

**Agency Comments – 9 & 11 Kerman Avenue**

**Public Open House – January 10, 2022**

Comments	Consultant	Response
<p>A summary of comments by theme from the Open House is below:</p> <ol style="list-style-type: none"><li>1 Timeframe<ul style="list-style-type: none"><li>○ What is the timeframe for approval of the project?</li></ul></li> <li>2 Grading<ul style="list-style-type: none"><li>○ Different grading and elevation to side abutting proposal (Sumac Court); assumption that grading would be smoothed?</li></ul></li> <li>3 Sidewalks<ul style="list-style-type: none"><li>○ Understand that existing cul-de-sac would be narrowed, sidewalk on the south side of the street (Sumac Court) to accommodate?</li></ul></li></ol>		<ol style="list-style-type: none"><li>1 Timeframe: Zoning and Draft Plan approval should be in hand Fall 2022. Following which conditions of approval will be addressed and a Site Plan application will be submitted and reviewed by staff. Generally, a Site Plan review can take between 6-8 months. It is expected that servicing work will begin in Spring 2023, followed by house construction in late Summer 2023.</li> <li>2 Grading: Detailed grading design will be reviewed at the Site Plan stage, but the general rule of thumb is that a development must meet existing grades at the surrounding property line. That can be achieved via max. 3:1 slope or with retaining walls.</li> <li>3 Sidewalks: The existing cul-de-sac will be removed and a typical road cross section will be extended to the mutual property limit and a new cul-de-sac will be designed to municipal</li></ol>

<p>4 Street Character</p> <ul style="list-style-type: none"> <li>○ Preference of single-family homes along Kerman Avenue</li> <li>○ Kerman Avenue characterized by large, historic homes, with RD1 zoning to protect character</li> <li>○ Kerman Avenue was completely repaved in Fall 2020, should be protected</li> <li>○ Concerned that development doesn't reflect unique nature of street – existing housing all singles, not semis</li> </ul>		<p>standard will be constructed within the development. Additionally, the developer will be required to construct a municipal sidewalk on the south side of Sumac Court which extends to the intersection of Linden Lane.</p> <p>4 Street Character: The development layout has been revised to remove 3 lots at the Kerman development entrance to be replaced with one large lot that will face Kerman and which is more reflective of the existing character. The proposed zoning has been changed to a modified RD1 zone to reflect the new lot configuration and proposed dwelling.</p> <p>The developer and his engineering consultant have reviewed all available servicing options and unfortunately the stormwater sewer on Kerman is the only way to service the development. The developer will be responsible for the cost of sewer construction and repaving Kerman.</p> <p>In general, the existing built form on Linden and Sumac is consistent with much of the Grimsby urban area, which is suburban subdivisions</p>
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<p>5 Development</p> <ul style="list-style-type: none"> <li>○ Prefer 1 single lot fronting Kerman Avenue instead of 2 lots to maintain compatibility – changing lots 1-4 to one large lots a good alternative</li> <li>○ Greens space area should be moved over to current location of lots 5-6 to line up better with Blessed Trinity</li> <li>○ Concerned about having multiple entrances into development for vehicles cutting through</li> <li>○ Concerned about how Sumac Court extension would work – site lines issues, many driveways with cars backing out, potential collision zone</li> <li>○ Potential solution of ‘island style median’ to make cul-de-sac roundabout style</li> <li>○ Potential speed bumps and stops, signage discouraging through traffic through site?</li> <li>○ Concerned about private road connection as opposed to public road – who can use it? Will encourage non-residents to cut between Kerman and Main</li> </ul>		<p>containing predominantly single detached dwellings. The area is not inherently unique.</p> <p>The development proposes low-density housing in an existing low-density area; single detached dwellings and semi-detached dwellings are compatible land uses with one another.</p> <p>5 Development: The development layout has been revised to remove 3 lots at the Kerman development entrance to be replaced with one large lot that will face Kerman and which is more reflective of the existing character.</p> <p>The open space area cannot be moved from its location due to an existing overland drainage swale on the neighbouring property.</p> <p>The development interface with the extended cul-de-sac has been modified slightly by reorienting two units to face the internal road. There will still be three private driveways and the two site entrances utilizing the cul-de-sac.</p> <p>The two site entrances will function with internal stop control much like a public intersection. Traffic calming in</p>
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<p>6 Traffic</p> <ul style="list-style-type: none"> <li>○ Kerman Avenue used as connector between Livingston Avenue and Main Street West; Kerman &amp; Main intersection dangerous due to limited visibility</li> <li>○ No traffic calming measures on Kerman Avenue, leads to excessive speeds of cars / buses</li> <li>○ Concerns about no traffic impact studies being provided</li> <li>○ Concerned about proximity of Sumac extension and Linden Lane – potential traffic calming measures?</li> <li>○ Concerns about potential traffic congestion, potential 94 vehicles</li> </ul>		<p>the municipal right of way was reviewed but deemed not appropriate by Town staff.</p> <p>It is expected that both the development entrance at Kerman and from Sumac will have signage alerting the public that they are entering a private space. Further, the internal roads and entrances are designed differently from a typical municipal road so there will be a distinct visual difference between the public and private realm. Further, there are existing “No Exit” signs at the Linden Lane and Main Street intersection that will remain in place which will discourage cut-through traffic.</p> <p>6 Traffic: If there are existing traffic/safety concerns on Kerman due to excessive speeds it is not expected that the development would exacerbate that. If traffic calming measures on Kerman are necessary, that is a matter that Town staff would have to review and address outside of this application review.</p> <p>A traffic impact study reviews the potential development impact on</p>
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<p>7 Storm drainage</p> <ul style="list-style-type: none"> <li>○ Would be shame for newly paved street to be dug up, would disrupt neighbourhood; Suggest existing storm drainage outlet be upgraded with Town’s assistance</li> </ul>		<p>adjacent intersection functionality. The project has been reviewed by both Town and Regional staff who have determined that there will be negligible impact given the low number of units being proposed.</p> <p>There will be an increase in traffic using Linden and Sumac but the introduction of 44 units will not cause new congestion to materialize.</p> <p>7 Storm drainage: The developer and his engineering consultant have reviewed all available servicing options and unfortunately the stormwater sewer on Kerman is the only way to service the development. The developer will be responsible for the cost of sewer construction and repaving Kerman.</p>
<p><b>Public 1 – January 11, 2022</b></p>		
<p>Comments</p>	<p>Consultant</p>	<p>Response</p>
<p>Further to the public meeting held via ZOOM last night we would like to add two comments:</p> <p>1. We support the proposal made concerning creating a round-about in the proposed Sumac Court extension by adding an island and allowing only one-way traffic. This would ensure a more efficient traffic flow and lower the risk of accidents.</p>		<p>1. The option to include a landscaped island in the cul-de-sac was reviewed with Town staff who determined that it was not feasible for operations of snowplows and waste collection vehicles. The introduction of a one-</p>

