

January 24, 2025

Municipality of Port Hope
5 Mill Street
Port Hope, ON, L1A 2S6

Attn: Theodhora Merepeza, Manager, Planning

Re: Application for a Zoning By-law Amendment, 276 Victoria Street North, Port Hope,
Municipal File: ZB01-2024
Ecovue Reference: 22-2453

Dear Ms. Merepeza,

Thank you for giving us an opportunity to provide information about the above-noted proposal to members of the Port Hope Planning and Development Committee, Port Hope staff and interested members of the public at the meeting of December 10, 2024.

As you know, Brenbrooke Homes is proposing to construct two three-storey apartment buildings including 93 parking spaces and associated facilities on the property at 276 Victoria Street North. The property is currently designated as Medium Density Residential in the Port Hope Official Plan. Through Port Hope Zoning By-law No. 20/2010 as amended by By-law No. 31/2023, a site-specific Medium Density Residential Zoning RES3 (97)H1 currently applies to the property which permits a variety of residential dwelling types, but does not permit apartment dwellings. A Zoning By-law Amendment (ZBA) is required to place a site specific RES4 zoning on the property to permit the apartment use and to provide relief from some zoning standards.

We have reviewed the written comments received on the application from Municipal staff, review agencies and members of the public, and also the questions and comments of Committee members and members of the public at the meeting. Our response to the main issues raised is set out below.

Municipal and Agency Comments

The comments received from the Port Hope Planning Department and the agencies that responded to circulation of the application did not raise any substantial concerns about the proposed residential apartment use, the general site layout, the proposed density and other essential elements

of the proposal. Many of the comments will be dealt with through further submissions at the site plan approval stage.

With regard to the specific issues that were raised, we provide the following information in response:

1. **Affordable Units** – The issue of providing affordable units in the proposed apartment buildings was raised at the public meeting by Committee members and by planning staff in their comments on the proposal. Planning staff also requested that we provide information about our contact with the Northumberland County Housing Coordinator. Comments from Northumberland County also raised the issue of affordable housing and stated that the County supports providing at least 25% of new residential units as affordable housing. As you know, when we first filed the application the intent of the applicant was to provide all of the units in the affordable range. Early in 2024, we consulted with the County Housing Coordinator and reviewed the County’s information about the affordable housing program and the assistance that could be received. After considering the matter, Brenbrooke Homes determined that while recognizing the importance of the affordable housing issue, they could not commit to including affordable units in the proposal. However, the provision of some affordable units is still under consideration. A decision will be made based upon available funding, and the final project design and budget at the site plan stage.
2. **Protection of Trees, Vegetative Screening of Adjacent Properties** – Efforts will be made to protect existing trees and to screen the existing neighbourhood to the south from the proposed development. Existing trees on the property will be evaluated to determine their health and viability, and to determine their value in providing screening from the existing neighbourhood. If feasible, existing trees along the south property boundary, adjacent to the residential neighbourhood will be retained. This is a matter that will be dealt with at the site plan stage and any required landscaping and tree protection plans will be provided.
3. **Walkway Connection to the South** – There was a question from the Committee and also comment from Municipal Parks staff about providing a pedestrian connection to the south so that residents can access the Highland Estates Park on Trefusis Street. A pedestrian access is being provided and a walkway is included on the concept plan that connects with the walkway between houses on Trefusis Street.

4. **Shadow Impact** – A question was raised by the Committee about possible shadow impacts of the proposed apartment buildings. The proposed buildings are not expected to cause shadow impacts on any existing developed areas. The proposed apartment buildings will be low rise, three-storey structures, the height of which is permitted under the existing zoning and the proposed zoning. Furthermore, most shadowing is projected to the north of proposed buildings and the existing neighbourhood is located to the south. The neighbourhood on the opposite side of Victoria Street is located to the east and separated from the proposed buildings by Victoria Street and a 41 metre setback. In view of the height of the proposed building and the location of existing developed areas that could be impacted, shadow impacts from the proposal are not expected.

