



Community Planning and Development Department

Wednesday, July 10, 2024

Subject: Recommendation Report – Applications for Revision to Previously Approved Draft Plan of Subdivision and Zoning By-law Amendment – Summersides Village
Recommendation:

BE IT RESOLVED THAT Council receive Report #2024-0141 - Recommendation Report – Applications for Revision to Previously Approved Draft Plan of Subdivision & Zoning By-law Amendment – Summersides Village, for information as it pertains to File Nos. 26T19-02-2021 & AM-01-2024;

AND THAT Council directs Planning staff to prepare the necessary Zoning By-law amendment for Council consideration at the next Regular Meeting of Council.

Executive Summary

The purpose of this report is to provide Council with a recommendation regarding applications for revision to previously approved Draft Plan of Subdivision and Zoning By-law Amendment for Summersides Village.

Location

The property is located on the north side of Port Robinson Road, east of Station Street (Figure 1). The surrounding land uses are varied with a mix of single detached and townhouse dwellings on Port Robinson Road, a mix of single detached and apartment dwellings on Station Street, vacant future development lands and townhouses to the north (Park Place South) and vacant future development lands/single-detached dwellings to the east (River Estates Phase 2).

The map shows a large, irregularly shaped vacant lot outlined in red. This lot is situated between Station Street to the west and Port Robinson Road to the south. To the north of the lot is Summerlides Boulevard, and to the east is a series of smaller, rectangular lots. The lot itself is divided into several smaller parcels, some of which are numbered: 1399, 1397, 1395, 1391, 1389, 1387, 1385, 1381, 1379, 1375, 1371, 1369, 1365, 1363, 1361, 1359, 59, 61, 63, 89, 95, 107, 119, 121, 125, 131, 147, 148, 146, 144, 142, 140, 138, 136, 134, 132, 130, 128, 126, 124, 122, 120, 118, 116, 114, 90, 94, 151E, 142, 148, 15, 154, 154, 154, 154. The surrounding area includes various residential lots, some with houses, and others that are vacant. The map also shows the layout of the streets and the location of the lot within the neighborhood.

The subject lands are 4.273 hectares in size. The property received draft plan approval from Council on May 16, 2022, which consisted of seventy (70) single detached lots. The subject lands are located within the East Fonthill Secondary Plan area.

- 35 Lots (Lots 1-35) for single detached dwellings;
- 7 Blocks (Blocks 36-42) for 14 semi-detached dwellings;
- 11 Blocks (Blocks 43-53) for 60 street townhouses;
- 4 Blocks (Block 54-57) for 0.3-metre reserves; and
- 1 Block (Block 58) for a daylight triangle

The proposed Zoning By-law Amendment would rezone the lands from the R2-137 zone to site-specific Residential 2 (R2) and site-specific Residential Multiple 1 (RM1) zones. The zoning change would permit the use of the lots for single detached dwellings, semi-detached dwellings, street townhouse dwellings, and accessory uses subject to special regulations.

The change is a result of a new development concept for the lands which will add 39 additional units, and new housing types, compared to the previously approved draft plan. The change will introduce new unit types, including semi-detached and street townhouse dwellings. A revised concept was submitted by the applicant following the public meeting. The total dwelling unit count is the same as the redline revision provided at the public meeting, however, the location of the semi-detached and townhouse blocks along the road network has changed. Figure 2 shows the original redlined draft plan of subdivision that was the subject of the public meeting, while Figure 3 shows the draft plan that is currently before Council for consideration.

