

PUBLIC MEETING

Minutes of a public meeting held Monday, June 17, 2002 at 7:00 p.m. in the Council Chambers to consider a zoning by-law amendment.

Present: Mayor Tony DiBartolomeo
Deputy-Mayor Robert Pillon
Councillor Mickey Bezaire
Councillor Rosa White
Councillor Frank Gorham
Councillor Anthony Leardi

Also present: Hilary Payne
Lory Bratt
Jean Monteith, Planning Consultant

A record of those members of the public in attendance is attached as a schedule and forms part of these minutes.

Absent: Councillor Lynne Fox (with prior notice)

Mayor DiBartolomeo stated that in following the policy that members of Council will take turns chairing public meetings put forth the following resolution:

Moved by T. DiBartolomeo
Seconded by A. Leardi

That Councillor M. Bezaire be appointed to chair this public meeting.

- carried -

Chairman Bezaire opened the meeting welcoming everyone in attendance. He stated the purpose was to consider a zoning by-law amendment and requested the Planning Coordinator to summarize the application. He also indicated that there would be no decision made on the application at this meeting. The purpose was to consider comments received from the various agencies and public input.

Planning Coordinator

An application for a zoning by-law amendment has been received for property located at Part Lots 6 and 7, Concession 1 and Part Lot 20, Concession 2, Lowes Sideroad. The property is generally east of Fryer Street and on the south side of Lowes Sideroad and approximately 212 acres. The application proposes to develop a residential subdivision with a mix of single and semi-detached dwellings. The lands are currently designated Low Density Residential in the Official Plan. The proposed amendment would change the zoning of the lands to a combination of Residential First Density (R1) Zone and a Special Provision Residential Third Density R3-() to permit approximately 607 single detached dwellings and 141 semi-detached dwellings. The special provision is to permit a frontage on the semi-detached units of 8 metres instead of the 9 metre frontage contained in the parent R3 Zone. All zones would be included in a Holding Provision until such time as the plan of subdivision has obtained approval and servicing issues have been addressed.

The following correspondence was received from the various agencies circulated:

- (i) Memorandum dated May 13, 2002 from Jean Monteith.
- (ii) Letter dated June 5, 2002 from Terry Hermiston on behalf of Mary Sheprak.
- (iii) Letter dated June 3, 2002 from the Essex Region Conservation Authority.

Jean Monteith

Ms. Monteith addressed Council explaining the Holding zone provisions advising that there are three priority issues relative to this application which must be satisfied:

- (i) Environmental Impact Study
- (ii) Storm Water Management Study
- (iii) Sanitary Sewer Servicing

The rezoning is very much of a first stage and the proposal has not gone through the scrutiny of a plan of subdivision circulation.

Ms. Monteith also corrected the zoning map noting that the lands along the west portion of the property immediately north and south of the unopened road allowance is not part of this application.

Gloria Sheprak, representing Mary Sheprak, referenced their letter dated June 5, 2002 from Terry Hermiston. They wish to ensure that the proposed draft plan of subdivision include at least two access points to their lands.

Ms. Monteith noted that Ms. Sheprak's land immediately to the south of the subject property is designated Agriculture, however, agreed that there should be two access points in that area.

Councillor F. Gorham expressed some concern with the proposed R3 Zone and the density it would create in that area.

Ms. Monteith explained that issue is best handled through the Environmental Impact Study process. There can also be a maximum number of units included in the zoning by-law amendment.

Jeff Baker, Solicitor for the applicant explained that the areas proposed for the semi-detached units are located within the centre of the development and not near the Creek area. The property is designated Low Density Residential which allows singles and semi's. Further the number of units represents only 54% of what is permitted in the official plan.

Deputy-Mayor Pillon noted the increasing amount of development being proposed near wetlands. He noted the balancing act of protecting wetlands but also supporting progress. He then requested the planning consultant to explain the difference between the R 3 and R1 zones.

Mayor Tony DiBartolomeo noted that the Official Plan recognized the property for residential development.

Councillor Leardi referenced correspondence from the Conservation Authority noting their recommendation for a deferral.

