

January 13, 2025

Re: Proposed Development 108 Caverhill Crescent proposed Zoning by-law Amendment application

Dear Office of the Clerk, Members of Council and Middlesex County Staff

We are writing to express our strong concerns with respect to the proposed zoning change to 108 Caverhill in Komoka. From our perspective there are serious issues with respect to privacy and enjoyment of our land, noise, drainage, loss of established trees on our property, and reduction of sunlight. Many of these same issues will have negative effects on other adjacent properties and there are other important factors too, such as the lack of space to provide fire and emergency services and proper waste management. These negative issues affect our entire neighborhood. We are asking for this proposed re-zoning to be denied.

We would argue that there are omissions in the proposed plan and misinterpretation of the Official plan in the brief prepared by SBM Ltd. Below we detail our concerns with a focus on the effects to our property which may be applicable to neighbors too. We thank you in advance to reading this rather lengthy letter.

Our home has been at its' current location since before 1878 (Reference: Historical Atlas of the County of Middlesex 1878, H. R. Page and Co reproduced by Hammerburg Productions, 2008. See artist's sketch of our home, page 29). Although we have a large lot, our home sits close (rear yard setback 35 feet) to the western boundary adjacent to the proposed development. We have a row of cedar trees on our property (not on the lot line) along this boundary that were planted prior to our move here over 24 years ago. They are established trees that would be negatively affected by the development due to construction damage. I have a laundry in the northwest corner of our home with a door that leads outside to a clothesline. I use this line since it is tucked away and out of the view of neighbors. It would be unusable most of the year with the blocked sunlight due to the position of the townhomes along our western boundary. We note that in the appendices of the planning submission, the authors did not provide any views looking east, for some reason, that show where our home and garage are situated. Both the south and southeast photos provided in Appendix A, in fact, are directed towards the home at 130 Arthur Street.

Our garage, built by a previous owner, is also along our western boundary. It has never been flooded, yet on the north side of the garage and near the trees the ground is quite low, and we are concerned where the water and melting snow from the proposed town homes will go. With increasing frequency of severe weather events driven by climate change many municipalities are increasing green space to circumvent adverse weather events. The proposed development essentially covers the entire lot with buildings or paving, putting all the adjacent developments at risk of flooding from weather events. This past summer during a rainstorm, flooding occurred in the area. It is also unlikely that we will be able to

properly maintain lawn behind our home if the development proceeds since there is shading from the garage and our house already. The diffuse light that comes through the trees from the west will be totally blocked in places by the proposed townhomes.

Due to the location of our home and garage, planting more trees to replace the ones that will be eventually destroyed by construction damage and lack of sunlight is not an option. There is no room.

The applicant calls this development an infill project and a redevelopment in other places in the brief and we would claim that this is an unfinished development that was zoned and approved for single family homes. Therefore, we would argue that 2.3.7 of the Official Plan used to support this new proposal does not apply. The proposers also state 2.3.8 of the Official Plan which speaks to development within the village proper. If this proposal goes ahead, it will make the development of our lands, a significantly larger parcel, much more difficult so while they are quoting 2.3.8 to support their plan, it too, does not apply. In fact, three townhomes would back onto the road, which is clearly not desirable, if the original plan to connect Arthur to Caverhill came to fruition. Also, it would leave a narrow strip of land along the western side of our property undevelopable and valueless. What would be the expectation for this strip? We ask that the approved 38 m setback on Lot 16 33M-715 from the southern boundary on 108 be maintained. We are both past retirement age and while we currently enjoy our property, we expect eventually we will no longer be able to properly maintain it. If our lands are developed, surely routing traffic onto Komoka Road as stated by the proposers would be unsafe and unrealistic with the adjacent railway and associated rise in the road obscuring drivers on an increasingly busy street.

We supported the previous development based on the assumption of single-family homes each with sufficient lands for outdoor activities, drainage, waste pickup, emergency access, parking, and access to sunlight. The map provided in the brief shows that variances of setbacks are required for this new development at 108 Caverhill;

1. Frontages below required
2. Rear setbacks below required
3. Greater density than allowed
4. Outdoor amenity space below required.

In the proposed development the townhomes are shoehorned into a space that they clearly do not fit. This development simply does not have sufficient space to accommodate parking, activities, garbage pick-up, etc.

People living in the area, need access to groceries, medical appointments, travel to work, etc., and therefore need sufficient space to park vehicles since none of these amenities are within walking distance. There is no yard space for toys and activities nor storage of outdoor equipment. If they cannot store their items outdoors, they would need to go into their single car garage, compounding the problem of the lack of suitable parking. Also, several of the townhomes will need to store their garbage bins in the garage because of pick-up issues as stated in the brief. This is not ideal.

The proposers suggested that behind the townhomes there is space for a deck and gardening. There will not be any sunlight for most of the year for the three townhomes facing west, at least until our trees die. Sunlight will be blocked in the morning by our trees and by the townhomes themselves later in the day.

We understand that the approved plan for Caverhill and surrounding development also required two car garages whereas these have only one and only space for one vehicle in the driveway. There are only two visitor spaces in the new proposed plan and these point towards the northwest corner of our home. Given the lack of available parking, we suspect that these two spaces will be in constant use, so we will have car lights and noise at all hours in addition to the traffic that is entering and leaving 108 Caverhill.

There is a small park at the opposite end of the subdivision, but it is unrealistic to assume that children should walk several blocks each time they wish to play outside. Access to equitable green space for everyone in a community is necessary for social connectivity and mental health. This became especially evident during the Pandemic and is consequently an important aspect of planning garnering more attention with time. Therefore, in addition to weather events noted above, having green space in proximity to housing is not only important but essential. The proposers also point to the benefit of diversity of available housing, which we agree is a good thing, in the brief. But if this plan comes to fruition, the families who might live in this development are not afforded green space and consequently, we argue that these families would be disadvantaged.

One of the reasons we chose to live in this rural town is community and having neighbors for support. We wish to point out that the current owner and a previous owner with ongoing interests in 108 Caverhill have demonstrated a lack of respect and consideration for the neighbors and the community. The community raised concerns when the first draft was submitted yet a subsequent draft was submitted with very few changes. As further evidence, in the submission, the photos provided in Appendix A shows long grass and brush in photos numbered two and four. On the left side of each, you can see in some places the weeds completely obscure the five-foot fence nearest our boundary as well as Manitoba maple shrubs left unattended growing as big weeds, now trees. Last fall, after the developer had consulted the municipality for advice on the lot, Robert Brown, who owned the 108 Caverhill on record before PI developments and who clearly has an ongoing interest in the property, deposited a large shipping container on the lot that he intended to leave there for three years while his family resided out of the country. The municipality ordered its removal. However, bags of garbage were left and neighbors cleaned up the mess. These issues demonstrate that the developer really does not care about the neighbors but has their own interests in mind. Good communities where people live and support each other requires solid planning. We know we speak for our neighbors when we state that we want a healthy and safe community where people will want to reside. This proposed development is at odds with sound planning.

We will be further providing supporting documents with sun angle calculations for key times of the year later. There were no maps that showed the location of the proposed townhomes and the existing structures to make these calculations, and I need the actual heights too, hence the delay. (The original brief stated three storeys and while a change to two storeys has been proposed, the heights increased in the second draft.)

We ask that is proposed re-zoning be denied.

Sincerely,


Jim and Carol Jones