Figure 1: Original Proposed Revision to Draft Plan of Subdivision

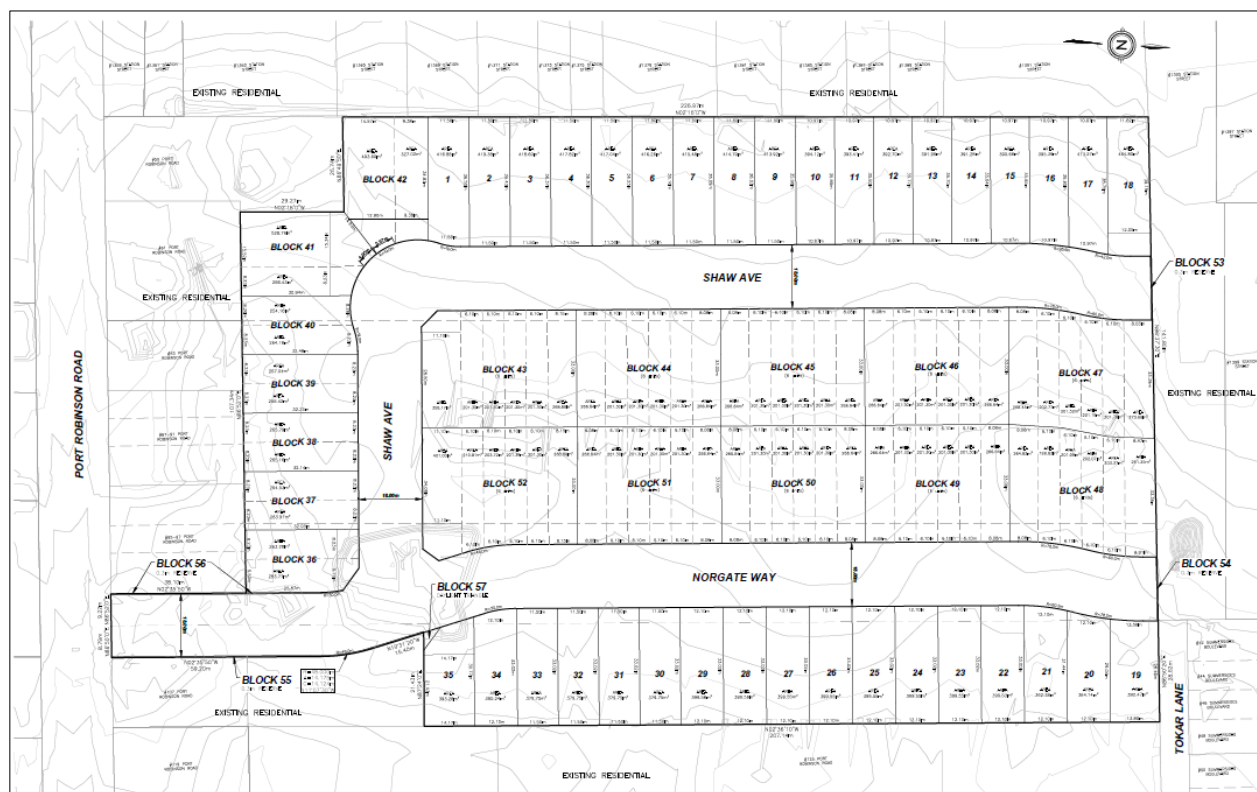
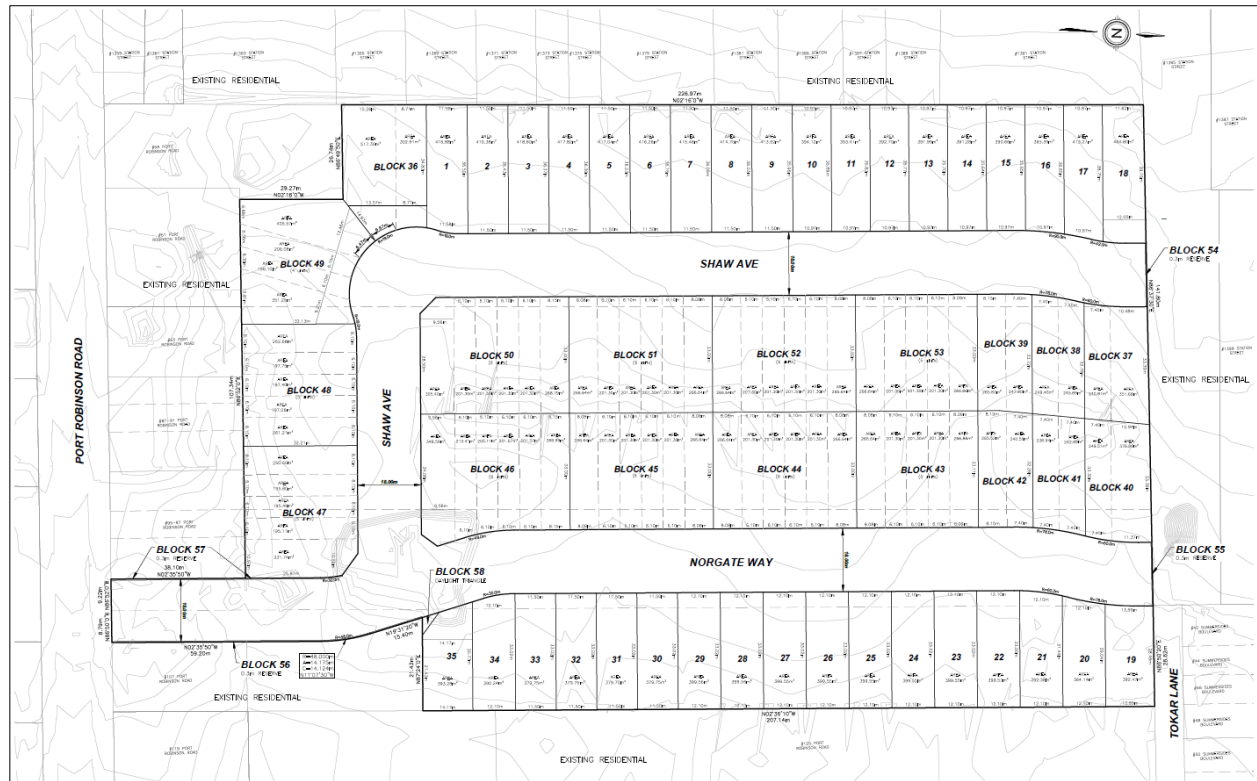


Figure 3: Proposed Revision to Draft Plan of Subdivision



For context, Figure 4 is the neighbourhood plan submitted with the original application submission which shows developments in the surrounding area and how they connect with one another and the adjacent road network (Port Robinson Road, Summersides Boulevard, Moody Street). It should be noted that an apartment dwelling is shown on the northeast corner of Port Robinson Road and the future Klager Avenue extension which does not conform with the Official Plan as it designates that property for parkland.

