

Minutes of a Special meeting of the Amherstburg Municipal Council held Monday, June 21, 2004 at 7:30 p.m.

PRESENT: Mayor Wayne Hurst
Deputy Mayor Anthony Leardi
Councillor Robert Bailey
Councillor Gord Freeman
Councillor Carl Gibb
Councillor Paul Renaud
Councillor Rosa White

ALSO PRESENT: David Mailloux, Clerk
Lory Bratt, Planning Coordinator

Council met in special session to make decisions on the following Zoning By-law Amendment applications.

Approximately 25 residents were present along with the applicants and their representatives.

Mayor Hurst welcomed all present and stated that Council has obtained as much information as possible in regard to the developments and they will now make a decision on the applications.

There were no Declarations of Conflict of Interest.

As requested by Mayor Hurst, Lory Bratt gave the following explanation for the application for 217 Dalhousie Street.

As Council is aware we are in receipt of an application for Zoning By-law Amendment to By-law 1999-52, as amended under Section 34 of the Planning Act from Peter Neice, Planning Consultant on behalf of Tito and Cecilia DeLuca.

The subject lands are located at the southeast corner of Dalhousie Street and Rankin Avenue known municipally as 219 Dalhousie Street and have a lot area of 563 square metres (6065 square feet).

The proposed amendment to the Zoning By-law No. 1999-52 would change the zoning of the subject lands from "Special Provision Residential First Density (R1-8) Zone" to a "Special Provision Residential First Density (R1-13) Zone to permit the use of 65 square metres (700 sq. ft) of main floor of the existing dwelling for limited commercial retail uses including the sale of small home décor items, crafts, gifts and apparel, the use of the remainder of the existing dwelling for a dwelling unit, and to reduce the number of parking spaces.

A public meeting was held May 3, 2004 at which time Council considered a number of written and oral submissions both in support of and in opposition to the proposed application.

Council has the minutes of the public meeting and a report dated May 11, 2004 from Jean Monteith, Planning Consultant for consideration and review.

Moved by R. White, seconded by P. Renaud that we approve the Zoning By-law Amendment application for 219 Dalhousie Street and that we authorize Administration to prepare a Zoning By-law Amendment to change the zoning of 219 Dalhousie from "Special Provision Residential First Density (R1-8) Zone" to "Special Provision Residential First Density (R1-13) Zone" with restriction on the number of parking spaces in the rear (2 parking spaces) enhanced landscaping to screen the parking in the rear, restrict the range, number and square footage of retail uses to be permitted in addition to the residence, require the access to the commercial portion to be confined to the Dalhousie side of the building, and that Council has determined that no further public meeting is required.

Motion Carried

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As requested by Mayor Hurst Lory Bratt gave the following explanation for the proposed Zoning By-law Amendment application for the Cerasa Golf Course.

As Council is aware the Town has received an application for Zoning By-law Amendment to By-law 1999-52 under Section 34 of the Planning Act from Frank and Livia Cerasa (Chris Dufour, Agent). The subject lands are located on the west side of Howard Avenue (County Road 9) north of Texas Road and are 72 acres +/- in area.

The proposed amendment to Zoning By-law 1999-52 would change the zoning of the land from “Agricultural (A) Zone” to a site specific “Recreation (RE-5) Zone” to permit an eighteen (18) hole golf course in addition to the existing dwelling on the property. The site specific provisions would require that any buildings or structures associated with the proposed golf course are subject to a minimum setback of 200 metres from the existing Girl Guides Camp to the south and 200 metres from existing dwellings.

Two public meetings were held February 9, 2004 and May 31, 2004 at which time Council considered a number of written and oral submissions both in support of and in opposition to the proposed application.

There were several items of correspondence received on this application which have been circulated to Council as part of our previous reports and/or at the public meetings, at which they were received.

Council has before them the minutes of the Public meetings, the Planning Report – Land Use Justification (December 2003) prepared by Monteith Brown Planning Consultants and reports dated April 8, 2004 and June 15, 2004 prepared by Jean Monteith for consideration and review.

Councillor Freeman referred to Jean Monteith’s report of June 15, 2004 advising that a commercial miniature Golf Course or a commercial Driving Range will not be permitted without an amendment to the Official Plan.

Councillor Renaud stated that the developer has made some changes to the proposal to accommodate concerns and that he felt this would be a good development for the community.

Moved by C. Gibb, seconded by R. Bailey that Administration be directed to prepare a zoning by-law amendment to change the zoning of the lands from Agricultural (A) zone to a Site Specific Recreation (RE-5) zone to permit an 18 hole executive golf course in addition to the dwelling on the property. The site specific provisions to require that any building or structures associated with the proposed golf course are subject to a minimum setback of 200 metres from the existing Girl Guide Camp and 200 metres from any existing dwellings and further, among other servicing issues the applicant will be required to undertake a drainage study to be undertaken by a qualified hydrologist demonstrating that (a) there will be no impact on the drainage of adjoining properties (b) there will be no runoff from the golf course onto adjoining properties or into the drain along Howard Avenue (c) the soil composition/profile and geology of the site will allow for the accumulation of water on the site and will prevent the infiltration of pesticides and fertilizers below the water table, and (d) water accumulated in the proposed ponds will be sufficient to serve as the sole water supply for irrigation of the golf course. This will be a requirement of site plan approval.

Motion Carried

Moved by P. Renaud, seconded by C. Gibb that we recess.

Motion Carried

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After a short break Council reconvened and discussed personnel issues.

Moved by P. Renaud, seconded by C. Gibb that we adjourn.

Motion Carried

MAYOR



CLERK