

PUBLIC MEETING

Minutes of a public meeting held Tuesday, September 20, 2005 in Amherstburg Council Chambers to consider a proposed Zoning Bylaw 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: Frank Pizzuto, 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

DISCLOSURE OF INTEREST

There were no disclosures of interest.

Deputy Mayor Leardi assumed the Chair and opened the meeting welcoming all those in attendance stating the purpose was to consider a proposed Zoning Bylaw Amendment for Part Lot 5, Concession 1. He explained the process for the meeting and the requirements under the Planning Act and asked the Planning Coordinator and Planner to summarize the applications.

Planning Coordinator

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 Malden Properties Inc. (Dominic Amicone)

The property affected by the proposed amendment is located on the east side of County Road 20, south of Lowes Sideroad, and is described as Part Lot 5, Concession 1. The property is currently vacant except for some remnant parking areas formerly used as parking for Boblo Island. The property is currently designated Medium Density Residential in the approved Official Plan. The property is currently zoned "Recreation (RE-2) Zone" along County Road 20, which permits a parking area and boat launch for Boblo Island, "Environmental Protection (EP) Zone" along the existing creek, and "Agricultural (A) Zone" for the remainder. The property has approximately 420 metres (1,378 feet) of frontage on County Road 20 and a lot area of approximately 36.9 ha (91 acres).

The proposed amendment to the zoning by-law No. 1999-52 as advertised, would change the zoning of a portion of the property noted above from the "Recreation (RE-2) Zone" and "Agricultural (A) Zone" to Holding Residential Multiple Second Density (h-RM2) Zone" to permit the development of a retirement home with access from County Road 20, subject to a holding "h" zone to ensure the adequate provision of municipal services and orderly development of the land. The area of the property subject to the amendment includes approximately 2.9 ha (7.1 acres) of land fronting on County Road 20. The proposed use is also subject to buffering requirements from the adjacent wetland area, site plan control, and application for consent to sever.

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The proposed Amendment to the Zoning By-law is in conformity with the policies of the Official Plan.

The following correspondence/reports were received by the Town:

- (1) Preliminary Environmental Assessment dated September 14, 2005 prepared by Gerry Waldron.
- (2) Letter dated September 14, 2005 from the Essex Region Conservation Authority together with their review of the Environmental Impact Assessment.
- (3) Lou Zarlenga, Manager of Public Services advised that presently the sanitary sewer is located at the west limit of the subject property approximately at the intersection of Dalhousie and County Road 20. Stantec is currently reviewing design calculations for said sewer to determine the service area allowed for into the sewer. We are also reviewing the service agreement for the Amherstburg Wastewater Treatment Plant to determine if Boblo lands were ever a part of the service area.
- (4) Letter dated September 20, 2005 from the County of Essex advising of the County's setback and access requirements and requesting an opportunity to comment on any site plan agreement.
- (5) Letter dated September 2, 2005 from Lori Dupont indicating concern for a healthy environment and requesting that Council preserve environmentally significant areas in and around Big Creek.

Based on the findings of the Environmental Impact Assessment and the Essex Region Conservation Authority's review, we recommend the following zoning to incorporate these recommendations:

- (i) A Special Provision Residential Multiple Second Density (RM2-5) which would provide that no additional setbacks are required from the Special Provision Environmental Protection Zone that has been moved westerly to accommodate the Environmental Impact Assessment Study.
- (ii) The RM2-5 zone will also ensure that the provisions of the Environmental Impact Assessment shall be incorporated into a Site Plan Control Agreement.
- (iii) A Special Provision (EP-4) zone for the 30 metre buffer required by the Environmental Impact Assessment, and
- (iv) the EP-4 zone will also allow that these lands may be used for stormwater management in accordance with the Environmental Impact Assessment and agreements with the Town and ERCA.
- (v) The Holding (h) provision will ensure the adequate provision of municipal services and orderly development of the land. The applicant will be required to enter into a Site Plan Control Agreement which will include but not be limited to appropriate stormwater management facilities and that the requirements of the Environmental Impact Assessment are carried out.

Council has been provided with copies of the Notice of Public Meeting, draft Zoning By-law Amendment and draft Site Plan for their information.

Cindy Prince, Planner is in attendance on behalf of the applicant.

Planning Consultant

Ms. Monteith explained that due to the location of the Provincially Significant Wetland and the site also contains portions of Big Creek Environmentally Significant Area (ESA) an Environmental Impact Assessment was required on the site. The Town required that this be completed for submission with the zoning bylaw amendment application. As a result of this Assessment there is an additional 30 metre buffer from the current Environmental Protection zone being rezoned to create a naturalized buffer.

Cindy Prince, Planner for the Applicant

Ms. Prince addressed Council advising that her client Amico Contracting, partners with Chartwell to build retirement homes. The proposed retirement home for this site will be a one storey structure with approximately 120 units. There is an internal court yard within the facility with each unit accessing the court yard. Ms. Prince acknowledged the existing dwellings located to the north of the site and indicated the Developer's intent to be a good neighbour and respectful of these residents. She also referenced the sites location adjacent to Big Creek noting that there will be additional buffer area in accordance with the Environmental Impact Assessment and a naturalized stormwater management area. The requirements of the Environmental Impact Assessment will be incorporated into the Site Plan Agreement with the Town. The Developer is working with the County regarding access to the site which is proposed directly across from an existing municipal road. It is also the location of the entrance to the former Boblo Island parking lot. This site represents 7.1 acres of an existing 91 acre parcel. The Developer is not sure how the remainder of the land will be developed, however, will be working with the Town throughout the Official Plan review process to assess the property.

Deputy Mayor Leardi then asked for any question and/or comments from members of the public.

Barb Dupont – 578 Wigle

Ms. Dupont noted a concern with the possible increased flow of traffic as a result of the proposed development. In her opinion sidewalks in the area should be expanded. She also expressed concern that the Town needs green space and wondered why we are not yet connected to the Chrysler Greenway. She felt disappointed that this property is one of the last green areas in Town and it will be developed.

Lori Dupont - 571 Dalhousie

Ms. Dupont advised that she grew up in Amherstburg and subsequently moved to the Yukon. When she returned to Amherstburg she felt there has been destruction due to the lack of green space. In her opinion and based on her experience from working in a hospital there is more sickness due to the lack of trees and plants which buffer pollution.

Ms. Monteith advised that the Town is working towards connecting to the Greenway in McGregor as a result of proposed development and there is also discussion of property that may be made available within the General Chemical property for purposes of the Greenway. The new Official Plan will also include policies which support and encourage development of Greenway. The Official Plan also has policies which preserve and protect Provincially Significant Wetlands and all other environmentally significant areas. With regard to this proposal the Planner assured the residents that the trees are being protected in addition to providing for a buffer area adjacent to the trees which will also be protected as a result of the proposed zoning.

Mayor Hurst referenced the Environmental Impact Assessment prepared by G. Waldron, Biologist and in particular advised the public of Mr. Waldron's findings regarding Migratory Stopover and Significant Habitat and recommendations within the report regarding the 30 metre buffer area.

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

Deputy Mayor Leardi advised that the proposed Zoning Bylaw Amendment will be considered at the regular Council meeting scheduled for September 26, 2005 which commences at 7:00 p.m.

Meeting adjourned at 7:27 p.m.

Chairman

Planning Coordinator