Figure 4: Neighbourhood Plan

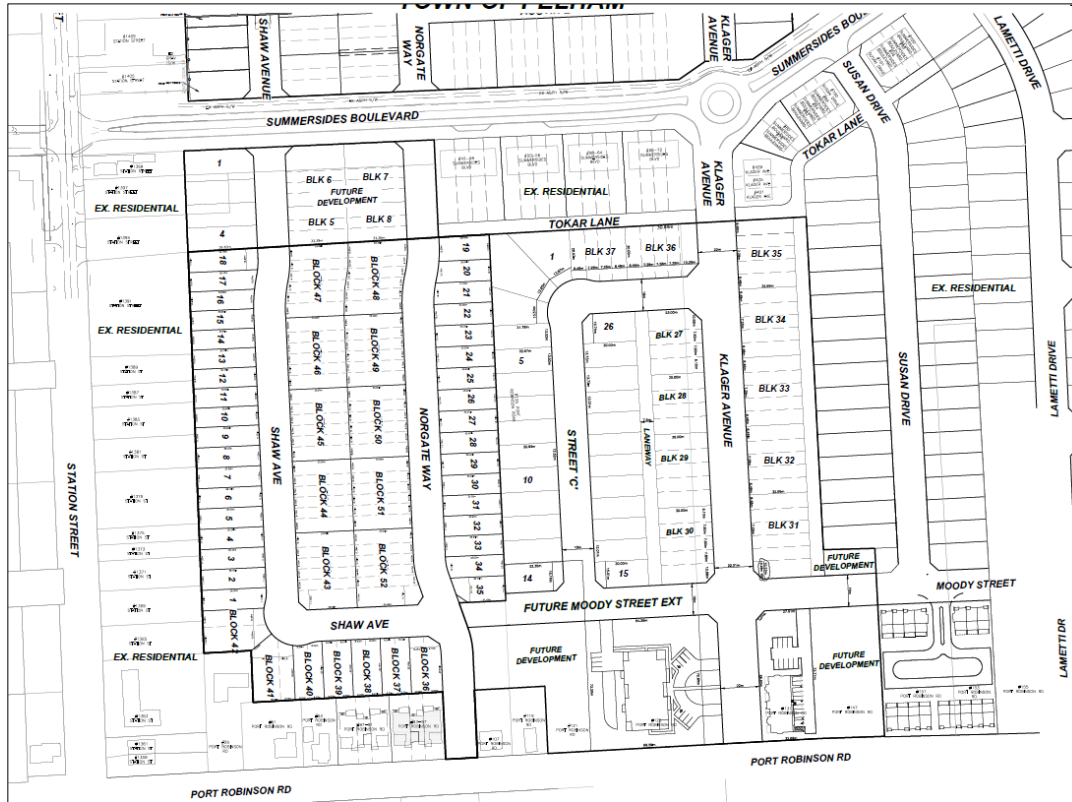
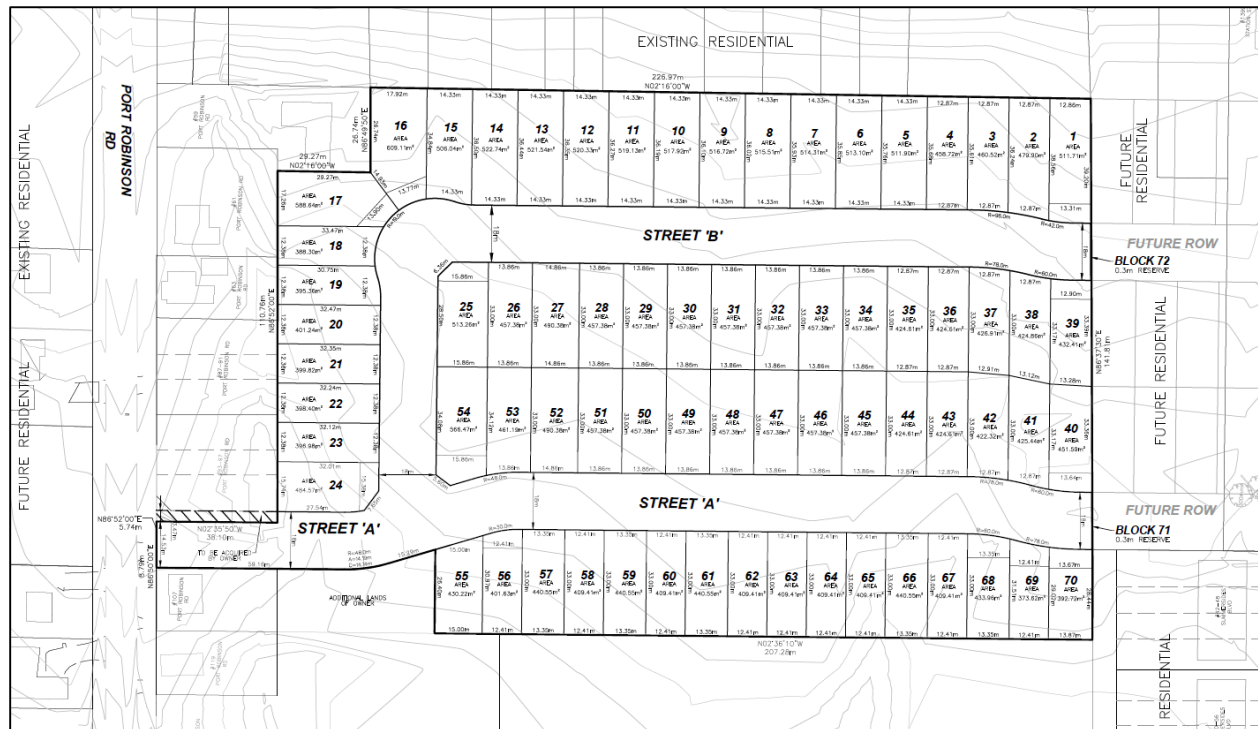


