

AMENDMENT NO.21

TO THE OFFICIAL PLAN FOR THE CORPORATION OF THE TOWN OF AMHERSTBURG

CHANGE OF SCHEDULE 'A' FOR 8917 CONCESSION 8

DRAFT

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DECISION

With respect to Official Plan Amendment No. 21 to the Official Plan for The Corporation of the Town of Amherstburg

Subsection 17(34) of the Planning Act

I hereby approve Amendment No. 21 to the Official Plan 2009-30 for The Corporation of the Town of Amherstburg, as adopted by By-law #2023-007

Dated at Essex, Ontario this day of , 2023.

Rebecca Belanger, MCIP, RPP
Manager, Planning Services
County of Essex

The Corporation of the Town of Amherstburg

By-law 2023-007

Being a by-law to adopt Official Plan Amendment #21

to the Official Plan for the Town of Amherstburg

NOW THEREFORE the Council of The Corporation of the Town of Amherstburg, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. Amendment No. 21 to the Official Plan 2009-30 for the Corporation of the Town of Amherstburg, consisting of the attached explanatory text and map, is hereby adopted;
2. That the Clerk is hereby authorized and directed to make application to the Corporation of the County of Essex for approval of Amendment No. 21 to the Official Plan for the Corporation of the Town of Amherstburg;
3. This By-law shall come into force and take effect on the final passing thereof.

Read a first, second and third time and finally enacted this 13th day of February, 2023.

Michael Prue, Mayor

Kevin Fox, Clerk

THE CONSTITUTIONAL STATEMENT

PART A – THE PREAMBLE does not constitute part of this amendment.

PART B – THE AMENDMENT consisting of the following text and map, constitutes Amendment No. 21 to the Official Plan for The Corporation of the Town of Amherstburg.

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PART A - THE PREAMBLE

Purpose of the Amendment

Official Plan Amendment No. 21 will redesignate lands known as 8917 Concession 8 from 'Agricultural' to 'Agricultural Special Policy No. 21' designation in the Official Plan for the Town of Amherstburg.

Location of Lands

This OPA applies to the following land use designations depicted on Schedule A in the Official Plan:

- i) Legal description: Part Lot 13 Concession 8; Part 4 on 12R-6979;
- ii) Municipal address: 8917 Concession 8, Town of Amherstburg.

Basis of the Amendment

An Official Plan Amendment (OPA) was requested to change the policy framework applied to the subject property from 'Agricultural' to 'Agricultural Special Policy No. 21' to support a surplus dwelling severance of a habitable farm house built in 1997.

An Official Plan Amendment (OPA) was proponent initiated and requested to support the surplus dwelling severance of a habitable farm house built in 1997 while the current Official Plan policies require that surplus dwelling severances only be permitted for habitable farm houses built prior to January 1, 1978.

The subject property presently contains the existing farm house built in 1997, an associated accessory structure, approximately 0.6 ha of manicured lawn and trees and approximately 19.8 ha of farmed agricultural land. The proponent purchased the farm in 2021 as part of a farm consolidation and does not require the farm house.

Review and evaluation of the amendment was placed in context of the Provincial Policy Statement 2020 (PPS) and was considered to be consistent with provincial policy

direction. Specifically, the amendment is consistent with provincial agriculture policies regarding residences surplus to a farming operation as the result of a farm consolidation.

Official Plan Amendment No. 21 establishes a site specific policy framework within the 'Agricultural' policies for the subject lands. The Official Plan Amendment No. 21 establishes a site specific agricultural policy framework that will permit a house built prior to 1997 located at 8917 Concession 8, Amherstburg, to be severed from a farm property as a surplus dwelling severance as the result of a farm consolidation. The 1997 date was chosen to provide flexibility in the event that the proponent finds record of the house being built after 1994; the date the tax system registers the house being built in.

The proposed amendment, through the adoption of the Official Plan Amendment No. 21, will conform with the relevant policies of the County of Essex Official Plan policies and the Town of Amherstburg Official Plan policies by providing flexibility to a farmer to sell a house that is not required by the farmer and is not financially feasible for the farmer to maintain. All other policies within the Town of Amherstburg Official Plan regarding surplus dwelling severances will be maintained.

PART B – THE AMENDMENT

Details of the Amendment

All of this part of the document, entitled 'Part B – The Amendment' consisting of the following text and Schedule 'A' constitutes Official Plan Amendment No. 21 to the Official Plan 2009-03 for the Town of Amherstburg.