<p>2. We would also like to say that the developer, Jim Tarbutt has been very open and cooperative. He has reached out to us and others in the neighborhood to address any concerns we might have and to discuss the development.</p> <p>Lynn &amp; Roy Walton 60 Sumac Court</p>		<p>way traffic within the private lane would not be permitted due to the identification of the lane as a fire route.</p>
<p><b>Public 2 – January 13, 2022</b></p>		
<p>Comments</p>	<p>Consultant</p>	<p>Response</p>
<p>This is a written summary of the concerns we voiced at the public open house on January 10th regard the development on 9 &amp; 11 Kerman Avenue. We hope these concerns are further discussed and considered by those involved.</p> <p><b>Concern #1: Sumac Court Extension and Entrances to Development</b> This development proposes an eastern Sumac Court extension with two entrances to the private development that further connects to Kerman Ave. Currently there is no traffic related information provided such as a line marking plan or what traffic control measures are to be used. It is questionable how this Sumac Court extension will work as an intersection. There are serious issues with the traffic operation of how it would work as it is essentially a wide court being treated as a 3 way intersection. The court intersection could be dangerous due to sightline issues and many driveways with vehicles backing out. The proposed extension is wacky races waiting to happen and is a potential collision zone.</p> <p>Additionally, are there considerations being made in regards to the proximity of the new development to the Sumac Court and Linden Lane intersection. Will this intersection turn into an all way stop intersection to accommodate the traffic? These are considerations that need to be thought of before approval and must not be an afterthought.</p> <p>Overall, we are not sure how the Town can be satisfied with the safety and operation of the current configuration of the entrances to the development from the new Sumac Court extension. However, a potential solution would be</p>		<p>1 The development interface with the extended cul-de-sac has been modified slightly by reorienting two units to face the internal road. There will still be three private driveways and the two site entrances utilizing the cul-de-sac.</p> <p>The two site entrances will function with internal stop control much like a public intersection. Traffic calming in the municipal right of way was reviewed but not deemed appropriate by Town staff.</p> <p>The existing intersection of Linden and Sumac operates with stop control for traffic moving in a northerly direction. Staff have not identified a need for further stop control due to the development.</p>

to have an island style median in middle of the proposed Sumac Court extension which would force one directional driving. It would turn the proposed extension into a roundabout style intersection. This has already been done in Grimsby on Sophie Court and Queens Court. An island median in the court extension would add visual separation between the existing development on Sumac Court and the new development. Additionally, it would simplify the intersection/entrances mess and avoid the traffic safety hazards as all vehicles would be forced to drive and turn in one direction. This would prevent vehicles from driving right through and it would also act a traffic calming measure.