Figure 5 below illustrates the initial Draft Plan of Subdivision that received approval on May 16, 2022. As noted, the original draft plan consisted of seventy (70) lots for single detached dwellings. Official Plan and Zoning By-law Amendments were passed on June 20th, 2022 supporting the subdivision design.

Figure 5: Original Draft Plan of Subdivision



After receiving feedback on the requested revision to the draft plan of subdivision through the process and at the public meeting, the Owner revised the draft plan to address comments made by staff and Council. Changes to the proposal from the redlined draft plan that was originally submitted and requested zoning discussed at the public meeting include:

- Reconfigured internal blocks by swapping the townhouse blocks to the north with semi-detached blocks along the south of the subject lands to allow a variation in housing types and units on the block.
- Developer is agreeable to staff request to include a maximum garage door width provision of 7.5 metres, or 50% of the lot frontage, or 20% of the lot depth, whichever is less for conformity with East Fonthill Urban Design Guidelines.
- Revising the zoning request to retain the maximum front yard (previously requested deletion).
- Revising the zoning request to a maximum lot coverage of 55% + 5% for a covered deck or porch (previously requested deletion).

Policy Review:

Planning Act, 1990

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities "shall be consistent with the policy statements"

issued under the *Planning Act* and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

Section 34 of the *Act* allows for consideration of amendments to the zoning by-law.

Section 51 of the *Act* allows for consideration of a plan of subdivision. Section 51 (24) of the *Act* states that in considering a draft plan of subdivision regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:

- The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
 - ✓ See PPS and Growth Plan analysis in sections below.
- Whether the proposed subdivision is premature or in the public interest;
 - ✓ The application is not considered premature and is able to uphold the public interest as it is within the Urban Area Boundary where development is to be directed.
- Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
 - ✓ See Official Plan discussion below.
- The suitability of the land for the purposes for which it is to be subdivided;
 - ✓ The lands and surrounding neighbourhood are predominately low to medium density residential dwellings. The redline would facilitate the construction of similar housing types on lands suitable for such use.
- The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
 - ✓ The proposed road system is adequate as shown on the neighbourhood plan submitted by the applicant.
- The dimensions and shapes of the proposed lots;
 - ✓ The dimensions and shapes of the proposed lots will be able to comfortably site the proposed dwellings, as illustrated on the streetscape plan submitted by the applicant.
- The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
 - ✓ N/A
- Conservation of natural resources and flood control;
 - ✓ No natural resources or flood concerns have been identified.

- The adequacy of utilities and municipal services;
 - ✓ The lots are proposed to be connected to municipal infrastructure and have access to the full range of public services. Utilities and municipal services are available to service the severed parcel and they subdivision will be required to connect to municipal services.
- The adequacy of school sites;
 - ✓ Available nearby. School Boards did not comment on application.
- The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
 - ✓ N/A
- The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,
 - ✓ See Official Plan discussion below.
- The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this *Act*.
 - ✓ N/A.

Greenbelt Plan, 2017

The subject parcel is located in an identified settlement area that is outside of the Greenbelt Plan Area; therefore, the policies of the Greenbelt Plan do not apply.

Niagara Escarpment Plan, 2017

The subject parcel is not located in the Niagara Escarpment Plan Area; therefore, the Niagara Escarpment Plan policies do not apply.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the *Act*. The PPS recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility provided that provincial interests are upheld. PPS policies represent minimum standards.

