

April 19, 2016

Delivered Via Email: boyds@middlesexcentre.on.ca

Mayor and Members of Council
Municipality of Middlesex Centre
c/o Stephanie Troyer-Boyd
Clerk
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File: 211650.0001

Dear Sirs and Mesdames:

**Re: Proposed Plan of Subdivision and Zoning By-law Amendment
10293 Glendon Drive, Kilworth**

We are the solicitors for Darren Micallef and the Kilworth Komoka Rate Payers Association. We are writing to you in connection with the zoning by-law amendment and subdivision applications submitted by the Tridon Group Ltd. on behalf of the owner of that property. Our clients have significant concern about these proposals, which are completely out of character with the surrounding area.

Although this proposal has been under consideration for more than two years, there have been no material changes made to it to reflect our clients' concerns. Those concerns include, but are not limited to, the following:

1. Although the proposal is for 548 new residential lots, 3 residential blocks, 2 commercial blocks, and a school site, there has been almost no independent planning, traffic or engineering analysis carried out to determine its impacts on the existing, stable neighbourhood. A proposal of this magnitude requires greater justification than that which has been carried out.
2. The proposed lot sizes are much smaller not only than other lot sizes in the area, but in other comparable areas in other municipalities. Due to their configuration and size, some of the lots appear to be too small to sustain any reasonable form of development without seeking further relief from the proposed by-law provisions. In addition, the lot coverage proposed on most of the lots are significantly larger than what are permissible in the Middlesex Centre. Side yard set backs, front yard set backs, and over all lot coverage is unprecedented for the City of London and Middlesex Centre. As staff has noted, this proposed lot fabric has not been materially altered despite the obvious concerns raised by our client. Limited or poor justification for such a deviation from the existing Middlesex Centre zoning by-law are given.

3. The proposal for only one parking space per unit, combined with the limited amount of street parking due to the extremely small lot frontages, would lead to ongoing parking difficulties in the area. Many families require more than one vehicle, and Council should refer to similar examples in other communities, such as northwest Waterloo, and seek to learn from those experiences rather than repeating them.
4. The limited traffic analysis conducted for this proposal is simply inadequate, and has not been subjected to any form of peer review. This must be done before this proposal can be properly considered.
5. The proposal does not have a reasonable, or any, transition to the existing neighbourhoods. It has seemingly been planned without reference to what already exists in Kilworth.

Our clients do not object to the development of the property, nor to some form of intensification of density of development. However, the proposal as it stands is unacceptable and has not been properly planned.

There are decisions of the Ontario Municipal Board which recognize that the policies of the Provincial Policy Statement that promote intensification do not take priority over all other planning goals. Good planning requires a balancing of interests and must take into account compatibility with already existing uses and communities.

Our clients submit that Council should refuse these planning applications. Alternatively, Council should refer them back to staff with a direction that they be significantly altered in order to properly address the above concerns.

We hereby request that you provide us with notice of any decision that is made in connection with this matter.

Yours truly,

MILLER THOMSON LLP

Per:

for: 
Steven J. O'Melia
SJO/dms

- c. Darren Micallef, Kilworth Komoka Rate Payers Assoc. (via email: kilworthratepayers@hotmail.com)

