

ZONING BY-LAW # ZBA/07/2020
 DEAR ROBERT BROWN

JUL 31/2020

MANAGER PLANNING SERVICES
 TOWN OF KINGSVILLE / COUNCIL

RE; THIS LETTER IS IN RESPONSE TO
 A REQUEST FOR COMMENTS IN
 REFERENCE TO A FORMAL REQUEST
 AS REQUIRED FOR A ZONING BY-LAW
 AMENDMENT AT PROPERTY LOCATION
 140 MAIN S.E. PT OF LOT 1 CONC 1, EID,
 THEREFORE I FOLLOW VERBAL
 COMMENTS MADE VIA PHONE MESSAGING
 WITH THIS LETTER.

KIND OF
 I BELIEVE THAT THIS HIGH-DENSITY
 HOUSING IS CREATING CONGESTION ON ALL
 STREETS IN THIS TOWN WHERE STREETS
 AND SPRAWLS ARE NARROW, ROAD
 LAYOUT (GRID) WASNT BUILT FOR THIS
 OUT-OF CONTROL, COULD CARE-LESS
 WHERE HIGH DENSITY HOUSING IS BUILT
 BY COMPANIES WHO COULD CARE LESS ABOUT
 THE DEGRADATION OF ~~ONE~~ QUIET STREETS
 BECAUSE DEVELOPER'S BY NATURE DON'T
 CARE IN THE DEVELOPMENT AND USE
 THEIR CONNECTIONS WITH TOWN COUNCIL
 BUILDING DEPT'S ETC. ETC. ETC. TO INFLECT
 THEIR MONEY GRAB DEGRADATION TO
 PEACEFUL CO-EXISTENCE!

THEREFORE TO MITIGATE THE
 ALREADY DANGER OF CROSSING ANY
 AND MORE IMPORTANTLY THE INTERSECTION
 IN FRONT OF MY HOUSE (BEECH + SPRUCE,
 I REQUEST AND DEMAND THAT THIS
 INTERSECTION BE TURNED INTO A

3 WAY STOP. NOW BEFORE!

SECONDLY I ASK THAT THIS DEVELOPER NOT BE ALLOWED AND ANY OTHER WHOM DEVELOPES THAT PROPERTY IN FUTURE NOT EVER BE ALLOWED TO CREATE A ROAD THAT LINKS THIS DEVELOPMENT TO SPRUCE ST. N.

THIS COULD BE DONE BY EASILY PLOUGHING A LAKE ON THE SOUTH SIDE OF THE LUTHERAN CHURCH, AND CONNECT WITH CHERRY LANE.

I HAVE NO DOUBT IN MY MIND THAT THE COUNCIL WE'VE BEEN ELECTING THESE PAST 20 YEARS ARE DEVELOPER ECCENTRIC AND REVISIONS ETC. ARE GOING TO BE THE NORM AND TO THE DETRIMENT TO LONG-TIME RESIDENCE AND ANYONE ELSE WHO THINKS THAT GOING TO MEETINGS, WRITING LETTERS ETC. IS JUST A FORMALITY THAT DEVELOPERS "PUT UP WITH" AND ULTIMATELY IGNORE AND OR RESIST.

IT'S THE LAW AND IT HAS TO BE DONE SO COUNCIL CAN HAVE A CLEAR LEGAL WAY TO GIVE THE ORDINARY TAXPAYER THE ATTENTION AND THEN GIVE + RECEIVED THEM THE BRUSH-OFF!

THANK YOU FOR YOUR UNDERSTANDING IN THIS MATTER, I REMAIN
SINCERELY,

DAVID BEAVER
405 SPRUCE + 72 DEER 733-6473

From: [Mary Ellen Havlik](#)
To: [Robert Brown](#)
Cc: [Nelson Santos](#); [Gord Queen](#); [Larry Patterson](#); [Thomas Neufeld](#); [Laura Lucier](#); [Kim DeYong](#); [Tony Gaffan](#)
Subject: Plans for Property Adjacent to Migration Hall (Formerly Thomas Property)
Date: Monday, July 20, 2020 9:32:46 AM

Good morning, Robert,

I understand from speaking with a number of my neighbours that a letter was recently circulated by mail regarding proposed changes to the plans for the above-noted property.

I did not receive a copy of this correspondence and was wondering if you could explain why that might have happened. Clearly, this type of oversight is problematic and contributes to the erosion of trust between the Town and taxpayers like myself.

