



May 17, 2022

Corporation of the County of Prince Edward  
Development Services  
322 Picton Main Street  
Picton, ON  
K0K 2T0

**Attention:**        **Michael Michaud, Manager of Planning**  
                             **James Griffin, Planner**

Dear Mr. Michaud and Mr. Griffin,

**Re:            4-74 Nery Avenue and 27-81 Inkerman Avenue, Hallowell**  
                     **5<sup>th</sup> submission, Zoning By-law Amendment and Draft Plan of Subdivision**  
                     **Applications**

On behalf of FLC Group, SvN Architects + Planners are pleased to submit the enclosed materials in response to the comments package issued on January 21, 2022 regarding the fourth zoning by-law amendment and draft plan of subdivision submission for the above-noted property dated December 20, 2021.

The site is proposed to be developed into a medium density, multi-unit residential community that will contribute to the vibrancy of Picton, and provide much-needed affordable and attainable housing for workers and families in the County. The proposed development has been designed to sensitively integrate with the adjacent neighbourhood, carefully balancing intensification and affordability objectives with urban design principles of built form compatibility.

## **I.        Proposal History**

The zoning by-law amendment and draft plan of subdivision applications and supporting materials were first submitted on September 10, 2020 and were deemed complete on October 20, 2020. Staff and agency comments were received in February 2021, and the engineering peer review comments were received in April 2021. A socially distanced public open house was



held on September 24, 2020, and a Statutory Public Meeting was held virtually at the County's Planning Committee Meeting on February 17, 2021. A presentation to the Prince Edward County Heritage Advisory Committee (PEHAC) occurred on April 14, 2021.

A full second submission was made on August 11, 2021. It is our understanding that the submission materials were not circulated due to concerns from Planning Staff regarding built form and access. A third submission was made on October 15, 2021. A virtual public open house was held on November 16, 2021. On December 20, 2021 a fourth submission was provided.

## **II. Response to Comments**

Although the January 2022 comments package is only the second provided by staff, they were issued in response to FLC Group's fourth submission. With each submission substantial changes were made in response to formal comments and feedback heard at meetings with staff, the heritage committee, and the public. These changes included the introduction of a new type of tenure (rental) and a commitment to affordability for a portion of the rental units, a public road connection, changes to building appearance, and an approach to infrastructure cost sharing.

Some of the comments received have been incongruous with the initial direction provided by Staff at the formal pre-application meeting in November 2019, with some comments in complete contradiction. Despite this, FLC Group accepted the shift in direction and in the spirit of collaboration and good faith negotiations, FLC Group made these revisions.

Through our experience securing planning approvals across a range of municipalities in Southern Ontario, we deal with many different planning departments and have a good understanding of the process of development review and the relationships between municipality and applicant. Due to the complexity of planning matters and land development, it is typical that applicants and municipalities have differing visions for the development of land. To achieve a mutually beneficial outcome, planning approvals are secured through a series of progressive conversations and concessions made by both parties.

We have addressed the majority of the January 2022 staff and agency comments with this resubmission. However, there remain requests that are impractical and which we have previously documented as unfeasible. FLC Group will not be complying with these requests. The latest comment package also introduced completely new requests, for example the



request for the village green to be a public park, whereas cash in lieu was proposed previously without objection. In our experience, the request for parkland dedication is provided at the pre-application stage, with the understanding that such a request has significant impacts on a proposal. Requests such as this, 26 months after the initial submission, are inappropriate and do not reflect a fair, collaborative approvals process. We urge you to reconsider these requests, as detailed in our responses below.

We request that our application be considered at the earliest possible Planning Committee and Council meetings. We understand that, in order to achieve this, Planning Staff must complete their report one month prior.

#### Response to specific January 2022 comments

We have grouped the comments by theme/topic. For your convenience, the following responses are also provided in excel format.

#### *Comments That Have Been Addressed*

The following revisions have been made to respond to comments from Staff and the public:

- Reduction in density from 42.4 upnh to 39.5 upnh;
- Provision of two (2) municipal roads with future connections to neighbouring properties;
- Housing affordability: Provision of 60 rental units, 21 of which will be offered to the PEC Housing Corporation to purchase and maintain as affordable over the long term. In addition, FLC will provide a "Housing Benefit" subsidy for three (3) years for each affordable unit, based on 30% of income calculation at the time of sale;
- Reduction in paved area and corresponding increase in soft landscaping and amenity;
- Confirmation of water and sanitary capacity based on modeling prepared for the County by RV Anderson;

#### *Comments That Have Not Been Addressed*

Due to various technical, market, or other circumstances, the Applicant is unable to comply with the following requests. Rationale has been provided as part of the comment-response matrix.



- Request for public parkland;
- Public ownership of stormwater facilities;
- Retention of additional buildings;
- Increasing the housing mix;
- Closure of Fish Creek Drive; and,
- Provision of individual water meters.

If there are further questions of clarification on any of these topics, we would be happy to set up a meeting with Staff.

### III. Submission Details

The following materials are submitted in support of the zoning by-law amendment and draft plan of subdivision applications. **New materials are in bold.**

- | #   | Item Name  |
|-----|--|
| 1.  | Draft Zoning By-law prepared by SvN Architects + Planners and dated May, 2022;   |
| 2.  | Zoning Compliance Table prepared by SvN Architects + Planners and dated May, 2022;   |
| 3.  | Draft Plan of Subdivision prepared by Holding Jones Venderveen Inc and dated April 29, 2022;   |
| 4.  | Architectural Package prepared by Kirkor Architects and dated May 11 2022;   |
| 5.  | Exterior Finishes package prepared by Kirkor Architects and dated May 11 2022;   |
| 6.  | Landscape Concept prepared by Adesso Designs and dated May 6, 2022;  |
| 7.  | Condo Road cross sections prepared by Adesso Designs and dated May 6, 2022;  |
| 8.  | Functional Servicing Report prepared by John Towle Engineers and dated May 2022 <i>(includes the stormwater management report prepared by Greck Engineering)</i> ; |
| 9.  | Transportation Addendum prepared by RJ Burnside and dated May 5, 2022;   |
| 10. | Heritage Impact Assessment, Final Rev, 4, prepared by Common Bond Inc and dated April 29, 2022;  |
| 11. | <b>Building Condition Assessment prepared by Criterium-Jansen Engineers and dated April 29, 2022;</b>  |
| 12. | <b>Affordability Letter of Intent prepared by FLC Group and dated April 26, 2022;</b>  |
| 13. | Rent Supplement Program description prepared by FLC Group and dated December 9, 2021;  |



14. Legal documents related to the easement including:
  - a) Parcel Register
  - b) Reference Plan
  - c) Transfer/Deed of Land
15. **Comment-response matrix prepared by SvN Architects + Planners and dated May 7, 2022.**

A digital submission is being provided via email with a download link. Hard copies can be provided upon request.

We trust that the above materials provide the information required to facilitate the preparation of a staff report to Planning Committee and Council before the Council election this fall. We look forward to continuing our work with the County, as well as external agencies and stakeholders, to deliver this exciting project.

Sincerely,

Anthony Greenberg, MPI, MCIP, RPP  
Development Planning Lead, Senior Associate

Kelly Graham, MPI, RPP  
Planner

- c. Fred Heller, FLC Group  
Eileen Costello, Aird & Berlis