

From:
To: [Committee of Adjustment \(SM\)](#)
Cc:
Subject: B 2024-015 – 82 York Street – My Submission to Committee of Adjustment Meeting on Tuesday, July 16, 2024
Date: Friday, July 12, 2024 7:43:06 AM

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Re; B 2024-015 – 82 York Street Severance – Objection to Severance Request

Marie Morrison and Christina Kardol

We agree with the points below made by Norm Emptage with particular concern that:

- No use has been identified - why is the severance needed and what will it be used for? The intended use will determine neighbourhood impact and not knowing it limits our ability to identify and raise concerns beyond those that follow below.
- Impact in eroding the residential nature and zoning of York Street (effectively expanding the Zoning and footprint of Park Street)
- Setting precedent - we have already had the Park Street business behind us request to purchase a portion of our backyard in order to expand their parking lot - which we declined.
- Impact to local wildlife (as identified by Norm below)
- Potential impact to the reasonable enjoyment of our backyard including sightlines
- Potential impact to property values (we purchased this house with the understanding that existing neighbourhood properties would remain in-tact and not include expanded properties of Park Street or Park Street adjacent businesses).

We are within the 300 meter zone that qualifies us as a "specified person" under Section 1 of the Planning Act.

We may be unable to make the Committee of Adjustment Meeting on Tuesday, July 16th as we both work during this time but trust our written submission will be shared with and given due consideration by the Committee.

Thank you,

Marie Morrison and Christina Kardol

If need to contact us, can also do so through phone or text at

From:
Sent: Friday, July 12, 2024 3:14 AM
To: cofa@kitchener.ca
Cc:

Subject: B 2024-015 – 82 York Street – My Submission to Committee of Adjustment Meeting on Tuesday, July 16, 2024

Re; B 2024-015 – 82 York Street Severance – Objection of Zone Change to Rear Yard Implicit in Severance Request

Norman T. Emptage

June 12, 2024

I strongly object to the rear yard severance of 82 York Street which is zoned Residential and its conveyance to 509 Park Street which is zoned Mixed Use. This is not an application for a Minor Variance as an implicit Zone Change would take place upon conveyance of the subject property. Through this application 509 Park Street would inappropriately get the 82 York rear yard zoning changed without pre-submission consultation and duly required Zone Change Application notification. If 509 Park Street is permitted to encroach on 82 York zoning other encroachments may be enabled to take place in neighbourhoods throughout the City of Kitchener through zone changing severance actions.

Also, this application if approved makes a mockery of all the Mid-Town Planning meetings that I have attended, meetings where I was assured that my property, and nearby York Street neighbours' properties, would retain their Residential Zoning. My neighbours and I can find no information about the intended usage of the 82 York rear yard. One neighbour inquired and the responding planner's answer to their specific usage inquiry was to the effect that they, the Planning Department, have no information on intended usage. What will nearby neighbours, my wife and I see or hear from our rear yards? Could it be an extended parking lot? A large snow dump? Or perhaps a noisy dog park?

What we currently have in our mature residential neighbourhood is a real gem with rear yard visual and sound barriers from Park Street through an abundance of trees and shrubs which also encompasses the rear and side of the subject property. The nature of our very green back yards supports a stable population rabbits, skunks, chipmunks, possums, and of course, free ranging squirrels. Birds on our section of York Street are very numerous. This week, the week before the Committee of Adjustment meeting that this response is about, I have seen sparrows, starlings, chickadees, robins, cardinals, blue jays, swallows, and purple and gold finches in my back yard while hearing our nesting York Street merlin falcons overhead and witnessing a crow pestered by a cacophony of noisy jays. The insect life is amazing in our back yards including the bellweather fireflies which I have seen at the rear of 82, 84 and 86 York Street. What future impacts will my wife and I, our neighbours, and local wildlife experience if this application is passed?

I remind the Committee of Adjustment, “Decisions around the permitted uses of land and how a property is configured are not made lightly. For this reason, property owners and developers who want to make such changes must apply for a zoning bylaw amendment.” Should not this severance request be made through a Zone Change?

Respectfully,

Norman Emptage