

From: Ellen Qualls
Sent: Wednesday, May 29, 2024 11:26 AM
To: Aimee Alderman, MSc, MCIP, RPP; Clerks
Cc: Catherine Lowrey
Subject: Konik Estates Phase 2 project

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Aimee (and Clerk staff!):

Hi. I live at 353 William Street in NOTL and am interested in how we can significantly boost tree canopy around NOTL, to help address the biodiversity crisis and mitigate extreme heat, especially for the agricultural workers riding bikes along treelees roads all summer and others who are most vulnerable.

I've just listened to testimony at the last Committee of the Whole - Planning meeting and read through the materials for the proposed expansion of Konik Estates Phase 2. I've spoken with Catherine Lowrey who lives adjacent in Virgil, and copied here, as well as Brian Marshall who writes the Architext column and is such a champion of our native trees and wildlife.

I'm not really clear what the next steps are for council to vote on this project, or if it could be included in a consent agenda and passed with no further discussion. But I am deeply concerned about allowing the destruction of the trees to go forward.

There is really no time left in the climate crisis to wait for newly planted trees to grow to maturity and create a forest as valuable as this 800 tree stand is. The health effects for humans and wildlife are so invaluable that there is no price tag you could put on this that a local developer could afford to pay in cash. So the "cash in lieu of" nature conservation concept is time to be retired as a policy in cases like this. The value of pockets of remaining wild sites is all the migratory birds have to hang on to as they make their journeys. And the local birds are territorial so they are actually uncomfortably cramped into existing sites like this. There is a vast amount of literature about the value that a healthy ecosystem plays in the physical and mental health of human life, and further razing of this ecosystem is not only short-sighted, it is again irreplaceable on the timescale needed.

I'm for appropriate and affordable housing creation, so perhaps Grey Forest Homes could come back with a plan for fewer homes and keeping the forest intact. Its importance to the region is vital, as is a plan for restoring a great deal more tree canopy.

Could you share some sort of guidance about the decision process? May I speak to this at a regular council meeting?

As always, I'm appreciative of folks who serve the public, so thank you.

Best,
Ellen

From: Alexandria Attree
To: Aimee Alderman, MSc, MCIP, RPP
Subject: FW: Open House – ZBA-02-2024, 26T-18-24-02 & 26CD-18-24-01 – Konik Estates Phase 2 (North of Line 2 Road, East of Concession 6 Road, South of Homestead Drive and West of Frontier Drive)
Date: Tuesday, March 19, 2024 8:38:04 AM

From: Gary Guthrie
Sent: Monday, March 18, 2024 6:41 PM
To: Alexandria Attree <Alexandria.Attree@notl.com>
Subject: Re: Open House – ZBA-02-2024, 26T-18-24-02 & 26CD-18-24-01 – Konik Estates Phase 2 (North of Line 2 Road, East of Concession 6 Road, South of Homestead Drive and West of Frontier Drive)

