

Public Comments

Ron Phair

Thu 7/1/2021 5:50 AM

To: Port Elgin Planning <BCPLPE@brucecounty.on.ca>

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I would like to offer some thoughts for consideration in the proposed amendment.

There is a considerable amount of pedestrian traffic on Kincardine Ave. as it is a road that leads directly to the lake. There is a school nearby as well that adds to the pedestrian traffic. There is no sidewalk on the north side of Kincardine Ave. Increased vehicular traffic by cars coming and going from the new building will increase the potential danger to pedestrians. The driveway to the new building is very close to Queen St. and the sight lines exiting from the building on to Kincardine Ave. are somewhat restricted for vehicles.

The intersection of Queen St. and Kincardine Ave. is a major intersection. There is a constant flow of traffic there. There is a school right on the south east corner. The intersection is so large and busy that two school crossing guards are needed to ensure the safety of children and other pedestrians. Twice a day there is a large number of school buses coming and going at the school. At times, traffic gets backed up with the number of school buses moving at the same time as well as the number of parents dropping their kids off at school.

The speed limit is 40 km/h on Queen St. at this intersection. It's that way because planners recognized the need to slow traffic in the area. Even with the reduced speed limit traffic moves quickly there. This is another reason that two crossing guards are required there.

I'm sure the people that own the house directly west of the new building never envisioned an apartment building going up beside them when they made the purchase. They may have decided not to purchase there at all with a 3 storey walk up apartment next door. There will definitely be an increase in noise from the building. Any privacy they had will be gone, especially with the removal of the existing cedar hedges. The presence of an apartment building next door could even lower the value of their property. It is definitely not fair to them.

There is vacant land on the north-east corner of the intersection. It's just a question of time before someone develops that land. This again will add to the traffic congestion in the area. This building will be close enough to the corner to negatively impact traffic flow in the area.

The installation of a traffic light at the intersection would probably reduce vehicle speed and improve traffic flow with the increase in traffic from the new building as well as any future development of the north-east corner.

The neighbourhood is mainly one storey single family dwelling units. This structure would not fit in with the character of the neighbourhood.

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Attention: Daniel Kingsbury.

Dear Committee,

I would like to submit comments and concerns regarding the zoning bylaw amendment, under L-2021-007 Z-2021-045 Marshall. This is to change the zoning of both parcels, from C2 Highway development, to R4-X to allow a three storey apartment to be built, with access from Kincardine Ave. Kincardine.

There are several issues that I believe bear consideration by the proposer and planning committee, and while this email is not in objection per se, to the zoning amendment; as a neighbour, I would like written and minuted responses to my issues and concerns.

Once this amendment is passed, as written today, it may put the neighbourhood in an unseen, or unknown condition. By noting these written answers to my concerns, we should be able to avoid unforeseen circumstances, which could drastically alter or negatively affect the neighbourhood and its residents, both old and new.

1. Winter Snow and Wind.

The worst winter winds typically come from the North West. I note that there is a three metre high solid fence on the West side of the property. This will be conducive to large amounts of snow drifting into the parking area.

Questions arising from issue 1 above:

1a. How will cumulative snow be managed in the Parking area,

specifically, the North West corner.

1b. Understanding that the North of the lot, specifically, the North West corner is where the garbage collection is proposed, how will this affect snow and ultimately garbage removal without incident.

1c. The three metre high fence will see, substantial wind and snow loading forces and I am concerned that it will start to lean to the leeward (East) side. What is being done to ensure the structural stability of the fence, so it does not become an eyesore, or safety hazard.

1d. No mention is made of a dividing fence on the North side of the proposed amendment, between the neighbour to the North. Can we detail, what the proposal is to delineate, this property from the neighbour to the North.

2. Snow Removal in general.

Questions arising from issue 2 above:

2a. The South side of the apartments, has stairs and a somewhat convoluted pedestrian path. Will this be maintained privately.

