

**Jessica Kennedy**

---

**Subject:** FW: applications B2-25, B3-25, B4-25 and Z3-25

---

**From:** Brian and Melissa [REDACTED]  
**Sent:** Monday, July 21, 2025 12:12 PM  
**To:** Jessica Kennedy <jkennedy@eastgarafraxa.ca>  
**Subject:** Re: applications B2-25, B3-25, B4-25 and Z3-25

Hi Jessica, here is the edited letter with a slight change to the wording of Point 1. Contravention of Severance Policy..

Thank you for your time today, we appreciate it very much!

**Brian and Melissa Kottelenberg**  
County Rd 3, Lot 6, Concession 18  
East Garafraxa, ON  
[REDACTED]  
[REDACTED]

**July 21, 2025**

**To the Clerk and Members of Council**

We are writing as concerned residents of East Garafraxa in response to Applications B2-25, B3-25, and Z3-25 currently under consideration.

We (Brian and Melissa Kottelenberg) recently completed the construction of our home at County Rd 3, Lot 6, Concession 18 — a 1.25-acre parcel directly located between the proposed severed Lot #3 and Lots #1 and #2 as outlined in the applicant's severance sketch. We purchased this property from Andrea Stirk in 2023 and moved into our home in May 2024.

We are deeply concerned about the impact these applications will have on our family, our property, and the broader East Garafraxa community. We respectfully request that Council consider the following points in its review:

---

## **1. Contravention of Severance Policy**

The property in question is zoned **Rural** and is approximately 48.3 acres in size. According to Section 5.2.4 of East Garafraxa Official Plan, Severance Policies: a maximum of three severances from any original Township lot of approximately 40 hectares, where the severed and retained lots are at least 10 hectares. The land that they wish to sever is zoned Rural, not Agricultural, and it's only 48.3 acres. So according to Section 5.2.4 of the Official Plan, this property cannot be severed at all because it doesn't meet the size requirements.

In addition, the severance of Rural-zoned lands is only permitted where the retained and severed parcels are **at least 10 hectares (approx. 24.7 acres)** in size. This proposal seeks to sever **4.98-acre** parcels, which is clearly outside the allowable policy framework. Section **5.1.4** also outlines the limits on severances from original township lots of approximately 40 hectares.

Based on these provisions, this property does **not meet the criteria** for severance, and the applications should not proceed.

---

## **2. Incompatibility with Rezoning Requirements**

The rezoning applications (Z3-25) aim to rezone the proposed lots from **Rural** to **Rural Residential**. However, Section **4.3.2** of the Zoning By-law requires a **minimum frontage of 60 metres** for Rural Residential lots. The proposed parcels have **only 56 metres** of frontage each, failing to meet this requirement.

Additionally, Section **3.10** of the Zoning By-law clearly states that for lots with multiple zones, the most restrictive provisions apply across the entire lot, reinforcing that these parcels cannot be treated independently to bypass frontage requirements.

---

## **3. Impact on Privacy and Property Value**

When we purchased and built our home, we did so based on the zoning and severance limitations we trusted would be upheld. The proposed severances would place future homes directly behind us, eliminating the privacy and natural views that were a key reason for choosing this location. This would not only affect our enjoyment of the property but also potentially reduce its value.

---

## **4. Precedent and Fairness**

By-laws exist to protect all residents and ensure equitable treatment. All homeowners are expected to follow clearances, setbacks, and zoning rules when developing property. Approving these applications despite clear non-compliance would send a concerning message that by-laws can be selectively overridden, eroding public trust.

---

## **5. Potential Conflict of Interest**

We also note that one of the property owners, **John Stirk**, is currently serving on Council. While a third-party consultant has submitted the application, the owners' names remain on the documents. We ask that this matter be handled with full transparency and adherence to the highest standards of ethical governance, including recusal from any related discussion or vote.

---

In summary, we believe that the severance and rezoning applications are **in direct conflict with multiple sections of the Township's Official Plan and Zoning By-laws**, and their approval would undermine both the intent and authority of local regulations. Furthermore, such a decision would have a significant and negative impact on our family's home and quality of life.

We respectfully urge Council to uphold the Township's planning principles, by-laws, and community values by **denying Applications B2-25, B3-25, and Z3-25**.

Thank you for your time and consideration.

Sincerely,

**Brian and Melissa Kottelenberg**