

Village of Point Edward
PUBLIC MEETING
Zoning Amendment Application No. 1 of 2008

Owner: Janet Bernard

Re: Change the Zoning from Commercial C2.2 (C2.2) Zone to a Site Specific Commercial zone which would permit the redevelopment of the existing site to accommodate a range of commercial uses and up to three residential units.

Plan 2, Block T, Part of Lots 4 and 5 known municipally as 510 Michigan Ave.

Tuesday, February 26, 2008 at 6:00 p.m.
Point Edward Council Chambers, 135 Kendall Street, Point Edward, Ontario

All persons present were asked to sign attendance sheet with name and address.

Council Members Present:

Councillor MacKenzie

Councillor Hand

Councillor Churchill

Declaration of Pecuniary Interest

Deputy Mayor Robson (as set out in February 26, 2008 minutes of the Regular Council Session.)

Staff Present:

CAO Cramp

1. Introduction by Chairperson MacKenzie

The Village of Point Edward will be considering a Zoning By-law Amendment application submitted by Janet Bernard to change the zoning from a Commercial C2.2 (C2.2) Zone to a Site Specific Commercial zone which would permit the redevelopment of the existing site to accommodate a range of commercial uses and up to three residential units.

The Planning Act requires that a public meeting be held in order to allow the Council to receive input from the general public about the proposed Zoning Amendment. A notice of this meeting was placed in the Sarnia Observer on February 4, 2008 and notices were sent to owners in the area of the proposed rezoning.

Chairperson MacKenzie asked the applicant or agent to give an explanation of the Zoning Amendment.

Moved by Councillor Churchill

Seconded by Councillor Hand

THAT Domenic and Nancy D'Andrea be invited within the Bar.

CARRIED.

2. Applicant Comments

Mr. D'Andrea advised that he would like to invest in this property. He sees a lot of potential. He plans to have commercial uses in the main floor and one or two residential units in the upper level. They do not know at this time the type of business that will be established at this location. He is asking for a number of commercial uses so that there is some flexibility with the tenants that are brought into the development. They will be the landlord and do not plan to have a business of their own. On the main level, they plan to have a variety store and a maximum of 4 commercial units.

3. Lambton County Planning Department Comments

Frank Garardo provided an overview of his report on the proposed Zoning By-law Amendment

4. Comments by General Public

Peggy Cramp advised that there was one letter received from George Robson, President, Point Edward Ex-servicemen's Club. Mr. Robson had previously advised that he would read the letter to Council.

George Robson advised that he was in attendance on behalf of the Point Edward Ex-servicemen's club as well as personally. The Ex-servicemen's club has been located at 503 Michigan Ave. since 1926 and is an important part of the community. They organize a community picnic, donate funds to Bridgeview Public School, the Point Edward Nursery School as well as other community events. They have a community Hallowe'en event and organize and hold the Remembrance Day Parade and ceremony for the Village. Mr. Robson advised that he is opposed to the Commercial Club and Private Club uses that are being proposed. Being a club can be a multitude of things from a quilting club to a motorcycle club. He requests that these two uses be removed from the by-law.

Mr. Jim Russell, 27 Arthur Street also expressed concerns with the Club uses. He noted that the Odyssey Club in Sarnia has had problems with noise and traffic. A rezoning has already occurred on this property approx. a year ago and nothing has happened. In his neighbourhood, a house that started at one storey is now 2 ½ storeys. A single level garage is now a monster. He is concerned with the end result. He felt that the proposal should be defined better. He is totally against any type of club.

Joy McLean, 508 Michigan Ave., is opposed to a Private Club being permitted on this property. She asked for clarification on the dry cleaning operation. Planner Frank Garardo advised that the dry cleaning would not take place on-site in accordance with the definition. She expressed concerns about a bakery use as there would be fumes in the area. She also did not want a use where a liquor permit could be allowed. She expressed concerns with the parking on site and felt that if parking went out onto the road, it would be more difficult for her to access and exit her property.

Barbara Horner, 8 Arthur Street, expressed concern with any type of club being permitted. It is not known what would be developed. Parking would also be a problem. She would like to see what is being proposed.

