

**Minutes of an Amherstburg Municipal Council Special Meeting  
regarding King's Navy Yard Park – Parkette Rehabilitation held on  
Monday, September 17<sup>th</sup>, 2007 at The Verdi Club.**

Please Note: All Public Meetings of Council are recorded by an electronic recording device

**Viewing of Drawings/Open House Began at 5:30 p.m.**

**Meeting Commenced at 6:00 p.m.**

**PRESENT:**

Mayor Wayne Hurst  
Deputy Mayor Robert Bailey  
Councillor Rick Fryer  
Councillor Robert (Bob) Pillon  
Councillor John Sutton  
Councillor Rosa White  
Councillor Paul Renaud

**ALSO PRESENT:**

Frank Pizzuto, Chief Administrative Officer  
Pam Malott, Mgr. of Corporate & Leg. Services/Clerk  
Lou Zarlenga, Public Works Manager  
Tony DeThomasis, Roads and Parks Superintendent  
George Balango, Manager of Development Services  
Lory Bratt, Planning Coordinator  
David Carpenter, IT Manager  
Paul Beneteau, Treasurer

Moved by P. Renaud  
Seconded by R. White

That the meeting be called to order.

**Motion Carried**

**PRESENTATIONS**

Lou Zarlenga introduced Barry Murphy and Ron Koudys of Ron Koudys Landscape Architects and Richard Spencer of HGS Consulting.

Ron Koudys presented the Proposed Final Drawings of King's Navy Yard Park Parkette.

**DELEGATIONS**

- 1) Written Submission by Paul Hertel regarding the KNYP Parkette and commenting on the arborists report, the 9/1/07 Public Works Report and the 8/21/07 Ron Koudy Comments & Related Drawings and the War Memorial Location was read by Pamela Malott, Mgr. of Corporate & Leg. Services/Clerk. This written submission is attached to and forms part of these minutes.

Moved by P. Renaud  
Seconded by J. Sutton

To receive the written submission by Paul Hertel as submitted.

**Motion Carried**

- 2) Casey Overgaauw addressed council regarding the proposed Landscape for KNYP. Mr. Overgaauw's comments were received in writing and are attached to and form part of these minutes.

Moved by P. Renaud  
Seconded by J. Sutton

That the presentation of delegate Mr. Overgaauw be received and further that Administration contact Mr. Mike Angileri to see if he is interested in changes to the site plan.

**Motion Carried**

- 3) Reg Spencer addressed council regarding flagpoles at the Parkette as well as the Roadway beside the Salmoni Building. Mr. Spencer's comments were received in writing and are attached to and form part of these minutes.

Moved by R. White  
Seconded by J. Sutton

That the presentation of delegate Mr. Spencer be received.

**Motion Carried**

- 4) Gordon Freeman, on behalf of Amherstburg Parks Committee addressed council regarding the layout of the Parkette in the New Plan. Mr. Freeman's comments were received in writing and are attached to and form part of these minutes.

Moved by R. Bailey  
Seconded by J. Sutton

That the presentation of delegate Mr. Freeman be received.

**Motion Carried**

- 5) Robert Ferguson addressed council regarding the layout of the Parkette in the New Plan. Mr. Ferguson's comments were received in writing and are attached to and form part of these minutes.

Moved by J. Sutton  
Seconded by R. White

That the presentation of delegate Mr. Ferguson be received.

**Motion Carried**

- 6) Nick Mancinone addressed council regarding the KNYP Parkette. Mr. Mancinone noted that his comments are the same as Mr. Ferguson's (Delegate #5).

Councillor Pillon asked if the Parkette could be restored to its original state. Lou Zarlenga responded that it would not be possible to restore it to its original state.

Moved by R. White  
Seconded by P. Renaud

That the presentation of delegate Mr. Mancinone be received.

**Motion Carried**

- 7) Ken Thrasher addressed council regarding the enhancements to the Parkette. Mr. Thrasher's comments were received in writing and are attached to and form part of these minutes.

Moved by R. Pillon  
Seconded by R. Bailey

That the presentation of delegate Mr. Thrasher be received.

**Motion Carried**

- 8) Bill Wark addressed council regarding KNYP Accessibility, explanation of drawings and received comments to PWD. Mr. Wark's comments were received in writing and are attached to and form part of these minutes.

Moved by R. Bailey  
Seconded by J. Sutton

That the presentation of delegate Mr. Wark be received.

**Motion Carried**

The following discussion took place:

Councillor Pillon asked if accessible access could be moved to the North side.

Deputy Mayor Bailey asked Lou Zarlenga to speak to the ramp being installed North of the stairway to the restroom building as well as having access to accessible parking.

Councillor Fryer asked if there is a grade difference from the road to the Cenotaph and about the location of the Rotary Club Picnic table. Ron Koudys responded that it is the same as the Cenotaph and that Koudys has not designated location of the picnic tables and garbage containers.

