



TOWN OF AMHERSTBURG
SPECIAL COUNCIL MEETING - PLANNING

Monday, September 12, 2022
4:00 PM

Council Chambers, 271 Sandwich Street South, Amherstburg, ON, N9V 2A5

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Peter Courtney
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Valerie Critchley – Chief Administrative Officer/Clerk
Tammy Fowkes - Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 4:02 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

SPECIAL PLANNING REPORTS

4.1 Statutory Public Meeting: Draft Plan of Subdivision and Zoning By-law Amendment – Canard Valley Phase II

The Mayor invited the public to speak. The following were heard:

- Hector and Esperanza Rios - Aalbers Crescent residents
Correspondence submitted and read aloud by the Deputy Clerk
- Tom Welsh - Middle Sideroad resident
- James Lenson - Annie Avenue resident
- Sue Silver - Middle Sideroad resident
- Michael Mastronardi - Middle Sideroad resident

Resolution # 20220912-01

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

Councillor Prue asked for a friendly amendment to the motion before Council that the County include a hydrological study and that the County Planner be asked to look into any additional studies related to Storm Water Management; and further, that the County be informed of any residential flooding locations in the subject area in the past 5 years.

Rick Spencer, Applicant Representative, RC Spencer & Associates Inc., was present and answered Council questions. He confirmed that all studies have been approved, including a traffic study, the hydrological study, and the Storm Water Management Plan.

That:

1. **Council RECOMMEND to the County of Essex's Manager of Planning Services, that they grant draft approval to a Draft Plan of Subdivision (as per Figure 1) for the subject lands, and that the County of Essex be requested to attach the following conditions to the subject draft plan of subdivision approval:**

- i. That the required storm water management plan be prepared by the Applicant and approved by the Town Engineer and ERCA Staff;
 - ii. That all identified road allowances be conveyed to the Town;
 - iii. That a subdivision agreement be entered into with the Town to ensure that all required municipal infrastructure and services are designed and built by the Applicant to the satisfaction of the Town, and that all required financial contributions (including cash in lieu of parkland) be made and/or secured to the Town, including all required letters of credit, cash securities and insurances; and
 - iv. That Block 71 be dedicated to the Town for storm water management purposes; and,
 - v. That Block 80 as shown on Plan 12M527 attached as Appendix "B" be dedicated to the Town for storm water management purposes.
2. Once the County of Essex has granted draft approval to the Applicant's Draft Plan of Subdivision:
 - i. That the required subdivision agreement be prepared and executed to Council's satisfaction;
 - ii. That the required zoning by-law amendment, removing the holding zone from the subject lands in accordance with the corresponding land uses recommended in this Staff Report, be prepared by Town Staff and brought to Council for adoption purposes.
 - iii. That all comments from the public, and Council with respect to the application for a proposed plan of subdivision (File 37-T-22010) BE RECEIVED;
 - iv. That all comments and the above conditions BE FORWARDED to the County of Essex (the Approval Authority); and,
 - v. That comments from the public with respect to the Zoning By-law Amendment for the subject lands (File ZBA-12-22) BE RECEIVED and SUMMARIZED in a future report to Council.
3. That the County Planner look into any additional studies related to Storm Water Management.

The Mayor put the Motion.

Motion Carried

4.2 Statutory Public Meeting to Consider a Draft Plan of Subdivision for Mulberry Court Subdivision

Shane Lafontaine, Applicant Representative, RC Spencer & Associates Inc., provided an overview of the proposed Draft Plan of Subdivision for Mulberry Court Subdivision and answered Council questions.

The Mayor invited the public to speak. The following were heard:

- Allan Patterson - Pacific Avenue resident - *correspondence submitted and read aloud by the Deputy Clerk*. Mr. Patterson was also present and addressed Council.
- John France - Pacific Avenue resident
- Dave Tales - Martin Lane resident

Resolution # 20220912-02

Moved By Councillor Simone

Seconded By Councillor Renaud

That:

1. **Council RECOMMEND to the County of Essex's Manager of Planning Services, that they grant draft approval to a Draft Plan of Subdivision (as per Figure 1) for the subject lands, and that the County of Essex be requested to attach the following conditions to the subject draft plan of subdivision approval:**
 - i. **That the required storm water management plan be prepared by the Applicant and approved by the Town Engineer and ERCA Staff;**
 - ii. **That all identified road allowances be conveyed to the Town;**
 - iii. **That a subdivision agreement be entered into with the Town to ensure that all required municipal infrastructure and services are designed and built by the Applicant to the satisfaction of the Town, and that all required financial contributions (including cash in lieu of parkland) be made and/or secured to the Town, including all required letters of credit, cash securities and insurances;**

- iv. That Blocks 27 and 28 be dedicated to the Town for road widening purposes;
 - v. That the islands proposed in the centre of the cul-de-sacs be removed;
 - vi. That a warning clause be registered on the title of the subdivided lands and included in any subsequent purchase agreements stating: “The Purchaser hereby acknowledges that an active, licensed quarry is located near this property. Notwithstanding that the quarry must operate within provincial guidelines and the conditions of its licence, it is possible that these operations may generate noticeable noise, vibration, dust and traffic and/or other potential impacts”;
- 2. Once the County of Essex has granted draft approval to the Applicant’s Draft Plan of Subdivision:
 - i. That the required subdivision agreement be prepared and executed to Council’s satisfaction;
 - 3. That all comments from the public, and Council with respect to the application for a proposed plan of subdivision (File 37-T-22008) BE RECEIVED; and,
 - 4. That all comments and the above conditions BE FORWARDED to the County of Essex (the Approval Authority).

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 5:38 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – VALERIE CRITCHLEY