

PUBLIC MEETING

Minutes of a public meeting to consider a proposed Zoning By-Law Amendment held Tuesday, March 5, 2002 at 6:00 p.m. in the Council Chambers.

Present: Deputy-Mayor Robert Pillon
Councillor Mickey Bezaire
Councillor Frank Gorham
Councillor Anthony Leardi

Also present: Dave Mailloux, Clerk
Lory Bratt, Planning Coordinator

Absent: Mayor Tony DiBartolomeo
Councillor Lynne Fox
Councillor Rosa White
(with prior notice)

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

Deputy-Mayor R. Pillon opened the meeting and welcomed all those in attendance. He explained the purpose of the meeting was to consider a proposed rezoning and asked the Planning Coordinator to summarize the proposal.

The purpose of the proposed amendment is to rezone property described as Part of Lots 12, 14 and 15, Registered Plan 6 situated on the east side of Sandwich Street South north of Fort Street from Residential Office (RO) Zone to a defined area in the Commercial General (CG) Zone. The subject properties will provide frontage along Sandwich Street to accommodate a new development of a supermarket and associated retail uses located to the rear of these lots. Amendment No. 1 redesignated the subject properties Office Residential and General Commercial and is currently awaiting Ministry of Municipal Affairs and Housing approval.

The following correspondence was received from the various agencies circulated:

- (1) Letter dated March 4, 2002 from the Essex Region Conservation Authority - no objection.
- (2) Letter dated March 5, 2002 from Eugene F. Whelan.
- (3) Letter dated March 5, 2002 from Philip Kasurak.
- (4) Letter dated March 5, 2002 from Robert Sutherland.
- (5) Letter dated March 5, 2002 from Ross Binnie.

We also wish to bring to Council's attention the following information:

- (1) With the purchase of these properties it appears that there will be 38.1 metres (125 ft.) of contiguous frontage along Sandwich Street. By-Law 2001-58 required a minimum contiguous frontage of 40 metres (131.23 ft.) on Sandwich Street. At that time the Planner suggested that 30 to 35 metres of contiguous frontage would be appropriate. We would therefore recommend that the amending by-law reflect a minimum of 35 metres of contiguous frontage on Sandwich Street.

- (2) In By-Law 2001-58 Item 2(4)(b)(viii) there was a Restricted Build area for the northeast corner because initially the first five properties were included as part of the rezoning application. This provision had the effect of maintaining this area for landscaped open space or in the alternative be used for a building with a gross floor area of 465 square m. The first two lots did not end up being lands assembled by the Developer and therefore not included as part of the initial rezoning. As a result of this we recommend that Subsection (viii) of By-Law 2001-58 be deleted.
- (3) In By-Law 2001-58 Subsection (ix) was tied to the above noted provisions in that with the exception of the Restricted Build area front yard parking shall be permitted. As a result of the lands now assembled by the Developer and to mitigate any detrimental impact to the residential properties that are not part of this rezoning or the lands rezoned in By-Law 2001-58 we recommend that Subsection (ix) of By-Law 2001-58 be deleted and Subsections (viii) and (ix) be replaced to provide for the following: limited front yard parking shall be permitted on Part Lot 14 and 15 as well as access subject to the required 6 metre planting strips abutting existing residential interior sideyards as provided for in Subsection (vi) of By-Law 2001-58. No access will be permitted from Part of Lot 12.

Councillor Leardi requested clarification regarding the required buffering adjacent to residential properties. He also asked if the applicants had received a copy of the staff report.

The Planning Coordinator explained the requirements of By-Law 2001-58 regarding required landscaped planting strips. She also advised that the Solicitor for the applicant was provided with a copy of the staff report today.

Deputy-Mayor Pillon then asked for any questions and/or comments from those members of the public in attendance.

