

**John Federici, MCIP, RPP**

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**From:** Kenneth Enns <[REDACTED]>  
**Sent:** November 19, 2024 12:25 PM  
**To:** John Federici, MCIP, RPP  
**Cc:** Harry Althorpe  
**Subject:** Re: Cornerstone Townhouses North East Boundary Marker  
**Attachments:** 23-201\_1570 Niagara Stone Road - Landscape ZBA 2 Submission (2024-11-18).pdf

**CAUTION:** This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Good Afternoon John,

I appreciate trees #56, #57 and #58 on my neighbours property identified and included on the updated Tree Protection Plan. The responses don't mention the white spruce, tree #59, The updated TPP identifies it as a saved tree, just like to ensure it isn't mistakenly cut down.

To be clear, the fence that encroaches onto Cornerstone lands is not the reason I thought the trees were improperly identified. The fence is at quite an angle, there's little doubt it's on Cornerstone property.

I was unaware trees #58 and #59 were not shown on the original TPP when matching trees in my neighbours yard with what was shown on the TPP.

Thank you for keeping me informed.

Ken

On Nov 19, 2024, at 10:14 AM, John Federici, MCIP, RPP <john.federici@notl.com> wrote:

Morning Kenneth,

Further to the correspondence below, please see attached the updated Tree Protection Plan ("TPP") and Landscape Plan which was sent to me today. The full resubmission has not been provided or posted on the Town's website yet, but I wanted to send this along as I know you have concerns.

Below are the responses I received to the comments you provided:

1. "There were trees on the neighbouring lands that were not originally identified on the TPP. They were not identified as they do not meet the Town's tree by-law size regulation of 12.5cm DBH. Nonetheless, we've now identified them for

illustration purposes to address the comments, so #56, #57 & #58 on the adjacent lands are identified, though they do not meet the size regulation of the Tree By-law and are voluntarily included.

2. Tree #50 is on the subject lands, not the neighbouring lands. As I noted below, I assume the neighbour thought they were improperly identified because their fence was constructed on an angle, encroaching onto the Cornerstone lands."

If you have any further comments, please let me know.

Regards,

**John Federici, MCIP, RPP**  
**Senior Planner**

john.federici@notl.com

Town of Niagara-on-the-Lake  
1593 Four Mile Creek Road  
P.O. Box 100, Virgil, ON L0S 1T0  
**Telephone:** (905) 468-3266  
**Website:** www.notl.com

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**From:** Kenneth Enns <[REDACTED]>  
**Sent:** October 4, 2024 10:10 AM  
**To:** John Federici, MCIP, RPP <john.federici@notl.com>  
**Cc:** Harry Althorpe <Harry.Aldhorpe@notl.com>  
**Subject:** Re: Cornerstone Townhouses North East Boundary Marker

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Thank you both for all your help.

Kenneth Enns

On Oct 4, 2024, at 10:03 AM, John Federici, MCIP, RPP  
<[john.federici@notl.com](mailto:john.federici@notl.com)> wrote:

Thanks for confirming Harry - I have passed along this message to the applicant.

Regards,

**John Federici, MCIP, RPP**  
**Senior Planner**

john.federici@notl.com

Town of Niagara-on-the-Lake  
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**From:** Harry Althorpe <[Harry.Althorpe@notl.com](mailto:Harry.Althorpe@notl.com)>  
**Sent:** October 4, 2024 9:26 AM  
**To:** John Federici, MCIP, RPP <[john.federici@notl.com](mailto:john.federici@notl.com)>; Kenneth Enns  
[REDACTED]  
**Subject:** RE: Cornerstone Townhouses North East Boundary Marker

Hi John,

Yes, the footnotes are valid and correct. Tree ownership does need to be accurately depicted on the TPP though, so if tree #50 is not completely on the subject site as stated, that must be updated. If the White Spruce mentioned is within 6m of the property line, it also needs to be added to the TPP.

