

PLANNING JUSTIFICATION

WEST MEADOWS SUBDIVISION, PRINCE EDWARD COUNTY

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February 28, 2022

Mr. Matthew Coffey MCIP, RPP

Approvals Coordinator

Prince Edward County, Ontario

mcoffey@pecounty.on.ca

**RE: West Meadows Plan of Subdivision
Planning Justification Letter - Minor Variance Application for Blocks 20 and 21, and Lots 3, 5, 10 and 13**

Dear Mr. Coffey,

Fotenn Planning + Design has been retained by Cleave Group to prepare a Planning Justification Letter in support of a minor variance application for Phase 1 of the West Meadows Subdivision (file 13T-18-501) in Prince Edward County (the County). The purpose of the application is to permit an increase to the maximum lot coverage and a reduction to the minimum lot area for individual units within townhouse blocks 20 and 21. The application also seeks to increase the maximum lot coverage for lots 3, 5, 10 and 13 within phase 1. The relief sought through the application will accommodate the creation of individual townhome units through part lot control for purchase and sale and provide relief for four lots to accommodate detached single-family dwellings.

The zoning for phase 1 of the subdivision was considered and amended by the County through by-law 127-2020, however the total lot coverage and area for the townhome blocks once subdivided as individual units was not considered through this process. Additionally, the lot coverage for lots 3, 5, 10 and 13 was not considered through the zoning amendment process and relief is required to accommodate the single-detached dwellings (bungalows) consistent with other models within the subdivision. As a result, an application and this supporting letter have been submitted to the County requesting relief from the maximum lot coverage and minimum lot area for all buildings and structures for townhome blocks 20 and 21, and the maximum permitted lot coverage for lots 3, 5, 10 and 13.

Background and Application Justification

Through the plan of subdivision and zoning by-law amendment application process the subject lands have been deemed appropriate by the County to accommodate the residential subdivision. Through these planning processes the plan of subdivision was deemed to be consistent with the PPS and conform to the policies of the official plan. As a result, this supporting letter has been prepared to address the relief requested through the application only.

Purpose of Application

The owner is seeking to increase the maximum lot coverage for the individual units of the townhome blocks 20 and 21 from 35% to 50 % and reduce the minimum lot area from 250 square metres for an individual townhome unit to 247 square metres. The application has been brought forward as once the units are created through part lot control the two middle units, being units 2 and 3 within each respective block, will exceed the maximum lot coverage and be deficient of the minimum lot area by 3 square metres. The application has also been submitted to permit an increase to the maximum lot coverage for lots 3, 5, 10 and 13 to accommodate single-family dwellings consistent with other models within the subdivision.

Description of Requested Variances

In order to permit the proposed development, relief from the following provisions are being requested:

- 1) Section 12.3.1.v Regulations for permitted residential uses – minimum lot area townhouse dwelling per dwelling unit being 250 square metres

Relief is required to permit a minimum lot area of 247 square metres for the individual townhouse dwelling Units within blocks 20 and 21.

- 2) Section 12.3.7 Regulations for permitted residential uses – maximum lot coverage (all buildings and structures) 35%.

Relief is required to permit lot coverage up to a maximum of 50% to accommodate the creation of individual freehold units within townhome blocks 20 and 21.

- 3) Section 10.3.6 Maximum Lot Coverage for all buildings and structures – lot serviced by a public water and sanitary sewer system being 35%

Relief is required to permit lot coverage up to a maximum of 50% for all buildings and structures within lots 3, 5, 10 and 13 to accommodate the establishment of single-family dwellings consistent with the model typology within the subdivision phase.

Four Tests

The proposed variances have been assessed based on tests for a minor variance as described in Section 45(2) of the Planning Act and in section 9.5.18 of the Official Plan, as follows:

Test #1: Is the general intent and purpose of the Official Plan maintained?

Test #2: Is the general intent and purpose of the Zoning By-law maintained?

Test #3: Is the variance minor?

Test #4: Is the variance desirable for the appropriate development or use of the lands in question?

Test #1: Is the general intent and purpose of the Official Plan maintained?

The subject lands were considered through plan of subdivision, official plan amendment, and zoning by-law amendment applications, and it was determined that the proposed development maintained the general intent and purpose of the official plan. The proposed relief requested through the application is necessary to accommodate the creation of freehold townhome units for Blocks 20 and 21, and single-family dwellings for lots 3, 5, 10 and 13 consistent with the draft approved phase of the subdivision.

Prince Edward County Official Plan (2021)

Prince Edward County's Official Plan provides guidance for land use and development within the County and provides detailed policies within Secondary Plans for urban centres. The policies of Secondary Plans are to be read in conjunction with the Official Plan, and in the event on conflicts the policies of the Official Plan are to prevail. The subject lands are located within the urban centre of Picton, and policies provided within the Secondary Plan apply.