The subject land is located in a 'Settlement Area' according to the PPS. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted. The redline application is an appropriate location for new development.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and mix of land uses that efficiently use land and resources, are appropriate for and efficiently use infrastructure and public service facilities, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, support active transportation and are transit and freight supportive.

The proposed revision to the draft plan of subdivision will add new housing types (townhouses and semi-detached dwellings) in the Summersides Village subdivision, the East Fonthill neighbourhood and within the Settlement Area of Fonthill as a whole. The applications will contribute to available housing options at varying price points.

The density of the development provides for the efficient use of land and planned/existing infrastructure that minimizes land consumption and costs of servicing. There are adequate public service facilities, including a planned neighbourhood park north of the property. The Meridian Community Centre, schools, library and neighbourhood retail opportunities are also located within a short distance.

Policy 1.1.3.3 provides for the promotion of intensification and redevelopment accommodating a significant supply and range of housing options where it can be accommodated taking into account the building stock, availability of existing and planned infrastructure and public service facilities required to accommodate the needs of the development. The development provides for the redevelopment of the lands, and will contribute to the housing stock of the settlement area.

Based on this information, the proposed revision to the draft plan of subdivision and zoning by-law amendments are consistent with the Provincial Policy Statement subject to approval of the recommended conditions of draft plan approval.

Growth Plan for the Greater Golden Horseshoe, 2020

The subject parcel is identified as being within a Delineated Built-up Area according to the Growth Plan for the Greater Golden Horseshoe, 2020. The Growth Plan policies aim to build stronger, prosperous communities by directing growth to built-up areas, promoting transit-supportive densities and a healthy mix of residential and employment land uses, preserving employment areas, planning for community infrastructure, and supporting the conservation and protection of natural systems, prime agricultural areas, and cultural heritage.

Policy 2.2.2.1(a) requires a minimum of 50 percent of all new residential development to occur within the delineated built-up area.

Policy 2.2.2.3(b) encourages intensification generally throughout the built-up area and investment in services that will support intensification.

The planned sidewalks and bike infrastructure (2.4 metre wide multi-use path) on Norgate Way and sidewalks on both sides of Shaw Avenue will provide connectivity to future neighbourhood parks, bike lanes and off-road trails. The development of additional townhouse and semi-detached dwellings on the property will intensify the Built-Up Area from the currently approved single detached residential uses. The varying built form (single detached, semi-detached and street townhouses) in the subdivision will support the formation of a vibrant neighbourhood and contribute to housing choice. Adherence to the East Fonthill Urban Design Guidelines will assist in the creation of high-quality residential construction.

The proposed revised draft plan of subdivision will increase the density of the subdivision to 70.150 persons and jobs per hectare, and development density of 25.51 units per hectare, ensuring that the overall minimum of 50 jobs and persons per hectare density is achieved. It is Planning staff's opinion that the applications are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

Niagara Region Official Plan, 2022

The lands are designated as Urban Area (Built-Up Area) in the new Niagara Region Official Plan.

Policy 2.2.2.5 requires that across the Region 60% of all residential units occurring annually are to be in the Built-Up Areas of the Region and in Pelham, this translates into an annual intensification rate of 25% of new residential units. The objective of intensification is to increase housing choice and housing affordability across the Region to meet future housing needs while at the same time making efficient use of infrastructure, community services and urban lands.

Policy 2.2.1.1 states that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- a) the intensification targets in Table 2-2 and density targets outlined in this Plan (note: Pelham's intensification target is 25%);
- b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;
- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.

Policy 2.3.1 provides the direction with regards to a mix a housing options and specifically Policy 2.3.1.1 states that the development of a range and mix of densities, lot, and unit sizes, and housing types, including affordable and attainable housing, will be planned throughout settlement areas to meet housing needs at all stages of life.

Policy 2.3.1.4 also provides that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:

- a) facilitating compact built form; and
- b) incorporating sustainable housing construction materials or practices, green infrastructure, energy

The revision to the draft plan of subdivision and zoning by-law amendment will increase housing choice with different unit types and sizes in the Town and in East Fonthill. The development will contribute to the annual intensification rate for the Town. The revised draft plan shows a compact built form, as promoted in Provincial, Regional, and local policy documents. New construction will be required to meet energy efficiency and accessibility requirements in the Ontario Building Code. Accordingly, the revised draft plan of subdivision conforms to the Policies of the Niagara Region Official Plan.

Town of Pelham Official Plan, 2014

The subject parcels are located within the East Fonthill Secondary Plan Area and designated EF- Low Density Residential in the Town's Official Plan, 2014. Permitted uses in the EF- Low Density Residential designation are single detached and semi-detached dwelling units; accessory apartments/secondary suites; accessory buildings and structures related to the primary residential dwelling unit; home occupations; places of worship; day nurseries; convenience retail and service commercial uses; parks, parkettes and open space linkages; and public uses and public and private utilities.