Thank you

**Harry Althorpe**  
**By-Law Enforcement Officer - Urban Forestry**

Harry.Althorpe@notl.com

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**From:** John Federici, MCIP, RPP <[john.federici@notl.com](mailto:john.federici@notl.com)>  
**Sent:** Friday, October 4, 2024 9:00 AM  
**To:** Kenneth Enns <[REDACTED]>  
**Cc:** Harry Althorpe <[Harry.Althorpe@notl.com](mailto:Harry.Althorpe@notl.com)>  
**Subject:** RE: Cornerstone Townhouses North East Boundary Marker

Morning Kenneth,

Thanks for bringing this to our attention. I have copied Harry Althorpe, the Town's Urban Forestry By-law Officer, for his input and to confirm whether

my thinking is correct below. Harry, for context, this is the OPA, ZBA and Draft Plan of Condo applications under review at 1570 Niagara Stone Road.

The footnotes of the attached Tree Protection Plan state that no trees shall be removed prior to municipal approvals of the Tree Management/Tree Preservation Plan. It further states that boundary trees are protected under the Ontario Forestry Act and that boundary trees are considered co-owned property. The Forestry Act indicates that it is a prosecutable offense for one co-owner to injure or cut down a boundary tree without the co-owners permission. Written permission from the neighboring property owner is required prior to removal or injury of any boundary tree, or any tree that is not fully on the subject property.

Harry – can you please confirm the validity of these footnotes? Please also advise whether the Tree Protection Plan would require revision to reflect Ken's observation, perhaps through a separate email so that I can pass that along to the applicant if needed.

Ken – if Harry confirms the above is correct, I don't think this is a cause for concern as the applicant would require written permission from yourself prior to removal or injury of a boundary tree or tree on your property.

Hope this helps.

Regards,

**John Federici, MCIP, RPP**  
**Senior Planner**

john.federici@notl.com

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**From:** Kenneth Enns [REDACTED]  
**Sent:** October 3, 2024 1:54 PM  
**To:** John Federici, MCIP, RPP <[john.federici@notl.com](mailto:john.federici@notl.com)>  
**Subject:** Re: Cornerstone Townhouses North East Boundary Marker

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Good afternoon John,

Thank you for sending the *30R Plan*, it helped locate the survey marker at the N/E corner of the property.

The survey marker confirms tree #50, the Eastern White Cedar, on is clearly on my neighbours property, Lot 34 - Part 2.

In addition, there is a White Spruce on the north side of the survey marker that is not identified on *Tree Protection Plan L-1*. This White Spruce is also on my neighbours property.

Could the *Tree Protection Plan* be updated to include this White Spruce, and show the correct location of these trees on the north side of the boundary?

It's important the trees on the neighbours property, Lot 34 - Part 2, are not cut down by the applicant.

For clarity, I put an orange stake next to the survey marker.

Thank you,  
Ken

On Oct 1, 2024, at 12:34 PM, Kenneth Enns  
<[REDACTED]> wrote:

Good afternoon John,

I scrolled back to September 17<sup>th</sup> and the email you sent was in my Junk folder. This explains why I missed it. Not sure why Hotmail would do that, your contact information is up to date, but my apologies.

I have reason to believe at least one of the coniferous trees slated to be cut down may not be located on the applicant's property, but on my neighbour's property, Lot 34. A boundary stake is crucial to confirm this.

Thank you,  
Ken

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**From:** John Federici, MCIP, RPP <[john.federici@notl.com](mailto:john.federici@notl.com)>  
**Sent:** October 1, 2024 8:47 AM  
**To:** Kenneth Enns <[REDACTED]>  
**Subject:** RE: Cornerstone Townhouses North East Boundary Marker

Hi Kenneth,

I had provided a response on September 17<sup>th</sup> – please see attached.

The applicant has advised that they are not planning to stake the boundaries.

If you have any other questions, please let me know.

Regards,

**John Federici, MCIP, RPP**  
**Senior Planner**

john.federici@notl.com

Town of Niagara-on-the-Lake  
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**Telephone:** (905) 468-3266  
**Website:** [www.notl.com](http://www.notl.com)

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**From:** Kenneth Enns <[REDACTED]>  
**Sent:** September 30, 2024 12:39 PM  
**To:** John Federici, MCIP, RPP <[john.federici@notl.com](mailto:john.federici@notl.com)>  
**Subject:** Re: Cornerstone Townhouses North East Boundary Marker

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Good afternoon John,

Has the applicant indicated when the property stake will be identified?