Councillor Renaud commented that the ramp area along the roadway is a good idea.

Councillor Fryer commented that the roadway is a one-way road and as such is it not a blind corner for anyone coming out of the Salmoni Building? Ron Koudys responded that the roadway is designed to accommodate two vehicles. Rick Spencer commented that the design is within acceptable limits.

Councillor White wants the issue of the placement of the picnic table donated by the Rotary Club to go back to the Parks Committee as she feels that the Parkette is not the place for this table.

- 9) Honorable Eugene F. Whelan addressed council regarding the KNYP Parkette. Mr. Whelan's comments were received in writing and are attached to and form part of these minutes.

Moved by R. White  
Seconded by R. Pillon

That the presentation of delegate Mr. Whelan be received.

**Motion Carried**

The following discussion took place:

Councillor Fryer posed the question if KNYP is a passive park? Mayor Hurst replied that the definition is passive but that this must be open to changes of the day.

Mr. Whelan made the comment that the park was developed for people who could not afford riverfront property and now it is being referred to as an urban park.

10) Al Gignac was not present.

11) Paul Bezaire, representing the Concerned Citizens Committee, addressed council regarding the Park Design. Mr. Bezaire's comments were received in writing and are attached to and form part of these minutes.

Moved by R. Bailey  
Seconded by J. Sutton

That the presentation of delegate Mr. Bezaire be received.  
**Motion Carried**

The following discussion took place:

Councillor Sutton asked how vehicles would turn around. Lou Zarlenga replied that it would not be any different than it was previously and that there is room to maneuver more so than previously.

12) Ria Smith addressed council regarding the KNYP Parkette road installation. She made comments concerning Lou Zarlenga's opening remarks and deterioration of plantings. Concerning the Passive Nature of the Park and Councillor Fryer's question she stated that according to Town By-Law KNYP is a passive park. Ms. Smith gave the history of the use of the park. She also stated that the parking space is inadequate for the Salmoni building and that the Parkette spaces will be used by owners of the Building. She advised Council not to make concessions for Developers and she is appealing to Mr. Angileri to restore the Parkette to its original condition.

Moved by R. Bailey  
Seconded by J. Sutton

That the presentation of delegate Ms. Smith be received.  
**Motion Carried**

#### **ADDITIONAL COMMENTS FROM DELEGATIONS**

Paul Bezaire ask Mr. Koudys to come back with 4 or 5 options for vehicular access.

Rick Spencer of HGS Consulting addressed Mr. Bezaire's comments concerning site lines. He stated that the slopes are not an issue and that residential use is lowest traffic generation use which is not an unsafe condition.

Ria Smith commented that it may not be 'unsafe' at the present time but her concern is 'safety' for future use. When the Echo property is developed there will be additional issues and she believes that there will be future problems.

### VERBAL COMMENTS FROM THE PUBLIC

- 1) A speaker from the audience stated that she was concerned for safety.
- 2) Carl Gibb addressed Council and his comments were received in writing and are attached to and form part of these minutes.
- 3) Linda Saxon addressed Council and commented that the accessible picnic table would not ruin the passive nature of the park. She also commented that being referred to as "handicap" is not correct.
- 4) Susan Whelan addressed Council and commented that the original concept drawing was presented to the Town. The Town needs more accessibility as society ages. There is a disconnect happening and there are many people in this room with a passion for this Park. All are cautioned to not make assumptions about the age of individuals who may reside in the Salmoni Building. We need to work together and find a way to preserve the Park for the next 100 years. Everyone's heart is in the right place and together we can make it work. The Salmoni building is a beautiful building and they (tenants) do need access as well as the visitors to the Park. She is not sure that this design is the best design to address everyone's needs.
- 5) Gord Freeman commented that when the first phase came out the Parks Committee was concerned about the ramp for accessibility not being proper. He also commented that the new road is half the length but the same slope.

### REPORTS OF MUNICIPAL OFFICERS

A Copy of Report #32 from the August 27<sup>th</sup> Council Meeting is enclosed for reference purposes only. Final costs are not available at this time but will be available for the September 24, 2007 Council Meeting.

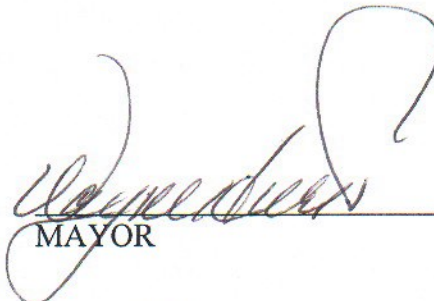
### NOTICE OF MOTIONS


Being none Council moved on to the next item on the agenda.

### ADJOURNMENT

Moved by P. Renaud  
Seconded by R. Pillon

That we rise and adjourn.