Mr. D'Andrea advised that he does not want to move into the area and have concerns from his neighbours. He also plans to be a landlord and does not want to have concerns with the tenants. He is not opposed to the removal of the Private Club and Commercial Club used from the proposed by-law.

Wilf Postil, 37 Alfred Street, asked if the last zoning was specific for what she planned to do on the property.

Chairperson MacKenzie advised that Ms. Bernard showed what she was going to do at the public meeting for the rezoning at that time. She planned to live in the property and have one or two other residential units. For personal reasons, her plan fell through.

Wilf Postil advised that he had heard that a Tim Horton's was planned for the property. Mr. Garardo advised that the proposed zoning does not permit that type of business. Mr. Postil feels that there should be 2 or 3 permanent residential family units with no commercial.

Jim Russell commented that he was pleased that the applicant was willing to remove the Club uses from the by-law.

Nancy D'Andrea advised that they have a preliminary plan for the property and provided copies to those present. They cannot say what use will specifically be there at this time but as a landlord, they do not want something that will be rowdy. They plan to clean up the corner.

Jim Russell commented that he is all for cleaning up the corner.

Stephanie Purdy, 22 Arthur Street, commented that this corner was a mainstay for the community. As a Village business owner, it excites her that new businesses will be located here. The businesses bring in a greater draw and from a business sense, that is good. She did not want to see Commercial Clubs. She is thrilled that it will be cleaned up and that it will bring more travelling public. The more people who come through the Village, the greater the revenue for existing businesses will be.

Councillor Churchill commented that the new development is a fantastic idea. He feels that the applicants are 100% genuine with the type of business going there. Two residential units will be great for the area. The property has been in a major decline. He noted that AhSome Art is relocating on the main street and it will be 50 times better. It helps to solidify the business in the downtown core. He is all for it. It is a fantastic improvement to our beautiful Village.

Councillor Hand expressed concerns that the bakery is a bit more intrusive.

Mr. D'Andrea advised that he does not want to limit the uses to any greater extent because they will be spending a lot of money and want to have some flexibility with future uses.

Councillor Hand stated that odour from a bakery is a concern.

George Robson advised that he is glad to see that the owner will drop the Club uses. It must also be noted that he may not always be the owner of the property. They have been cooperative but a new owner might not be so willing to do the same thing. He asked that Council do the right thing.

Chairperson MacKenzie asked if the hours of operation can be restricted as he would be concerned with 24 hr./day operations. Frank Garardo advised that the hours of operation can be restricted in the site plan.

Councillor MacKenzie advised that there is always a resistance to change but many are changing their outlook. Assessment increase in the Village is zero. At the same time, Council wants to protect our residents in the Village. We want the zoning to be suitable for the applicant but not be intrusive to the neighbourhood.

Mr. D'Andrea advised that they are investing money and taking the risk. They have no intention of flipping the property and leaving the area.

Wilf Postil asked if they will live on the property.

Mr. D'Andrea advised that they would be landlords.

Joy McLean again expressed concern with the bakery use and the provisions for parking.

Councillor MacKenzie advised that there will be a site plan that will deal with the parking issues. It is not up to the Village to supply on-street parking. The applicants must provide sufficient parking on their site based on the proposed uses.

Mr. D'Andrea advised that they have 30 ft. on the side of the property that can also be used to extend the parking area in addition to the parking in the front.

Jim Russell commented that he appreciated what the applicants are trying to do. He sees the neighbourhood and how things have changed, sometimes not for the better.

Mr. D'Andrea advised that he would work with the neighbours. He is investing money for the good of the area. It will not be a 3-storey monster. There will be a proper roof and cosmetically, it will be much prettier. Hopefully it will work.

5. Conclusion by Chairperson MacKenzie

Chairperson MacKenzie advised that Council may deal with this Zoning By-law amendment tonight immediately following this public meeting or they will deal with it at a future Council meeting.

Any person who wants further notice of the passage of the by-law should give their name, address and postal code to the Clerk prior to leaving the meeting.

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.

6. Meeting adjourned by Chairperson MacKenzie

Moved by Councillor Hand

Seconded by Councillor Churchill

THAT the public meeting for the rezoning by-law amendment, be adjourned at 6:40 p.m.
CARRIED.

Chairperson Larry MacKenzie

CAO/Clerk Peggy Cramp