A diagram of the proposed solution for the Sumac Court extension is shown below:



**Concern #2 - Private Road**

The development provides a connection between Kerman Ave and Sumac Court; however, this is by way of a private road rather than a public road. There are issues with having a private road that connects two existing public roadways. This is especially due to the legality of who can use it. Having a

2. The site entrances to both Kerman and Sumac Court will function with internal stop control much like a public intersection.

connection will encourage non-residents to travel through the private development as a route from Main Street to Kerman Ave and vice versa.

However, the nature of a private road is that it is not for the use of non-residents. Private condominium roads are typically defined as roads entirely on private property to serve the residential units on that property and with limited potential to carry non-local traffic. Private road developments by their very nature should be one-way in one-way out and not serve as a connection for non-residents. Using a private road to connect two public roads that could provide an additional link for non-residents is problematic. Private road condominium developments are typically used when space is limited and where a public road development would not be feasible. We saw this locally with the development of Heritage Lane on Main Street West.

Additionally private road developments such as this contribute to the further privatization of sidewalks and green space in our town. This area of town already has limited access to town parks, and it would be appreciated to have a proposed amenity space that could actually be used by neighbouring residents.

Strict traffic measures are needed at a minimum to facilitate this questionable private road use. Measures such as speed bumps, and signage on Linden Lane, Sumac Court and within the development are needed to deter non-residents from using the connecting private roads.

If the intended use of the development is to connect Sumac Court and Kerman Ave. for the community than this should be way of public road. It would be in the best interest of the community to have increased connectivity rather than further divisions. However, one option being discussed is to only have one entrance to the development. If the decision must made between Sumac Court and Kerman Avenue for the entrance, Kerman Avenue is the by far most appropriate road entrance that can facilitate the development and the traffic volumes. It would be very concerning to have the existing 21 single detached homes on Sumac Court and Linden Lane, plus the 5 homes proposed on linden

It is expected that both the development entrance at Kerman and from Sumac will have signage alerting the public that they are entering a private space. Further, the internal roads and entrances are designed differently from a typical municipal road so there will be a distinct visual difference between the public and private realm. Further, there are existing "No Exit" signs at the Linden Lane and Main Street intersection that will remain in place which will discourage cut-through traffic from the general public who are not aware of the new connections. Residents and visitors will be able to access the development from either Kerman or Sumac/Linden.

During the initial design stage, the inclusion of a public road was reviewed but it was not deemed feasible due to the lack of width to achieve both the minimum Town requirement for a right of way and a reasonable depth for lots on either side of the road.

There is no proposal to modify the development to remove one of the entrances. The development is proposing the merger of lots facing



Lane, and the 44 plus units proposed all using Linden Lane as the only access in and out.

*We only bring up the idea of closing one of the developments entrances as there had been information circulating within the neighbourhood since at least October that lots 1,2,3, and 4 would be amalgamated to create one larger lot on Kerman Avenue, supposedly for the owner of the development to build his own house. Additionally, the entrance to Kerman Avenue that borders this lot would be closed making Sumac Court the only entrance to the development. These exact changes were proposed at the open house by Mr. Phelps. The consultant also said that he was aware of these desired changes and that work had already begun to potentially facilitate these changes for next submission. We feel that if these modifications to the development had already been intended for months, then the application should have been modified and presented as such. We were quite surprised that the development application had not been changed considering that the changes had community knowledge for a while. There is no point of having an open house where drastic changes to the development have already seemed to be made behind closed doors and where public input is secondary. This is a blatant disregard to what a fair and transparent planning application review process should. We should not make changes to the development such as closing the Kerman Avenue access out of the personal interests of the developer and Mr. Phelps. The decision to modify the development to have singular access to Kerman Avenue or Sumac Court should not be made to satisfy personal agendas, but rather by proper planning fundamentals and with traffic operations being considered.*

**Concern #3 - Sidewalk connection**

For pedestrian connectivity, the sidewalk along Linden Lane should be continued along the southern side of the sumac court extension to the new development. However, this was mentioned by other residents.