  
MAYOR

  
CLERK

**NOTICE OF SPECIAL COUNCIL MEETING  
KING'S NAVY YARD PARK – PARKETTE REHABILITATION**

A Public Meeting to hear the presentation of HGS Consulting and Ron Koudy's Landscape Architects and to receive public comment on the King's Navy Yard Park Parkette will be held as follows:

**Monday September 17th, 2007  
Verdi Club, 689 Texas Road, Amherstburg**

**Viewing of Drawings/Open House at 5:30 p.m.  
Meeting at 6:00 p.m.**

Written submissions and delegations will be accepted until Wednesday, September 12th at 4:30 p.m.

There will be an opportunity for verbal comments from the public at the meeting.

**PAMELA MALOTT, CLERK**

[pmalott@amherstburg.ca](mailto:pmalott@amherstburg.ca)

[www.amherstburg.ca](http://www.amherstburg.ca)

**Phone: 736-0012**

**Fax: 736-5403**

PRESENTED TO COUNCIL

ITEM DELEGATION # 1

DATE SEP 17 2007

555 Dalhousie Street  
Amherstburg, Ontario  
N9V 2M2  
September 12, 2007

Pamela Malott, Clerk  
Town of Amherstburg  
271 Sandwich Street South  
Amherstburg, Ontario  
N9V 2A5

Re: Notice of Public Meeting on Rehabilitation of Parkette, King's Navy Yard Park

Dear Clerk Malott,

I have reviewed the architectural plans and public documents related thereto, as well as the arborist's report, and wish to comment on elements of the restoration project.

The Arborist's Report

I am surprised that Mr. Lloyd Burrige opted not to respond to a RFQ as reported in the Public Works Report dated September 10, 2007, given the fact he expressed concern publicly earlier in the summer.

In the arborist's report, I find the comment that "landscape architects often recommend over planting an area for immediate effect, with the theory that as plant material matures it can be removed/thinned or transplanted to another area."(Page 1 dated July 9, 2007)

This is an accurate observation. When on the original Phase 1 council committee which helped shape the park content, we well knew that the whole eastern landscape design required coverage to eliminate unsightly exterior views from the Echo building southerly behind the Salmoni, and Hall buildings. We planted many small locust tees, with calipers about 2-3 inches at best. And the evergreens were less than eight feet.

This buffer blanket concept was extended during the second phase of development to cover elements of urban commercial stock through to Duffy's marina.

I have observed over the course of time what maturing trees do and crown diebacks. Evergreen branch entanglements can cause browning as well, as observed from the Duffy's Motel parking lot side.

I have looked at the list of further recommendations on removal and replacement suggestions. None of these suggestions will harm the overall intent of the public park in my view.

The Report From Public Works Dated September 1, 2007 &  
Ron Koudy Comments Dated August 21, 2007 & Related Drawings

Both reports contain the same documentation with covering letters.

#### **Handicapped Access Report**

This is a thoughtful report and should be supported. A stronger option for a supplemental payphone recommendation should be considered: that the phone should be relocated not to the restroom facility but to the roadscape side of the parking lot with a model of kiosk for access by all.

Would a unisex "family room" be useful to have in the King's Navy Yard Privy for diaper changes etc? The defunct tourist kiosk room could be easily transformed for that extra amenity.

#### **Heritage Committee Report**

The rationale and case for an 1812 monument is not clearly stated, but I believe the bicentennial of the War of 1812-14 could be an occasion for such a monument to be located as presented. That would also give five years to evaluate the best placement of such a monument or bronze plaque.

As an extension of this marking issue, what is the intention regarding the return of the Electric Plant plaque to an appropriate location? The committee failed to comment on that.

The "water feature (fountain)" suggestion to be consistent with a heritage theme is again rather vague as presented. I think the human heritage of Amherstburg should be considered in this future suggestion if acted upon. It would be exceptionally unoriginal to replicate the fountain style at the library corner, which recently took to twinning behind the new Ricardo's restaurant site. There may be an argument that it should coordinate with the Rotary Clock, but I am unsure if a water fountain is the only kind of water feature to be adopted.

#### **The Parks Committee Report**

I would support the Heritage Committee/Legion comments on the relocation of the flags.



Page 3 of 3

The accurate listing of the listed flags include: The Royal Union Flag 1606-1800, The Royal Union Flag 1801 – present, the American Star Spangled Banner Flag (15 stars, 15 stripes) 1795-1818, the French white “marine royale” flag 1663-1759, and the current national red and white Maple Leaf Flag of Canada. (1965-present) These flags all relate to Amherstburg ‘s history.

The town’s logo has these five flags listed, as developed by council back in the late 1970s.

Today is 40 years later. Why is there no suggestion to include the Canadian Ensign flag, (1870 –1964), with adjustments along the way, the Ontario Flag, and the Amherstburg municipal flag?

#### **Other Comments: The War Memorial Location**

The size and shape of the Amherstburg War Memorial area has been adjusted, as I understand the drawings. I hope that the local branch of The Royal Canadian Legion supports the final plans. Whatever is done should be to enhance the dignity and respect of this location. Citizens remember that this monument has been moved several times in the past. Now is the time to “get it right”.