Ms. Monteith explained the Holding zone provisions and stated that the development is still subject to the subdivision process. All servicing and other issues must be addressed through this process. She did not agree that the zoning process should be deferred.

Mr. Baker noted that as part of the draft plan of subdivision approval process another public meeting will be required. He advised that Rick Spencer, P. Eng. met with ERCA and it is understood an Environmental Impact Study will be required through the plan of subdivision process.

Terry Hall circulated his written comments to Council and expressed both environmental and official plan concerns relative to the proposal. He also referenced a recent OMB decision on the DiCecco property which is located adjacent to the Big Creek.

A discussion ensued regarding the requirements of the Provincial Policy Statement and Guidelines as to the lands which should be studied as part of an EIS. Ms. Monteith also suggested consultation with members of the public as findings of the EIS become available.

Jeff Baker expressed concern with having to single out individuals that the property owners must consult with. He felt this placed additional burden on the applicant and indicated that comments from the public should be entertained through the public meeting process.

Deputy-Mayor Pillon felt that sharing the results of the EIS with the public would be progressive.

Mr. Hall agreed that the public should continue to be involved in the process.

Dr. Spellman addressed Council referencing the MNR mapping noting the boundaries of the Big Creek and Mans Marsh. He referenced the DiCecco Board decision which indicated that the entirety of Big Creek is a Provincially Significant Wetland. Dr. Spellman stated that no development is allowed within a Provincially Significant Wetland. He did not feel that a 120 metre buffer area would be satisfactory and stated that 240 metres is more desirable due to among other natural features a migratory bird route. He stated that the local official plan provides for the highest standard to ensure no adverse affects on adjacent significant land. Dr. Spellman stated that Big Creek is a truly great natural feature and must be protected. He referenced the Marshfield Woods OMB hearing and stated, in his opinion, there was no meaningful prior consultation. Dr. Spellman felt the property which is the subject of this application should remain in a R1 zone and the R3 should only be permitted if an EIS provides compelling reasons to do so. He also stated that a comprehensive EIS should be completed not just a scoped assessment.

Dr. Spellman indicated he is not opposed to this development but does not agree with its present form to include the R3 provisions. He once again reiterated that he felt the highest standards of protection are the best standards.

Mayor Tony DiBartolomeo referenced the assessment of a wetland and what is involved to change a wetland file (mapping). He also noted that Dr. Spellman is not opposed to the R1 zone and asked why he is opposed to semi-detached units.

Dr. Spellman did not feel there was planning justification to include these lands for this type of residential development. He felt once the R3 is placed on the property the process is "done". He felt that we must have regard for the best planning principles. Dr. Spellman believes in the precautionary principle and feels the Town should proceed with the safest decision not the riskiest. He stated that justification is required to move from an R1 to R3.

Ms. Monteith stated that she does not see an R3 zoning as a threat. If the Holding Zone is in place the findings from an EIS and servicing plans for storm and sanitary must be in place. She noted that the Official Plan policies calls for a variety of housing needs. This area is immediately abutting our most urban section of the new Town of Amherstburg and is the most logical place to develop. Ms. Monteith indicated that the EIS will "rule the day" in terms of how the subdivision can develop. She sees no problem in giving the R3 Holding zone to start. The requirements for an EIS, proper sanitary and storm servicing are in place.

Councillor Leardi asked the total acreage of the property.

He was advised 225 acres.

Deputy-Mayor Pillon asked if Council directed that the R1/R3 Holding proceed, what the process would be.

Ms. Monteith explained that the plan of subdivision sets out lot layout, servicing, etc. and there is still opportunity at the plan of subdivision stage for input.

Dr. Spellman noted that the fact that it is within a prime agricultural area is a factor and it must be protected.

Deputy-Mayor Pillon noted the subject lands are already designated Low Density Residential. The proposal is adjacent to an urban area.

Ms. Monteith stated that the property is in an urban area. The Low Density Residential designation does permit both singles and semis. This type of development should be part of the Town fabric and she would be concerned about shutting out this type of development and creating an elitism in terms of the kind of housing in the area. She agreed that we must be concerned about the environment.