2b. Will the property owner, the municipality, or the tenant hold the insurance liability for slips and falls on the South side of the property.

2c. Where specifically, will the snow be put from the

parking lot. Is there an easement to put the snow onto the second parcel of land. This leads to a further question lower in the letter.

3. The garbage collection area in the North West of the property.

Questions arising from issue 3 above:

3a. What sorts of garbage containers and recyclable containers are proposed, for the garbage area.

3b. Do we expect the garbage and recyclable trucks to drive into this area. If so, how will they get out, as there is no turn around area. Are we going to back out the trucks onto Kincardine Avenue? This may be a problematic area and I would recommend getting Bruce Area Solid Waste Recycling Association (BASWRA) involved in a discussion on this, also mentioning to them the snow issue.

3c. What plan is, or will be, in place to deal with the detritus from this area. As this, if left to its own device, may become an eyesore, or worse, attract vermin.

4. View, sight and shadow considerations.

There is no architectural drawing attached to the zoning amendment and while this may not be a legal requirement, the overlook consideration should be reviewed, so that the neighbours to the west, do not have their privacy degraded by any windows facing the West. Also light being deprived them, may also be an issue, due to the building height.

Questions arising from issue 4 above:

4a. If there are to be West facing windows or balcony's, that can view to the west, sight lines need to be drawn out, to avoid or at least report this potential issue. Can we see

them please. To not do this, may well jeopardize the neighbours enjoyment and privacy of their property.

4b. Has a shadow profile been done. If so, can this be input into the amendment.

5. Persons with Disabilities Act.

Question arising from issue 5 above:

5a. Can you advise how a person who is mobility restricted, for example, in a wheelchair, be expected to access any of these apartments. The drawings provided, show staircases on the South side of the proposal. Please advise.

6. In the planning documents, the proposer, produces a claim of "reasonable rent".

Question arising from issue 6 above:

6a. How does the proposer, define reasonable.

7. This amendment changes both parcels of land, to high density residential exception (R4-X).

This concerns me, as the residential building that is situated there, at 346 Queen Street, may be thought of, by the developer, as a future set of apartments, or development and if so, there would not need to be another zoning amendment. This may also involve a road to join the two properties, from Kincardine Avenue, to Queen Street.

Questions arising from issue 7 above:

7a. Can we have assurances that the owners do not intend to raise another apartment building and if that is the case, would have no issue with this parcel being categorized as R1 residential. Not doing this, is worrying, as another apartment building, even higher, could be built on this lot. I would like written assurance that this is not the intent

and that the planning committee look very closely at not allowing a zoning amendment that would allow this to happen. I think it would still be in the best interests of the neighbourhood to not zone this particular parcel at 346 Queen Street (with the building on it) as R4-X high density residential.

7b. Will the planning committee recommend that the residential (already built upon) parcel of land, not be zoned high or medium density residential.

8. Site construction issues.

The site as proposed, will involve a lot of heavy equipment movement in the area, during its construction. This necessary and understandable, but does come with issues. I am concerned about a few things, not the least of which, is the safety of the grade school children from the school.

Questions arising from issue 8 above:

8a. Where will the construction equipment and material be loaded, unloaded and moved around the construction area, as this will definitely cause traffic issues. I remind the planning committee, that diagonally over from this, is a grade school.

8b. As this project is directly over from a grade school, what safety measures are going to be taken to ensure the children, both from the school and the Bruce County Housing area, are deterred from trying to get a closer look at the machinery etc. Perhaps addressing the children at the school when this construction starts.

8c. Work Schedules are difficult to manage, especially in projects like this. Work needs to get done, safely and efficiently. This is perfectly reasonable. But, it does need to be noted that the neighbourhood, does not want 12 hours a day, seven days a week of construction equipment,

material movement and the associated noise and dust that it comes with. Can the proposer talk about the reasonableness of this request and make this a part of the written discussions with the building contractors.