I would hope that the engineering and electrical planning would be upgraded to assure maximum access for memorial and November 11 ceremonies so as to enhance sound, minimize loose, exposed wiring, perhaps respectful night lighting of the monument, and an ability to support IT innovations now in progress as we speak (i.e. a phone line for IT hookup or outdoors thin screen presentations).

The community should always have full and easy access to this particular site.

Please accept these written comments as received on time to become part of your deliberations on this topic. Feel free to contact me should you wish to do so.

Yours truly,

Paul Hertel  
519-736-5022  
phertel@mnsi.net

**Kristina Di Paolo**

**From:** Malott, Pamela  
**Sent:** Thursday, September 13, 2007 1:55 PM  
**To:** Kristina Di Paolo  
**Subject:** FW: 1984 Pictures KNYP

PRESENTED TO COUNCIL  
ITEM DELEGATION #1 ADDITIONAL  
ATTACHMENTS  
DATE SEP 17 2007



img110.jpg (363 KB)



img111.jpg (538 KB)



img112.jpg (583 KB)



img113.jpg (394 KB)



ATT74635.txt (266 B)

Please print these photos on colour copier as an additional attachment to Mr. Hertel's correspondence.

-----Original Message-----

**From:** paul hertel [mailto:phertel@mnsi.net]  
**Sent:** September 12, 2007 6:37 PM  
**To:** Malott, Pamela  
**Subject:** 1984 Pictures KNYP

I took these pictures on June 28, 1984 at the time of the first public park concert featuring the Windsor Symphony Orchestra.

In these pictures, the park was three years old, and the trees still very young.

I could describe each picture, but in general you can see that the views were open, the trees young, and there was no cenotaph

In the first picture, the view is from the park to Dalhousie St. Note no cenotaph, and note the ash trees

In the second picture, the view is northerly with the Echo fence line showing on the right side.

In the third picture, the view is southerly to the limits of Phase 1 of the park: beyond the bushes, the land was still in private ownership.

In the last picture, the view is westerly looking towards Bob-Lo Island.

Should you wish further clarification, I would be pleased to describe same or bring in my complete photo set.

Paul Hertel

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Pamela Malott  
Manager of Corporate and Legislative Services & Town Clerk Town of Amherstburg  
271 Sandwich St South  
Amherstburg, ON, N9V 2A5  
Tel: 519-730-2125 (Direct Line)  
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PRESENTED TO COUNCIL

ITEM DELEGATION #1

DATE SEP 17 2007

PICTURE #1



PRESENTED TO COUNCIL

ITEM DELEGATION #1

DATE SEP 17 2007

PICTURE #2



PRESENTED TO COUNCIL

ITEM DELEGATION #1

DATE SEP 17 2007

PICTURE #3



PRESENTED TO COUNCIL

ITEM DELEGATION# 1

DATE SEP 17 2007

Picture #4



CASEY OVERGAARD

Sept. 17/04

Mayor Hurst, Members of Council, Ladies and Gentlemen

DELEGATION # 2

We are here this evening to view and comment on the proposed plans for the parkette in the King's Navy Yard Park. I have no doubts regarding the capabilities of the architectural firm involved and believe they drew up these plans exactly as they were instructed to do. This plan however still shows a road going through our park to serve maybe fourteen to twenty cars a day.

My question is "Why are we as taxpayers expected to give up part of our once beautiful parkland for a right of way for the Salmoni Condominiums when we already have a road there by the name of Richmond Street which has served that whole block for many years without any problems?"

Not only would this proposed roadway greatly restrict usage of the town square but there is also a serious safety issue. Young people are going to find this a perfect place to do some skateboarding or roller blading. Visitors to our town are going to go into the parking lot only to find it full and keep going ... only they can't and must now back out ... up hill.

Why is council so determined to push this road through? I know it's a legal site plan which you say can't be changed at this late date. You say that it would take one to three months to change the site plan. We have been talking to you about this issue for almost three months now, so it could have been done. However we have been informed that the site plan can be changed if both parties are willing and that this can be done in a matter of a few weeks.

Mr. Mike Angileri has indicated to me with others present on at least three occasions that he would be willing to change the site plan to the Richmond Street entrance providing the Town came to him and asked him to do so. Now either he's bluffing and not being honest with us or he's telling us that another alternative is a possibility and we need to explore this.

I believe that in the end, if this plan goes through, there will be not one but two roads to this block of buildings because the small removable bollards on each end of the road won't be there for very long.

But what I really want to do tonight is appeal to each individual councillor to examine his or her conscience ... to look within yourself and ask "is this really the right thing to do? is this really what the town wants or needs? am I being influenced in any way to vote for this plan either by administration, the mayor, the developer, or anyone else for that matter?"

If so, please take a step back and think long and hard about this before you vote. We know that it can still be changed. Please do the right thing. Don't give away parkland that is not needed by the developer. He already has a road. Let him use it.