Policy B.1.7.7.3.1(b) allows townhouses in the EF- Low Density Residential designation provided they are not more than 60% of the total number of dwelling units within any individual plan of subdivision. In keeping with Policy B1.7.7.3.1(b), the revised draft plan of subdivision maintains 55% of the unit count for townhouses.

Policies B1.7.7.3.2(a), (b), (c) and (d) indicates that single-detached units should be developed at a density of 10 units per net hectare up to 30 units per net hectare; b) semi-detached units shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare; and permitted street townhouse dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare up to 50 units per net hectare; the maximum building height for any building within the EF- Low Density Residential designation shall be 3 storeys, or 10.5 metres, whichever is less.

The revised draft plan of subdivision proposes single detached units at a density of 24.95 units per hectare, semi-detached units at a density of 34.74 units per hectare and street townhouses at a density of 43.17 units per hectare with maximum heights of 3 storeys or less. The revised draft plan of subdivision and requested zoning regulations conform to Policy B1.7.7.3.2.

The lands form part of Neighbourhood 1 on Schedule A4 'Structure Plan' and considered to be within the 'Built Boundary'. According to Policy B1.7.7.2 b)(i), Neighbourhood 1 shall achieve an overall minimum gross density of approximately 57 persons and jobs per gross hectare combined. The proposed revised draft plan of subdivision will increase the density of the subdivision to 70.150 persons and jobs per hectare, and development density of 25.51 units per hectare. As noted, the minimum gross density for Neighbourhood 1 is being achieved.

Official Plan Policy D5.3 requires that prior to the consideration of an application for Plan of Subdivision, Council shall be satisfied that:

- a) The approval of the development is not premature and is in the public interest;
 - ✓ The development is not premature and is in the public interest.
- b) The lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required;
 - ✓ Adequate services are existing or planned to service the development.
- c) The density of the development is appropriate for the neighbourhood as articulated in the policies of these Plan that relate to density and intensification;
 - ✓ The density of the development is compatible with surrounding developments and supported in the policies of the Official Plan for the EF-Low Density Residential designation.
- d) The subdivision, when developed, will be easily integrated/connected with other development in the area through the use of roadways, natural corridor linkages and trails to accommodate active transportation;
 - ✓ The revision to the draft plan of subdivision will be easily integrated with the surrounding area in terms of road network and pedestrian linkages.
- e) The subdivision conforms with the environmental protection and management policies of this Plan; and,
 - ✓ The subdivision conforms with the environmental protection policies of the Official Plan.
- f) The proposal conforms to Section 51 (24) of the *Planning Act*, as amended.
 - ✓ The proposal confirms to Section 51(24) of the *Planning Act*.

This policy is similar to the requirements in Section 51(24) of the Planning Act, as amended. See discussion above.

Accordingly, the revised draft plan of subdivision conforms to the policies of the Town's Official Plan.

Zoning By-law 4481(2022)

By-law 4463(2022) was approved by Council on June 7, 2022 and rezoned the lands from the RD and RM1-263 zone to the R2-137 zone that permitted the uses proposed in the original draft plan of subdivision.

The application now requests to rezone the lands from the R2-137 zone to a site specific R2 and site-specific RM1 zone to permit a mix of single-detached, semi-

detached, and street townhouse dwellings. A number of site-specific provisions are requested including requesting smaller lot sizes and frontages for single detached dwellings to reflect changes in the housing market, as indicated by the applicant.

The zoning regulations are detailed in Tables 1 and 2 below. Red cells indicate changes that have been made to the original request.

Table 1: Requested R2 Regulations for Single-Detached and Semi-Detached Dwellings

Zone Regulation	Standard R2 Requirement	R2-137 Zone	Requested R2 Requirements
Single-Detached Dwellings			
Minimum Lot Frontage	12.0 metres	12.0 metres	10.9 metres
Maximum Front Yard	6.0 metres	-	No change (Previous request to delete) 7.0 metres for Block 36, 37, 38, 40, 41
Minimum Rear Yard	7.5 metres	7.5 metres	6.0 metres
Maximum Lot Coverage	50%	50%	55% plus 5% for covered porch or deck (Previously requested Deletion)
Semi-Detached Dwellings			
Maximum Front Yard	6.0 metres	Delete	No change (Previous request to delete)
Minimum Rear Yard	7.5 metres	7.5 metres	6.0 metres
Maximum Lot Coverage	50%	50%	55% plus 5% for covered porch or deck (Previously requested Deletion)
Maximum Garage Door Width	-	-	7.5 metres or 50% of the lot frontage or 20% of the lot depth, whichever is less
General Provisions			
Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0 metres of the front lot line or exterior side lot line, and 4.0 metres of the rear lot line. Uncovered patios and decks shall not be permitted within 1.2 metres of a rear or side lot line.			

