

Minutes of a second Public Meeting to consider the Draft Zoning By-Law for the Town of Amherstburg held Tuesday, September 14, 1999 at 7:00 p.m. in the Council Chambers.

Mayor Wayne Hurst opened the meeting and welcomed all those in attendance (approximately thirty (30) individuals from the public). A list of those in attendance is attached hereto and forms a part of these minutes. The Mayor then introduced Ms. Jean Monteith, the Town's Planning Consultant.

Ms. Monteith referenced the recently passed Official Plan which has also been approved by the Ministry of Municipal Affairs and Housing with the exception of two specific areas of appeal. The policy side of the process is complete and the next step is the zoning by-law. The zoning by-law is a more precise document which will implement the policies of the official plan.

The Planner then summarized the various sections of the zoning by-law: Definitions, General Provisions, Zones and Zone Provisions and Mapping and the changes which have been incorporated since the last draft.

The following correspondence was received from the various agencies circulated:

- (i) Letter dated September 14, 1999 from Lee Anne Doyle, County Planning Advisor.
- (ii) Letter dated September 10, 1999 from Joe and Alice Maitre re 890 Front Road South.
- (iii) Letter dated September 4, 1999 from James Hutchinson re 5075 Concession 5.

The Planner summarized Mr. Hutchinson's request to sever a lot from his property on Concession 5. She advised of the types of severances permitted in the agricultural designation noting that Mr. Hutchinson's request does not comply with the policies. Ms. Monteith also stated she would have a concern with a site specific policy to allow this type of development.

Mr. Hutchinson stated he felt it was discriminatory that people cannot live in the rural area because of these severance policies. His wife is unable to climb stairs and he felt that a severance should be granted on humanitarian grounds.

- (iv) Letter dated September 13, 1999 from Barb Butler re 42 Sandwich Street South - wishes to maintain Residential Office zoning on her property.

Ms. Butler stated that she is concerned about losing the flexibility that she currently enjoys with the Residential Office zoning. She noted that the zoning across the street is Residential Office and whatever happens there may take away from the residential appeal of the area.

The Planning Consultant reviewed the types of uses permitted in the Residential Office zone.

Ms. Butler noted that her property is suitable for similar types of uses and she would prefer not to lose that zoning.

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Those members of the public in attendance were then invited to address questions to Ms. Monteith.

Alice Maitre asked if there will be further meetings with Council regarding these issues.

Mayor Hurst stated that there could be further opportunity for discussion at regular Council meetings.

Joe Capaldi discussed his proposal for a severance from his property on North Sideroad.

Dan D'Alimonte referenced his property at 65 Sandwich Street South and his request for rezoning of the rear portion of this property.

Ms. Monteith advised that his request to extend the Commercial Highway zone has been approved by Council and will be incorporated in the draft by-law.

Georgina Mallett requested information regarding the zoning provisions and home occupation provisions for Texas Road.

The Planning Consultant explained the provisions in the draft by-law.

Alice Maitre then addressed Council regarding her property at 890 Front Road South summarizing the history of the property and the court injunction which is currently against the property. They would like to have a single unit dwelling on the property, however, would like to protect what is there now. She advised that the Essex Region Conservation Authority stated that the structure would have to be raised two feet to be above flood level.

The current zoning of the property is Environmental Protection.

Sally Scaddan requested information on the proposed zoning of her property on Concession 3.

Ms. Monteith stated the draft by-law provides for her property to be zoned (R1B) Residential.

Joe Capaldi asked what the zoning of the Maitre property is.

He was advised the property is zoned Environmental Protection.

Mr. Capaldi also asked about other residentially developed property.

Ms. Monteith explained that there were areas in the Anderdon official plan that were pre-approved for residential development. Those areas were carried forward in the new official plan. Similarly in Malden the areas designated Natural Environment were also carried forward.

Phil Bondy inquired whether or not trucking is a permitted use north and east of the quarry in former Anderdon.

