

PUBLIC MEETING

Minutes of a public meeting held Monday, May 3, 2004 at 5:50 p.m. in the Council Chambers to consider a proposed Official Plan Amendment and 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: Hilary Payne, CAO
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.

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

Councillor Gibb indicated that at the meeting where these applications had been previously discussed he had indicated a disclosure of interest, however, since that meeting he has determined that he does not have a conflict of interest.

Planning Coordinator

The Town is in receipt of an application for an Official Plan Amendment under Sections 17 and 21 of the Planning Act and an application for a Zoning By-law Amendment under Section 34 of the Planning Act from Hugh Handy, Planner with GSP Group on behalf of 159064 Ontario Limited (David Petretta).

The subject lands are located on the east side of County Road 20 between Brunner Avenue and Texas Road and have a lot area of 7.7 hectares (19 acres).

The proposed amendment to the Official Plan would change the designation of the subject lands from Heavy Industrial and Light Industrial to General Commercial to permit a department store and retail/service commercial centre.

The proposed amendment to the Zoning By-law No. 1999-52, as amended would change the zoning of the subject lands from "Heavy Industrial (HI) Zone", "Light Industrial (LI) Zone" and "Special Provision Light Industrial (LI-2) Zone" to "Commercial General (CG) Zone" to permit the proposed retail and service commercial uses. The amendment to the Zoning By-law would implement the proposed Official Plan Amendment.

The property is also subject to an application for consent to sever.

The following information was previously circulated to Council:

- (i) Application for Official Plan Amendment.
- (ii) Application for Zoning By-law Amendment.
- (iii) Planning Report prepared by GSP Group dated March 2004.
- (iv) Traffic Impact Study prepared by Paradigm dated March 2004.
- (v) Letter dated March 12, 2004 from GSP Group requesting road closings.

The following correspondence was received from the various agencies circulated:

- (i) Planning report dated April 28, 2004 from Jean Monteith, Planning Consultant.
- (ii) Letter dated April 29, 2004 from the Ministry of Municipal Affairs and Housing together with copy of letter dated April 29, 2004 from the Ministry of Culture.
- (iii) Letter dated April 29, 2004 from Orlando Segatto.
- (iv) Package from Honeywell for public meeting presentation.
- (v) Letter dated May 3, 2004 from Eugene Whelan and Philip Kasurak.
- (vi) Letter dated May 3, 2004 from the County of Essex.
- (vii) Letter dated April 26, 2004 from the Essex Region Conservation Authority.

Dave Petretta, Applicant addressed Council introducing the following consultants on behalf of his application: Hugh Handy, Planning Consultant, GSP Group, Jim Mallett, Paradigm Transportation Solutions, Robert Sabato and Ian Graham, Craft Development.

Hugh Handy addressed Council giving a Power Point presentation on the proposed development as follows:

- (1) Locational Context.
- (2) Proposal – “Amherstburg General Market” – name to be determined, 19 acres – commercial, 3.3 acres – no current development plans.
- (3) Concept Plan – Department Store – 85,000 sq. ft., Potential Expansion – 40,000 sq. ft., Retail B & C – 55,000 sq. ft. Restaurants/Banks – 11,500 sq. ft.
- (4) Planning Considerations – Strategic location at the “gateway” to Town, anchors north end of commercial corridor, new department store not currently within the Town, development will service Town and surrounding market area, new investment, job opportunities and tax revenue, appropriate size and location for large-scale retail, appropriate land use and location for commercial, compatible with surrounding land use, visual buffer to existing industrial operations, site has excellent visibility and accessibility, access primarily directed to Sandwich Street, appropriate landscaping and streetscaping to be incorporated.
- (5) Conclusions – appropriate and compatible land use, strategic and logical location for commercial, supports continued growth and investment in the Town.

Jean Monteith, Planner

- (1) Official Plan Policies – proposed use of the site is for a variety of large format retail. The Town has known since 1981 that it is deficient in commercial retail space. During the Commercial Review in October 2001 the subject lands were identified as being suitable for consideration for commercial development. The waterfront location made the site a prime candidate for gateway commercial.

The former uses of the land and continued Heavy Industrial use and designation to the rear of the land make the property suitable for only commercial or industrial land uses. Commercial uses will increase the public exposure of the site to the vistas of the Detroit River.