5. **Types of Units** – There were comments from the Committee, staff and the public requesting additional information about the types of units that are being proposed in the apartment buildings. The sizes and types of units in terms of number of bedrooms has not been finalized. The proposed average size of the units is 83.2 square metres as stated in the concept plan. The final determination of the size and types of units will be provided at the site plan approval stage.

6. **Access to the Site and Future Pemberton Road Extension** – There were comments about the driveway access to the site and the future extension of Pemberton Road raised during the public meeting and in the memo from the Municipality's Works and Engineering Department. The intent is for a portion of the property to be conveyed to the Municipality for the future extension of Pemberton Road. Vehicular access to the proposed buildings will be provided by a driveway which will be located in the part of the property that will be conveyed. As required in the Municipality's comments, the future Right of Way will be clearly identified on detailed design drawings and an easement will be obtained for the driveway. This matter will be dealt with at the site plan approval stage.

7. **Additional Issues** – There are a number of other standard requirements that were identified in the comments from Municipal Departments and agencies. They include the need to provide grading plans, a finalized functional servicing report and Stormwater Management Report, requirements to comply with the Building Code for emergency access and fire

prevention/protection, the need for a cash in lieu parkland contribution, the need for monitoring soil excavated material for contamination during excavation and construction, and other requirements. These are standard measures that would apply to most development projects in the Municipality. It is expected that these matters will be dealt with through additional submissions during the site plan approval stage of the project. Furthermore, as required through circulation of the application, a submission is being provided to Alderville First Nation to receive their comments on the proposal.

Comments from Members of the Public

Comments from members of the public were provided orally and in writing before and at the public meeting, and also in the days after the meeting ended. There was also a petition received after the public meeting. The issues raised by members of the public are discussed below:

1. **Density of the Proposal** – A number of the comments from the public expressed concern about the proposed density, suggesting that it was excessive and not appropriate for the area. As was explained at the public meeting, the subject property is currently zoned RES3(97)H1 which is a site specific medium density residential zone. The current Official Plan designation and zoning allows for a density of up to 60 units per net hectare on the subject lands. The proposed density of the development will be approximately 60 units per net hectare. As stated in the planning justification report and at the public meeting, our opinion is that the proposed density of the development is permitted under the current designation and zoning of the property. The main reason for requiring the ZBA is to allow the apartment built form. The same density on the property could be achieved with a townhouse development or multi-unit dwellings, which are allowed under the current zoning. In our opinion, the proposal will not result in over-development of the property or a greater density and occupancy of the property than is currently permitted.
2. **Compatibility with the Adjacent Neighbourhood** – Some comments expressed concern that the proposal represents a type of development that is out of character with the surrounding low rise residential neighbourhood and for potential disturbance of the adjacent neighbourhood that may result from the proposal. It is important to note that while an existing low rise neighbourhood is located to the south, the lands to the west of the subject property

are vacant and the Municipal Operations Centre is located to the north. Therefore, fewer potential issues should exist in those areas.

While the proposed buildings will have a different built form than the single detached, semi-detached and townhouses that currently are in the neighborhood to the south, it is important to note that they will be low rise 3 storey structures which fall within the permitted height of the existing medium density zoning. Furthermore, compatibility of the appearance of the building with the neighbourhood can be a consideration in the design of the exterior of the building which will be dealt with at the site planning stage. Our opinion is that the proposal will not introduce a built form into the middle of a residential neighbourhood that is a major departure from that which is permitted under the existing zoning and that which already exists in the area.

The current zoning permits street townhouses which require a minimum lot frontage of 6.0 metres. The RES3 zoning also would permit 3 storey buildings, with the 11 metre height limit. Given the depth of subject property, 33 three storey townhouse units could theoretically be located on an interior road along the south limit of the property. While the final configuration of the apartments has not been determined, this number of townhouses approaches the number of apartments that may be facing the south limit of the property. However, the RES3 zoning would require only a 7.5 metre rear yard for townhouses. The proposed apartments will have an 18.8 metre setback from the south property boundary, which represents a reduced massing impact from a potential "as of right" townhome development.

