

PUBLIC MEETING

Minutes of a public meeting held Monday, June 23, 2003 at 5:00 p.m. in the Council Chambers to consider a proposed Zoning By-law Amendment.

Present: Mayor Tony DiBartolomeo
Deputy-Mayor Robert Pillon
Councillor Rosa White
Councillor Frank Gorham
Councillor Anthony Leardi

Also present: Dave Mailloux, Clerk
Lory Bratt, Planning Coordinator

Absent: Councillor Lynne Fox (with prior notice)
Councillor Mickey Bezaire (with prior notice)

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.

Mayor Tony DiBartolomeo opened the meeting welcoming all those in attendance stating the purpose was to consider a proposed zoning by-law amendment. He then requested the Planning Coordinator to summarize the application.

Planning Coordinator

Pt. Lot 6, Concession 8

We are in receipt of an application for Zoning By-law Amendment to By-law 1999-52 under Section 34 of the Planning Act from George Dragicevic.

The proposed amendment to Zoning By-law 1999-52 would change the zoning of 21 hectares +/- of land located on the south side of County Road 10 (Middle Sideroad) being Pt. Lot 6, Concession 8 from "Agricultural (A) Zone" to "Holding Provision Residential Type 1A (h-R1A) Zone". The Developer is proposing a plan of subdivision to permit 143 single unit dwellings upon receipt of all the necessary planning and servicing approvals. The subject property is designated Low Density Residential in Amherstburg's Official Plan and the proposed amendment to the Zoning By-law is in conformity to the policies of the Official Plan.

The following comments were received from the various agencies circulated:

- (1) Environmental Assessment Report dated June 10, 2003 prepared by Gerry Waldron.
- (2) Letter dated June 5, 2003 from the Essex Region Conservation Authority.
Letter dated June 17, 2003 from the Essex Region Conservation Authority together with Environmental Impact Assessment Review.
- (3) Letter dated June 6, 2003 from the Windsor Essex Catholic District School Board.
- (4) Letter dated June 18, 2003 from the County of Essex.

In response to ERCA's comments we concur that adequate fencing without gates should be provided as part of the development. However, we would suggest that, given the esthetic nature of the adjacent property and area, chain link fences without gates would seem more appropriate. In discussions with Dan Lebedyk of the Conservation Authority he concurred with this suggestion.

With regard to stormwater management the Town agrees and will require that appropriate stormwater measures are designed and implemented to the satisfaction of the Town and ERCA.

We concur that these items can be addressed through the Draft Plan Approval process.

The Planning Coordinator noted that the property will remain in a Holding Zone until all necessary planning approvals are received. The details of servicing and subdivision lay out will be discussed in more detail at the public meeting for the plan of subdivision when the Ministry of Municipal Affairs and Housing requests the municipality to hold this meeting. The draft plan presented at this meeting is not final.

Mayor DiBartolomeo invited questions and/or comments from the Council and members of the public in attendance.

Councillor Leardi questioned if this meeting had anything to do with sewage allocation? Lory Bratt advised no.

Deputy-Mayor Pillon asked if there was sewage allocation? Lory Bratt advised that there is a report for consideration on the regular meeting Agenda later this evening. The report is proposing a 62 lot allocation.

A number of residents in the area commented on the proposal.

Mr. Tom Welsh – 8681 Middle Sideroad - According to the newspaper a meeting has already taken place regarding this proposed development.

Mayor DiBartolomeo explained that the meeting held was with the property owners in the settlement area regarding sewage allocation.

Mr. Welsh further questioned on who pays for water and sewer services.

Mayor DiBartolomeo explained that the sewage lagoons had an available estimated 220 lots and that the cost would be distributed to the 7 or 8 property owners who will obtain sewage allocation.

When questioned about zoning Lory Bratt explained that the property is designated Low Density Residential in the Official Plan and currently zoned Agricultural (A) Zone in Zoning By-law 1999-52, as amended.

A resident in the area was concerned about losing 21 acres of farmland in McGregor.

Lory Bratt explained that after amalgamation of Amherstburg, Anderdon and Malden in 1998 a consolidation and update of the Official Plan and Zoning By-law took place. Many public meetings that were well attended took place. This property was designated Low Density Residential in the Official Plan but was not pre-zoned.