- (2) Alternative Sites - no alternative sites in Amherstburg that are currently designated that could accommodate a development of this scale, - assessment of alternative sites was undertaken a number of times over the past three years, - the first search related to the evaluation of Mikhail application for a food store and associated retail at Sandwich and Fort, that analysis determined that the Town was deficient in commercially designated lands and that no sites were large enough to accommodate larger format grocery stores, - the Commercial review confined itself to Amherstburg old town but suggested to the north of William Street the front portion of the General Chemical lands as well as the Church and Dwight property were also options, - 8 alternative site were identified in the old town but none of those sites could accommodate this proposal, - the next search referenced the 8 sites in the Commercial Review but also included lands along Sandwich Street (east side) between Brunner Ave to just south of Texas Road, Boblo lands south of Lowes Sideroad, Anderdon

Tavern site and Sandwich Street south of Alma. White Woods mall was also considered. It is recommended that the lands subject of the application be designated General Commercial with site specific conditions and placed in a holding General Commercial zone with site specific conditions.

- (3) Land Use Impacts – sensitive land use would be at Sandwich Street and Brunner Ave., - concerned about the orientation of the buildings shown on the site plan and the access point for both customers and service trucks to Brunner Ave. It is recommended that increased setbacks for the side yards abutting Brunner Ave. be required and that the service access point to Brunner Ave. be eliminated. It is recommended that a landscaping requirement similar to Sobeys site be established for these lands and a minimum landscaping strip of 6 metres along Sandwich and Brunner. It is recommended that no loading dock be permitted along the front face of any building and that the holding zone not be lifted until a suitable site plan has been established and issues associated with access resolved.
- (4) Traffic – should the industrial lands along Brunner ever be developed access would be to Park Avenue and Ouellette Street and not to Brunner Ave. Traffic study is incomplete until the issue of whether or not the Town will permit access from this development to Brunner and whether or not the Town would permit industrial development to have direct access to Brunner. Until the traffic study is recalculated to take these issues into account the Town cannot comment on its conclusions. It is recommended that the traffic study be recalculated taking into account Council's direction on access and land use and the impact of a traffic light.
- (5) Drainage –It is recommended that a site drainage plan form part of the site plan approval process.

- (6) Commercial Demand- The Planner reviewed her calculations prepared based on accepted (Census Canada) information on what people spend per capita on goods and materials. It is recommended that restrictions be placed in both the Official Plan policies and Zoning By-law regulations associated with this application to require a retail market study prior to the 40,000 square foot expansion and to limit the 67,500 square feet of other buildings to a maximum of 55,000 square feet of retail in order to provide for a safety margin relating to impact on existing retailers. Further recommend that a minimum square footage of 3000 square feet be assigned to this area so that it does not compete with small retailers better suited to the central core of Amherstburg. It is recommended that HATBA (usually Canadian Tire) uses not be permitted within this development without the provision of a supporting Retail Market Study. It is recommended that supermarkets not be permitted within this designation or zone.

Richard White, Honeywell addressed Council providing them with Honeywell's history and explaining their chemical facility. He expressed Honeywell's opposition to the proposed rezoning. They are not against commercial development, however do not support it in this location. They feel the application is premature. Honeywell is concerned that the proposed rezoning will restrict their expansion prospects. Mr. White stated that they share services with General Chemical. He indicated possible traffic concerns in that they have 8 ships per year and when that happens there are 100 trucks a day to off load the ship. There are 1300 tank trucks that leave the site per year. They did not see where the traffic study considered this information.

Orlando Segatto reviewed his written submission which supports the applications.

Terry Beaudoin, 83 Brunner expressed concern about traffic flows, the impact on the value of their homes and opposed any access off Brunner Ave.

Wayne Goodchild (Duff's Marina) supported the development. There is a need for development at the north end of town as well as the south. He doesn't feel that the development has to be in the downtown core. People "who are whining should get over it" and the town should get on with the development.

Brad Morencie 117 Brunner Avenue does not oppose the application, however is concerned about traffic. He is more concerned about the HF tank trucks and prefers commercial development over the industrial development. He doesn't want to be a buffer to the rest of the town.