Regarding the documents, can you please forward these to me as soon as soon as possible along with any proposed changes to the original plans including any amendments to zoning regulations including height of the building; proximity to the sidewalk or property line; etc.

Additionally, I have a few questions which are here:

1. If the plans are being changed, would this not have to go to the planning advisory committee, as well?
2. Does this not fall under the development moratorium since the changes are being requested after the moratorium was agreed? You may say that this is an open file since the original plans were filed prior to the moratorium but has that point been debated with the public? On that note, do you have any idea when the Main Street Committee will commence?

Clearly, this development will have a massive impact on my enjoyment of my property. A number of neighbours are of the same mind. After the imbroglio that occurred at 200 Main Street East, I would expect that the planning and execution of this development are handled professionally and to the letter of the laws that direct it.

If there is an opportunity to speak about this development at any future council meetings, I would like to be included in any list of delegates to do so.

Kind regards,
Mary Ellen Havlik
147 Main Street East

From: [John Morand](#)
To: [Robert Brown](#)
Subject: Notice of Compete Application and Public Meeting
Date: Monday, August 3, 2020 12:17:42 PM

I recently received notice regarding a zoning bylaw amendment file ZBA/07/2020 concerning the property at 140 Main St. East.

I fail to understand why this is being referred to Council rather than being referred to the Planning Advisory Committee (PAC).

From the literature I received, it appears that there is a substantial departure in design from that which was originally presented to PAC. Many concerns by the public were expressed when considering the original application including set-back requirements, impact on traffic, sanitary and storm sewers, style and access in case of fire emergency. In my opinion, many questions were left inadequately answered. This new proposal may have an impact on some of these concerns and should bear additional scrutiny by PAC in a public setting before presentation to Council.

I realize that the town has satisfied the minimum requirements to notify adjacent property owners. I have previously expressed that due to the potential impact of such proposals, the notifications should be more widely circulated. This need has become evident with issues related to proposals for 183 Main as well as 190-200 Main. The concept of the Main Street Development Review Committee (MSDRC) partially addresses this concern but unfortunately this committee is not yet operational. Its involvement in this matter would have been beneficial but may not be appropriate retroactively.

Furthermore, I feel that dealing with this issue in a Zoom media format whether at Council or PAC will not be conducive to permit the public to have satisfactory opportunity for comment. In fact, the full page of instructions which was provided for remote participation for public comments would only discourage or deter potential participation. It was my understanding that due to the Covid-19 situation, applications requiring broad public input would not be conducted in this manner. I realize that Council has recently dealt with site plan amendments with little or no public comment at regular meetings but these were not of the same nature or magnitude as the application being considered for 140 Main E.

In the early Covid-19 days the Grovedale location was utilized when public input was required. Although not many attended, the public at least had an opportunity to address the committee in person. There was more than sufficient space to maintain social distance requirements. Unfortunately, requirements to limit attendance to the current Covid-19 standard for the application before us may hinder this approach.

In summary, I was not comfortable with the set-backs specified in the original plan as well as the appearance of the structure as it does not conform with the Victorian theme for the town. And now, this reversion presents a change in elevation and additional residential main floor units.. I also have concerns over access via Cherry Lane for fire emergency purposes. Is this even a public thoroughfare? Does access via Cherry Lane without upgrade satisfy the Fire Department requirements? With the addition of more residential units, will there be an impact on traffic, parking and sewers? One must also remember that this only addresses Phase 1 of the development. What will Phase 2 bring to the table? Perhaps there will not be a Phase 2...

I am hopeful that PAC will be given an opportunity to consider this revised plan, that the public will be afforded a proper venue to express their concerns and that this will not evolve into another 190-200 debacle.

Thank you for your time.

John Morand
66 Augustine Drive
Kingsville, ON
N9Y 1C5

(519) 733-4135

Dec 15, 2018

To: Rob Brown, Manager of Planning, Town of Kingsville

Re: Development of 140 Main Street East Kingsville

Dear Mr. Brown,

We reside at 23 Cherry Lane, Kingsville, which is directly adjacent to the future development at 140 Main Street East. We are concerned about the transition between the development and our home and as suggested during our deputation at the Nov 26th meeting of Kingsville Council, we are writing to provide some input as to the development of the transition between the properties that would enhance the vista of the land in keeping with the beauty of the town, provide privacy for both ourselves and the property and support the environmental life of the area.

