

## PUBLIC MEETING

Minutes of a public meeting held Monday, February 9, 2004 at 6:00 p.m. in the Council Chambers to consider a proposed Zoning By-law Amendment.

Present: Mayor Wayne Hurst  
Deputy Mayor Anthony Leardi  
Councillor Bob Bailey  
Councillor Gord Freeman  
Councillor Carl Gibb  
Councillor Paul Renaud  
Councillor Rosa White

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.

There were no disclosures of interest.

Deputy Mayor Leardi assumed the Chair and opened the meeting welcoming all those in attendance stating the purpose was to consider a proposed Zoning By-law Amendment. He explained the process for the meeting and then asked the Planning Coordinator and Planner to summarize the application.

### Planning Coordinator

The Town has received an application for Zoning By-law Amendment to By-law 1999-52 under Section 34 of the Planning Act from Frank and Livia Cerasa (Chris Dufour, Agent). The subject lands are located on the west side of Howard Avenue (County Road 9) north of Texas Road and are 72 acres +/- in area.

The proposed amendment to Zoning By-law 1999-52 would change the zoning of the land from "Agricultural (A) Zone" to a site specific "Recreation (RE-5) Zone" to permit an eighteen (18) hole golf course in addition to the existing dwelling on the property. The site specific provisions would require that any buildings or structures associated with the proposed golf course are subject to a minimum setback of 200 metres from the existing Girl Guides Camp to the south and 200 metres from the existing dwelling on the adjacent property to the north.

In September of 2003, Monteith Brown Planning Consultants was retained by the Town to prepare a Planning Report and Land Use Justification Analysis for the new 18 hole golf course. The intent of the analysis is to determine whether there is sufficient demand for an additional golf course in the market area and to examine the appropriateness of the proposed development.

The following correspondence was received from the various agencies circulated:

- (1) Letter dated January 22, 2004 from the County of Essex.
- (2) Letter dated February 2, 2004 from Glen and Connie Carnahan.
- (3) Letter dated February 2, 2004 from Caroline Ngui, Chairperson, Camp Bryerswood, Girl Guides of Canada.
- (4) Letter dated January 29, 2004 from John McMahon, Solicitor for Henry and Helen Schmidt together with letter dated February 9, 2004.
- (5) Letter dated February 2, 2004 from Jerry Fasen.

- (6) Letter dated February 2, 2004 from Tim and Samantha Strachuk, Strachuk Farms.
- (7) Letter dated February 4, 2004 from the Essex Region Conservation Authority.
- (8) Letter dated February 6, 2004 from the Ministry of Municipal Affairs and Housing together with e-mail dated February 6, 2004 from Scott Oliver, MMAH.
- (9) Letter dated February 4, 2004 from the Essex County Federation of Agriculture.
- (10) Letter dated February 9, 2004 from Terry Hall.
- (11) Letter dated February 9, 2004 from Gayle Bogart, Ontario Federation of Agriculture.

### Planner

Ms. Monteith then summarized the Planning Report – Land Use Justification – Cerasa Golf Course Assessment prepared in December 2003. She began by reviewing Section 7.4 of the Official Plan which sets out the amendment procedures and states what the municipality must have regard for when considering amendments to their planning documents. The municipality must also have proper regard to the Provincial Policy Statement. She explained the alternative site search and land use compatibility issues considered as part of this application. In the first draft of the site plan the club house was located immediately abutting the Girl Guide property. The report recommends mitigating measures to ensure no negative impacts on the adjacent Girl Guide Camp and the dwellings on adjacent properties. Ms. Monteith also reviewed the Agricultural Land Use Goals and Policies, in particular Section 3.2.2(6) of Amherstburg's Official Plan. She then summarized the conclusions in her report.

Deputy Mayor Leardi then asked for any questions/comments from members of the public:

- (1) Caroline Njui on behalf of the Girl Guides of Canada Campsite, known as Camp Bryerswood located at 6480 Texas Road.

Ms. Njui addressed Council referencing her written submission to Council of February 2, 2004. They oppose the zoning by-law amendment for a number of reasons: They wish to maintain a safe and secure camping environment for the campers. The site is used year round and the campers cannot be exposed to the possibility of easy public access from a golf course. There is currently no fencing or sufficient natural barrier or berm for security. There is no protection from the dangers of flying golf balls. Have no finances to provide fencing or barriers or maintain them. They purchased the property with the understanding that surrounding agricultural land will give camper's a peaceful and natural environment to enjoy the outdoors. Noise and lighting will have an impact. Drainage may be adversely affected. They wish to preserve sensitive ecological areas and endangered species. They objected to further loss of farmland and requested that Council oppose rezoning.

