

Minutes of a Public Meeting to consider a proposed Zoning By-Law Amendment held Monday, November 8, 1999 at 6:30 p.m. in the Council Chambers.

Present: Mayor Wayne Hurst  
Councillor Robert Anderson  
Councillor Lynne Fox  
Councillor Robert Pillon  
Councillor Gerry Theriault  
Councillor Tony Tiefenbach

Also present: David Mailloux  
Lory Bratt

Absent: Deputy Mayor Tony DiBartolomeo (with prior notice)

A list of those members of the public in attendance is attached hereto and forms part of these minutes.

Mayor Wayne Hurst opened the meeting and welcomed all those in attendance. He explained the purpose of the meeting was to consider a proposed rezoning for Part Lot 11, Concession 7 located on the east side of County Road 9 (Howard Avenue). The Mayor then asked the Planning Coordinator to summarize the proposal.

The applicants are requesting a rezoning on 9.1 hectares of land being Part Lot 11, Concession 7 from "Recreation Zone (RE-3)" to "Industrial Heavy Zone (M2)". The property will also retain the Recreational zone. The proposed M2 zoning permits the entire range of Heavy Industrial uses which includes but is not limited to truck or transport terminals, construction contractors, etc. All development is proposed to be serviced by municipal piped water and private septic facilities. The subject property is designated Heavy Industrial in the Town's Official Plan.

The following correspondence was received from those persons and agencies circulated:

- (1) Letter dated October 19, 1999 from the County of Essex - Permits are required prior to any new construction or modification to the existing entrance.
- (2) Letter dated November 4, 1999 from the Essex Region Conservation Authority - Permit required prior to any new construction activities or site alterations on the subject property. A component of the permit will be the requirement of storm water management measures, addressing the potential increased run-off associated with development of the site.
- (3) Letter dated November 2, 1999 from Giovanni and Teresa Costa expressing concern with the potential for air, noise and dust pollution, reduction of adjacent property land value and loss of farmland to industry.

The proposed rezoning is in keeping with official plan policies and has also been included in Amherstburg's new draft zoning by-law.

Councillor Theriault asked what controls could be placed on development of the property.

page 2 - November 8, 1999

The Planning Coordinator explained that any new building/construction is subject to site plan control. Issues such as buffering, landscaping, lighting, services, drainage, etc. are part of the municipality's consideration of a site plan agreement.

Councillor Pillon requested information regarding the official plan designation.

He was advised that as part of the Official Plan process the area between North Sideroad and North Townline and Howard Avenue and 8<sup>th</sup> Concession was designated Heavy Industrial in the Official Plan. These lands are marginal farmlands and with the Industrial activity already existing in this area it was best suited for Industrial growth.

Barb Giovanato requested information regarding notification at the official plan stage.

She was advised that notification of public meetings for the new official plan was given by publication in the papers.

Mrs. Giovanato felt that notification should have been provided by mail.

Michael Duben, Solicitor for the applicants, addressed Council indicating that the subject property is a large site which will accommodate all setback requirements of the by-law, in addition to his client's willingness to meet any requirements through the site plan agreement process.

Mr. Duben felt the proposed rezoning to be compatible with existing industrial development in the area.

There were no objections received from ERCA and the County and all permit requirements will be addressed. Mr. Duben also noted that we are not dealing with vacant agricultural lands. His clients do recognize that there are homes near the subject property. Referring to the Costa's letter Mr. Duben indicated there should be no significant increase in noise or dust pollution.

Councillor Theriault asked what type of business would be going on the property.

Mr. Duben indicated there is a potential for a transport terminal, however, he could not confirm this.

Patricia Taylor advised she lives across the street from the property and depending on the use of the site could impact her property.

Mr. Duben indicated that any use of the subject site must comply with the zoning by-law.

Councillor Tiefenbach asked for clarification regarding this application, as this proposal had also been considered during the zoning by-law process.

He was advised that the applicants chose to be part of the new zoning by-law process in addition to filing a site specific application. The applicants felt a site specific process may be more expedient even if appealed.

There were no further questions from the public.

page 3 - November 8, 1999

Moved by R. Pillon  
Seconded by G. Theriault

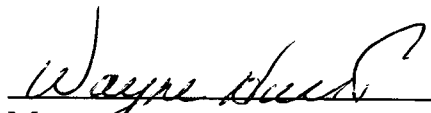
That Administration be authorized to prepare a Zoning By-Law Amendment to change the zoning on Part Lot 11, Concession 7 from Recreation Zone (RE-3) to Industrial Heavy Zone (M2)/Recreation (RE-3).

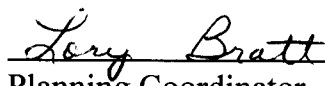
- carried -

Moved by G. Theriault  
Seconded by T. Tiefenbach

That there being no further business the meeting adjourned at 7:00 p.m.

- carried -

  
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Mayor

  
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Planning Coordinator

Attendance Record - Public Meeting Nov 8/9

| Name  | Address   |
|---|---|
| MICHAEL E. DUBEN, SOLICITOR                   | 443 OUELLETTE AVE, STE 300<br>WINDSOR, ONTARIO              |
| TERRY HERMISTON, SOLICITOR                    | 300 GILES BLVD WINDSOR ONT                                  |
| Barbara Giovanato<br>Lucy Giovanato →         | 7767 Howard Ave Rm 41<br>McGregor, Ont                      |
| Patricia Taylor<br>HELENA BONDY<br>PHIL BONDY | 7782 Howard McGregor Ont<br>7751 HOWARD AVE MCGREGOR<br>" " |