Thank you.

*Casey Overgaard*



# The Royal Canadian Legion

FORT MALDEN (ONT. NO. 157) BRANCH  
P.O. BOX 68  
AMHERSTBURG, ONTARIO  
N9V 2Z2

Mayor and Council

Since I attended the Council meeting in July, I have met with Mr. Zarlenga over the proposed limestone semi-circular wall behind the cenotaph and the moving of the flag poles.

We have reviewed the architectural concept drawing of the King's Navy Yard parkette and are happy to see how the area immediately behind the Cenotaph has been treated. This is quite a good improvement,

Although the proposal is to move the five flag poles to a semi-circle behind the clock our concerns still are:

Safety of the pedestrians with the roadway in front of the cenotaph and also

If there is no roadway going beside the building but a walkway why do we have to move the flag poles? This is just another unnecessary expense.

We sincerely wish you would approach the Condominium owners and enter into an agreement to do away with the new road and go back to the original access road "the RICHMOND ST. EXTENSION"

Thank You for hearing our concerns once again.

*"They served till death! Why not we?"*



## *Amherstburg Parks Committee*

### KNYP PARKETTE PUBLIC MEETING VERDI CLUB SEPT. 17,2007

#### HISTORY

The Parks Committee has commented, in both written and verbal submissions, on all four versions of the Koudys plan for the KNYP parkette. The items you revised were: the width of the wheelchair ramp, the trees were saved and the hydrangea bed was replaced with ivy. Our other more important revisions you didn't even acknowledge. They were: the two 12' wide enhancement/buffer beds on either side of the ramp, the location of the flagpoles, the road too close to the Cenotaph and the lily bed around the lookout point beside the Xmas tree. You are giving away half of the public property in the Parkette to a commercial enterprise.

#### ACTION

We are, quite frankly fed-up, with the two and a half month waste of time and effort with all the delaying tactics, disinformation and the ignoring of the delegations at Council Meetings.

Now we are saying forget the Koudys plan entirely! We want the return of the Parkette to its original state before the construction of the Salmoni Condominiums at no cost to the taxpayers of this town. Period.

The safety of the new road through the park for pedestrians and handicapped persons and the fact the Richmond Street extension is an unobstructed route has been cast aside by this Council. You haven't acknowledged it publicly.

We believe an agreement can be made, in spite of what you have been told. It is simply a contract between two parties and it can be changed as I have described to you on numerous occasions. The problem here is; **you haven't even tried!**

**Restore the Parkette to its original state - at no cost to the taxpayers!**

Gord Freeman, Chair

Mountain from a Molehill ( <sup>Gord</sup> ~~Alan~~ Henderson's  
Column - Saturday's Star )

It was heartwarming to see some politically savvy Walkerville kids bring the City of Windsor's Park and Rec Department to its knees with their victory in getting the parks department to commit to rebuild a new and better hill that the administrators indiscriminately destroyed.

Cannot beat City Hall? The Kids did!  
Sound familiar? Same senario here in the Burg.

Administrators should have learned by now that you don't leave politicians in the dark while knee-jerk decisions are carried out. We should be fed up with administrators asking for forgiveness as opposed to asking for permission.

Bottom line regarding our Navy Yard Parkette.

No hard fought public park land should be sacrificed for the sake of private development. Period !

This Parkette should be returned to its original state and perimeters at no cost to the public.

Parks are for People  
Not private Developers

Bob Ferguson  
600 Front Rd. N.  
Amherstburg

Good Evening Everyone

Allow me to take you back a bit in time to April 12<sup>th</sup>, 2005. The Windsor Star ran an article, titled NAVY YARD UPGRADE TOUTED. In this article they talk of Mr Angileri's plans to renovate our park after the considerable damage to it due to his construction of the Salmoni condo's. This will be done at his expense Quoting his Architect, Mr Joe Toth. Mr Toth also mentioned in this article that the existing access road off Richmond St. would be inadequate due to its narrow 16 ft width and the inability to handle fire trucks. This excuse has led to the access road being brought through our parkette in his proposed design. This excuse we also know is not true and was never investigated. This story was also printed in our local paper the Echo on April 19<sup>th</sup>, 2005. In this article Mayor Hurst is quoted as saying, I commend this, This is something that is going to be initiated by the developer himself. I'm impressed and pleased. Nothing to the ratepayers. This is also reaffirmed in the same issue by the editorial stating, It is a refreshing bit of community spirit that appears to be coming to the forefront and at the same time, it is being pointed out that all this comes at no cost to ratepayers of Amherstburg.

Again in May of 2006, our deputy mayor at that time Mr Anthony Leardi is quoted in the Windsor Star as saying Mr Angileri has proposed to redo the Navy Yard parkette once construction of his condo is complete and he also will pay for the project.

