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**PLANNING ADVISORY COMMITTEE**  
**NOVEMBER 19, 2019 @ 7:00 P.M.**  
**Town of Kingsville Arena, 1740 Jasperson Lane, Kingsville**

**A. CALL TO ORDER**

Chairperson John Lein called the Meeting to order at 7:00 p.m. with the following persons in attendance:

**MEMBERS OF PLANNING  
ADVISORY COMMITTEE:**

Deputy Mayor Gord Queen  
Councillor Laura Lucier  
John Lein  
Lorrie Mensch  
Wayne Latam

**MEMBERS OF ADMINISTRATION:**

Manager of Planning Services – Robert Brown  
Administration – Stephanie Coussens

**B. DISCLOSURE OF PECUNIARY INTEREST**

Chairperson John Lein reminded the Committee that any declaration is to be made prior to each items being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

**C. MINUTES OF THE PREVIOUS MEETING**

Review and adoption of minutes of the September 17th, 2019 Planning Advisory Meeting.

**PAC – 13 – 2019**

Moved by Gord Queen, seconded by Lorrie Mensch that the Planning Advisory Committee Meeting Minutes dated September 17<sup>th</sup>, 2019 be adopted.

**CARRIED**

## **D. HEARINGS**

### **1. ZBA / 18 / 19 – 183 MAIN ST. E – BROTTO INVESTMENTS INC.**

Manager of Planning Services, Robert Brown presented his report dated November 12<sup>th</sup>, 2019 with information regarding a proposed Zoning By-law Amendment (ZBA) for lands, located at 183 Main St. E, in the Town of Kingsville.

The parcel is a 0.43 ha (1.05 ac.) residential lot with an existing single detached dwelling and a detached garage. The property has been for sale for quite some time and the owners now have a third party interested in purchasing the land. The applicant is proposing to remove the existing buildings and construct a new combined residential development. At the front of the property would be a total of five to six townhouse units with attached garages accessed from the rear. On the balance of the property the proposal is for a six storey 28 unit condominium with grade level parking located on the ground floor. (Appendix 'A') A zoning amendment is required in order to permit the proposed use along with site plan approval.

In order to proceed with the development the a zoning amendment to permit a townhouse dwellings with up to 6 residential units; and permit an apartment dwelling with up to 28 residential units, maximum six storeys; and establish site specific zoning regulations for the proposed uses would be required. Site Plan approval (separate application and approval process) to establish the specific details of the build out would also be a requirement.

Chairperson, John Lein asked if there were any questions or comments from the committee for the applicant.

Chairperson, John Lein asked the public if they had any questions or comments for the applicant and or the Manager of Planning, Robert Brown.

Anne Marie Lemire, 171 Main St East – Ms. Lemire handed the committee a package containing historical data of her home as well as the property at 183 Main St E. Ms. Lemire thanked the committee for the opportunity to speak. Ms. Lemire told of her family's history, and the history of the Town of Kingsville. Ms. Lemire spoke to the message that the Town of Kingsville promotes on social media; sending a representative from the Town of Kingsville to various locations selling Kingsville to each of them, encouraging people to move here to our quant Victorian town. Ms. Lemire owns a heritage designated home at 171 Main St East, she spoke about the character and quality of her home as well as the Town of Kingsville as a whole. Ms. Lemire feels that re-zoning the property to the east of her home will have a negative effect on her property value, the enjoyment and function of her property and neighbourhood in general. Ms. Lemire spoke of the five 6 story condominiums that have already been approved by the Town. Ms. Lemire feels that condo's do not address the real needs of the community, such as affordability, rental housing and lack parking. Ms. Lemire referred to Essex County's Official Plan that Municipalities must provide 15 % of development through intensification, to which the report presented by Mr. Robert Brown states that Kingsville has met and exceeded the requirement annually based on projects

that have already been approved. Ms. Lemire made mention of the already congested streets, and the addition of vehicle traffic, pedestrian traffic and parking issues with the condo's that have already been approved. She found while petitioning her neighbourhood that there were several concerns regarding the difficulty turning left onto Main St East out of Santos St. Ms. Lemier referred to the Town of Kingsville's Official Plan Section 2.6 relating to Buffering. The description is as follows:

"Adequate buffering will be required between all uses of land where there may be a conflict such that one use will detract from the enjoyment and/or functioning of the adjoining use. Such buffering may include landscaping using local native plantings, screening and greater separation distances between incompatible uses. Required distance separations shall be established in the Zoning By-law that reflect the Ministry of the Environment guidelines regarding appropriate separation distances and buffering between industrial and sensitive land uses."