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

That Section 3.2.3 Agricultural Special Areas is amended by adding subsection 2 as follows:

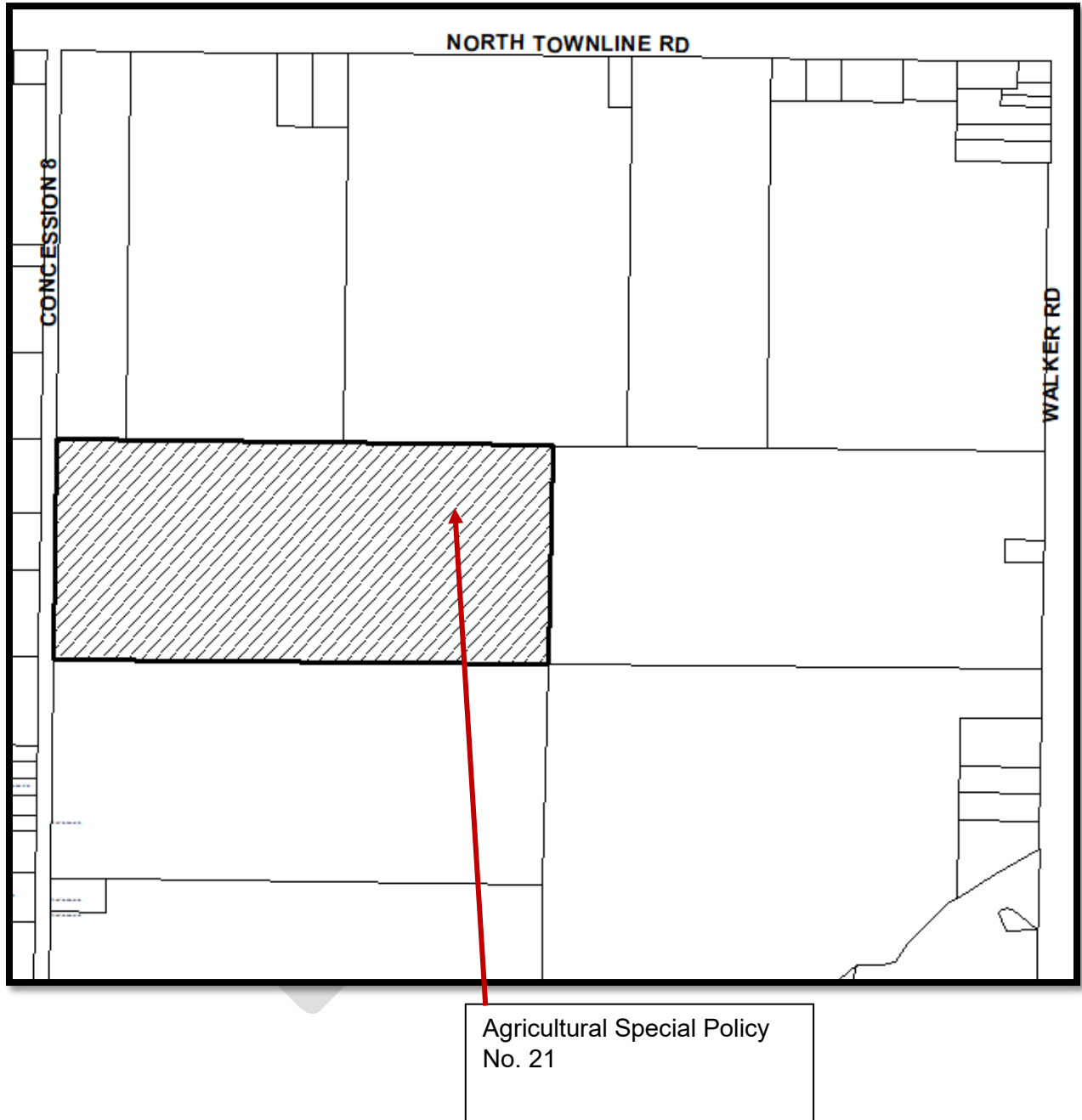
(2) For lands designated under Special Policy Area 21 on Schedules "A" and "B" in the Town of Amherstburg Official Plan, located at the municipal address known as 8917 Concession 8 and shown as Part Lot 13, Concession 8; and Part 4 on 12R-6979, a house built prior to January 1, 1997 shall be permitted to be severed from a farm lot through the surplus dwelling severance process.

