

PUBLIC MEETING

Minutes of a public meeting held Monday, February 21, 2005 at 6:00 p.m. in the Council Chambers to consider a proposed Zoning Bylaw 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.

Disclosure of Interest

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 Bylaw Amendment. He explained the process of the meeting and the requirements under the Planning Act and asked the Planning Coordinator and Planner to summarize the application.

Planning Coordinator

The Town is in receipt of an application for Zoning Bylaw Amendment to Bylaw 1999-52, under Section 34 of the Planning Act from Fred Brant.

The property affected by the proposed amendment is located on the west side of Howard Avenue north of North Sideroad, and is known municipally as 7826 Howard Avenue. The property is currently used for an existing farm dwelling and agricultural uses. The portion of the property subject to an application for zoning bylaw amendment is 100 ft. frontage on Howard Avenue and an area of approximately 2.1 acres. The property is currently zoned Agricultural (A) Zone which permits agricultural uses, single detached dwelling and other agriculturally related and conservation uses.

The proposed amendment to the Zoning Bylaw No. 1999-52 would change the zoning of the subject lands noted above from the Agricultural (A) Zone to a site specific (A-34) Zone to permit the relining, refurbishing and rebuilding of clutches, brakes and friction products for tractors, wagons and construction equipment and protective painting of related metal components. The site specific zone would also prohibit body work or repair of vehicles on the site, as well as outdoor storage of materials in the front yard. A planting strip will be required along the southerly interior lot line. The proposed use will be subject to site plan control.

The proposed amendment to the Zoning Bylaw is in conformity with the policies of the Official Plan.

As part of the Planning Coordinator's report, Council had been provided with a copy of the application for Zoning Bylaw Amendment and the draft bylaw for the proposed rezoning.

The following correspondence was received from the various agencies circulated:

- (i) Letter dated February 18, 2005 from the Essex Region Conservation Authority – the property is subject to ERCA regulations and prior to any construction or site alterations a permit is required from their office. Stormwater quality measures will be addressed through their permit process.
- (ii) Letter dated February 21, 2005 from the County of Essex - applicant is required to comply with County regulations Bylaw 2481 and 2480. The minimum setback for any proposed structures must be 85 feet from the centre of the original right of way of County Road 9. Applications must be filed with the County to obtain the necessary permits for any changes to existing entrances and structures, or the construction of new entrances or structures.
- (iii) Letter dated February 19, 2005 from Debbie Kulke - expressing concern regarding drainage issues, fence issues, burning of materials and alleged business activities currently taking place on the property.

Jean Monteith, Planning Consultant

Ms. Monteith stated that only a portion of the total lands are proposed for rezoning. It is not intended to create an industrial land use. It is to permit one activity for a family run business and has the agricultural home occupation mind set. The property will be subject to site plan control and should result in improvements to the property.

Deputy Mayor Leardi asked where the planting strip will be located.

Ms. Monteith indicated the proposed bylaw requires a planting strip along the southern boundary.

Councillor Freeman asked how close the property is to the quarry land.

He was advised approximately 1,000 feet.

Mayor Hurst referenced that it will be a family run business and provides a retirement opportunity for the applicant, however, noted concern with existing complaints regarding the property.

Ms. Monteith advised that the applicant does not currently own the property.

Deputy Mayor Leardi then requested any comments/concerns from members of the public.

Pat Lucier - 7836 Howard Avenue and 7842 Howard Avenue

Ms. Lucier addressed Council providing a site plan which showed the location of her property and buildings to the location of the subject property. She expressed concern regarding the potential for noise and dust. Ms. Lucier felt that the operation is too large to be considered as a home occupation. She advised that she visited the current operation in Tecumseh and after touring the operation does not feel it should be located in an Agricultural area. It was Ms. Lucier's opinion that this operation should be in an Industrial Zone. She urged Council to attend the site and view from her property the potential operation. She also noted that there are no trees proposed for the north side of the property.

Fred Brant, Applicant

Mr. Brant addressed Council advising that he and his family are looking for property where they can have hobby farm and house. He and his family would like to retire at this property. He advised his business had greatly changed and they mainly specialize in servicing the Agricultural sector. They currently have six people who work for them. With respect to the powder coating process – this is not painting – Mr. Brant explained the process and advised there are no harmful chemicals, no odours, no solvents on the property and no venting to the outside. In response to Ms. Lucier's concern regarding noise he indicated the only time the doors of the operation are open is to permit ingress and egress. It is imperative to keep the area clean. Mr. Brant expressed that he will be pleased to cooperate with respect to planting trees and buffering, insuring groundwater quality, etc. They will not have an apartment on the property, there will be no bodywork, and wish to cooperate with the requirements of the Town. Mr. Brant confirmed that he does not own the property yet and therefore has not done anything on the property.

Carrie Ducharme - 7843 Howard Avenue

Ms. Ducharme referenced the need for respiratory equipment for the employees and noted that her son has asthma and fears for the safety of his health. She also noted a creek that runs through her property and if there is any potential runoff from the business it could affect wildlife.

Ms. Monteith clarified that there are no solvents on the property and referred to the information presented by Mr. Brant.

Ms. Lucier asked if storage trailers would be permitted on the site.

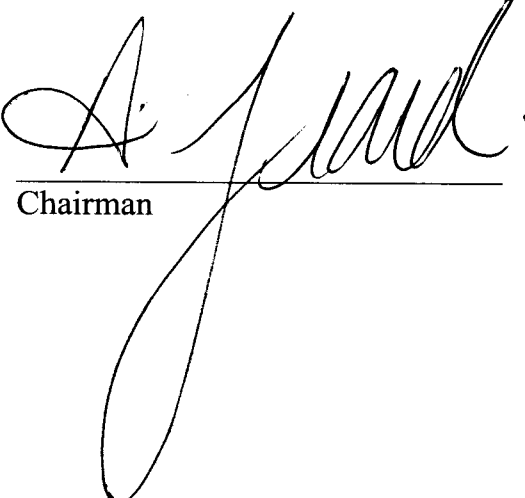
Ms. Monteith indicated that outside storage is restricted to the rear yard. Storage would be permitted as per the Agricultural zone, however will be subject to site plan control. A planting strip could also be required on the north side of the property.

Councillor Freeman also noted that the Essex Region Conservation Authority will also monitor any stormwater quality issues through their permit process.

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

Adjournment

The meeting adjourned at 6:40 p.m.



Chairman



Lory Bratt
Planning Coordinator