Table 2: Requested RM1 Regulations for Street Townhouse Dwellings

Zone Regulation	Standard RM1 Requirement	Requested RM1 Requirements
Street Townhouse Dwellings		
Minimum Lot Frontage	6.0 m per dwelling unit, except in the case of an interior lot containing a dwelling attached on one side only, the minimum lot frontage required shall be 8.0 m	7.4 metres for interior lot with a dwelling on one side

<i>Minimum Lot Area</i>	<i>230 m2 per unit</i>	<i>198 m2 per unit</i>
<i>Maximum Front Yard</i>	<i>6.0 metres</i>	<i>No change (Previous request to delete)</i>
<i>Minimum Rear Yard</i>	<i>7.5 metres</i>	<i>6.0 metres</i>
<i>Landscape Strip</i>	<i>A landscape strip of 1.5m minimum in width shall be provided where the boundary of a RM1 Zone abuts an R1, R2 or R3 Zone</i>	<i>1.2 metres</i>
<i>Maximum Lot Coverage</i>	<i>50%</i>	<i>55% plus 5% for covered porch or deck (Previously requested Deletion)</i>
<i>Maximum Garage Door Width</i>	<i>-</i>	<i>7.5 metres or 50% of the lot frontage or 20% of the lot depth, whichever is less</i>
General Provisions		
<i>Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0 metres of the front lot line or exterior side lot line, and 4.0 metres of the rear lot line. Uncovered patios and decks shall not be permitted within 1.2 metres of a rear or side lot line.</i>		

With respect to the requested zoning regulations, Planning staff raised concerns about deletion of the maximum front yard setback as it reflects the East Fonthill Urban Design Guidelines which encourage buildings to be sited close to the street. The developer agreed to remove this request. A maximum front yard setback of 7.0 metres is requested for Blocks 36, 37, 38, 40, 41 to recognize their curved frontages. The reduction to lot area and frontage for the single detached lots and frontage for street townhouse units is still expected to accommodate a functional unit. Conformity with the East Fonthill Urban Design Guidelines will be required as a condition of draft plan approval and carried forward into the subdivision agreement. The reduced rear yard setbacks will still allow for useable outdoor amenity space and accommodate required swales.

Planning and Public Works staff had concerns about the deletion of lot coverage requirements due to the potential increase in stormwater runoff. Further, Council raised concerns about the potential size of dwellings being constructed. The applicant has agreed to reduce the request to 55% for a dwelling plus 5% for a covered deck or porch.

Based on this analysis, the revised requested zoning regulations can be supported.

Submitted Reports:

- Response to consolidated comments, prepared by Upper Canada Consultants, dated May 31, 2024
- Redlined Draft Plan of Subdivision prepared by Upper Canada Consultants, dated April 24, 2024
- Draft Zoning By-law Amendment prepared by Upper Canada Consultants.
- Zoning Check prepared by Upper Canada Consultants, dated April 24, 2024

- Preliminary Neighbourhood Plan prepared by Upper Canada Consultants, dated February 1, 2024
- Preliminary Parking Plan prepared by Upper Canada Consultants, dated April 24, 2024
- Preliminary Streetscape Plan prepared by Upper Canada Consultants, dated April 24, 2024
- Priority Lot Mapping prepared by Upper Canada Consultants, dated January 15, 2024
- Planning Justification Report prepared by Upper Canada Consultants, dated January 24, 2024
- Functional Servicing Report prepared by Upper Canada Consultants, dated February 2024

Copies of the reports are available for review at:

<https://engagingpelham.ca/summersides-village-redline-revision>

Agency Comments

Town Community Planning and Development

- Staff intend to include a maximum garage door width provision in the site-specific zoning in accordance with the East Fonthill Urban Design Guidelines.
- Staff are not supportive of the request to delete maximum front yard setback.
- Staff are not supportive of the request to delete the maximum lot coverage provision.
- Staff encourage variation between blocks, particularly the internal townhouse blocks.
- A temporary emergency access over Blocks 47 and 48 will be required until such time as the lands to the north are developed.
- There appears to be opportunity to include more plantings.

Town Public Works

- Town requires an updated servicing plan for this application.
- Additional comments forthcoming.
- The Owner will be responsible for payment of the front-ending contribution, payable to the Town of Pelham, for the East Fonthill storm water management system oversizing.
- Town requires clarification of the capacity of the pipe from MH9 to MH28 once 125 Port Robinson Road's storm service is connected to the Moody Street storm sewer.

Department of Fire & By-law Services

- The Developer shall provide temporary emergency road access sufficient to support the weight of Fire vehicles and kept clear at all times until such time that the second permanent road access is provided to the satisfaction of the Director of Public Works and the Fire Chief.

Niagara Region Growth Strategy and Economic Development Department

- No objection to the proposed Zoning By-law Amendment and revised Draft Plan of Subdivision applications, subject to the conditions outlined in Appendix I and any local requirements, as the applications are consistent with and conform to Provincial and Regional policies and plans.