Ms. Lemire feels that the Town failed in this requirement for the development of the medical building taking place next to the Kingsville High School, across the street from her home. The east neighbour of the medical building will have to look at a brick wall. She presented a photo to the audience. She is afraid the same situation will happen to her property. Ms. Lemire's home was designated as a Heritage home in 2012.

According to the Ontario Heritage Act it is not acceptable to have a high rise buildings next to a historically significant home. Methods of minimizing or avoiding negative impact on a cultural heritage resource are promoted by design guide lines that harmonize mass, set back, settings and materials; limiting height and density; buffer zones and allowing only compatible infill and additions. The buffer zone that the report states as making this acceptable is on the North West corner of Ms. Lemier's property. It is stated that the development is proposed to be 2.2m from her property line. Ms. Lemire feels that her trees will not survive the development, and should not be considered part of the buffer.

Ms. Lemire is against the amendments proposed in the zoning application, including changing the maximum height from 11 meters to 18 meters and reduce the side yard and rear yard setbacks. The changes in the proposal for this application will have a negative effect on the surrounding properties as well as the Town as a whole. The Heritage Committee of Kingsville has stated their concerns for the proposed plan because of the density of the site, the number of proposed units and parking as well as the lack of greenspace. Ms. Lemire stated that the current owner at one point reached out to the Heritage committee to be considered for designation.

Ms. Lemire read a letter from a grandson of Dr. Campbell, the original owner of the home at 183 Main St E. Ms. Lemire obtained 1350 signatures on her online petition at [www.change.org](http://www.change.org) and 400 signatures through door to door canvassing. She feels that it is an indication of the opposition that people have towards the proposed development and zoning change. Ms. Lemire would like to see the Town of Kingsville slow down development until we see what will occur with what is already approved.

Applicant's representative Jared Dykstra and Heather Garrett of Zelinka Priamo Ltd. – Made a presentation on the proposal of the development as well as the Heritage findings and impacts, Provincial Policy, Official Plan and Traffic Study. Mr. Dykstra showed a concept plan to the audience. Ms. Garrett stated that a shadow report was not requested by the Town. The application is consistent with the relevant policies of the Provincial Policy Statement and conformity Essex County Official Plan and the

Town of Kingsville Official Plan. Heritage Impact statement reports that there will be no negative impact on the property at 171 Main St. E.

Ed Krahn, 226 Cherrywood Dr. – Spoke to the advantages of the development. Mr. Krahn is in support of such development. Mr. Krahn stated that if you want control of what happens with the property then you should buy it.

Anne Sorensen, 647 McCracken Road – Ms. Sorensen stated that traffic on Main St is already hard to get through. She feels this will only add to the problem. She loves the Victorian feel of the Town of Kingsville and she feels that this will take away from that. She asked that Council take care of the people of the Town of Kingsville.

Jessica Renaud of 171 Main St E – is the daughter of Ann Marie Lemire. Ms. Renaud repeated the history of her family's home. She spoke about the heritage and culture of the Town of Kingsville, she feels that neglecting the heritage features of the town in the way of more business, more commercial, more traffic all for more money, is not what the residents want. If we allow this, then who is to say we won't see more destruction of the Victorian Town of Kingsville.

