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173 Chippawa Rd.  
Port Colborne, Ont.  
L3K1T6

April 11, 2023

To: Mayor and Members of Council,

The proposed Zoning By-law Amendment D14-01-23 should not be approved. We have significant concerns with the impact these changes will have on the surrounding neighbourhood!

To begin we would like to bring to council's attention the public works department report that was brought to council to address residents' concerns about speeding and volumes of traffic on Chippawa Rd. The report states Chippawa Road is a local road that provides connectivity between Highway 140 and Regional Road 3. The posted speed limit is 40km/h for the entire section. The width of the road allowance varies and is less than the standard 20m width of a typical 2-lane local road allowance for most of its length. Upon measuring of the roadway the average width of the roadway is only 7m! Chippawa Road has a narrow right-of way (ROW) with open ditches and hydro poles along both sides of the road. Council approved traffic mitigation measures to help reduce incidents of speeding along Chippawa Road and the reconfiguration of the stop sign at the Berkley intersection.

The report concluded that through the implementation of these recommendations, Chippawa Road, between Highway 140 and Regional Road 3 will be safer, more aesthetically pleasing and reduce traffic levels. So why after implementing mitigation measures at reducing traffic levels on Chippawa road is the city recommending the addition of at least 169 cars entering/exiting onto Chippawa Rd.? Why are similar potential operational and safety issues of vehicles turning left onto the Hwy 140 from Chippawa Rd. not being considered?

How will a single entrance into this large development affect police, ambulance and fire response times? Have the individual agencies been contacted to address any concerns a single entrance will have on their response time and operational procedures?

We have concerns with the traffic impact study supplied by the developer. Why was a new detailed traffic study data count not been required? The consultant referred to traffic studies from Highway 140 at Chippawa Road from November 6, 2018. Traffic has significantly increased in the past 5 years as presented in another report to council regarding Chippawa Road pedestrian safety! Staff presented the speed radar device data and it was identified that a significantly larger volume of vehicles were travelling eastbound along Chippawa Road towards Highway 140, than westbound entering the City from Highway 140.

The following is a summary of data extracted from the speed radar devices for Chippawa Road with a posted speed limit of 40 km/hr. The data was collected over a 4-week period starting in October 2021 and ending in November 2021:

Eastbound Traffic (People leaving Port Colborne via HWY 140)  
Total Vehicle Count: 25,450  
So daily vehicle count is approximately 909 vehicles

Westbound Traffic (People entering Port Colborne via HWY 140)  
Total Vehicle Count: 16,665  
So daily vehicle count is approximately 595 vehicles

Again, staff's own traffic study shows a much higher volume of traffic than the dated studies presented by the developer! This study was done in the late fall, not accounting for the increased tourist traffic during the summer months. Concerns with the increase in accidents due to the speed of traffic exiting Hwy 140 onto Chippawa rd. and the number of cars turning left into the development at only 190m distance from the Hwy instead of the required 400m setback. Why are the Ministry of Transportation (MTO) and the City allowing the application to be submitted for approval of non-compliance of the 400m required setback from a Highway? Also, where was the 190m distance measured from? I measured from the stop sign at the 140 and the 190m distance for the entry/exit of the development is abutting the existing residential landowner, not the separated distance as shown on the presented concept plan.

The applicant's own geotechnical report states any significant deviations from the proposed project design may void the recommendation given in their report. Yet the traffic study report is based on 188 homes and the geotechnical report and the other reports submitted state 169 homes. The original submitted documents/application to the city stated 176 homes, which one is it? How many homes are to be built on this property? How will the 8 single detached homes abutting Chippawa Rd. be prevented from entry/exit onto the roadway?

Will there be basements in this development? If so, why aren't monitoring wells installed? Excavations for the installation of foundations and underground services are generally expected to extend to depths of up to about 1 to 3 metres below the existing grade. The geotechnical report states the depth before hitting bedrock was between 0.1m to 0.5m. This leads to the potential for blasting into the bedrock; will there be controls over any blasting? How will the impacts from the noise and vibration of the blasting be monitored to protect the surrounding neighbourhood?

Given the shallow depth of the bedrock will the development have to add fill? How will this fill affect the grading to the surrounding properties? Also, as presented at last week's public meeting how will the surrounding properties be protected against flooding due to the increase in grade and added fill? If they are adding fill where will this fill come from and what assurances are there that it will be clean fill?