That Schedules "A" and "B" of the Official Plan of Amherstburg are amended to show the location of Special Policy Area 21.

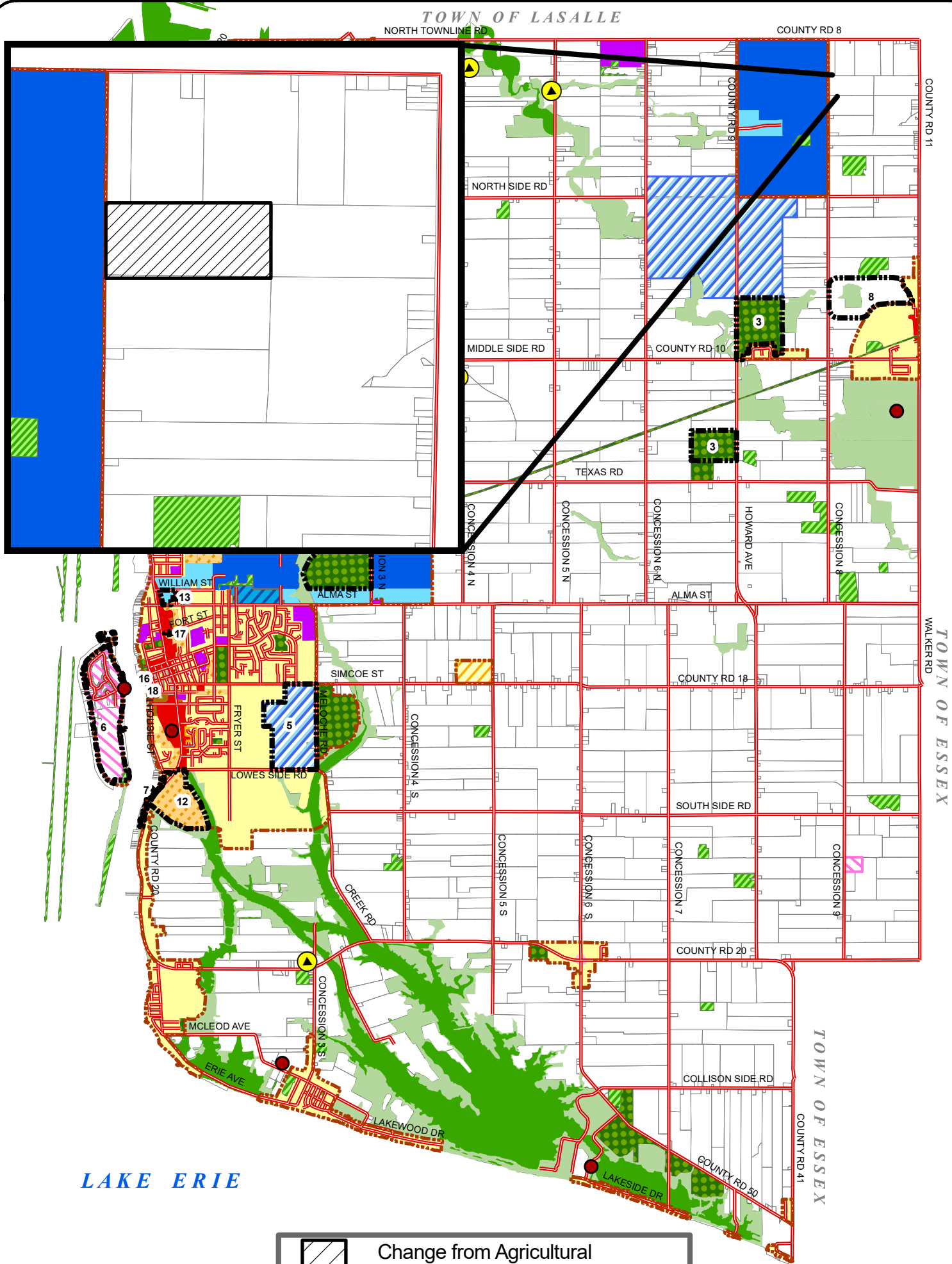
Implementation of the Amendment

Official Plan Amendment No. 21 will be implemented through Bylaw # 2023-007.