In terms of potential overlook, privacy and neighbourhood disturbance concerns, the apartment development may cause fewer issues than a development that could be permitted under the existing zoning. Privacy concerns can be further alleviated through consideration of fencing and landscaping measures, including retaining the existing tree line at the site planning stage.

- Traffic** – A number of comments expressed concern about increased traffic resulting from the proposal. The Traffic Impact Study prepared by Jewell Engineering, dated October 5, 2023 assessed the amount of vehicular traffic that would be generated by the proposal. The study predicted future traffic volumes using standard measures, including conducting traffic counts

and accounting for growing population numbers. The expected traffic generated by the proposed apartments was included in future traffic volumes. The level of service at intersections in the area was assessed under both existing and proposed conditions and determined to be acceptable. No issues were identified about the proposed vehicular access onto Victoria Street. When Pemberton Road is extended, there will be two way access and egress for the site, The results of the Traffic Impact Study have not been challenged by any analysis which would lead to questioning the study's conclusions.

4. **Parking** – Some of the comments expressed concern about the number of parking spaces provided for the proposal, suggesting that the total number of spaces would be inadequate. However, the proposal will provide 93 parking spaces, including one for each unit and 19 visitor spaces. Four of the spaces will be accessible. The number of spaces provided complies with the requirements of the Zoning By-law for apartment dwellings. Our opinion is that the parking will be sufficient for the proposed use.
5. **Effect on Property Values** – Some members of the public expressed concern about the proposal affecting property values. While this is not a planning consideration in making decisions about applications, our understanding is that property values are determined by a number of factors and it would be difficult to determine if there would be any impact (positive or negative) from the proposal.
6. **Natural Heritage** – Concerns were expressed in some of the submissions about wildlife usage of the subject property. While the rear portion of the subject property is vacant and, according to residents, some wildlife use the area, no natural heritage significance has been identified in any of the comments by the Municipality and other review agencies, and no documented reports of wildlife usage have been provided during the review process of this application. No significant habitat or wildlife usage has been identified on the property or in the vicinity. While there may be some wildlife using the property, it is expected that it would be typical for a large, underutilized lot within an urban area.
7. **Noise Issues** – Issues regarding potential noise affects from the Municipal Operations Centre on the property were raised in comments and during the Public Meeting. However, no requirements for a land use compatibility study or noise assessment were raised in the review

of the proposal. If this were a legitimate concern, we expect that it would have been raised in the Municipal and agency comments and there would have been a requirement for a noise assessment. Furthermore, noise impacts from adjacent uses would not be a reason to question the viability of the project and can usually be dealt with through the use of noise attenuation measures.

Conclusion

The above discussion summarizes our response to the main issues raised in the Municipal and agency review of the application, through questions and comments at the public meeting, and through written comments provided by members of the public. No significant technical or engineering issues were raised in the review. The comments received from the municipal and agency review will be dealt with through further submissions at the site plan approval stage.

Furthermore, in our opinion, no significant planning issues have been raised about the proposal. Most issues raised are standard matters that will be addressed through the submission of additional information. Many of the issues raised by the public, i.e. the proposed density, traffic impacts, disturbance and privacy concerns are matters that could arise from a development under the existing RES3 (97)H1 zoning of the property without the need for the proposed RES 4 zoning. We understand that the Municipality is concerned about the need for providing affordable units, and as stated above, this matter is still under consideration.

However, our opinion is that that the proposal will provide a needed form of housing that will meet many planning objectives in terms of intensification of the residential use and redevelopment of an underutilized site. Based upon the types of concerns that have been raised in review of the application, there is no reason to delay the application from moving forward. We request that the application be brought forward to Council for approval at the earliest possible opportunity.

Please let us know if you require further information or wish to discuss any of the above.

Respectfully submitted,

ECOVUE CONSULTING SERVICES INC.

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