Thanks,  
Ken

On Sep 12, 2024, at 10:39 AM, Kenneth Enns  
<[kenns@hotmail.com](mailto:kenns@hotmail.com)> wrote:

Thanks John.

Yes, I'm asking for the boundary stake to be identified on the property.

Much appreciated,  
Ken

On Sep 12, 2024, at 10:05 AM,  
John Federici, MCIP, RPP  
<[john.federici@notl.com](mailto:john.federici@notl.com)> wrote:

Morning Ken,

Thank you for your comment.

To be clear, are you asking for the boundary stake to be identified on the property? I can follow up with the applicant once you confirm.

Regards,

**John Federici, MCIP, RPP**  
**Senior Planner**

[john.federici@notl.com](mailto:john.federici@notl.com)

Town of Niagara-on-the-Lake  
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**Telephone:** (905) 468-3266  
**Website:** [www.notl.com](http://www.notl.com)

---

**From:** Kenneth Enns

<[REDACTED]>

**Sent:** September 12, 2024 9:41 AM

**To:** John Federici, MCIP, RPP

<[john.federici@notl.com](mailto:john.federici@notl.com)>

**Subject:** Cornerstone Townhouses  
North East Boundary Marker

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clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Good morning John,

The North East boundary stake is not visible. Could the surveyor please identify the stake.

Thank you,  
Ken

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**John Federici, MCIP, RPP**

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**From:** John Federici, MCIP, RPP  
**Sent:** August 23, 2024 9:38 AM  
**To:** Kenneth Enns  
**Subject:** RE: Comments and questions for public meeting

Morning Kenneth,

I have passed along your comments to Jennifer Vida of Hummel Properties, and she has advised that the grass at the northeast end of the property will be cut as soon as possible.

Thank you for bringing this to our attention. If there are any other issues, please let me know and I will pass the message along to Jennifer.

Have a nice weekend,

**John Federici, MCIP, RPP**  
**Senior Planner**

john.federici@notl.com

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1593 Four Mile Creek Road  
P.O. Box 100, Virgil, ON L0S 1T0  
**Telephone:** (905) 468-3266  
**Website:** www.notl.com

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**From:** John Federici, MCIP, RPP  
**Sent:** Thursday, August 8, 2024 2:12 PM  
**To:** Kenneth Enns <[REDACTED]>  
**Subject:** RE: Comments and questions for public meeting

Hi Kenneth,

Thank you for your comments and questions. I have filed them and they will be considered as part of the review of the applications at 1570 Niagara Stone Road.

I have responded as best as I can to the questions you have asked. Please see my responses in **green** below.

If you have any other comments or questions, please let me know.

Regards,

**John Federici, MCIP, RPP**  
**Senior Planner**

john.federici@notl.com

Town of Niagara-on-the-Lake  
1593 Four Mile Creek Road  
P.O. Box 100, Virgil, ON L0S 1T0  
**Telephone:** (905) 468-3266  
**Website:** [www.notl.com](http://www.notl.com)

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**From:** Kenneth Enns <[REDACTED]>  
**Sent:** Wednesday, August 7, 2024 3:05 PM  
**To:** John Federici, MCIP, RPP <[john.federici@notl.com](mailto:john.federici@notl.com)>  
**Subject:** Comments and questions for public meeting

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Good afternoon John,

Further to our conversation last Wednesday July 31, some comments and questions for the Clerks Department to include at the September 10th public meeting.

The proposal at last year's severance meeting was for single family detached homes along the north side of the property. Based on that, I made no objections at that meeting. How did it go from single family detached to 14 townhouses?

The Consent application was to sever the lands from the Cornerstone Church property. It is my understanding that no development was proposed at that point in time.

The Teams open house did not include back and side elevation drawings. Please make these available?

All of the application documents are posted on the Town's website here: [1570 Niagara Stone Road \(OPA-03-2024, ZBA-09-2024, and 26CD-18-24-03 - Corner Stone Condominium\) | Town of Niagara-on-the-Lake \(notl.com\)](#)

The elevations for the proposed apartment building are here: <https://www.notl.com/media/5006>

What is the height of the proposed townhouses?