Schedule A



Schedule 'A'



Change from Agricultural
to Agricultural Special Policy 21

TOWN OF AMHERSTBURG
OFFICIAL PLAN

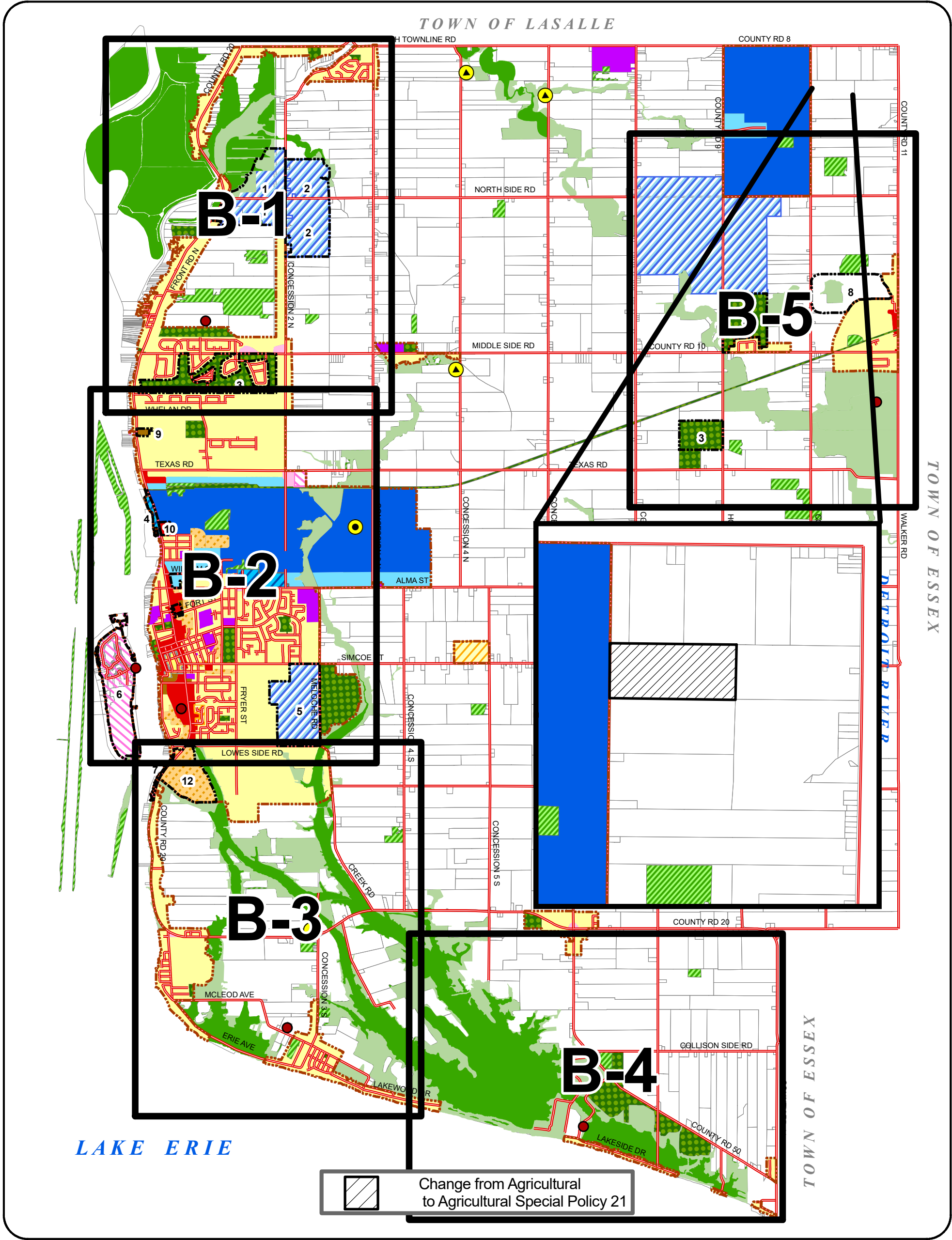
SCHEDULE "A"
LAND USE PLAN



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KM

Legend

- Sewage Treatment Facility
- Closed Landfill Site
- Open Landfill Site
- Agricultural
- Special Policy
- Settlement Area Boundary
- Medium Density Residential
- Provincially Significant Wetlands
- Natural Environment
- Woodlots
- Low Density Residential
- High Density Residential
- Office Residential
- Heritage Residential
- Modular Home Residential
- Neighbourhood Commercial
- Open Space
- Special Industrial
- Light Industrial
- Heavy Industrial
- General Commercial
- Extractive Industrial
- Institutional
- Recreational Development



**TOWN OF AMHERSTBURG
OFFICIAL PLAN**

**SCHEDULE "B"
(Index Map)
LAND USE PLAN**