Dr. Spellman noted that the Town has proposed to put out requests for an Advisory Committee on the Environment. He felt this should be an expert Committee with top quality people. He commended the tradition of volunteerism and felt much could be accomplished.

Mayor DiBartolomeo felt there had been positive dialogue at the meeting. He was inclined to recommend placing the property in a R3/R1 Holding zone. He would like to avoid an OMB hearing. The Town wants development. He referenced the fact that the Town has one of the best official plans in the County and has been recognized for its environmental policies. He acknowledged, however, there must be a balance.

A discussion ensued regarding buffering aspects for the development.

Allan Parks addressed Council advising he represents the Parks family and the Christian Farmers Association. He felt that it was important to seek out opinions from professional farming associations regarding development proposals.

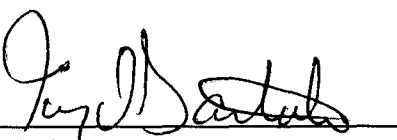
Jeff Baker once again noted the location of the semis within the centre of the development. He referenced various sections of the official plan which supports the proposed development. He stated the EIS will give direction regarding buffering. Mr. Baker stated that all provincial and municipal policies will be followed and further public consultation will take place as part of the plan of subdivision process.

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Deputy-Mayor Pillon noted the need for a mix of housing types.

There were no further questions and/or comments from members of the public.

Adjournment - 8:30 p.m.


Chairman


Planning Coordinator

ATTENDANCE RECORD

PARKS / VALENTE

PUBLIC MEETING

DATE: JUNE 17 2006

NAME	ADDRESS	SIGNATURE
Allan Parks	4601 Essex County Rd 18	[Signature]
DON PARKS	1 W H CLAN	[Signature]
ROB M ^{MR} JAMES	1376 Front Road N.	[Signature]
Carolyn Thresher	1394 Front Rd N.	[Signature]
Leslie Thresher	1394 FRONT RD. N.	[Signature]
Shelby McDonald	1376 Front Rd. N.	[Signature]
JOHN SPELLMAN J. Spellman	R 2 2. Abug (Malden)	[Signature]
ROBERT F. McLEAN	21 SAND, ST. S. A'BURG	[Signature]
NORMAN A. FAUCHER	1400 Front R.D. NORTH	[Signature]
WILF FORTOWSKY	1484 FRONT R. N	[Signature]
Janeth M ^{MR}	1453 Front R. N.	[Signature]
TERRY HALL	801-421 DALHOUSIE ST AMHERSTBURG N9V 3L2	[Signature]
KOSTAS STIVAS	1381 FRONT RD. N	[Signature]
David DeFoor	Box 99 A'Bug	[Signature]
Libby Lux FORD	1357 Front Rd. N. A'Bug	[Signature]
ROSS LUX FORD	" " " " "	[Signature]
GLORIA SNEPRAK REDMOND	3671 CREEK RD, AMHERSTBURG	[Signature]
Eve Mc Caffrey	2568 Con 2 RR2 Amherstburg	[Signature]
DONALD MCCAFFREY	" " " "	[Signature]
Orlando Se. JTYo	6111 Widdeside RR4 Amherstburg	[Signature]
REG BRUSH	4691 CON 4 SOUTH	[Signature]
ANDREA BRUSH	4691 CON 4 SOUTH	[Signature]
HELEN BEZAIRE	40 FORT MALDEN DR	[Signature]
PAUL MARNEAD	3834 3RD CONC. NORTH	[Signature]
BOB SUTHERLAND	- 96 RANKIN AVE - A'BUG	[Signature]
JASON LAFRANCOISE	30 SANDWICH ST'S	[Signature]
PAT M ^{MR} WILLIAMS	1382 Front Rd N	[Signature]
RON O'NEAN	22 HAINES CRT A'BUG	[Signature]
JOHN DALIMONTE	46 SANDWICH ST NORTH	[Signature]
John De Anon	799 Con 2	[Signature]
Lois Colvill	543 Texas Rd	[Signature]
C DeLuca	799 Con 2	[Signature]
DR URE Coates	1259 Front Rd Amherstburg	[Signature]