Picton Urban Centre Secondary Plan

The subject lands are located within the Town Residential Area and Town Corridor Areas of the Picton Urban Centre Secondary Plan (secondary plan). Section 2.4 provides guiding principles for the Town Residential Area which include supporting a diverse range of housing and densities and encouraging development which effectively utilizes municipal infrastructure. The relief sought through the minor variance application will help to achieve a range of housing and densities within the plan of subdivision, and encourages efficient use of land, resources, and infrastructure.

Based on this review, it is our professional opinion that the general intent and purpose of the Official Plan and Secondary Plan is maintained.

Test #2: Is the general intent and purpose of the Zoning By-law maintained?

Lots 3, 5, 10 and 13 feature site specific zoning through zone R1-64, and the townhome blocks are zoned R3-H as provided through by-law 127-2020. It is acknowledged that the holding symbol for zone R3-H shall only be removed once an agreement is registered on title. The following table outlines the relief requested through the application.

Provision	Urban Residential Type One Zone (R1-64)	Proposed	Amendment Required?
Lot area (min)	460 m ²	529.35 m ²	No
Lot frontage (min)	15 m	15 m	No
Front yard (min)	6 m	6.71 m	No
Interior side yard (min)	1.2 m	1.21 m	No
Rear yard (min)	7.5 m	10.17 m	No
Building height (max)	10 m	< 10 m	No
Floor area (min)	75 m ²	>75m ²	No
Lot Coverage (Max.)	35%	50%	Yes
Provision	Urban Residential Three Type Zone (R3-H)	Proposed	Amendment Required?
Lot frontage (min)	7 m	7.01 m	No
Front yard (min)	7.5 m	7.5 m	No
Exterior side yard (min)	7.5 m	27.5 m and 33 m	No
Interior side yard (min)	0 m on attached side 2.5 m on other side	0m >2.5 m	No
Building height (max)	15 m	<15 m	No
Lot Coverage (Max.)	35%	50%	Yes
Min. Lot Area	250 m ²	247 m ²	Yes

Relief from the maximum lot coverage will be required once the individual townhome dwelling lots are established through part lot control for units 2 and 3 within each respective block as shown on the site plans provided with the application submission. Permitting the requested relief to a maximum of 50% lot coverage for the individual units will allow for the establishment of the individual units, and provide flexibility for the units to have accessory structures.

Relief from the minimum lot area for a townhome dwelling unit of 3 square metres is requested through the application. Units 2 and 3 on both townhome blocks (20 and 21) will feature lot sizes of 247 square metres which is 3 square metres deficit of the minimum lot area. While the lots will be modestly undersized, the lots will generally meet the provisions of the zoning by-law. As such, the lots are of an appropriate configuration and size for their long-term use, and the requested relief maintains the general intent and purpose of the zoning by-law.

Relief requested for lots 3, 5, 10 and 13 to increase the maximum lot coverage to 50% will accommodate the establishment of single-family dwellings which are consistent with housing models planned for the phase of the subdivision. These lots generally meet the provisions of the zoning by-law and maintain the general intent and purpose of the zoning by-law.

Based on this review, it is our professional opinion that the general purpose and intent of the zoning by-law is maintained through the application.

Test #3: Is the variance minor?

To determine whether a proposed variance is minor in nature, it is necessary to assess the cumulative impact of all requested changes to those policies regulating the site's land use. The applicant is seeking 3 square metres of relief from the minimum lot size of a townhome dwelling unit within the townhome blocks, and to permit a maximum lot coverage of up to 50% within townhome blocks 20 and 21 and lots 3, 5, 10 and 13, respectively. The variances sought through the application are minor in nature as there will be no additional units or lots created through the process, and no significant changes to the approved draft plan of subdivision will result.

Based on this review, it is our professional opinion that the proposed variances are minor in nature.

Test #4: Is the variance desirable for the appropriate development or use of the lands in question?

The requested variances will permit townhome blocks 20 and 21 to be developed in accordance with the draft approved plan of subdivision, and lots 3, 5, 10 and 13 to be developed with housing forms which are consistent with the phase of the subdivision. The development was previously considered through planning act applications, and it was determined that the planned residential development on the subject lands was appropriate. The requested relief through the application does not alter or negatively impact development outcomes. Based on the above, the variance will permit appropriate development and use of the subject lands through the plan of subdivision.

Based on this review, it is our professional opinion that the variances are desirable for the appropriate development of the lands in question.

Conclusion

It is our opinion that the proposed variances satisfy the four tests established for minor variances as outlined in the Planning Act. The appropriateness of the plan of subdivision is maintained through granting the requested relief. Permitting a reduced minimum lot area and increasing the maximum lot coverage for the townhome blocks 20 and 21 and lots 3, 5, 10, and 13 will have a negligible impact on surrounding properties. It is our opinion that the proposed minor variance application represents good planning. Should you have any questions or require any additional information, please do not hesitate to contact the undersigned at 613.542.5454 x 222 or wood@fotenn.com.

Respectfully submitted,



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