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The area is designated Heavy Industrial in the Official Plan with the exception of Smith Industrial Park which is designated Light Industrial. We did not pre-zone properties, however, the golf dome property had originally requested a Recreational-Light Industrial zone.

Mr. Bondy clarified that trucking is a permitted use in the Heavy Industrial zone.

A concern was raised that the by-law is too restrictive with respect to yard sales.

This issue will be reviewed.

Dr. Spellman asked the status of the official plan.

Ms. Monteith advised the official plan was approved with two deferrals.

Dr. Spellman referenced a letter he submitted regarding the official plan and requested to know the status of that letter.

The Planner reviewed the proper procedure for appealing an official plan document. The status of Dr. Spellman's letter will be reviewed by Administration.

He also requested that the zoning document be on a web page.

Dr. Spellman also expressed concern regarding the Definitions section of the by-law.

Priscilla Bouvier requested zoning information for properties along 2nd Concession Road in the former Anderdon.

Tom Moon referenced the section of the by-law dealing with fines.

The Planner explained that the by-law simply spells out Provincial legislation in a location where the public can see the impact that possibly could occur.

Barb Butler once again reiterated her comments regarding her property at 42 Sandwich Street South and the need for better communications regarding property issues.

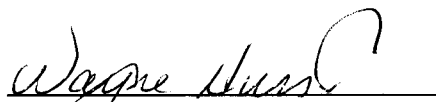
The Planner explained that the policy issues were set at the official plan level and the zoning by-law is the document which implements those policies. The Residential Office designation and zone had not been utilized in the area and the municipality felt it would be better suited to a Residential zone.

Bob Sutherland requested an explanation of Site Plan Control.


Ms. Monteith explained Section 42 of the Planning Act.

There being no further questions Mayor Hurst thanked all those present for their comments and input.

There being no further business the meeting adjourned at 9:15 p.m.



Mayor



Planning Coordinator

PUBLIC MEETING

PROPOSED COMPREHENSIVE ZONING BY-LAW

TOWN OF AMHERSTBURG

SEPTEMBER 14, 1999

NAME (Please Print)

ADDRESS

1. Phil Bondy 7751 Howard Ave
2. MARK HOPKINSON 7781 Howard Ave.
3. JEFF LIBBY 1338 GLADSTONE
4. Marge Hutchinson 5075 Con #5, RR #4
5. James Hutchinson 5075 Con 5 RR #4
6. ALICE MAITRE 890 FRONT RD S.
7. Dan D'Alimonte 71 SANDWICH ST. W.
8. David Dupur P.O. BOX 99
9. BOB SUTHERLAND - 96 RANKIN AVE
10. John W. Spellman RE 2 - Anletby
11. JOHN & GEORGINA MALLITT. 84 TEXAS ROAD.
12. LUCY DICARLO 83 TEXAS RD.
13. ANNA PALUMBO 96 TEXAS RD.
14. Roy P. Wislup 132 Texas Road.
15. Anna Lohowolsky 274 Crawford Ave Windsor
16. DANIE J CAPALDI 204 IRONWOOD DRIVE
17. JOSEPH D. CAPALDI 3140 NORTASIDE RD
18. BETTY FEDERICO 17 TEXAS RD
19. Greg Currier 805 2nd Concession
20. Trucilla Bourne 566 Con #2
21. Tom Now 89 Texas Rd. Amh.
22. NANCY MORRISON 42 SANDWICH ST SOUTH

23. Barb Butler 42 Sandwich St. South, Amherstburg
24. Kathleen Parks 2602 Cona R.R. 2 A'burg
25. Edward P Parks 11
26. Sally Scaddan 2867 Arondale Ct, Windsor N9E1X1
27. Bob Scaddan 2867 Arondale Ct + Windsor N9E1X1
28. John Steed 859 FRONT NORTH
29. _____