Jeffrey Slopen, Solicitor for White Woods Mall and tenants – The mall has 50 tenants and 126,000 square feet of space and are located in the south end of Town. They have been legal and recognized in the Official Plan since 1981. This development is a mall and should have been required to undertake a market research study. What the town needs is an anchor – you cannot bring retail to a town without an anchor – you will not be able to achieve this degree of retail without an anchor. They are proposing 145,000 square feet and up to 191,000 without any identified anchor. The result will be to divide the town's shopping patterns and there will be no cohesive shopping. Leamington did it right by making the shoppers go through the core to get to the mall. The PPS says the downtown and existing retail is to be supported. This does not do that. The applications are premature as Environmental concerns needs to be addressed and then there is the Honeywell concern. The development is not justified. Traffic Study is incomplete and an archeological assessment is required. You are rushing the application and have not had regard to the Minister's letter about the downtown. This

will be minimum wage jobs instead of factory wages. No market study was done. This is not general commercial but shopping centre commercial and speculative zoning. This should not proceed. You don't have a drainage study done. There are issues of access and setbacks that have not been addressed. This is not a gateway but a stoplight – everything will stop here. There were four other sites identified – we want the development but not at this site. We will have to live with this forever.

Bob Roberts 87 Brunner Ave. as for clarification regarding the road closures. He also noted that it is very difficult to get out of Frasersville as it is now and, is there any chance of reopening an access to Balaclava?

Ms. Monteith explained the proposed road closings within the proposed development.

Nancy Greenaway, President, Amherstburg Chamber of Commerce advised that the Chamber represents all businesses in Amherstburg and not just the downtown. Only 20% of the members are against the development – concern mainly about the location but some even preferred the northerly site. Ms. Greenaway read a number of comments, positive to negative, from various businesses throughout the Town.

The manager of the Saan's store at the White Woods Mall indicated her preference for the Department Store to be located in the centre of Town.

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

The Mayor advised that all of the comments and concerns will be reviewed and people will be notified of a further meeting. He noted that when Council makes a decision on this matter it will be based on what is good for the entire community of Amherstburg.

Adjournment – 7:10 p.m.

Mayor



Planning Coordinator

PUBLIC MEETING

Date: May 3, 2004 (PETRETTA)

Attendance Record

NAME	ADDRESS	SIGNATURE
BRIAN CHILMAN	455 Bellussier Windsor	
JEFFREY SLOPEN	443 Ouellette Ave Windsor	
Grace Liu	123 P. WINDRIVE	
Wanda Price	154 GORE	
ELEANOR RENAUD	41 SANDWICH ST S	
Don + Terry Beaudoin	83 BRUNNER	
BOB & CHERYL ROBERTS	87 BRUNNER	
ANNIE LEHKEY	134 GRANT	
PAUL JONES	422 Dalhousie	
ROBERT F. MCLEAN	27 SANDWICH ST. S. A'BURG	
Shepherd Whittle	1405 OXFORD AVE KINGSTON	
Rennie Ryan	136 MCLEOD	
BRAD MORENCY	117 BRUNNER AVE	
Wayne Goodchild	10 MARSH CRT A'BURG	
Ken Mansell	87 SAND. N	
David Dufour	111 Sandwich A'BURG	
DAVE MELONUM	3 VERMONT	
TIM SHEPARD	Box 2000 AMHERSTBURG	
Paul Layfield	Kirwin Partners LLP.	
MARGIE LANGLOIS	214 GILARD ST	
STEVE DASTIEN	1625 FROOT RD. S. AMHERSTBURG.	
RON LEPINE	106 VELETIAN DR A'BURG	
TOM DURAKETTE	46 STATES AVE A'BURG	
JOE MIKHAIL	400 SANDWICH ST	
LOU MIKHAIL	'	
LAURA GILLIS	879 FRONT RD. N. A'BURG ^{NAV 206}	
BRIAN GIBBS	879 FRONT RD. N. A'BURG ^{NAV 206}	
Ria Smith	253 Dalhousie St.	
Janet Willoughby	73 Rankin Ave A'burg	
PAUL GRAHAM	CRAFT DEVELOPMENT CORP	
DEBORAH GONDA	2 ST. CHARLES PLACE	
Lisa Hodgins ^(Herbal) magic	116 Crystal Beach (Harrow)	
Kathryn Nguyen	50 Martin Cts	
ALBERT D'ALIMONTE	123 SANDWICH ST N. A'BURG	
BOB SMITH	67 SANDWICH ST S. A'BURG	

