

Minutes of a public meeting held Monday, August 13, 2001 at 6:30 p.m. to consider a proposed zoning by-law amendment.

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

Also present: Bill King
Lory Bratt

Absent: Councillor Rosa White (with prior notice)

A list of those members of the public in attendance is attached hereto and forms part of these minutes.

Councillor Mickey Bezaire was appointed to Chair the meeting.

DISCLOSURE OF INTEREST

There were no disclosures of interest.

Chairman M. Bezaire opened the meeting and welcomed all those in attendance. He stated the purpose of the meeting was to consider a proposed zoning by-law amendment for property being 199 Dalhousie Street. He then asked the Planning Coordinator to summarize the proposal.

The applicants are requesting a rezoning of land described as Pt. Lot 14 and 30 and Pt. Lot 15, Plan 2 municipally known as 199 Dalhousie Street from "Residential First Density (R1-8)" to a further defined area to allow a bed and breakfast as a permitted use on the subject property. The current R1-8 zone is a Restricted Residential Zone which does not allow home occupations as a permitted use. A bed and breakfast is included under the provisions of a home occupation. The subject property is designated Low Density Residential in the Town's Official Plan.

In accordance with Zoning By-law 1999-52, as amended, the definition of Bed and Breakfast means "a single detached dwelling in which no more than three rooms are made available by the residents of the said dwelling for the temporary accommodation of travelers in the course of which no assistance is offered by any person not residing in the dwelling. This does not include a hotel, motel, boarding or lodging house or restaurant as defined herein".

The General Provisions of the Zoning By-law also require that the site be able to supply one parking space for each bedroom utilized for the bed and breakfast.

With the property currently being in a Restricted Residential area where home occupations are excluded as a permitted use, we would recommend that the rezoning be limited to allow a bed and breakfast only in addition to the uses permitted in the R1-8 zone. This will limit the impact on surrounding properties and will ensure that parking is available on site. The proposal is in keeping with official plan policies.

The following correspondence was received from the various agencies circulated:

- (1) Petition of support from neighbouring properties in the area.
- (2) Letter dated August 7, 2001 from Paul Hertel.
- (3) Letter dated August 9, 2001 from Mr. and Mrs. Chris Blunt.
- (4) Letter dated August 10, 2001 from Aaron Marcotte, Solicitor on behalf of Brian Sukarukoff.

Chairman Bezaire then asked from comments from the applicants.

Mr. Merv Richards and Carolyn Davies addressed Council advising that they are proposing to use their home as a bed and breakfast. It is a Victorian style home which has ample rooms and parking to accommodate the proposed use. They have done extensive renovations to the home since they purchased it and have maintained the integrity of the style of the home. They noted there is limited accommodations in Amherstburg and they feel it will be positive for the Town in that it will enhance tourism in the downtown area. They intend to promote the local historic sites and advocate the history of the Town. Mr. Richards and Ms. Davies intend to call the establishment the Bondy Bed and Breakfast in honour of the family who owned the home for 50 plus years.

Deputy Mayor Pillon asked if the home ever had boarders in the past.

The applicants confirmed this information.

Councillor Fox supported the proposed bed and breakfast and thought it was a great idea for the downtown area.

Mr. Gorham confirmed with the applicant that the property can accommodate the required parking on site.

Chairman Bezaire then asked for any questions/comments from the public.

Denise Bondy on behalf of herself and husband Richard read a prepared statement in support of the proposed Bed and Breakfast.

Aaron Marcotte, Solicitor for Brian Sukarukoff (194 Dalhousie St.) addressed Council referring to his correspondence dated August 10, 2001. In his opinion the proposal does not conform to the official plan policies. His client feared this is the first step down a "slippery slope" whereby further, and potentially more invasive commercial uses will be undertaken in the existing residential neighbourhood. He reviewed his correspondence stating the reasons why they did not feel the proposal conforms to official plan policies.

Mr. Sukarukoff also addressed Council referring to the home he has recently renovated, stating he fears being surrounded by bed and breakfast establishments if one is allowed to establish and the impact this may have on property values. He does not wish to prevent the applicants from advancing, however, wonders where Council will draw the line.

Councillor Leardi stated his appreciation for the presentation and the comments made, however, he noted the renovations made to the subject parcel and felt this created a higher standard which would be a positive impact on property values.

The Planning Coordinator clarified the Zoning By-law and Official Plan issues discussed by Mr. Marcotte, in particular, with regard to home occupations as a permitted use within various Residential zones and also discussed Section 3(9)(vii) of By-law 1999-52, as amended, specifically with respect to bed and breakfast establishments. It is Administration's opinion that the proposal conforms to the official plan.

Chris Blunt addressed Council referring to his correspondence dated August 9, 2001. He expressed concern with respect to any type of commercial activity in the area which could lead to a much larger problem.

Mr. Sukarukoff felt there should be an overall review of the by-law regarding bed and breakfast establishments.

Councillor Fox suggested that inquiries be made to communities such as Niagara on the Lake which promotes bed and breakfast establishments. She noted that signage is tastefully done and these establishments have not lowered the prices of real estate in the area.

Deputy-Mayor Pillon supported the idea of surveying other communities. He felt this proposal will be a credit to the community.

Mr. Blunt referenced the history of the immediate area and why it is currently a Restricted Residential area.

Mr. Richards noted that he and his wife were careful to maintain the integrity of the home and the era it was built. They feel it will be positive for the area.

John McLellan addressed Council advising he is a neighbouring property. He does not object to a bed and breakfast only but does not want to see further commercial development. He does not feel that investing money in a property is an appropriate planning reason to approve the application.

Councillor Leardi clarified that his previous statement was not meant in that manner. He felt the renovations should be a positive impact on the neighbourhood.

There being no further questions and/or comments the following resolution was put forth:

Moved by R. Pillon
Seconded by F. Gorham

That Administration be authorized to prepare a Zoning By-law amendment to change the zoning on property described as Pt. Lot 14 and 30 and Pt. Lot 15, Plan 2 (municipally known as 199 Dalhousie Street) from "Defined Area - Residential First Density (R1-8)" to a further defined area to allow a bed and breakfast as a permitted use on the subject property and further to require parking on site.

- carried -

page 4 - August 13, 2001

Moved by L. Fox
Seconded by T. DiBartolomeo

That Administration be directed to survey communities as to the policies utilized for bed and breakfast establishments.

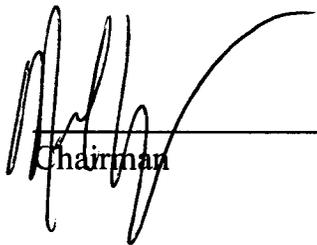
- carried -

ADJOURNMENT

Moved by R. Pillon
Seconded by F. Gorham

That there being no further business this public meeting adjourn at 7:15 p.m.

- carried -



Chairman



Lory Bratt
Planning Coordinator