8d. A traffic management plan needs to be developed, as this is a major intersection. I would suggest, you involve Public Works and the OPP in discussions. Perhaps temporary traffic lights?

8d. We see the damage that is caused by heavy equipment on roads that are not meant to take these loads. I understand the need to do this, but the taxpayer should not be liable for damage caused outside of normal wear and tear of our infrastructure. I would strongly suggest that the Municipality survey the road prior to the work taking place and then after it is commissioned. I believe the proposer and contractor should be held liable for any substantial damage to the road or road infrastructure. This should be written into the contractors building permit. Could the planning committee, take note of this, talk to the building department and also pass this and issue 8d, on to the Public Works Committee for written consideration.

Thank you all for your consideration of these issues and concerns. I realize that we need to grow our community and want to be part of building a strong and vibrant community. We just need to make sure, that considerations be made to the neighbourhood, so that the people in the immediate area, do not become at loggerheads with their new neighbours.

By having this open and transparent conversation, well noted and legally minuted, we can all work together for its betterment and strengthen our community in general.

Yours Faithfully,

Alexander (Sandy) Donald
264 Kincardine Ave.
Kincardine
N2Z 2R1

Liam Murphy

From: Jeremy Beaty
Sent: Monday, July 12, 2021 4:21 PM
To: Liam Murphy
Cc: clerk@kincardine.net; creaburn@kincardine.ca; Jeremy Beaty
Subject: Fwd: Municipality of Kincardine - Public Planning Meeting - July 12 @ 5:00pm

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Good afternoon.

My apologies in this being provided via point form-there appears to be much confusion surrounding the process of providing comments and participation in the actual meeting itself.

I am the homeowner directly to the west of this proposed 3 storey walk-up apartment building and to be honest, if this was being proposed or was already constructed previous to me purchasing my home, I would have had very likely made a different decision related to where I chose to purchase a home.

Again, in the interest of time and the fact this meeting is taking place in approximately an hour, I am providing some of my concerns here in point form. Had I known or been informed that there would not be an opportunity to discuss during the actual meeting, I would have provided more in depth rationale related to these topics:

- Insufficient parking to be included for the apartments-8 spaces plus one visitor spot and a handicap spot will not be enough-where will the overflow of vehicles be? Kincardine Avenue is much too busy of a street with the amount of traffic currently utilizing it and with the housing complex across the road on Kincardine Avenue utilizing one side of the street for overflow parking already, having two sides of the road with excess vehicles parked will cause major congestion-especially in the summer months and with a ban on parking on the streets during the winter months due to snow removal, I am unsure where these vehicles would go;
- The driveway into the complex is proposed to be right beside my driveway and will provide risk and a potential safety hazard with increased traffic movements
- Potential Draining issues if graded poorly causing run off to the west;
- Removal and felling of large existing trees;

- Lack of sidewalks on the north side of the street may pose a safety risk with increase foot traffic;
- Traffic congestion has already been mentioned above;
- Safety related to Elgin Market Public School-increased traffic may pose a risk as Kincardine Avenue and Queen Street is a major artery requiring 2 crossing guards and increased vehicular traffic may pose additional issues;
- Set-backs;
- Privacy concerns related to a 3 storey apartment complex with balconies-My property specifically will lose privacy as a result of this complex being built;
- Removal of hedges;
- The drawings currently make mention of a 3 metre high fence and identifies that this currently exists- This fence is not 3 m and varies from 83 inches at the northern most part of the fence to 96.5 inches at it's most southern end. Is the intent to erect a new fence 3 m high?;
- If a fence is to be erected at a height of 3 m, this would now dwarf the actual roof of my home;
- The proposed 3 storey complex is no consistent with the homes in the area;
- Noise will increase as a result of additional people living in this building;
- Potential decrease in the value of my property as a result of a 3 storey walk up apartment building being erected next door

Thank you,

Jeremy Beaty
281 Kincardine Avenue
Kincardine