The resident felt that this was not the proper place for the development and should take place elsewhere.

Mr. Welsh brought up school enrollment, traffic and fence issues.

Lory Bratt explained that a fence was proposed for the southernmost part of the property. The fence and traffic issues can be considered as possible conditions in the draft plan.

A resident asked if anyone cared about trees and animals. We are crowding nature and destroying agricultural property.

Deputy-Mayor Pillon asked if this development was encroaching on the woodlot. Lory Bratt referred to the Environmental Assessment Study which indicates the development of the residential lots is sited entirely outside the Environmentally Significant Area.

Deputy-Mayor Pillon stated that a very public process had taken place in 1998. The hamlet area was designated for future growth.

Tom Welsh asked if ERCA had passed this proposal? Lory Bratt referenced the comments received from ERCA and the measures which will be requested as conditions of draft plan approval.

Mr. Welsh stated that he and his neighbours knew nothing about this. They had planned to buy the property rather than see it developed.

A resident stated that the seller of the lots said that the land in back would never be developed.

Councillor Leardi - regarding the issue of increased traffic would a sidewalk be appropriate? Lory Bratt stated that this will be a servicing consideration as part of any subdivision agreement.

A resident asked how were the meetings in 1998 advertised? Lory Bratt advised that they were advertised in the Amherstburg Echo. She would have to check the file to determine if they were advertised in the Windsor Star.

Councillor White – stated the property is designated Low Density Residential in the Official Plan and this must be a consideration of any Council decision.

Resident – are we all wrong? There is a need to preserve this land. Traffic will be a problem. There will be a “domino effect”.

Tom Welsh – we are against it.

Mayor DiBartolomeo explained the process if Council does not go with the Official Plan.

Councillor White explained the situation with Wintru development.

Deputy-Mayor Pillon questioned how far this property was from the lagoon.

A resident asked where the sewer was to be situated.

The Developer advised along Middle Sideroad.

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Mayor DiBartolomeo explained that there was a 220 lot capacity in the McGregor Sewage Lagoon.

Resident – McGregor will be overpopulated.

Mayor DiBartolomeo advised the residents to check the Official Plan. There is a much larger settlement area than the 220 lots.

Tom Welsh moved to the country to be away from town.

Resident – development being allowed in McGregor just to get more tax dollars.

Resident – would like to see Council fight for them.

Mayor DiBartolomeo asked the Developer, George Dragicevic, if he had any comments.

George Dragicevic – historically large size lots enhance property values
- the 6 ft. fence that is being proposed is to protect children from the stormwater retention pond
- McGregor land is terrible for farming
- he would not have purchased property had it not been designated.

Lory Bratt read part of the Environmental Assessment.

Resident – what about a buffer for us?

George Dragicevic would look at a buffer at the rear of the lots fronting Middle Sideroad.

Tom Welsh asked what type of homes?

George advised that he would be willing to meet with the residents to discuss buffer.

Discussion took place on the 5% parkland that Council could accept. Mayor DiBartolomeo may try to negotiate more than 5%.

Lory Bratt advised that there would be a meeting in the future for the draft plan and that notice would be in the newspaper and by mail.

Lory Bratt clarified the proposed zoning and the purpose of a Holding Zone.

Resident asked when the developer planned to start.

George hoped to have roads in October or November.

Resident – there is a concern that existing roads would be ruined.

Deputy-Mayor Pillon – let's look at buffer.

Resident – looks like its going to happen, lets work together.

The residents and the Developer mutually agreed on a time to meet.

Moved by A. Leardi
Seconded by R. White

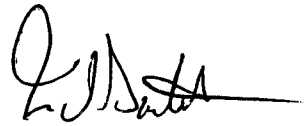
That Administration be authorized to prepare a Zoning By-law Amendment to change the zoning on Part Lot 6, Concession 8 from "Agricultural (A) Zone" to "Holding Provision Residential Type 1A (h-R1A) Zone", and further, that the fencing and Storm Water Management issues be addressed through the draft plan approval process.

- carried -

Moved by F. Gorham
Seconded by R. White

That there being no further business the meeting be adjourned.

- carried -



Mayor



Clerk

