

Minutes of an Amherstburg Municipal Council

**Special Meeting Held At 6:00 P.M. in Council Chambers
On Tuesday February 19th, 2008**

PRESENT:

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

ALSO PRESENT:

- Frank Pizzuto, Chief Administrative Officer
- Lory Bratt, Planning Coordinator
- Pam Malott, Mgr. of Corporate & Leg. Services/Clerk
- Melanie Laforete, Dillon Consulting, for the Applicant

CALL TO ORDER

Mayor called the meeting to order at 6:00 p.m.

Mayor Hurst welcomed all those in attendance stating the purpose was to consider a proposed amendment to the Town of Amherstburg Zoning Bylaw 1999-52, as amended under Section 34 of the Planning Act for property municipally known as 1249 Front Road South. Mayor Hurst requested the Planning Coordinator to summarize the application.

DISCLOSURE OF PECUNIARY INTEREST

No disclosures of Pecuniary Interest disclosed.

REPORTS OF MUNICIPAL OFFICERS

Report #1

A report from Lory Bratt, Planning Coordinator dated February 14, 2008 regarding a proposed zoning By-Law amendment for 1249 Front Road South.

The Town is in receipt of an application for a Zoning By-Law Amendment to By-Law 199-52, as amended, under Section 34 of the Planning Act, from Dillon Consulting, agent on behalf of 2002081 Ontario Inc. (D. Coates).

The property affected by the proposed amendment is located on the east side of Front Road South (County Road 20) south of Bingham Road is described as Part Lot 12, Concession 1, known municipally as 1249 Front Road South. The subject land has 43.6 metres (143 ft.) of frontage on Front Road South and a depth of 90 metres (295 ft.) with an area of 0.392 hectares (0.97 acres).

The proposed amendment to the Zoning Bylaw would change the zoning of the subject lands from "Special Provision Commercial Neighbourhood (CN-4) Zone" to "Residential Type 1A (R1A) Zone". The lands are subject to applications for consent to sever which will create two (2) residential building lots. The subject property forms part of a larger 1.03 hectare parcel which includes a medical office and a vacant restaurant structure with associated parking. The lands are designated Low Density Residential in the Town's Official Plan. The rezoning of the property to R1A is a condition of the consent decisions and will allow for the development of single detached dwellings on the newly created lots.

Copies of the Notice of Public Meeting, decisions of the Committee of Adjustment and draft Zoning Bylaw Amendment form part of the staff report to Council.

The conditions of severance addressed servicing issues associated with storm drainage, municipal water for both the newly created lots and the retained parcel, Ontario Building Code requirements for onsite sewage systems for the newly created parcels and the existing sewage system on the retained parcel, and the requirement for a mutual access for the newly created lots in accordance with County of Essex requirements. The conditions also require the rezoning, a site plan agreement for the retained parcel and in keeping with the policy for common ownership on both the east and west side of the Highway, severances will be filed for those lands on the west side with a covenant to be registered on the title of all of the lands requiring common ownership for both the east and west side properties.

The following correspondence was received from the various agencies circulated:

- (i) Letter dated February 14, 2008 from the Essex Region Conservation Authority – no objection.
- (ii) Letter dated February 4, 2008 from the County of Essex, - no new access, mutual access required.

The proposed amendment to the Zoning Bylaw is in conformity with the policies of the Official Plan. The proposed rezoning will fulfill the condition for rezoning as set out in the Committee of Adjustment decision.

The Planning Coordinator addressed questions from Council regarding septic system requirements in accordance with the Ontario Building Code, the decommissioning of the southern access and the requirement for a mutual access in accordance with County of Essex regulations, common ownership for properties on the east and west side of the road, size of the proposed residential lots and confirmation that minor variances are not required for the proposed lot sizes.

Resolution No. 2008-02-19-001
Moved By Deputy Mayor Bailey
Seconded By R. White

That the report by Lory Bratt dated February 14, 2008 regarding a proposed zoning By-Law amendment for 1249 Front Road South be received and further that Administration be directed to place the Zoning By-Law Amendment for Part Lot 12, Concession 1 on the next regular Council agenda for Council consideration.

Motion Carried

DELEGATIONS

Public Comments

An opportunity was presented for members of the public to come forward and present their views to Council.

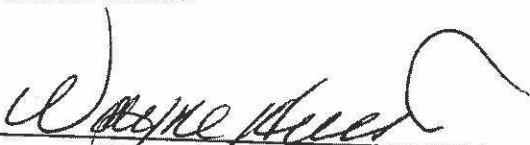
No comments were made from members of the public in attendance.

ADJOURNMENT

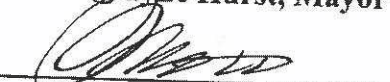
Adjournment
Resolution No. 2008-02-19-002
Moved by R. Fryer
Seconded by J. Sutton

That we rise and adjourn at 6:12 P.M.

Motion Carried



Wayne Hurst, Mayor



Pamela Malott, Clerk