Lets jump ahead to April 17<sup>th</sup> of this year when Mr Frank Pizzuto has an article in the Echo titled TOUGH TIMES FOR OUR LOCAL ECONOMY & PEOPLE. In this article, Mr Pizzuto talks of no silver bullets, only hard work, astute spending and steady progress. He mentions the need to keep the pedal to the metal as they say in capital spending. He believes we can spend our way through this sluggish economy. He also talks of the economy turning for the better next year. This is where I disagree with him. Having been in the automotive industry for over twenty years, I

feel this area is only seeing the tip of the iceberg as far as the economy is concerned. The layoffs he talks about are only now and will continue to erode our standard of living in this area as we know it. By 2011 or 2012 we could, have only Chrysler as a major automotive employer in Windsor. GM & Ford could be completely gone from Windsor's Automotive landscape. We all know what effect this could have on the county of Essex. It is in these times that hard work, astute spending and buckling down is the order of the day. In any economic environment, good or bad, waste is waste.

So I now ask you, is spending \$100,000 or more on Enhancements as you have been calling it, sound like astute spending. These enhancements are being dictated by running this access road through our park instead of where it has been for the past forty or more years. There are so many essential needs through our great town, and we find the need to waste our money redoing our parkette for WHAT? I also ask any councillor or our Mayor or anyone in our administration to tell me why this road HAS to run through our park. This has all gone from the developer redoing our park to the developer and US taxpayers redoing what HIS landscape company (hired by the developer) is proposing.

On another subject, not only is this proposed design totally unsafe, but it also heightens our liability risk to the town, in the event of any accident. It is totally unnecessary. It is a blatant waste of our tax dollars on something so not needed. I mentioned earlier in my presentation of many other needs in this town. We have our local High School and our sports leagues using terribly maintained facilities. We have five hundred kids playing baseball, seven hundred playing soccer and I think six more hundred playing hockey. With this comes financial responsibilities. We need to be taking care of our families before we RELANDSCAPE an already existing jewel on the river.

So in closing, I again ask you why this access road has to be moved, and for who's purpose will the moving serve. I ask you to bring our parkette back to the way it was, at the developer's

expense as mentioned since the beginning. We can save our dollars for something really needed within the community. We can nil afford to continue to waste our dollars in these tough times or in any times.

We need more and better baseball diamonds, we need better sidewalks and walking paths, we have future ice capacity needs, we need better maintenance programs on our current recreational facilities to avoid future expenses. We have many needs.

We do NOT need to move around plants, flag poles, roads and parking spaces, JUST PUT EVERYTHING BACK to the way it was.

THANK-YOU

BILL WARR  
SEPT 17.07  
PAGE 1 of 2

DELEGATION # 8

Public Comment Meeting Re: KNYP September 17, 2007

On behalf of the Amherstburg Accessibility Advisory Committee

Thank you Mayor Hurst and members of Council for giving me this opportunity to address you tonite regarding the KNYP.

I address yourselves tonite on behalf of the AAC. As a matter of background my comments are forwarded subsequent to the AAC meeting held September 13, 2007 and these comments are forwarded with the full support of the committee members.

August 2, 2007 comments regarding the KNYP were forwarded by the AAC. My comments here tonite are regarding issue number 7 raised by the committee members. This comment pertained to the pedrestrain/traffic interaction that will be raised if council moves forward with the proposed roadway located and descending to the centotaph. The August 2, 2007 comments included the possible safety hazzard of vehicular traffic and pedrestrian interaction of vehicles descending the roadway and having persons with disabilities and or assistive devices such as wheelchairs or scooters coming into an accident situation. Council was forwarded a possible solution to this situation by remediating the existing stairs that are located directly in front of the existing washroom facilities. A revision of one have of these stairs to allow a designed terraced type of walkway or ramp is the safest measure to alleviate a potential accident of having vehicles strike persons with disabilities traversing the lower section of this area. The current conceptual drawings force persons with disabilities to cross the roadway at the bottom of the roadway to access the washroom facilities or proposed accessible parking spaces. These persons would have to traverse the entire parkette or more likely drive or walk up the new proposed roadway. This in our minds is a safety hazzard waiting to happen.

I would like to remind council that the current Ontarians with Disabilities Act stipulates that municipalities must be involved in the removal of barriers for persons with disabilities. This proposed roadway certainly without the addition of the stairway remediation would consistute a barrier, not to mention a potential safety hazzard.

BILL WARK  
SEPT 17.07  
PAGE 2 of 2

DELEGATION # 8

I strongly urge council to amend these drawings to include the revisions proposed by the committee, to not do so would be doing a disservice to the approximately 14% of Amherstburg residents with disabilities.

Thank You

Bill Wark  
AAC Chair

SEPT 17.07

DELEGATION # 9

## Honourable Eugene F. Whelan

P.C., O.C., CD, LL.D., P.Ag. (Hon.)

Mr. Mayor and Members of Council, you have been elected to run the most democratic form of Government in the country, Municipal government. You must remember that means government "For the People, by the people."