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Hi,

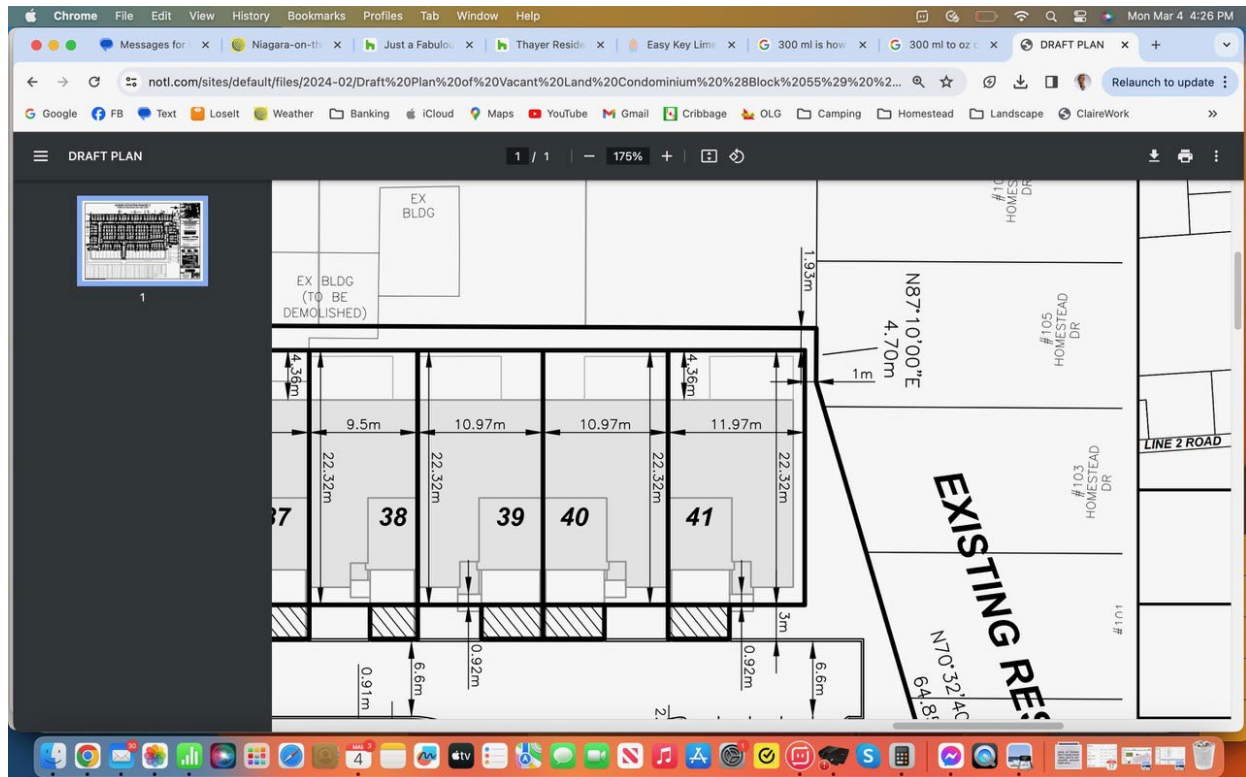
I participated in the call this evening and asked a question to William Heikoop about the closeness of the townhome behind my property at 105 Homestead Drive. He indicated there was 2 metres distance behind the deck of the closest townhome to the back property line and then I restated my point saying somewhere I saw what appeared to be a 1 meter distance from my back fence to the side of the townhouse deck. Again he said its 2 metres.

I apologize but I had some PC problems trying to get my video to show during my question and my PC rebooted (without the documents I had previously opened to be more prepared

Reference:
DRAFT PLAN OF VACANT LAND CONDOMINIUM LEGAL DESCRIPTION PART OF LOT 119. GEOGRAPHIC TOWNSHIP OF NIA NOW IN THE TOWN OF NIAGARA-ON-THE-LAKE
I just located the photo (below) that I had saved on my PC which is an enlargement of the above document submitted by Grey Forest. Even the spacing on the diagram would indicate to me if its 2 meters backing onto the homes that front onto Concession 6 (the top of the photo is Concession 6) its far less distance abutting my back fence at 105 Homestead Drive. And to me it reads 1 meter.

Decks today are outdoor entertainment areas as Grey Forest describes in section 6.44 of the 88 page zoning bylaw document. I totally get it and am totally OK with Grey Forest building townhomes there. They build a great product.
My concern is the closeness of this deck to my back fence.

Regards,
Gary Guthrie



James Webber

**54 Frontier Drive, RR5
Niagara on the Lake, Ont. L0S 1J0
Canada**

T: [REDACTED]

E: [REDACTED]

4 April 2024

Town Clerk, Town of Niagara on the Lake
1593 Four Mile Creek Road, PO Box 100
Virgil, ON
L0S 1T0

(via e-mail: clerks@notl.com)

Files ZBA-02-2024 et al – Konik Estates, Phase 2

I am grateful for the opportunity to comment on this development proposal. I participated in the recent Open House and plan to attend the Public Meeting on April 9. Some of the issues I now raise were also raised at the Open House, but I wish to place my own thoughts on the record. My concerns fall under two broad headings: environment and traffic.

As far as environmental issues are concerned, the decision to allow the removal of over eight hundred trees from this site is not one that can be taken lightly. The environmental study provided by the developer suggests that the woodlot is not home to any endangered species of wildlife. That is obviously welcome news, though I note that at the recent Open House, one participant drew attention to the fact that a species of woodpecker has been seen nesting there.

However, as a local resident I can attest that a very wide variety of wildlife calls those trees home, including raccoons, coyotes, possums, squirrels, rabbits, various small rodents and even deer. Removal of the trees will be very damaging for those animals and will likely cause serious issues for residents – both people and domestic pets -- in the surrounding neighbourhoods.