Kerman to facilitate one large lot that will be more in character with development on Kerman. However, the development will still include private road entrances to both Kerman and Sumac Court.

3. The development proposal has been amended to show a public sidewalk along the south side of Sumac Court extending from the development

The Bradley's 71 Sumac Court		entrances to the existing sidewalk on Linden Lane.
<b>Public 3 – January 11, 2022</b>		
Comments	Consultant	Response
<p>I would like to provide a very brief summary of the concerns that I noted at the Public Open House last evening with respect to the proposed development:</p> <ol style="list-style-type: none"> <li>1. 11 Kerman Avenue should remain as one lot with the existing RD1.15 zoning <ul style="list-style-type: none"> <li>• The proposed RD3.50 zoning and smaller lot size is not compatible with the existing larger historic homes and lots on the west side of Kerman Avenue</li> <li>• The applicant as indicated to us that he intends to revise the application to combine the proposed Lots 1 to 4 into one large lot, which we agree with</li> </ul> </li>   <li>2. Proposed Amenity space (and underground storm water storage) should be moved to the east (swapped with proposed lots 5 and 6) <ul style="list-style-type: none"> <li>• This will provide a better buffer between the proposed higher density semis with RM1 zoning, and the existing single homes and lots on Kerman Avenue with R1 zoning</li> <li>• This will most likely line up storm drainage better with the existing drainage swale on the Blessed Trinity property</li> </ul> </li>   <li>3. Existing Greenhouse driveway should not be used for vehicle access (entry/exit condo road) to the proposed development. It should be limited to pedestrian and emergency vehicle access only</li> </ol>		<ol style="list-style-type: none"> <li>1. The development layout has been revised to remove 3 lots at the Kerman development entrance to be replaced with one large lot that will face Kerman and which is more reflective of the existing character. The proposed zoning has been changed to a modified RD1 zone to reflect the new lot configuration and proposed dwelling.</li>   <li>2. The open space area cannot be moved from its location due to an existing overland drainage swale on the neighbouring property.</li>   <li>3. Residents on Sumac/Linden and residents on Kerman have similar opinions in that traffic from the development is better and more safely directed to the other's</li> </ol>

<ul style="list-style-type: none"> <li>• Vehicle access to the proposed development should be via the existing municipal road system (Sumac Court and Linden Lane) to Main St. West</li> <li>• Kerman Avenue is already a very busy residential road, with a dangerous “below standard” intersection at Kerman and Main St. W (poor visibility triangles and grades)</li> <li>• School bus traffic on Kerman twice per day adds to this congestion</li> <li>• Parking on the west side of Kerman will hinder sightlines at the proposed condo road/Kerman Ave. intersection.</li> <li>• A vehicle access to the proposed development from Kerman Avenue would encourage traffic to “cut through” the proposed development to bypass the Kerman Ave./Main Street “difficult” intersection</li> </ul> <p>4. An alternative to installing a new Storm Sewer on Kerman Avenue from the proposed development to Livingston Avenue should be investigated</p> <ul style="list-style-type: none"> <li>• Kerman Ave was just recently repaired and repaved, and should not be subject to new construct again over a long length of the road.</li> <li>• Town staff should work with the Applicant to try to utilize the existing drainage system (which may need to be upgraded) from the exiting Greenhouses, through the Blessed Trinity property, to Livingston Ave.</li> <li>• This would most likely be less expensive and cause less disturbance to the neighbourhood.</li> </ul> <p>5. The Town should consider a 3 way stop at the intersection of Hazelwood and Kerman Ave as a traffic calming solution to the often high speed traffic (cars, trucks, and school busses) on Kerman Ave.</p> <ul style="list-style-type: none"> <li>• This would be a very low cost option to traffic and pedestrian safety on Kerman Ave.</li> </ul> <p>Best regards, Paul and Wendy Phelps</p>		<p>respective municipal road. The development continues to propose a full moves site access from each municipal road as this will allow for vehicular traffic to move more freely and equitably, in addition to providing a higher measure of safety for the development if one of the site accesses is impacted during an emergency situation.</p> <p>As discussed in other response here, site signage and entrance design will deter the public from using the site for cut through traffic.</p> <p>4. The developer and his engineering consultant have reviewed all available servicing options and unfortunately the stormwater sewer on Kerman is the only way to service the development. The developer will be responsible for the cost of sewer construction and repaving Kerman.</p> <p>5. Existing traffic/safety concerns on Kerman, and the need for traffic calming measures are a matter that Town staff would have to review and address outside of this application review.</p>
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15 and 17 Kerman Ave, Grimsby		