

Appendix E - Public Comments

From: [John Kolbrich](#)
To: [Kristina Brcic](#)
Cc: [Marge Kolbrich](#)
Subject: Re: Zoning of 101 Mill St W
Date: November-17-18 6:44:12 AM

Re: Zoning By Law Amendment 101 Mill Street W. Kingsville, Ont.- File ZBA/20/18 (Section 34 of the Planning Act R.S.O. 1990, C.P.13)

From:

John & Margaret Kolbrich
74 Laurel Street
Kingsville, Ont.

My wife Margaret Kolbrich and myself reside at 74 Laurel Street, which is the corner lot of the original property referred above and the the closest property that any re-zoning would directly impact. We respect and like our neighbors, Robert and Barbara Dick very much and we wish them the best in the successful sale of their property. We must however express our protest to the proposed zoning changes in the use of the property at 101 Mill Street. W. The reasons for our protest are as follows:

1. The proposed changes are not conducive to the peace and quite we are entitled to as tax payers in a strictly Residentially zoned area, due to the potential auto traffic/noise that would flow in and out of the property up to 7 days a week with business hours from morning till night. The driveway of the subject property passes within 10 feet of our master bedroom, and the proposed parking of cars are all very close to our home...the potential for continuous motor vehicle noise, driving in and out, parking, backing up, starting cars, revving of engines, potential honking and chirping of horns and alarms, etc., will drastically and negatively impact the quality of our life, peace, and value of our home over time. In addition to the day to day traffic, required maintenance like snow removal which could occur during very early morning hours in order to accommodate business hours during the winter months would totally impact our ability to sleep and enjoy the peace and quiet we currently have. Image a snow blower or scraper going buy your bedroom at 4AM as this is when commercial operators go out and clean lots etc. The potential for this is there and we cannot risk this sort of disturbance taking place.

2. From our understanding, currently, the zoning calls for a single proprietor to run the facilities with no outside staff as a bed and breakfast, banquet hall etc.... The key is the limited staff, which hence limits the amount of potential business and resulting in and out traffic and commercial activity. Currently with limited parking and very limited traffic there is little impact on our peace and quiet and we have no objections to the currently zoning... The changes call for full time staff of 4 employees plus x number of practitioners plus the proprietors all potentially working at the same time drawing in many potential and continuous commercial customers. From the preliminary information we received, it shows yoga classes with up to 15 people attending, regularly scheduled retreats for larger groups, 4 regular treatment rooms for hourly services, plus additional facilities being built, all having the potential to draw a lot of people, all pretty much driving their cars and passing by our bedroom window from 9AM to 9PM 7 days a week. This is not conducive to a residentially zoned area!

3. Future use should this property be rezoned- Another very real concern of ours is, should this property be rezoned for a high volume business with Multi employees, contract labor providing continuous services and permitted expanded parking, and if the proposed buyer decides to sell the property in the future to another business owner, the zoning is now in place and we would have to live with whatever new business comes in, since the zoning is already in place. This would be the ultimate failure of the town council to authorize this rezoning now, and not know or be able to regulate a future owner in some future business as staffing, parking, and traffic will be zoned already.

4. Security to our home: As a normal course of being in a residential area, we expect visitors to our, and our neighbor's homes. We view our current neighborhood as very safe and secure with minimal risk for crime, etc. Visitors are typically known that visit our neighborhood, but a commercial venture with a large volume of outside customers brought into our residential area has the potential of attracting all kinds of unknown patrons, and could have the potential of attracting some who could be there for illegitimate reasons. This potential could put our home being the closest, as well as the neighborhood in general at risk of increased crime etc. We are not being alarmist, but we are looking at everything that this change could potentially have as a negative impact on our life from peace and quiet, to safety and property value... When it comes to property value, a common sense test is to ask yourself, if we were to decide to sell our home, would it negatively impact our sale by having a commercially zoned property next door inside this all residential area? I think the reasonable person would agree this could directly affect the sale-able value of our home due to the negative impact of traffic and noise. We purchased and built in this neighborhood due to the peace and quiet. As tax payers, we do not feel this should be altered by allowing a business to earn revenue at our expense. There are many Yoga and Health related business already in Commercially zoned areas within the town and this business should not be an exception and should be placed in an area that is conducive to commerce, traffic, and noise etc...

We wanted our concerns to be noted and recorded in the public record so we may have a voice in this matter and legal appeal if required. We are meeting with our lawyer on Tuesday (Nov. 20th) for further legal counsel and will be attending the council meeting on Nov. 26 to further voice our objections in person.

Should you have any questions please feel free to contact us at 407-497-2654

Respectfully,

John & Margaret Kolbrich

We Love what we do and we Love our Students!

Thanks and Regards,

John Kolbrich, President

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On Nov 14, 2018, at 3:14 PM, Kristina Brcic <kbrbic@kingsville.ca> wrote:

Good afternoon John,

Below is the specific zoning for 101 Mill St W.



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca

**NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING:
ZONING BY-LAW AMENDMENT**

APPLICATION: **ZONING BY-LAW AMENDMENT FILE ZBA/20/18**
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

OWNERS: **Robert & Barbara Dick & Helena Koop**

APPLICANT: **Heather Scott**

LOCATION OF PROPERTY: **101 Mill St. W**

PURPOSE OF APPLICATION:

The Town of Kingsville has received the above-noted application for lands located in the southwest corner of the intersection of Mill St. W and Laurel St. The subject parcel is designated 'Residential' by the Official Plan and is zoned 'Residential Zone 1 Urban Exception 20 (R1.1-20)' under the Kingsville Comprehensive Zoning By-law.

The parcel is a 1.12 ha (2.77 ac.) residential lot with a large unique single detached dwelling and a detached garage/carriage house. The property was rezoned many years ago to permit an inn, assembly hall, banquet facility and gift shop. Although it has operated as an inn the other uses have not materialized. A prospective purchaser is looking to buy the property with the hope of operating a day spa and holistic wellness centre in the main dwelling and living in the garage/carriage house.. A zoning amendment would be necessary to address the addition of the proposed uses and possibly establish specific regulations such as setbacks and parking.

A **PUBLIC MEETING** OF COUNCIL will be held on:

WHEN: **November 26, 2018**
WHERE: Town of Kingsville Municipal Building (Council Chambers)
TIME: **7:00 p.m.**

Your comments on these matters are important. If you have comments on this application, they may be forwarded by email, or letter mail to the attention of: **Robert Brown, Manager, Planning Services**, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

IF A PERSON or public body would otherwise have an ability to appeal the decision of Council for the Town of Kingsville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submission to the Town of Kingsville before the zoning by-law is adopted, the person or public body is not entitled to appeal the decision.

IF A PERSON or public body does not make oral submissions at a public meeting, or make written submission to Council before the zoning by-law is adopted or the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

**DATED AT
THE TOWN OF KINGSVILLE
on November 06, 2018.**

**Kristina Brcic, MSc, BURPI
519-733-2305 (x 249)
kbrbic@kingsville.ca**

*I can't think of a better use for the property
and fully agree with it.
Eileen Couell 110 Laurel St. Kingsville*