The height of the proposed townhouses appear to be 9.76 metres. Drawings are available at the link provided above.

Are balconies proposed for the north side?

Yes, it appears that balconies are proposed on all sides of the apartment building. Please see drawings in the link above.

Can we have assurances the 5 evergreen trees at the east end of the north boundary will not be cut down? They provide invaluable natural privacy. 2 pictures attached.

It appears that the 5 evergreen trees you are referring too are proposed to be removed. However, there are new plantings proposed. See the Tree Protection Plan and Landscape Plan here: <https://www.notl.com/media/5015>

The grass at the N/E end of the property has not been cut since the developer took possession. The weeds in one area are over 5' high. See pictures.

This is not relevant to the development applications. Please contact by-law enforcement if you'd like to file a complaint.

Thanks again for your time last Wednesday. Please let me know if there is anything else you need from me.

Ken Enns

## John Federici, MCIP, RPP

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**From:** Dorothy Froese <[REDACTED]>  
**Sent:** September 6, 2024 10:20 AM  
**To:** John Federici, MCIP, RPP; Clerks  
**Subject:** Files OPA-03-2024, ZBA-09-2024 and 26CD-18-24-03 (Corner Stone Condominium)  
1570 Niagara Stone Road, Niagara on the Lake

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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## Town of Virgil

Re: Proposed development known as Cornerstone Development  
1570 Niagara Stone Road  
Virgil, Ontario,  
L0S 1T0

Dorothy Froese  
5 Elden Street  
P.O. Box 347,  
Virgil, Ontario  
L0S 1T0  
[REDACTED]  
[REDACTED]

September 6, 2024

Mr. John Federici,  
Senior Planner Town of Niagara on the Lake,  
1593 Four Mile Creek Road.  
P.O. Box 100,  
Virgil, Ontario  
L0S 1T0  
905-468-6441

Lord Mayor Gary Zalepa and Council Members  
1593 Four Mile Creek Road,

P.O. Box 100,  
Virgil, Ontario  
L0S 1T0

My name is Dorothy Froese, my address is 5 Elden Street, I live directly across the street from the proposed cornerstone Condo Development.

I would like to say I am NOT apposed to development, IF the development makes sense. I have no concerns regarding the proposed townhomes, I believe they do conform with the existing homes in the area, each proposed unit provides 2 car park spaces and is 2 storeys very similar to the existing homes in the area of approximately 20' in height.

I do however, have an issue and a huge concern regarding the 52' high condo/apartment building 4 storeys plus the roof top terrace making this building actually 5 stories in height at least, depending on how high they decide to build it above ground level. These units will be towering over ALL the existing residential homes in the area completely destroying the peace and privacy of the residents who live here.

According to a 2021 study by Global Database a Canadian website the average household size is 2.51 persons. Based on 24 family units, it is estimated that 45-60 people could be living in this proposed condo/apartment building. The plan has designated 1 parking spot per household for the condo's/apartments on the first level. According to Forbes.com in 2022 most households 91.7% have at least 1 vehicle and 37% of households have 2 vehicles, with a total of 24 available parking spaces and 12 shared/visitors parking spaces for the entire proposed complex, making this proposal a huge safety concern and also makes this proposed complex totally illogical, where do the developers propose that the overflow of vehicles park?

I understand that the Province has asked for more housing, however even the Premier Doug Ford has said that any new development in already existing neighbourhoods should conform to the neighbourhood. Anyone with common sense can see that the proposed 52' high condo's do NOT conform and will tower over the single family homes destroying the landscape as well as the peace and comfort and privacy of the existing residents who have lived in this area for decades.

Regardless of what the traffic study say's in their reports, vehicle traffic is and will be a major concern with the lack of suitable parking spaces of the proposed condo's and the truck traffic of the nearby co-op on Field Rd. parking no doubt will be on Elden Street, Field Rd. and Penner Street making this area a safety hazard. Currently many people including residents from Pleasant Manor and children from this area walk to the grocery store and other amenities in the town of Virgil. I witnessed a senior from Pleasant Manor almost get run over by a truck.

