

January 2, 2018

The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville, Ontario
N9Y 2Y9

**Attention: Ms Peggy Van Mierlo-West
Mr. Robert Brown**

Re: Subdivision of Part of Lot 11, Concession 2, Eastern Division, Kingsville

Further to our discussions concerning the above-noted development, I wish to summarize the events and the difficulties that I have encountered in obtaining the approvals required to develop the subject lands:

1991 - I made inquiries if the lands may be developed and was advised by the municipality's CAO at that time, Dan Digiovanni, that the lands were designated in the Official Plan to permit residential development. He issued a letter to me confirming the same.

March, 1998 - I retained LaFontaine, Cowie Buratto and Associates to submit an application to the Town to amend the zoning of the lands from Agricultural A1 to Hamlet Residential R2(H)

April, 1998 - The Town passed a bylaw to amend the zoning of the lands to Hamlet Residential (H)

September, 2003- I submitted an Application for Consent to the Committee of Adjustments of the Town of Kingsville seeking the creation and conveyance of 41 single family residential building lots - the Application was granted

-Soon after the Application was granted, I was advised by Town officials that a sanitary sewer trunk main adequate to service the lands was scheduled to be installed in the near future - I did not proceed with the development of the lots created by the Consent, which required the installation of a package treatment plant, and opted to submit an Application for the approval of a Plan of Subdivision once a sewer main was installed.

June, 2005 - at a meeting with the Town's Planners, my consultants and I were informed that the lands were designated Agricultural in the Official Plan and a Plan of Subdivision would not be approved until the Town's new Official Plan was adopted by the County of Essex. The Town Planners stated that the County of Essex would adopt the new Official Plan within the next few months.

October, 2005 - Applications for Plan of Subdivision approval and Zoning By law Amendments were submitted to the Town - The Town required supporting reports and information to process the applications

-The Town was not successful in having its Official Plan adopted by the County of Essex as quickly as it had represented to me and my development was stalled as a result.

-At the Town's request, I granted an easement through my lands so that the Town was able to install a watermain

-the monies that I received from the Town were to compensate me only for the legal expenses and engineering consulting expenses that I incurred in relation to the easement

-despite promises made to me that it would not do so, the Town installed the watermain running through my lands such that its location and depth affected my ability to develop the lands without incurring additional costs. Initially it was believed that a pumping station, costing in excess of \$300,000.00 would be required to develop my lands. As the result of redesigns of the proposed residential development completed by my consulting engineer, the additional development costs have been greatly reduced, however I have paid considerable fees to my consulting engineer to do so and I will still be required to install sewage ejector pumps in the homes to be built on many lots

November, 2012 - the Town's Planner advised that the County had adopted the Town's new Official Plan and that the application for Plan of Subdivision approval may proceed. Supporting reports were obtained and a fresh application together with the reports were submitted.

October 1, 2013 - a Planning Advisory Committee hearing was held - PAC recommended approval

October 15, 2013 - a Public Council meeting was held - application was approved


-ERCA became concerned with soil erosion conditions affecting the Esseltine Drain.

May, 2016 - ERCA was satisfied that the proposed development would not negatively impact the Esseltine Drain

As a result of the delays which I have encountered, attributable at least in part to the actions of the Town and its inability to secure the adoption of its Official Plan until 2012, I have been put to considerably greater expense than I would have otherwise encountered.

I ask that the Town consider the foregoing and grant a reduction of the cash-in-lieu of parkland dedication payments required from me.

Respectfully submitted


Cristina Porrone