The town might also wish to consider the impact that removal of the trees will have on the credibility of its tree bylaw. We regularly hear of residents being denied the right to remove even a single tree from their private property, and of course much of the controversy over the future of the Randwood Estate centres on a “historic” planting on that property. Why is it appropriate for the trees on the Konik development to be treated differently, and what will be left of the town’s tree bylaw if the removal of these trees is allowed to proceed with no requirement for mitigation?

In terms of traffic issues, the construction phase of this project will inevitably involve a major increase in traffic movements, including very many large trucks travelling daily to and from the site. It will be important for safety reasons to ensure that this traffic is restricted to routes that do not pass close to Crossroads School. This should be a condition of the town's approval of the project.

Once the development is complete, according to the traffic study provided by the developer, the additional traffic generated by the new homes in the development will not be sufficient to warrant any changes to the intersection of Line 2 and Highway 55. This intersection was previously studied in the context of the now-lapsed proposal to build a new medical centre adjacent to the Crossroads School property. That study reached the same conclusion as this more recent one, but many local residents strongly disagree.

It is encouraging to learn that the town already has plans to upgrade Line 2 Road itself. However, the intersection of this road with Highway 55 is very oddly-shaped and hazardous, particularly for traffic attempting to turn left (i.e. north) from Line 2 onto Highway 55. Serious consideration needs to be given to finding ways to make this intersection safer in advance of the anticipated increase in traffic. Straightening out the intersection would seem to be the minimum requirement, and either a three-way stop or a traffic light should be seriously considered.

I look forward to attending the public meeting on April 9 and to hearing both from the developer and from other stakeholders in this project.

Yours sincerely,

James A Webber

From: [Cassandra Cruickshank](#)
To: [Richard Huang](#)
Cc: [Aimee Alderman, MSc, MCIP, RPP](#)
Subject: RE: Notice of Complete Application, Open House, and Public Meeting - ZBA-02-2024, 26T-18-24-02 & 26CD-18-24-01 - Konik Estates Phase 2 North of Line 2 Road, East of Concession 6 Road, South of Homestead Drive and West of Frontier Drive, Niagara-on-the-...
Date: Friday, March 1, 2024 12:21:37 PM

Good afternoon,

Confirming receipt of your request to attend the Public Meeting on Tuesday, April 9, 2024.

Additional information will be sent ahead of the meeting.

I have cc'd Aimee Alderman to look into the below questions.

Thank you,

Cassandra Cruickshank
Administrative Assistant Corporate Services
Phone: 905-468-3266 Ext 248
1593 Four Mile Creek Road, PO Box 100, Virgil ON L0S 1T0

From: Richard Huang
Sent: Friday, March 1, 2024 9:50 AM
To: Clerks <clerks@notl.com>
Subject: Re: Notice of Complete Application, Open House, and Public Meeting - ZBA-02-2024, 26T-18-24-02 & 26CD-18-24-01 - Konik Estates Phase 2 North of Line 2 Road, East of Concession 6 Road, South of Homestead Drive and West of Frontier Drive, Niagara-on-the-...

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Hi Clerks,

I am a resident of Niagara-on-the-Lake, and I would like to **register to attend virtually for the Public Meeting on Tuesday, April 9, 2024 at 6:00 pm** regarding files ZBA-02-2024, 26T-18-24-02 & 26CD-18-24-01 – Konik Estates Phase 2 North of Line 2 Road, East of Concession 6 Road, South of Homestead Drive and West of Frontier Drive, Niagara-on-the-Lake. Thank you in advance for your help!

I have some questions that I hope the developer can answer ahead of time and during the meeting.

1. The lot has 800-1000 mature trees according to my rough count. Will the trees be removed for this development? How will all of the mature trees be replaced?
2. Line 2 Road is not in the greatest condition, with noticeable unevenness and potholes, etc. With the increase in vehicle traffic from this development, how will you address the increased demand on the already deteriorating road?
3. Crossroads Public School is a very busy school right on Line 2 Road. With the increased vehicle traffic from this development, how will you address the increased risk to pedestrian safety? Will you commit to building sidewalks along Line 2 Road from the development to the school to ensure the safety of pedestrians?
4. The proposal states the planned building of 160 homes. That seems like a lot of homes on a not so large piece of land. Can you share the design you have for the site so we can see how big the site is and how the homes will be placed? Also, can you share exactly how the road access will work for the homes? Also, can you tell us how you will address the increased strain on the public utilities (e.g. water, sewer, electricity, internet, gas, etc.) due to the increased demand from the new development?