In the event that Council supports the application they request that the applicant provide a final layout of the golf course which will:

- provide an esthetically acceptable fence along the entire border of the property – installed and maintained at the expense of the golf course.
- ensure no possibility of stray golf balls entering the camp.
- ensure the golf course, car park and buildings are not located within 200 meters of the camp's northern boundary.

- ensure appropriate drainage.
- provide natural vegetation buffer of 200 meters between all parts of the golf course, and the campsite, installed and maintained at the expense of the golf course.

Ms. Ngui also presented a letter dated February 5, 2004 from the Ontario Provincial Council of the Girl Guides of Canada supporting the Camp Bryerswood position on this application.

(2) Terry Hall

Mr. Hall referenced his correspondence dated February 9, 2004 and indicated his opposition to the proposed zoning by-law amendment. In his opinion an official plan amendment is required. He reviewed the sections of the Planning Act and Official Plan that he felt supported his view.

(3) John McMahon, Solicitor for Henry and Helen Schmidt

Mr. McMahon addressed Council summarizing his submissions dated January 29 and February 9, 2004 on behalf of Henry and Helen Schmidt who opposes the proposed zoning by-law amendment. He addressed the following issues: (a) the proposal contravenes the Provincial Policy, (b) the proposed rezoning contravenes Amherstburg's Official Plan, (c) environmental issues, (d) inadequacy of site, (e) lack of site plan proposal (f) prior conduct of applicant and,

Conclusions:

If the Town elects to further pursue this proposal we would request that the Town make any rezoning conditional upon:

- The requirement that an Official Plan amendment be obtained so as to generate greater community involvement.
- That market demand and planning studies for alternative sites be undertaken to confirm demand for the facility and the suitability of this location, as opposed to another location. This is necessary to satisfy the Provincial Policy Statements under the Planning Act.
- That environmental, traffic and drainage studies be ordered so that the impact of this development on the community and the abutting neighbours can be determined and addressed.
- That any rezoning should be subject to a holding designation pending finalization of the reports, site plans and development agreements, to which all abutting neighbours should have input.

(4) Tim Straticchuk

Mr. Straticchuk addressed Council referencing his correspondence dated February 2, 2004. He summarized a number of concerns regarding the proposed golf course. He currently has a Permit to Take Water through the Ministry of the Environment. This water is stored on his farm for crop irrigation. He fears, that in accordance with discussions with hydrogeologists there is not enough water in the area to support the irrigation of a golf course. Mr. Straticchuk expressed concern with the use of pesticides on the golf course and the potential impact on his property. He is concerned that should he wish to expand his farming operation to include sheep this will hamper his ability to do this. In his opinion the planners report did not address this matter.

Ms. Monteith noted that the report does address the Minimum Distance Separation issue and does point out that the golf course use will increase the sphere of influence of the MDS formulae. She also noted, however, that existing single unit dwellings in the area will impact new livestock operations.

(5)Whit Tucker

Mr. Tucker expressed opposition to the proposed zoning by-law amendment. He asked if there would be compensation for monies he previously spent to obtain municipal water if the water line is looped. He indicated a concern with respect to increased traffic and questioned the size of the property to be able to accommodate a golf course.

(6)Glen Carnahan

Mr. Carnahan referenced his correspondence dated February 2, 2004 and expressed his opposition to the proposed amendment. He indicated that he has farmed his whole life and objects to urban sprawl and strip development. Mr. Carnahan stated his concern regarding water to service the golf course and the impact that this will have on the Girl Guide Camp.

(7)John Mitchell

Mr. Mitchell addressed Council expressing his concern regarding the proposed amendment. He questioned the land area available for the golf course and the overall needs calculation. Mr. Mitchell stated that in his opinion it did not meet the intent of the Provincial Policy Statement and there are better alternative sites. He does not feel it is a good proposal for this area.

(8)Chris Dufour – Agent for the Applicant

Mr. Dufour addressed Council and indicated that the applicant will carefully review all of the questions and comments brought forth and bring back a detailed report addressing all of the issues.

(9)Jerry Fasan

Mr. Fasan addressed Council referencing his correspondence dated February 2, 2004. He did not feel the property is large enough to accommodate the golf course. Mr. Fasan stated that if such a proposal were to proceed, the Town should ensure proper financial securities are in place to insure its' completion. He opposed the proposed rezoning.

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

Adjournment – 6:58 p.m.



Chairman



Planning Coordinator

