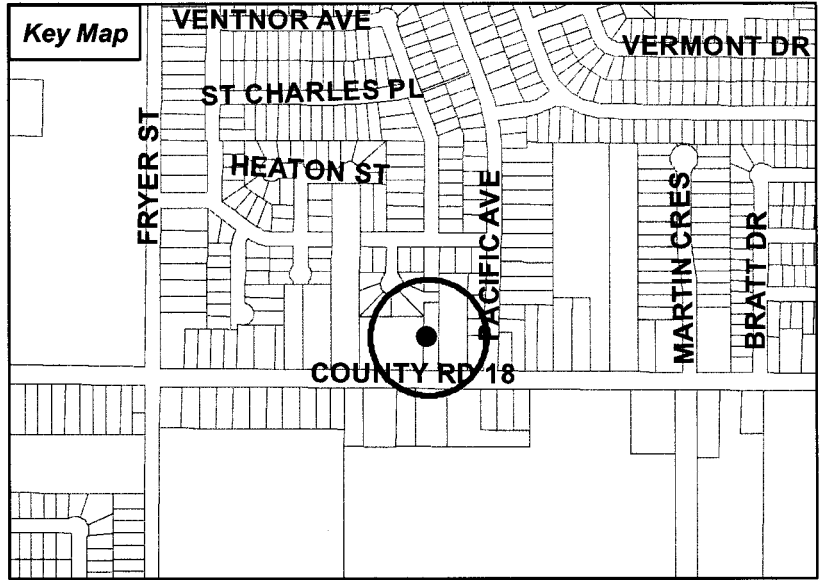
That Schedule "B-1" in the Town of Amherstburg Official Plan be amended by identifying the lands shown as the subject lands on Schedule "A" attached to and forming this amendment, as Medium Density Residential.

2. IMPLEMENTATION AND INTERPRETATION

This document will be implemented by the Town of Amherstburg by enacting an appropriate amendment to the Zoning By-law of the Town of Amherstburg and enacting a Site Plan Control Agreement.



Amendment No.7 to the Official Plan for the Town of Amherstburg



COUNTY RD 18



1 cm equals 16 Metres

 - Change from Low Density to Medium Density Residential

Schedule "A"