Sincerely,

Richard Huang
Resident of Niagara-on-the-Lake

From: [Judith E. Allison](#)
To: [Aimee Alderman, MSc, MCIP, RPP](#)
Subject: RE: Comments Regarding Open House for Konik Estates Phase II
Date: Saturday, April 13, 2024 2:07:52 PM

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Hello Aimee...

Subsequent to your reply to my original e-mail (see e-mail string below), my wife and I were able to attend the in-person open house session at the Town Hall on April 8th. We were not able to schedule time to speak, so we are sending comments via e-mail related to our original concerns for your information, consideration and distribution.

Concern #1: We were pleased to hear the excellent citizen presentations about their concerns related to the future of the 800 fully mature coniferous trees and the importance of the preservation of these trees to Virgil and the wider NOTL community. We were however concerned about reference to these trees as part of a plantation or farm. Perhaps at some time in the past, this area would have fit this description but now this area has evolved into a very large section of land consisting of fully mature coniferous trees with all of the benefits that they provide to citizens, the community, to wildlife and to the environment in general. Accurate wording/description of this area as being an area of 800 fully mature trees (not a tree farm or plantation) is important.

Concern #2: The closeness of three intersections (Pierpoint, Riesling and the new Konik Estates Phase II intersection) which will all intersect with Line 2 within metres of each other was not directly spoken to at the meeting. Adding to our concern about this issue is the fact that new driveways onto Line 2 from 6 new Townhouses in the plans for Konik Estates Phase II will be "squeezed" between these three intersections. Further, as mentioned before, there is a strong possibility of a fourth intersection onto Line 2 from 431 Line 2 that was recently approved to be subdivided for potential future housing development. All of these intersections and driveways accessing Line 2 within metres of each other must be considered seriously and addressed before the approval of new developments are provided.

Concern #3: We were pleased to hear that NOTL is planning for the future upgrades and improvements on Line 2 related to the road and sidewalks presently in place in this area and that construction is forthcoming. We would emphasize that these improvements should occur sooner rather than later as Line 2 is already a dangerous pedestrian/traffic situation for school children and other Virgil citizens alike.

Finally, we would add that we support the excellent presentations we heard from citizens and the supportive questions added from councillors about the need of park/playground space to be

included in the Konik Estates Phase II development area. Given that there is high probability of other future Virgil housing development in the area of Line 2, the need for playground space for school age students, many of whom will likely be attending Crossroads Public School, should be included and emphasized in all Virgil/Line2 area planning.

We also learned that the Town has already accepted cash in lieu of park/playground development from the builder. This being so, there is a huge opportunity for the Town of NOTL to use this cash and any other in-lieu of park development cash received to develop a beautiful park area inclusive of the 800 mature trees that already exist, for all current and future Virgil residents to use and enjoy.

Thank you for your attention to these additional comments and we trust that this information will be shared and seriously considered.

Rob Allison
Pierpoint Drive

From: [Judith E. Allison](#)
To: [Aimee Alderman, MSc, MCIP, RPP](#)
Subject: Comments Regarding Open House for Konik Estates Phase II
Date: Tuesday, March 5, 2024 7:43:39 PM

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Good evening Aimee...

Over the last several days, I have left four separate voice mail messages in total with yourself and another Planning Department representative regarding my hope to express my thoughts and concerns about the recent signage erected on Line 2/Pierpoint Drive area about the Konik Estates Phase II development. Since I have not received any reply from either you or the other representative, I am hoping to share my concerns with you via the e-mail address that is indicated on one of the signs.

My name is Rob Allison and I live on Pierpoint Drive within a short distance of the indicated expansion of the Konik Estates Phase II.

I have three concerns regarding this expansion of Konik Estates

Concern 1: As currently pictured on the signage, the Phase II expansion of housing on Konik Estates Phase II plans will result in the destruction of hundreds (perhaps even a thousand or more) of fully mature coniferous trees that stretch from Line 2 all the way to Homestead Drive. This loss of trees and the benefits that trees provide would be devastating to the Virgil Urban Area and to NOTL as a whole. I would appreciate your feedback on the position of the NOTL Planning Department in this regard.

Concern 2: As currently pictured on the signage, there will be an intersection from Konik Estates Phase II to Line 2 a few metres west of the current Pierpoint Drive intersection with Line 2 and also, the separate current Riesling Drive intersection with Line 2 (I understand that Riesling Drive has not been assumed by NOTL, however many residents regularly use this laneway for access to and from Line 2). In addition, 431 Line 2 has recently been approved to be "subdivided" for potential future housing development behind that location. This could ultimately result in yet another intersection to Line 2 just a few more meters farther west. I would appreciate your feedback on the position of the NOTL Planning Department in this regard.