Can the existing water supply infrastructure network adequately support this development and design flows. It is proposed that the sanitary sewage flows be collected through a new 200mm diameter on-site sewer system and flow to a prefabricated lift station wet well at the south limit of the site. Sewage will be pumped from there to the 200mm PVC sewer on Chippawa Road. How will a wet well be established in the limestone bedrock? Who will maintain this wet well? How far will this sewage travel from the South end to the PVC sewer on Chippawa Rd? Again,

can the existing sewer infrastructure support the extent of this development? How will the current ditch, storm water drainage along Chippawa Rd be affected?

What is the proposed base elevation of the storm water management pond? We have concerns with the considerable amount of limestone bedrock that will have to be removed to facilitate the Storm water management pond. Who is responsible for the maintenance of the storm water management pond? Will a fence be erected around the stormwater management pond? Why has the size of the storm management pond not been determined? How will proper overland flow be ensured to prevent ponding and protection of the significant woodlot during major storm events? Will stormwater management controls be implemented in order to treat stormwater runoff prior to discharge from the site?

What are the potential direct and indirect impacts to the natural features including the significant woodlot?

What is the proposed height of the townhouses?

Where is the park/parkette located? Also, is the park/parkette large enough to suit the proposed size of the development?

The exact noise, dust and air quality impacts of building such a large development in close proximity to Port Colborne Quarries is immeasurable due to the unknown future use of Pit 1 and the fact that they state it is unlicensed and continue to do what they want within that pit!

Where is the Stage 3 site-specific assessment that was required for Sites 1, 3 and 6 from the archeological Stage 2 assessment? In accordance with the requirements set out in Section 3.2, Section 3.2.2 and Section 3.2.3 of the 2011 Standards and Guidelines for Consultant Archaeologists. Also, depending on the results of the Stage 3 assessment a Stage 4 mitigation of development impacts may be required! Given that there are outstanding archaeological concerns within the property, no ground alterations or development of any kind may occur until the required investigations are complete, recommendations that the lands require no further archaeological assessment are made, and the associated reports are entered into the Ontario Public Register of Archaeological Reports.

With the development being under condominium ownership to what standard will the pavement structure of the roads be will it be to the city's standards or the condominiums? If the condominium ownership goes bankrupt (or folds) who is responsible for the maintenance of the roads, infrastructure and properties? Is it the city and ultimately taxpayers who become liable?

In conclusion, the Zoning By-Law amendments, special provisions and reductions in minimum setbacks should not be approved!! There are numerous issues and concerns regarding the development of this property as mentioned above. The sheer size and nature of this development with all the reduced setbacks required to make it fit on the property do not work and our not in the best interest of the city and the surrounding neighbourhood!

Thank you,  
Melissa Bigford & Christopher Lofquist

Roseann Shields

TRIP GENERATION (PRESENT + PREDICTED)

- according to the TRAFFIC IMPACT STUDY (pg 25) it is expected that AM peak hour will have 87 vehicles + PM peak hour would have 104 vehicles
- study refers to these numbers as a conservative approach
- THEN - at present the <sup>actual</sup> weekday traffic on the Chippawa Rd is AM 169 ; PM 207.
- and were based on SimTraffic microsimulation
- when adding the actual + projected traffic totals together, the total # of vehicles for the AM is 256 vehicles  
PM is 311 vehicles
- all of these vehicles will be travelling within the area from the entrance roadway and the stop sign at the HWY 140 (according to pg. 41 of study a distance of 190m)

PRESENT TRAFFIC CONCERNS (PROBLEMS)

- HWY 140 - people using the Chippawa Rd as their access to the frequently do not come to a full stop at the stop sign + pull out in front of the traffic on the HWY 140 causing horns to blare and tires to squeal (braking or accelerating)
- people exiting off HWY 140 onto the Chippawa Rd do not stay on the paved portion but ride around on what is left of a shoulder (potholes etc) -> scattering the gravel onto the intersection which requires periodic sweeping by the city(?) - a skidding hazard
- cars taking the corner go over the centre line and into oncoming traffic lane (witnessed by me)
- the average width of the road (paved area) from HWY 140 to the proposed entrance of the development is approximately 7.01m. (7.14; 6.92; 7.05; 6.96) which is extremely narrow because the shoulder is basically non-existent along that stretch of road (deep ditches on both sides)

- on pg. 38 of Traffic Impact Study - it states "although the traffic analysis does not show any queuing issues at the intersection of HWY 140 + Chippawa Rd a dedicated northbound left turn lane with a storage length of 30m will be required." - at present cars already queue up to the suggested 30m (measured at curb) - SHOULD IT NOT BE INCREASED? of the increased number of vehicles expected?