Hydro One

- No comments or concerns.

Canada Post

- None to date.

Bell Canada

- Included standard conditions of approval relating to easements.

Enbridge Gas Inc.

- No objection.

Niagara Peninsula Conservation Authority

- No comments.

Public Comments

On March 15, 2024, a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, a public notice sign was posted facing Port Robinson Road. A public meeting was held on April 10, 2024. No members of the public spoke at the public meeting and no comments have been received at the time of writing of this report.

Two written public comments were received following preparation of the initial information staff report.

They are summarized as follows:

- Mary Tucker
 - Expressed concern with the changing character of the area.
 - Expressed concern with construction noise and activity and associated disruption to the surrounding area.
 - Suggested limiting the height of the buildings and to avoid dark colours in the building designs.
 - Expressed concern with congestion on Highway 20
 - Suggested the town prohibit contractors or developers from leaving construction-related debris on-site after the project is finished.
- The Biglieri Group on behalf of their client, an adjacent landowner commented they:
 - Have no objection to the applications and are in support of variety of housing types.
 - Requested that the Town take a more active role in the creation of a development agreement with the landowners in this area to ensure the timely development of the remaining undeveloped lands.

Staff Comments

Council had several questions and comments which are summarized below.

Council expressed variations in the architectural and streetscape are encouraged. Council expressed concern with the increase in density, specifically with respect to traffic impacts, on street parking, and request for the deletion of zoning regulations. Councilor concern with lack of park/greenspace. Council asked about future openings in medians on Summersides Boulevard and expressed concern with deletion of zoning regulations.

In an effort to address Council and staff's concerns, the owner revised the draft plan. Changes included reconfiguring the internal blocks by swapping the townhouse blocks to the north with semi-detached blocks along the south of the subject lands. The change will add variation to the internal blocks and avoid a long stretch of one unit type. The applicant also provided sample elevations which show materials, colors, window styles, columns, roof structures. Deletions to the zoning request have been removed, with site specific zoning regulations now proposed.

Further to Council comment, the median will be opened on Summersides Boulevard at Norgate Way and Shaw Avenue to align with the intersections of the Park Place South subdivision to the north.

With respect to parkland in the East Fonthill Area, there will be a large neighbourhood park on the north side of Summersides Boulevard, consistent with where the Secondary Plan identifies parkland space which will be able to service the development. There is also a park planned south of Port Robinson Road in the Forest Park subdivision. With respect to plantings, the streetscape plan has a net gain of 22 street trees from the previous plan.

With respect to the comments received from the public, the following responses are given. The lands are designated for residential development within the East Fonthill Secondary Plan area. It is important to recognize that changing character is a natural part of urban development. As communities grow and evolve, new development brings opportunities for revitalization, economic growth, and improved infrastructure and services. The ultimate goal of thoughtful development is to balance the unique aspects of the existing area and allow for new development that respects the character of existing areas. Compatibility does not necessarily mean new development is required to be the same as what is existing, rather that it can coexist harmoniously.

Construction activities are required to adhere to the Town's noise by-laws, including limiting construction activities to designated hours and ensuring a site is clean and safe following construction. The developer is required to adhere to these by-laws during and after construction.

The height of the structures is required to comply with the height regulations of the zoning by-law which are standard for these housing types across the Town. The height of the structures is not proposed to exceed the permissible height in each respective zone.

Regarding the request that the Town take a more active role in the creation of a developer's group agreement, this has been included as a recommended condition of draft plan approval that the Developer enter into a Developer's Group Agreement. This condition was included as a condition of approval for the original draft plan of subdivision and is one of the recommended conditions being carried forward for the redlined draft plan.

All requested conditions from commenting agencies and utilities have been included in the draft plan conditions. Additional draft plan conditions are recommended as part of the revised draft plan of subdivision application.

A new condition is requested for the applicant to revise the draft plan to include the portion of Moody Street on the subject property. Including this portion of Moody Street in the draft plan of subdivision will ensure that the Town receives the land dedication in order to facilitate the future development to the east, as per the demonstration plans for East Fonthill.

The recommended conditions are included in Appendix B.

In light of the above analysis, it is Planning staff's opinion that the proposed revision to the previously approved draft plan of subdivision and zoning by-law amendment are consistent with Provincial policy and plans, conform to the Regional and Town Official Plans and represent good planning and therefore, should be approved subject to the recommended conditions of draft plan approval contained in Appendix B.

Alternatives

Council could choose not to approve the revision to the previously approved draft plan of subdivision and amendment to the Zoning By-law.

Council could choose to approve the applications subject to modifications.

Attachments

Appendix A Revised Draft Plan of Subdivision

Appendix B Recommended Revised Conditions of Draft Plan Approval

Prepared and Recommended by:

Andrew Edwards, BES
Planner

Shannon Larocque, MCIP, RPP
Senior Planner

William Tigert, B.Comm., M.P.A
Town Clerk

Prepared and Submitted by:

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