Concern 3: When the Konik Estates Phase II is completed, there will be a substantial number of new residents within this area, many of which will be children who will attend Crossroads Public School. Add to that, would be the potential of an additional housing development associated with any potential future planning behind 431 Line 2. This would result in a significant pedestrian travel along

Line 2, one of the most heavily travelled (often at excess speeds) line in Virgil. As of now, there are no municipal sidewalks stretching from Bordeaux Drive all the west way to Concession 6. Children walking to school and other residents walking in this area are required to use the road and/or the ditch to reach their destination. While not directly related to the current planning process, the Konik Estates Phase II will definitely negatively impact on an already dangerous traffic/pedestrian situation. I would appreciate your feedback on the position of the NOTL Planning Department in this regard.

Unfortunately, I will likely not be available for either the remote or in person Open House sessions described on Line 2/Pierpoint Drive signage. I would be very appreciative that these three concerns be included in any documentation related to planning review and decisions.

I look forward to your feedback regarding these three concerns,

I thank you in advance for your feedback,

Rob Allison
Pierpoint Drive

NOTICE OF COMPLETE APPLICATION KONIK ESTATES PHASE 2 : DRAFT PLAN OF SUBDIVISION QUESTIONS

(1) OPEN HOUSE

- Brief overview of what transpires
- Why is attendance only available electronically ?

(2) What is current zoning of property ?

(3) Developable density = 19.36 Units/ ha.

Is this classified as medium or high density ?

(4) There appears to be no area for Parkland within the subdivision.

Is that correct ?

(4a) Was there any Parkland dedication in Phase 1 that would serve both Phase 1 and 2 adequately?

(5) What are the building types in the '102 block townhouse dwelling units'

(Bungalow, Two-storey, Triplexes, Fourplexes)

(6) It appears that all the trees currently on the designated property will be removed.

Is that correct ?

(7) In the 'Demonstration & Landscape Plan' there are new trees delineated on the front yard of each unit?

What type of trees will be planted and their maturity ?

(8) There are trees delineated in the back yards of Lots 4, 5, 26, 27.

What type of trees and maturity ?

(9) It is presumed that all units will have sump pumps.

How/where will the water be discharged ?

(10) The intersection of Line 2 Road and Niagara Stone Road is currently very busy most of the year making left and right turns on to Niagara Stone Road difficult at times.

With the addition of 150 residential units this will cause further impairment.

Are there any plans to address this situation in conjunction with Regional government ?

(11) There are three lots identified as 50, 51 and 52 that front on to Concession 6 Road.

There is existing residential in this area with addresses 1537, 1529, and 1523 Concession 6 Road.

Have these lots been identified properly on the Draft Plan of Subdivision maps ?

From: Bob & Erika
Sent: Tuesday, March 19, 2024 9:41 AM
To: Aimee Alderman, MSc, MCIP, RPP
Subject: Fw: Konik Estates Phase 2 Questions
Attachments: [Konik Estates Phase 2 Questions.doc](#)

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Aimee:

Please advise status of response to queries submitted on March 6 (per e-mail below).

In addition, an update of the Open House held electronically yesterday has been received from one of the participants.

Of significant interest is fencing along the property line adjacent to approximately 19 existing residences predominantly in the Vineyards II subdivision.

There are 2 questions:

- (1) What specifically is denoted by the developer at this point in time
- (2) What are the requirements of the developer per subdivision planning approvals

Robert Buchkowksy

From: [Bob & Erika](#)
Sent: Wednesday, March 06, 2024 3:14 PM
To: aimee.alderman@notl.com
Subject: Konik Estates Phase 2 Questions

Aimee Alderman:

Per our discussion today questions relating to the Draft Plan of Subdivision for Konik Estates Phase 2 are in the Attachment.

After review please advise whether response is more appropriate in a meeting or via e-mail.

Thanks.

Robert Buchkowsky
10 Riesling Drive,
Niagara-On-The-Lake, Ontario,
L0S 1J0

Steve Mills
46 Pinot Trail
NOTL, ON, L0S 1J0

February 29, 2024

Town of Niagara on the Lake
Community & Development Services
PO Box 100, 1593 Creek Road
Virgil, ON, L0S 1T0



To whom it may concern

Re: Proposed Draft Plan for Konik Estates Phase 2

I am writing to express my concern with the proposed draft plan for Konik Estates Phase 2. Specifically, the removal of the plot of spruce trees adjacent to Vineyards II Community (VCA II) as part of this plan.

