

Many years ago, the neighbors near Queens Park signed a petition stating:

1. Object to Business using McConnell St and/ or Queens Park as a parking area for their Employees and Customers
2. Propose a law be placed for McConnell St. between Alexander St and Thames St to identify Steet as a no truck route zone.
3. Object to construction of parking facilities in Queen's Park

These concerns have been ignored.

I hired Doug Harrison and Rick Hundey to look at the neighbor's concern with the parking lot created at Queen's Park with regard for the legislated Planning Process as well as the Official Planning and zoning by – Law in effect in the municipality at that time.

As stated previously Queen's Park is zoned Open Space (OS) and according to section 7.2.1 a of the zoning by-law public and private parks are allowed in the zone. Tim Hortons's Coffee Shop on Main Steet is located in a Highway Commercial C5-1 zone and parking is requiring for the patrons of this establishment in accordance with subsections 3.14.1 on the zoning by-law. Subsections 3.14.a states that "parking spaces shall be located on the same lot or within the same building as the USE for which said parking is required. Said use of the OS at Queens Park is a baseball diamond for younger citizens of the community and should not be a parking lot for Tim Horton's employees.

You once said roads are not zoned yet 1.10.1 says Steet, lane street allowance, right of way, creek or water course the boundary between two on more different zones is the centerline of the road between the Open Space Zone the Residential Zone.

Also, subsection 3.14.8 b states where the provision of the required parking on the same lot is impossible or impractical, such off-street parking facilities may be located on the same lot within 150 metres of the use, building, or structure requiring such parking and within the same zone. As previous stated Queen Park is located in an OS zone and the Main Street commercial uses are in a Highway Commercial zone. These are different Zones and therefore parking at Queen's Park for Tim's employees is in contravention to the by-law. Grabby Joe's and McDonalds did the proper thing for extra parking i.e. found suitable parking arrangements in harmony with the zoning by-law in a designate Commercial Zone and not to burden our residential area with an objectionable intrusion. Why is Tim Horton's getting free parking in an OS Zone where other restaurant chains in Exeter have to pay for it?

Claire Dodds, Planner sent a letter to Larry Brown, CAO both, of the Municipality of South Huron stating, "The municipality may want to obtain a legal opinion as to the authority of the municipality to influence or control who parks in the parking lot". Did legal agree that commercial business, namely Tim Horton's can park in an OS zone?

I request you send me an official plot plan of this property with dimensions of the parking area, and showing property and zoning boundaries. Robert Morley, Mayor said a drawing was prepared at a council meeting which I attended.

Also note Council send Mr. Frayne a letter stating “the newly created parking at Queen’s Park will be for public use and not exclusive to any particular business”. I repeat parking lot is full by 7 am M-F by only Tim Hortons employees and recently by one other which is me (neighbors will testify to this). How can you say this is not Tim’s Hortons when they even do the winter maintenance?

To conclude past correspondence and dialogue concerning these matters was disregarded. As citizens on this area, we feel our intelligence have been insulted and we are very disappointed in your administration approach (reference Doug Harrison’s report). I contend Municipality of South Huron are NOT exempt from their own Zoning By – Laws and I would like to make the following suggestions:

1. Install signs reading, “this parking for ball diamond patrons only”
2. Have Tim Hortons’s find suitable parking arrangements for his employee in harmony with zoning by- law in a designated Commercial Zone and not to burden our residential area with an objectionable intrusion.
3. Relocate the washroom facility onto the park property. This request was sent to you a few weeks ago and this is sad that you do not see this as offensive.

I await your response.

Sincerely,

Lucio Odorico