Craig Wright, resident of Kingsville – asked the Manager of Planning Robert Brown where the 5 or 6 developments are located that are already approved. He asked if all approvals are in place. Mr. Brown explained that only two of the current approved buildings have full approval in place. The remaining properties still have to get site plan approval. Mr. Wright questioned the notification process used for these developments as it seemed that no one knew about them. Mr. Brown explained that each of the developments had been circulated on several times as part of the public notification process. Mr. Wright advised that he would like to see these notices.

Lucille Dinyarian - 18 William Ave. asked if sewers have been considered with this new development. Ms. Dinyarian impossible to make a left turn. She has to go out the back of her subdivision and out to Wigle to make a left turn. Ms. Dinyarian stated that we need to take care of things that get old, not tear them down.

Pat Arnett 160 Blue Jay Cres – Ms. Arnett is from Toronto. Ms. Arnett and her husband researched for 5 years before she moved here. She wanted to come to Kingsville because of the people of the town. Ms. Arnett appreciates that the Town needs to make changes and she understands the mandate for a walk able town, but she doesn't think that high density needs to be the way. Ms. Arnett feels that we should let the first 5 condo's develop and see if there is a need for more.

Tom Klassen 127 Queen St – Mr. Klassen lives in a home built 1861, Mr. Klassen agrees with all the comments given already. He feels that the Wigle House that was torn down, and the severance of the lot on the King Estate, were all mistakes. What is going to happen to the Coghill and the Conklin homes, or his own house? What is the long range plan? Development is out of control. Don't let the developer force us into anything we don't want.

Avi Karpel, 637 McCracken – Ms. Karpel lives in a home built in 1928. She feels that the heritage part is not the only thing we should be thinking about. She feels that the vacant farm land could be beautiful walking park. She agree with all other speakers.

Anthony Rebkowec, 106 Kingswood Dr. – Mr. Rebkowec lives behind the King estates, which used to be Walter McGregor's house. He spoke about the sign that is on the Havlik property. He spoke about the Town asking to remove the sign because she didn't have a permit.

Mr. Rebkowec spoke about the traffic congestion, and he states that it takes him 20 – 30 minutes to get through town. We have a very beautiful downtown. Routing system for traffic must be established first. Must not only set out minimum standards.

Wayne Biggley, 14 Herrington St – has lived here for 32 years, he moved to Kingsville from the Hamilton area. Mr. Biggley would like to know if this is a tax based decision. Mr. Biggley understands that growth is necessary; but he loves the small town feel. He also agrees that old is not always fixable, but he feels that traffic is the main problem in the Town. Progress is needed but not in such a small area.

Bill Baker, neighbouring community, Oxley. Mr. Baker owns a trolley tour company bringing 100's of tourist to Kingsville. Mr. Baker has a different perspective. His clients rank Kingsville as their #1 destination. Mr. Baker also noted that in recent months his clients have commented that the growth of Kingsville is taking away from appeal. The boutique area is an appeal. If this development continues you will lose the boutique and tourist areas. Kingsville should take a rest on development. Just because it is legal doesn't mean it is right.

Sarah Sacheli, 3193 Graham Side Road – Mrs. Sacheli used to own a heritage home. Spoke to the relief and variances that this site plan is seeking, front yard, back yard, and side yard. Mrs. Sacheli asked that Council search their heart and if you wouldn't want this next to their home then don't allow it next to a heritage home.

Lizanne Lebedyk, 952 Erie Ave – asked the committee to respect the laws that we have in place, they are there for a reason.

Graham Munroe 619 Woodbridge Lane, appreciates Heritage of this town. In the history of Kingsville, sometimes we have to decline offers to develop, Kingsville has said slowdown in the past. For example, Heinz first approached Kingsville, the Town declined. We should think clearly about what this will do to our town.

Craig Wright, resident of Kingsville – suggested a citizen committee, investors from all around the world that want to develop greenhouses. We need someone to stand up for us.

Mike Palenchar, 213 Applewood Rd. – Mr. Palenchar can see straight across Main St. He spoke about the Medical Building and the 6 story condo / apartment buildings to go up between him and Main St. Mr. Palenchar asked what the height of the condo's will be between his home and Main St. Mr. Robert Brown, confirmed that the height of the condos is approved for 22 m.