As was stated at the Council meeting, the current plan includes a fence as well as landscaping. We support this plan but would like more details and if possible more direct input into the site planning process. We strongly recommend that the fence should be at a height to provide an adequate level of privacy and reduce the noise from the adjacent site. The fence should be of such quality to last a number of years and be maintained on a regular basis. A wide grass verge should be created to act as a buffer on the development side between the parking lot and the fence. We strongly recommend that the area on both sides of the fence should be planted with trees and shrubs to support a more natural looking barrier and a habitat to the wildlife that use this area. If possible as much of the older growth trees should be kept.

We have appreciated the consultative process that has accompanied the proposed development so far and hope that our input will be helpful. If possible we would appreciate a meeting with the committee that plans the landscape in order to discuss our ideas in greater length.

Yours truly,

John & Carmen Smith

23 Cherry Lane, Kingsville ON

Email: jmsmithbw@gmail.com, carm.smith1@gmail.com

Cc: Nelson Santos, Mayor of Kingsville, Karl Tanner, Dillon Consulting, Jeremy Capussi

July 20, 2020

Attention: Rob Brown, Manager, Planning Services, Town of Kingsville, via Email

Re: Zoning By-Law and Site Plan Approval of 140 Main Street E. Kingsville

Dear Mr. Brown,

We reside at 23 Cherry Lane, Kingsville, which is directly adjacent to the future development at 140 Main Street East. We are responding to the notice of Application and Public Meeting for Zoning By-Law Amendment and Site Plan Approval with some comments and concerns and with a request to speak at the Electronic Council Meeting on August 10th. We are requesting a hard copy of the plan as indicated in the Notice of Application above.

We have three concerns. The first concern we expressed at the Council Meeting on November 26th 2018 regarding the development of the transition between our property and the property of 140 Main Street east. We put those concerns in writing as requested at the council meeting which we sent to you on December 15th 2018. Please find attached a copy of that correspondence stating our concerns. Also at the council meeting we were assured that we would be consulted as to the development of the site plan concerning the transition issue. That consultation has not occurred and the site plan has been developed; hopefully this part of the process will still allow us to give input into that section of the development.

Our second concern regards the use of Cherry Lane as an access to the development at 140 Main Street East. We were reassured at the council meeting that Cherry Lane would only be used as an “emergency” access only to the Main Street development. The site plan states this also. What we need clarity on is the meaning of “emergency” access. Our understanding of that would be Cherry Lane would only be used by Emergency Service vehicles when the access from Main Street was not available. We would appreciate clarity on this issue; preferably before the council meeting on August 10th. Any other use of Cherry Lane to gain access to the Main Street development would create environmental issues, privacy issues and safety issues to all the residents of Cherry Lane ; especially the small children. A secondary concern is connected to the transition between Cherry Lane and the Main Street property and the access between the two. We imagine some form of gate or barrier be erected and would be in keeping with the thoughtful transition landscaping as laid out in the attachment.

Thirdly we do have concerns about the large trees on the Main Street development property and would request if possible that some of them not be taken down but left to enhance the beauty of the property, support the bird and wild life of the land and the health, drainage and air quality of the area.

As we stated at the Council meeting of November 26th 2018 we are not opposed to development and recognize the need for it for Kingsville to thrive and grow. All we are requesting is that the transition between the two properties is done with thought and discussion, the health and safety of the residents

protected by keeping Cherry Lane restricted to emergency use only and some of the beautiful trees left to enhance the beauty of our town.

Kindly advise when we may be able to pick up a hard copy of the plan.

Yours truly

John and Carmen Smith

23 Cherry Lane

Email: jmsmithbw@gmail.com carm.smith1@gmail.com

Cc. Mayor Nelson Santos, Deputy Mayor Gord Queen, Councillors Kim DeYong, Tony Gaffan, Laura Lucier, Thomas Neufeld, Larry Patterson, Karl Tanner, Dillon Consulting

From: [Henry](#)
To: [Robert Brown](#)
Cc: [Councillors](#)
Subject: 140 main St. East
Date: Thursday, July 23, 2020 1:39:28 PM

Dear Sir:

Received the above Notice of Zoning Amendment for 140 Main St. E. The drawings are illegible and I have basically two questions.

- 1) What are the setback regulations for buildings along Main St., and is there a request for a change for this building?
- 2) Are you looking at putting traffic lights at Santos, to replace the lights at the crosswalk?

I strong objections to any change to setback rules. The building east of the Highschool is a prime example of ugliness. Also traffic lights have been a contentious issue.

Having a remote meeting makes it difficult to have public participation.

Henry Van Vliet
29 Santos Dr.
Kingsville, ON
519-733-3764