

Village of Point Edward
PUBLIC MEETING MINUTES
Zoning Amendment Application No. 1 of 2009

Owner: Cantaleigh Investments Ltd.

Re: Change the Zoning on a portion of lands known as the 'spit' lands

From the "Open Space 1 (OS.1) Zone" to a site specific

"Multiple Residential 1.6 (RM1.6) Zone"

Part of the Military Reserve, Village of Point Edward.

Monday November 16, 2009 at 6:00 p.m.

Point Edward Council Chambers, 135 Kendall Street, Point Edward, Ontario

Council Members Present:

Mayor Kirkland

Deputy Mayor Robson

Councillor Hand

Councillor Churchill

Staff Present:

Dave Posliff, Manager, County of Lambton Planning & Development

CAO Cramp

1. Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest.

2. Introduction by Mayor Kirkland

Mayor Kirkland advised that the Village of Point Edward will be considering a Zoning By-law Amendment application submitted by Cantaleigh Investments Ltd. to change the zoning on a portion of the lands known as the 'spit', located between the St. Clair River and the winter harbour, south of the Point Edward Charity Casino and Purdy's Fisheries, from the "Open Space 1 (OS.1) Zone to a site-specific "Multiple Residential 1.6 (RM 1.6) Zone. It would permit the construction of townhouses, stacked townhouses, and/or multiple dwellings. The proposed zoning would also establish an "Environmental Protection 2 (EP.2)" Zone on a portion of the site to provide for a conservation management area. The OS.1 Zone will remain along the St. Clair riverfront to provide for shoreline protection and a future public walkway.

3. Applicant Comments

Planner Alan Young was present to respond to questions that Council may have on their proposal for the zoning of the 'spit lands'. He noted that Gerry Lee, Peter Westfall and Francis DeSena were also present in support of the application. Some of the property that is owned by Cantaleigh Investments Ltd. has development zoning but this portion of land does not. At present, the applicants are working with the Ministry of Natural Resources and it may be a requirement to set aside some lands for conservation purposes.

It was noted that the application falls within the provisions of the Provincial Policy Statements as it will re-use brownfields and it will diversify the housing stock.

A private road will be constructed to the bottom of the spit with a turning circle. Townhouses will back on to the public walkway and they are proposing two 12-storey apartment buildings with two levels for parking. A maisonette feature will be used to cover the parking garage area.

The tip of the spit as well as the walkway along the St. Clair River will be dedicated to the Village.

It was noted that the Point Edward Official Plan paves the way for the rezoning to a Waterfront Mixed Use. A series of criteria need to be addressed as set out in the Official Plan. The zoning by-law will be secured by the use of a holding symbol , which will ensure that all required studies are completed prior to any development occurring on the site. One of these studies will include a Noise Study. In 2007, they had prepared a draft Noise study but they will now look more specifically at the noise related to the shipping. They feel confident that they will be able to address all concerns of the shipping industry and their buildings will be developed in such a way that any noise will be mitigated. One of the things that can be done is to have a solarium on the east side of the buildings with windows that do not open. They will be in touch with the shipping companies to discuss their concerns.

4. Lambton County Planning Department Comments

Dave Posliff reviewed his report with Council on the Cantaqleigh zoning by-law.

5. Comments by General Public

Peggy Cramp read two written submissions from Seaway Marine Transport and from the Canadian Shipowners Association.

There was no one present in opposition of the application or to request clarification.

6. Concluding Comments

Mayor Kirkland advised that Council may deal with this Zoning by-law amendment at the Council meeting immediately following the public meeting or they will deal with it at a future Council meeting.

He advised that any person who wants further notice of the passage of the by-law should provide their name, address and postal code to the Clerk prior to leaving the meeting.

He noted that all persons who have given the Clerk a request to be notified of the decision will be notified within 15 days of the date of the decision. There is a 20 day appeal period following the sending of the notice.

7. Adjournment

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the Public Meeting for the rezoning application of property owned by Cantaqleigh Investments Ltd., be adjourned at 6:50 p.m.

Mayor Dick Kirkland

C.A.O./Clerk Peggy Cramp