Melinda Rauch, 226 Division St S. – Ms. Rauch spoke about the beauty of Kingsville and it being a quant Town. Ms. Rauch owns a new home décor shop on Main St. Ms.

Rauch mentioned the traffic in Kingsville, she feels it is already bad. Ms. Rauch commented on the Park Street Condo's being over half vacant. Resident and Business owners don't want to lose the quaintness of the town.

William Young, 3 Sand Pebble Crest – Mr. Young has lived in many different places in Ontario, including Burlington. When I decided to retire, my wife and I moved to Kingsville. Mr. Young feels like Kingsville is turning into Mississauga. Mr. Young asked the committee to think twice before you act. Kingsville is a beautiful town.

Zelinka Priamo Ltd., in summary, this development will offer alternative living, and private ownership. Every property owner has a right to do what they want to do with your home. Some want to fix things in a different way, as long as they follow the Zoning by-laws, and Official Plans of the Town and the County, it is their property to do with what they please. Developers must follow the same rules. Current zoning doesn't provide for future development. It is the Official Plans of the Town as well as the County to outline what is permitted for each area of the Town. This develop is mid density, it is consistent with the Town Official Plan and the County Official Plan, and the Provincial policy. Provincial policy is above everything, Provincial Policy does not want urban sprawl. Provincial Policy wants intensification, mixed used, promote housing that encourages people to have the chose to walk to shopping, doctors, etc. Developers don't build what there is not a demand for. There has been a lot of interest on the purchasing end of this development. Developers have rules and processes to follow also. This property is not heritage. Rules are being followed.

Anne Marie Lemire, 171 Main St East – we all do have the rights to follow the existing zoning. You are asking to change the zoning and expand on it. A very small piece of land that you are going to profit on immensely. The neighbours should have been approached. Ms. Lemire feels the developer is asking to push this to the limit.

Deputy Mayor Gord Queen, after listening to the comments of all the public, Noting the H.J. Heinz refusal, and Hiram Walker train track being a plus, past council have made some very good decisions and some bad decisions. Some heritage homes were lost, some developments were not a good idea. We all make mistakes, and we make good decisions also. Planners bring applications to the council, and councils make decisions on where to support or not support.

This committee has heard the comments, the input is part of the public record. All of Council needs to hear the concerns that were heard tonight. Planning Advisory Committee has no authority to approve anything. Council needs to hear all the information.

Committee member Wayne Latam understands there is a bigger picture. Mr. Latam promoted 5 year official plan review, being held November 20<sup>th</sup>, 2019 at the Town Hall. Mr. Latam feels that there wasn't a lot of public participation and recommended to the developer that public participation should have been considered. Mr. Latam, feels that there are a number of by-law requirements that are not being met, for example reductions in side yard and rear yard setbacks, why an alteration in height is necessary. These are questions that the committee would like to deal with in more depth. Mr. Latam feels that the requirements of the Provincial Policy, Town of Kingsville Official Plan and the County of Essex are not being met. The Committee and Council are

aware of the shortcomings of the presentation(s) and that some of the general information can be potentially misleading. Mr. Latam supports Mr. Queen's recommendation in presenting the comments and input from the residents to Council for their review.

**PAC – 14 – 2019**

Moved by Gord Queen, seconded by Laura Lucier to receive the report as presented and to provide the information and comment that was presented at the PAC meeting to all of Council.

**CARRIED**

**E. NEW AND UNFINISHED BUSINESS**

**F. NEXT MEETING DATE**

The next meeting of the Planning Advisory Committee shall take place on December 17<sup>th</sup>, 2019 at Council Chambers @ 7:00 p.m.

**G. ADJOURNMENT**

**PAC – 15 – 2019**

Moved by Gord Queen, seconded by Laura Lucier to adjourn this Meeting at 9:00 p.m.

**CARRIED**

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**CHAIR, John Lein**

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**RECORDING SECRETARY,  
Robert Brown**