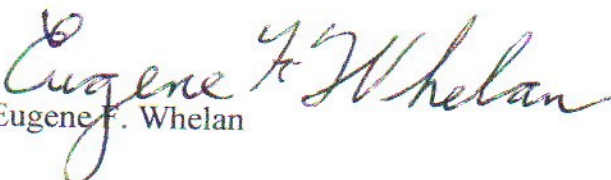
As a longtime elected representative in this area, 16 years on Anderdon Township council, 3 years on Local school board, 22 years as a Federal Member of Parliament for this area. I have worked with the past Leaders in this Community to create "The Kings Navy Yard park," I would challenge anyone to find another person who did more. I remember every piece of property that was put together to create this park, which is recognized as one of the most historical and beautiful parks in Ontario, and in a big part of Canada.

As stated by you Mr. Mayor in the Amherstburg Echo on July 3<sup>rd</sup>, 2004 "Parking is not the issue, it's the Park, it's a Passive Park." Mr. Mayor you were involved in this discussion due to the fact that you did not want motorcycles being allowed in the park. Your words rang out loud and clear to me Mr. Mayor, you called it a passive park, you also called it a jewel.

Mr. Mayor and members of Council, as you all know, I wrote a letter in support of Mr. Michael Angeleri, to give my permission to build the condominium, as he outlined it to me. Mr. Mayor I never would have written that letter if I had any idea it would cause such turmoil and consternation. I never dreamt it would mean letting secret tenders in on a new road, the cutting of trees and the new plans for destroying the Kings Navy Yard Parkette. I am 100% against this proposal for the parkette.

I anxiously await the Council's decision.

Respectfully,

  
Eugene F. Whelan



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Amherstburg, Ontario N9V 2V6  
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E-mail: gene.whelan@sympatico.ca





## Bezaire & Associates

3514 Walker Rd. Unit 1A Windsor ON N8W 3S4 V: 519 966 6844 | F: 966 4088 | E: pbezaire@bezaire.ca

Landscape Architecture | Development Planning | Planning Mediation | Construction Mediation | Public Consultation | Project Management | Environmental Impact Studies | Park/Recreation Planning | Irrigation Design

September 18, 2007

**Town of Amherstburg**  
271 Sandwich St. South  
Amherstburg, Ontario  
N9V 2A5

**Att: Pam Malott, Town Clerk**

Dear Ms. Malott:

**RE: Kings Navy Yard Park – Meeting of September 17, 2007**

These are the comments of the Concerned Citizens Committee with respect to the proposed re-design of a portion of the Kings Navy Yard Park. They are based on my review of the proposed park plan.

The plan prepared by Koudys Landscape Architects is well-prepared. Unfortunately there is a fundamental flaw in the design which was outside of their scope of work – the inclusion of through-bound vehicular traffic in the park.

Having reviewed the plan, I find that the inclusion of a through road for vehicular traffic jeopardizes public safety for three main reasons:

1. The road must also function as the primary pedestrian entrance to the park and the lanes have not been designed for this purpose.
2. The road is too close to the cenotaph.
3. The road separates the park into two parcels.

The following issues must be addressed:

- There is a very real conflict between pedestrian and vehicular traffic. The road is located in a very busy part of the park. The road bisects the park. There is very little opportunity for users of the park to move from one section of the park to the other without crossing the proposed road.
- The location of the road is such that it will be used as a pedestrian entrance to the park. While the proposed 6% grade is tolerable for a wheelchair ramp, it is not ideal for a major pedestrian entry the park. We propose a maximum of 4%.
- Cars heading toward the Salmoni parking facility will have a partially obstructed view of the road. It is possible that someone could be standing on the road at the bottom of the slope and not be fully visible to someone making the turn and heading down the hill.
- Visitors to the park, who are unaware that the portion of the road beyond the park parking lot is private, will go down the slope seeking additional parking. When

they find none, they will find it difficult to turn around. This would require them to pull into private parking areas to turn around. Such maneuvers by someone unfamiliar with the area can create a potential hazard.

- We understand that winter control is the responsibility of the Salmoni owners. There is no guarantee that the road will be maintained to a municipal standard, yet the municipality still has liability for accidents.
- We understand that the owners have been granted passage over the lands yet the road is not a municipal Right of Way. We don't know the answer to this, but we question whether the municipality will have the statutory authority needed to enforce the Highway Traffic Act including setting speed limits and issuing tickets.
- We understand that there is no clause in the agreement that gives authority to the Town to suspend the right of passage even for short periods of time. That means that the owners could demand access along the road even when the area is being used by the legion or for other park events.
- While the consultants suggest that only 14 cars will have access to the road, this does not account for the properties south of the Salmoni building. It also does not account for any potential redevelopment of these properties as well as the Amherstburg Echo Property which if granted similar access, could add many more vehicles.
- We learned at the September 17 meeting that in addition to the 6% slope at the sloped portion of the road, there will be a 4% longitudinal grade on the portion of the road adjacent to the cenotaph. If this stretch were 50 ft long, it would mean that the road at one end of the cenotaph would be 2 ft. higher than at the other end. If it is 25 ft. long, the difference would be 1 ft. This slope will be uncomfortable for those gathered for ceremonies at the cenotaph.