- (a) Gary McManemy stated his opposition to the proposed by-law to retain his opportunity to file an appeal to the Ontario Municipal Board.
- (b) Warren McKinnon also indicated his opposition to the proposed by-law to retain his opportunity to file an appeal to the Ontario Municipal Board.
- (c) Paul Renaud indicated that he was in support of the proposed rezoning and grocery store proposal. He felt that people should shop in Town and the development should be supported and approved by the Town.
- (d) Santino D'Alimonte supported the project and felt that it will be good for the Town. He noted that the project does surround his property and requested that particular attention be given to traffic and possibly the requirement for a light. Mr. D'Alimonte would like the opportunity to see the plans prior to the project proceeding. He referenced the residents on Fort Street and felt it was important that enough time be taken so that everyone understands what is happening. Mr. D'Alimonte also expressed concern that residents who do not live near the proposal are involved and noted his concern that they were not involved when there were problems with the Enviro-Tech operation.
- (e) Bob Smith expressed concern regarding the ability to access Sandwich Street and felt there should be some consideration for a traffic light.

It was suggested that the Public Works Supervisor provide comments to Council regarding this issue.

Mr. Smith also requested clarification regarding the required buffering to adjacent lands.

- (f) Helen Wigle, on behalf of herself and Dave Wigle, expressed opposition to this proposal. She noted that public notice of a proposal suggests that the entire Town would be entitled to comment. Mrs. Wigle stated that over the years they have been involved in many issues regarding the community. They have reasons to believe this proposal is not good for the community. She advised that they do not disagree with the two new supermarkets, however, they are opposed to that land use on this location. Mrs. Wigle asked the status of the first application.

She was advised that it is currently before the Ontario Municipal Board.

Mrs. Wigle asked why there wasn't a hand-out at the meeting for public information.

It was explained that the staff report goes to Council for their consideration and direction.

- (g) Santino D'Alimonte requested clarification regarding the Official Plan designation of the property.

The Planning Coordinator provided the Official Plan designation as proposed by Amendment # 1.

- (h) Helen Wigle stated that she attended the public meetings when the Official Plan was being considered and spoke out at that time in relation to development on Sandwich Street. The property was designated and zoned for residential use. She felt that a great deal of money was spent at that time to ensure that residents would not have to "put up with another fiasco" in this area.

- (i) Bob Smith asked the status of Amendment # 3.

He was advised the preparation of Amendment #3 is proceeding.

- (j) Gary McManemy asked for clarification regarding the purpose of Amendment #3.

He was advised that consideration would be given to redesignating lands to Commercial General on the east side of Sandwich Street north of this proposal to Alma Street as part of Amendment #3.

There being no further questions and/or comments the following resolution was put forth:

Moved by A. Leardi
Seconded by M. Bezaire

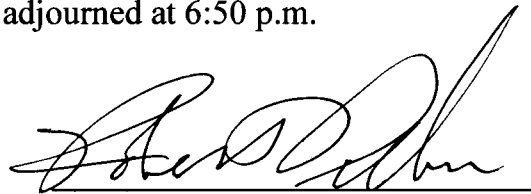
That Administration be authorized to:

- (1) Prepare a Zoning By-Law Amendment to change the zoning on Part of Lot 12 and Part of Lot 14 and 15 to Commercial General (CG-2) Zone.
- (2) Amend By-Law 2001-58 as follows:
 - (i) frontage on Sandwich Street - 30 metres
 - (ii) Subsection (viii) be deleted
 - (iii) Subsection (ix) be deleted
 - (iv) Subsection (viii) and (ix) be replaced with a new Subsection (ix) to provide that limited front yard parking shall be permitted on Part Lot 14 and 15 as well as access subject to the required 6 metre planting strips abutting existing residential interior sideyards as provided for in Subsection (vi) of By-Law 2001-58. No access will be permitted from Part Lot 12.

- carried -

ADJOURNMENT

There being no further business the meeting adjourned at 6:50 p.m.



Deputy-Mayor

Planning Coordinator