I understand there is a need for more housing in the area, however it seems irresponsible and short-sighted to tear out approximately 1000 mature trees in an area lacking in such vegetation. It also surprises me to hear that an "environmental assessment" showed no significant impact on wildlife if this were to happen. There is a variety of wildlife in this treed area and every spring those trees become home for thousands of nesting birds.

I know many, if not all, residents in our VCA II neighbourhood would like at least a portion of the trees to remain. I would also think that the new subdivision would benefit from having mature spruce trees on or behind the new properties being built.

Please consider the effect that the removal of these trees would have on the environment and wildlife in the area, and if their removal is necessary to the proposed plan.

I am asking that the planned removal of these trees be stopped.

Sincerely,

Steve Mills



From: Browns Point
Sent: Monday, April 15, 2024 7:51 AM
To: Cassandra Cruickshank
Cc: Clerks; Aimee Alderman, MSc, MCIP, RPP
Subject: Konik Phase 2

Follow Up Flag: Follow up
Flag Status: Completed

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Good Morning

I'm following up on my question from last week prior to the Committee meeting.

Is a developer permitted to begin construction of an additional phase without completion of Phase 1?

Correct me if I'm wrong, I may have read that while searching Municipal by-laws.

Thank you in advance.

Regards,

Tanya Rice

456 Line 2 Road

Sent from my iPhone while Out & About

From: Browns Point
Sent: Friday, April 19, 2024 8:08 AM
To: Aimee Alderman, MSc, MCIP, RPP
Subject: Re: Konik Phase 2

Follow Up Flag: Follow up
Flag Status: Completed

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Good morning Ms. Alderman

Thank you, your reply is very appreciated and addresses my question satisfactory.

There's a significant amount of standing water on the two properties (Phase 1 & 448 Line 2), I hope this issue will be addressed prior to mosquito season.

We don't believe the current road conditions of Line 2 can support the building of two (3 unit) townhomes. Six additional driveways with the potential of twelve cars daily utilizing Line 2 would absolutely be an impediment to our neighbourhood.

Thank you for making yourself available.

Regards,

Tanya Rice

456 Line 2 Road, NOTL

March 13/2024

Re: Files ZBA-02-2024, 26T-18-24-02 & 26CD-18-24-01 – Konik Estates Phase 2 North of Line 2 Road, East of Concession 6 Road, South of Homestead Drive and West of Frontier Drive, Niagara-on-the-Lake

Attention: Mr. Bivol

Dear Sir

My husband Peter & I are the registered property owners and reside fulltime at 456 Line 2 Road, Niagara on the Lake. Our home is located in close proximity to the proposed developed (Konik Estates Phase2) as referenced in the Files above.

In general, we are not opposed to the overall site plan. Our concern is focused primarily on BLOCK 53 and BLOCK 54 as indicated directly on Line 2 Road, proposed two rows (3 units each) of townhouses. This particular end of Line 2 has experienced not only an increase in vehicular traffic but excessive speeding. Traffic and speeding have increased dangerously since the speed cameras became operational (2024) in the vicinity of Crossroads School.

*locals tend to use Line 2 as a “cut through” off Niagara Stone Road to avoid the cameras and speeding penalties.

Perhaps prior to committing to building of townhouses on Line 2 (Blocks 53 & 54) the initial Transportation Impact Study (dated: December 18/2023) can be revisited.

<https://www.notl.com/sites/default/files/2024-02/Transportation%20Impact%20Study%20%28December%2018%2C%202023%29.pdf>

We also have grave concerns regarding the amount of visitor cars that will utilize parking on Line 2 directly in front of the townhouses. Additional parked cars will limit foot traffic as we don't have sidewalks in the proposed area of Blocks of 53 & 54. Townhouses should be built within the boundaries of proposed (Block 55) Streets A, B, C or D, thus keeping the over all concept of single family (detached) dwellings. Currently townhouses are not built on Line 2 Road, and should not be permitted.

*six additional driveways in close proximity would not be aesthetically in this neighbourhood!

We wish to be notified of all future decision(s) with respect to the above applications.

Respectfully,

Tanya & Peter Rice
456 Line 2 Road, Niagara on the Lake