

## Public Meeting

Minutes of a public meeting held Monday, April 7, 2003 at 4:30 p.m. in the Council Chambers to consider a proposed amendment to the Zoning Bylaw.

Present: Mayor Tony DiBartolomeo  
Councillor Mickey Bezaire  
Councillor Rosa White  
Councillor Frank Gorham

Also Present: Dave Mailloux, Clerk  
Lory Bratt, Planning Coordinator  
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: Deputy Mayor Robert Pillon  
Councillor Lynne Fox  
Councillor Anthony Leardi  
(with prior notice)

Mayor DiBartolomeo opened the meeting welcoming all those in attendance stating the purpose was to consider an amendment to the Zoning Bylaw. He then asked the Planning Coordinator to summarize the application.

### Planning Coordinator

We are in receipt of an application for Zoning Bylaw Amendment from Albert D'Alimonte for property described as 35 Sandwich Street South. The purpose of the proposed amendment is to rezone 0.206 hectares of land located on the east side of Sandwich Street South from "Residential Office (RO) Zone" to "Commercial General (CG) Zone". The proposed CG zoning permits the full range of uses in the Commercial General Zone. The applicant is proposing a video rental establishment on the site.

The proposed amendment to the Zoning Bylaw is in conformity with the Official Plan Amendment No. 4 passed by Council October 15, 2002 which redesignated the subject property to a dual designation of Office Residential and General Commercial. The Official Plan Amendment has been referred to the Ontario Municipal Board and the proposed Zoning Bylaw Amendment will not come into force until, or if, the official plan matter is resolved and the amendment is in force.

The following correspondence was received from the various agencies circulated:

- (i) Letter dated April 1, 2003 from the Essex Region Conservation Authority - no objection.
- (ii) Letter dated April 7, 2003 from Robert Sutherland objecting on the grounds that "Council should reserve a decision until the Ontario Municipal Board has reviewed formal objections that has been placed before it regarding this site" (Amendment No. 4).

The Planning Coordinator explained that with regard to the appeals to Amendment No. 4, Town representatives met with the appellants to discuss their concerns.

Ms. Monteith advised that the appellants do have concerns regarding Amendment No. 4. They are concerned about the "openness" of OPA # 4. They feel there should be more restrictions with regard to parking, height, rooflines, signs, setbacks from street,

as examples. They prefer to retain a "small town" look with regard to design and would like to see this apply to each side of the street. Ms. Monteith did indicate that a bylaw would not come into force until Amendment No. 4 is approved.

Luigi DiPierdomenico, Solicitor for the applicant, addressed Council advising that they acknowledged there are objectors regarding this section of Sandwich Street. He noted his clients building already exists and was constructed in compliance with the Town requirements. There is an issue of basic economics involved in that his client has tenants interested in the building. Mr. DiPierdomenico would like to know the nature of the objections.

Paul Renaud - 41 Sandwich Street South indicated his support for Commercial General Development in this area. He referenced his building which he renovated in the Victorian style. Mr. Renaud stated that although he may not agree with the facade of the new structure at 35 Sandwich Street he believes the area should be Commercial General. He stated that, not unlike other Towns i.e. Harrow, Kingsville, etc,.. he feels the main street should be Commercial.

Bob Smith, 67 Sandwich Street South agreed with Mr. Renaud that the area should be Commercial General. He referenced his attendance at many public meetings at which the Town determined that Commercial General was the proper future for that area. He felt the Town should stick to their decision.

Phil Kasurak referenced Official Plan Amendment No. 1 and stated that the minutes of settlement were a prelude as to what the public wishes to see in that area. Mr. D'Alimonte's proposal may be premature at this time until various issues have been resolved i.e. impact on surrounding properties, parking issues, etc,.. Mr. Kasurak suggested a deferral of this application until Amendment No. 4 is resolved.

Eugene Whelan referenced the Navy Yard Park, Fort Malden and the monies expended in this area. He felt the entrance to the Town is very important. In his opinion the Town should build on what we have and he referenced places like Niagara-On-The-Lake and Kingsville. In his opinion the Town should work in cooperation to find a workable agreement to address concerns regarding Amendment No. 4.

Mr. Luigi DiPierdomenico acknowledged that his client's amendment isn't going anywhere until OPA # 4 is resolved. They would be agreeable to a deferral, however would like to know the time line to present to the prospective tenants.

Jean Monteith provided a further option for Council consideration which would be to amend the application to allow a defined area in the Residential Office Zone to add video rental establishment as a permitted use in the existing building which would allow Mr. D'Alimonte to proceed with his proposed tenant.

Mr. DiPierdomenico advised that his client was agreeable to this proposal.

Moved by Mickey Bezaire

Seconded by Rosa White

That Administration be authorized to prepare a Zoning Bylaw Amendment to change the zoning on 35 Sandwich Street South from Residential Office (RO) Zone to Residential Office (RO-3) Zone to add a video rental establishment to the list of permitted uses in the existing building, and further, a second public meeting is not required regarding this amended application.

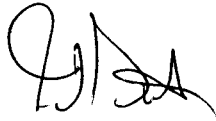
-carried-

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Moved by Frank Gorham

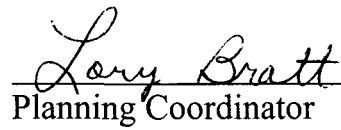
Seconded by Mickey Bezaire

That there being no further business this public meeting be adjourned at 4:55 p.m.  
-carried-



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Mayor



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Planning Coordinator