Developing this area into townhomes /single family homes would comply with all the criteria, meeting the provinces request for more housing and conforming to the existing neighbourhood while also reducing the safety concern issues.

In addition, this type of development would be good for the developers/investors to get a good return on their investment dollars as well as keeping good relationships with the town and the residents of this community.

I am asking that the Niagara on the Lake Council members please do NOT change the zoning to allow a 52' high building in this small space, setting a precedent for future development in residential areas and changing our reputation of a quaint quiet beautiful town often cited as the world's eighth wonder.

Respectfully

Dorothy Froese

Sent from my iPad

## John Federici, MCIP, RPP

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**From:** Cassandra Cruickshank  
**Sent:** August 6, 2024 11:32 AM  
**To:** [REDACTED]  
**Cc:** Clerks; John Federici, MCIP, RPP  
**Subject:** Files OPA-03-2024, ZBA-09-2024, and 26CD-18-24-03 (Corner Stone Condominium)  
1570 Niagara Stone Road, Niagara-on-the-Lake  
**Attachments:** 1570 Niagara Stone Road Niagara-on-the-Lake.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello,

Thank you for your comments regarding the proposed Zoning By-law Amendment Application for 1570 Niagara Stone Road.

Town Staff have made note of the comments in your email and will consider these in our review of the application.

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

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**From:** Mary Janzen <[REDACTED]>  
**Sent:** Tuesday, August 6, 2024 11:29 AM  
**To:** Clerks <clerks@notl.com>  
**Subject:** Re: Files OPA-03-2024, ZBA-09-2024, and 26CD-18-24-03 (Corner Stone Condominium) 1570 Niagara Stone Road, Niagara-on-the-Lake

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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Good morning,

Please accept the attached letter in response to the Notice of Complete Application, Open House and Public Meeting that I received regarding the subject property.

I ask that you kindly forward this letter to the appropriate departments and I am comfortable with it becoming part of the public record.

I would also like to be notified of the future decision with respect to the application.

A notification can either be sent by email to: [REDACTED] or mailing address: Marý Janzen, P.O. Box 355, Virgil, ON L0S 1T0.

Please let me know if anything else is required and I wish you a wonderful day!

Sincerely,  
Marý Janzen



August 5, 2024

Niagara-on-the-Lake Town Hall  
1593 Four Mile Creek Road, P.O. Box 100  
Virgil, ON  
L0S 1T0

Attention: Clerks Department

**Re:** Files OPA-03-2024, ZBA-09-2024, and 26CD-18-24-03 (Corner Stone Condominium)  
1570 Niagara Stone Road, Niagara-on-the-Lake

I would like to start this letter by saying that I am so happy to hear that you are addressing the housing crisis that has plagued so many people in this area. I fully support the development of new housing, however; I do have several concerns.

You state that the Corner Stone Condominium will consist of 14 townhouse dwelling units and a four (4) storey apartment building.

I agree with the townhomes. Townhomes are great places for new couples, families, and retirees, and provide the space and capacity to thrive. Our Village of Virgil is made up of these types of accommodations already, one and two storey homes.

I have a serious problem with the four (4) storey apartment building. People move to this area to get away from the hustle and bustle of Toronto and St. Catharines living. The purpose of providing people with affordable housing in this area is not to squish them in like sardines. People in Virgil own property, have beautiful backyards, and a quiet environment. I feel that a four (4) storey apartment building would be completely detrimental to this area. It would be an eyesore and increase the density of our Village to a capacity that we wouldn't be able to handle. The height of the building is a huge concern as many of us have private backyards that we have enjoyed for over 70 years. A structure this large has never dominated our Village core and is not welcome here. If this building is approved, I fear that it will be the beginning of many, and one day our Village won't be any different than a downtown city. I thought that we were trying to preserve our heritage.

I ask that the Town of Niagara-on-the-Lake reconsider this proposal, and that the developers re-redesign a housing complex that is more suitable to our community. Please help to preserve our community.

With many thanks,

A handwritten signature in cursive script that reads "Mary Janzen".

Mary Janzen  
20 Field Road, Virgil