We acknowledge that the road is the result of a Site Plan Control Agreement between the owners of the Salmoni Building and the Town. Any agreement can be renegotiated if there is sufficient will to do so. If the Town wants the road removed, it would have to renegotiate the agreement to achieve this. Such re-negotiation may cost something and we suggest that it may be necessary to do this in order to maintain a high level of public safety in the park.

We propose that the Landscape Architect should be charged with the task of coming up with several alternative solutions to the problem of providing vehicular access to the Salmoni Building. If Koudys comes up with a good solution, it can become the basis of further negotiations with the Salmoni owners. If he does not, the town will have the credibility of having exhausted all attempts to find a better solution.

Submitted on behalf of the Concerned Citizens Committee,

Sincerely,



**Paul Bezaire OALA, RPP MCIP**  
Partner

KINGS NAVY YARD – PARKETTE REHABILITATION

Mr. Mayor and Council

I believe that you have hired a competent planner who has come up with a very workable plan for this parkette.

The delay in getting this plan implemented is very upsetting to many residents and especially the Rotary Club of Amherstburg. We raise thousands of dollars for the betterment of our community. We have elected representatives who are there to make decisions and we as a Service Club support what they are doing.

Every year we raise money for youth in our community, we have donated a considerable amount of money for the new Family Health Centre, we donated a clock (for our centennial year) to the town and we are now raising money for the Barrier Free Playground. As part of the clock donation, we sold pavers to help pay for it. We were promised that they would be installed this last spring, then in July and now who knows when. We are continuously getting calls from people wanting to know when the pavers are going to be installed. We are losing credibility in the community and this will make it more difficult to raise money for the playground.

A few short years ago we as a Town did not have a good relationship with developers. We were looked at as not a good and friendly place to invest money. The past Council and Administration worked very hard to restore faith in our community. I can see all this coming apart. All this negative publicity is turning people and developers away from our community.

All I have heard tonight is what the developer has done to destroy the park and what he should be doing. These negative comments are hurting the sale of his condominium units. This developer has invested millions of dollars in our town. Very few remember that the developer and the town have an agreement and the developer is more than willing to live up to his part of the agreement.

It does not matter where the road goes, people will still be using it as a walkway. If the road was moved next to the building it would cause a problem for owners of the condominiums who want to exit the building. Cars would still try to go down this road to find more parking. The turning radius at the foot of the road would create more of a hazard for incoming and exiting cars.

It shouldn't amaze me, but it does, that a former member of council and some who were on the different committees and had a chance to comment when this was first submitted are now at the last minute making all the noise.

It is time to make the final decision and move on and stop all this negativity.

A handwritten signature in cursive script, appearing to read "Carl Gibb".

# SIGN IN SHEET

PUBLIC MEETING HELD MONDAY SEPTEMBER 17th, 2007  
 KING'S NAVY YARD PARK - PARKETTE REHABILITATION  
 VERDI CLUB, 689 Texas Road, Amherstburg, ON  
 5:30p.m. Viewing of Drawings      6:00p.m. Meeting

NAME ADDRESS

1	REG BLUSH
2	Andy Blush
3	Bob Ferguson
4	CAROL FERGUSON
5	MARYANDESKOCHERS
6	KEE SPERSON
7	VENUS PUROIE
8	LYNNA THRAZHER
9	Sharon Kelcein
10	Neelke Dudy
11	Anton
12	Bark Murray
13	Linda Saxon
14	Ria Smith
15	DIANE FREEMAN
16	GORD

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NAME ADDRESS CONTACT INFORMATION

17	Richard Campbell	
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NAME ADDRESS PHONE FAX

34	David & Pat Irving Flood
35	David Bailey
36	Carl C. B.B.
37	SHARON COLMAN
38	Roxy Chagnon
39	Alvin P. G. 1274
40	Bruce & Joan Browning
41	Debbie Benge
42	Erin Young
43	Monty & Pegi Stewart
44	Paul & Diane Pougat
45	Robert & Lynn Macquinn
46	Bill & Nancy
47	Lory Bratt
48	Linda DeLoraine
49	Donna Hynes
50	Anna Linder

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NAME ADDRESS CONTACT NUMBER/EMAIL

51	SUSAN WHELAN	
52	Edna Meloche	
53	SANDY ROBINSON	
54	CHARLES ROBINSON	
55	Madup Macneil	
56	Walter Smith	
57	Wayne & Barb Hunt	
58	Val D. Purodomini	
59	Michelle Burtton	
60	Robert & Ruth Dinning	
61	Robert F. McLean	
62	Eugene F. Holan	
63	MICKSY + HELEN BEZARD	
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