- based on what I see on a daily basis <sup>and actual # of cars</sup> I feel the concluding paragraph on pg. 38 is erroneous it states "it can be concluded that the location of the proposed site access on Chippawa Road will not impact operations on HWY 140."

#### QUESTION

- Where does the 190m from HWY 140 come from? Is this what the MTO requires for all developments going on to <sup>HWY</sup> 140 and similar HWYS?

TRAFFIC @ 281 Chippawa Rd.  
PORT COLBORNE

WEDNESDAY APRIL 5 / 2023

TIME:	TOTAL TIME LAPSE	FRAMPTON HEADING WEST	TO #140 HEADING EAST	TOTAL
6AM - 6:15AM	15min	5	8	13
6:15 - 6:30AM	15min	3	10	13
6:30 - 6:45AM	15min	11	12	23
6:45 - 7AM	15min	5	11	16
<u>Total (1 Hour)</u>		<u>24</u>	<u>41</u>	<u>65</u>
7AM - 7:15AM	15min	8	8	16
7:15 - 7:30AM	15min	5	19	24
7:30 - 7:45AM	15min	10	15	25
7:45 - 8AM	15min	8	12	20
<u>Total (1 Hour)</u>		<u>31</u>	<u>54</u>	<u>85</u>
8AM - 8:15AM	15min	8	11	19
8:15 - 8:30AM	15min	7	11	18
8:30 - 8:45AM	15min	12	11	23
8:45 - 9AM	15min	9	15	24
<u>Total (1 Hour)</u>		<u>36</u>	<u>48</u>	<u>84</u>

\* From 6AM to 7AM  
65 Vehicles

\* From 7AM to  
8AM  
85 Vehicles

\* From 8AM to  
9AM  
84 Vehicles

TOTAL FOR 3 HRS 234  
TOTAL FROM 7-9AM 169



items mentioned that notes shallow soil/topsoil

-pg. 2 "monitoring wells were not installed on the site due to shallow bedrock encountered"

-pg. 3 topsoil "a surficial veneer of topsoil approximately 100-200mm in thickness (10-20cm) or  $\approx$  4-7 inches" in depth

-pg. 4 "Limestone/dolostone bedrock was inferred from auger refusal at depths of  $\approx$  0.15-0.5 meters" ... "bedrock is generally weathered + fractured in the upper levels becoming more sound with depth"

\*  
(2) Keeping this in mind will there be basements or will they haul in soil + buildup - this would force all runoff water onto the adjacent 2 residential homes (251 + 241 Chippawa Rd) causing flooding +/or wet conditions which at present they do not have

> P. 6  
\* it may be preferable to raise the structures and provide supplemental frost protection to foundations to limit removal of limestone bedrock"

# Noise impact Assessment

-pg. 14 CONCLUSIONS

"The modelling results from PCQ operations & traffic on HWY 140 indicate that the predicted noise levels at representative POR's located to the east boundary of the site and those on Chippawa (Street) Road are predicted to exceed the established noise criteria."

- i) - noise levels above 60 dBA: noise barrier recommended
- ii) indoor sound levels predicted to exceed ... MECP guidelines will be used by an acoustical engineer to determine required STC values for living & bedroom windows
- iii) an acoustic barrier (i.e. berm) is required to be constructed along the west boundary of PIT 1 ... to protect respective POR's at subject site when material handling & processing occur at PIT 1 " - Who would be responsible for providing the barrier?

-pg. 13 NOTES + WARNING CLAUSES

- i) "Purchasers/tenants are advised that due to the proximity of the adjacent industry PCQ (facility), noise from the industry may at times be audible"
- ii) BARRIERS - "the barriers should be erected as required & shall be continuous with no openings through or beneath it & it shall be of durable material. ... any gaps under the noise barrier that are necessary for drainage purposes ... must not deteriorate the acoustical performance."

QUESTION  
\*

Even following suggestions outlined in study letter would most likely be complaints to the councillors & council because these problems have been raised by residents prior to this? (19yrs ago when the development was first brought forward)

### Other (EXTRA) QUESTIONS

- if the project goes forward, who will be responsible for the damage done to the Chippawa Rd from the heavy construction equipment that will be used? - (this traffic will be added to what is already there)
- will there be blasting to put in water + sewer lines? will it cause damage to the walls + windows of my home? Who will pay for the damages if there are any?
- question regarding site plan map - why do the roads seem to be open ended facing Berkley Ave. - if no intentions to exit to the south why not have it ending in a cul de sac ~~loop~~ loop around back of last 3 properties?
- map - what is a dripline + dripline buffer
  - where are the playgrounds (greenspace)