



# ROTHESAY

PUBLIC HEARING – 7 HILLCREST DRIVE  
Rothesay High School  
**Wednesday, September 14, 2016**  
**7:00 p.m.**



**PRESENT:** MAYOR NANCY GRANT  
DEPUTY MAYOR MATT ALEXANDER  
COUNCILLOR GRANT BRENNAN  
COUNCILLOR PETER J. LEWIS  
COUNCILLOR TIFFANY MACKAY FRENCH  
COUNCILLOR BILL McGUIRE  
COUNCILLOR DON SHEA  
COUNCILLOR MIRIAM WELLS

TOWN MANAGER JOHN JARVIE  
TOWN CLERK MARY JANE BANKS  
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE  
TREASURER DOUG MacDONALD (*audience*)  
ADMINISTRATIVE ASSISTANT LIZ POMEROY

**PUBLIC HEARING**                      **7 Hillcrest Drive (PID 00257139 & 30048847)**

**Documentation**

|                  |  |
|------------------|--|
| 22 August 2016   | 1 <sup>st</sup> Section 68 advertisement |
| 7 September 2016 | 2 <sup>nd</sup> Section 68 advertisement |
| 29 August 2016   | Staff Report 7 Hillcrest Drive           |
| DRAFT            | By-law 2-10-27                           |
|                  | Development Agreement                    |

**Appearances:**

**Mr. Joe Bent**  
**Peter Allaby, P.Eng. Crandall Engineering**  
**Barb Crawford, P.Eng. Dillon Consulting**  
**Andrew McKay, A.E. McKay Builders**  
**Brian White, Director of Planning/Development Services**

**Comments/Apearances:** Letters from residents (15)  
*Additional letters received (3)*

Mayor Grant called the public hearing to order at 7:00 p.m. and gave instructions to those in attendance. She noted the hearing had been duly advertised and Mr. Andrew McKay, Developer, and Brian White, Director of Planning/Development Services (DPDS) would be giving presentations on the proposed rezoning application for 7 Hillcrest Drive. Mayor Grant noted no decision will be made until the next regular Council meeting. She advised Council members are prohibited from discussing the item with residents once the public hearing has adjourned. Mayor Grant further noted additional letters (3) were received from residents after the submission deadline but before the public hearing, and through motion of Council can be included for consideration, at the wish of Council.

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Mackay French the emails from residents RE: 7 Hillcrest Drive dated 8 September 2016, 12 September 2016 and 14 September 2016 be received/filed.

**CARRIED.**

Mayor Grant called on the Developer to give a presentation.

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Mr. Joe Bent of A.E. McKay Builders gave a summary and noted the following: the project is a result of a need for individuals looking to downsize or looking for a lifestyle change from homeownership; A.E. McKay Builders has received 32 serious inquiries regarding the project; the majority of inquiries have been from retired or semi-retired individuals looking for a residence that is easy to maintain; to date the project has not been marketed to the public; the importance of location for such a project and a summary of the process to find the best property for the project.

Mr. Bent gave a brief summary of the proposal and noted the following: proposal is for two 24 unit condominium buildings and 7 garden homes; the two 24 unit buildings are to be high-end condominiums with underground parking, a pool, and other amenities; Mr. McKay is a reputable builder known for high quality projects; an existing need within the community for such a proposal; an increase in the tax base as a result of the project; the project's aesthetic similarities to Town Hall and Rothesay's core; a detailed landscaping plan, an in-depth traffic study, and a stormwater management plan are included in the proposal and meet all By-law requirements. Mr. Bent introduced Mr. Peter Allaby of Crandall Engineering Ltd., and Ms. Barb Crawford of Dillon Consulting Ltd., and noted they will be speaking to the traffic study and stormwater management plan, respectively.

Mr. Allaby presented the following regarding the traffic study: it was completed in July 2016; the process is to establish existing conditions, anticipate traffic generated by the project, determine what impact the generated traffic will have on the community, and how to mitigate any issues; the study determined the proposal will generate low volumes of traffic generally directed towards Hampton Road; it is unlikely the majority of generated traffic would attempt "shortcuts" through the nearby neighbourhood as numerous stop signs, crosswalks, and school zones would delay their commute; the study indicated the proposal would generate a 2% increase to traffic on Hampton Road, well within the variance allowable; it is typical to have higher density proposals on main corridors to improve pedestrian access; with the driveways located on a side street safety concerns are reduced; the location is close to many Rothesay amenities such as the Rothesay Common, churches, schools, bus stops and businesses; it is anticipated the proposal will encourage non-motorized movements; and the study recommends the proposal include a pedestrian connection from the development to Hampton Road.

Ms. Crawford noted the following regarding the stormwater management plan: Dillon Consulting was hired by A.E. McKay Builders to complete a preliminary site plan and stormwater management plan for the proposed development; the existing infrastructure on Hampton Road is adequately sized to accommodate the 10% increase in velocity generated by the proposal; there are no immediate concerns or "red flags" regarding the impact the proposal will have on the existing infrastructure; the proposal will increase the impervious area of the existing site; and there is no expected net increase for water runoff during rain storms. Ms. Crawford indicated there will be no net increase impact from the proposal and there is a detailed landscaping plan as well.

Council inquired about the following: possible relocation of the two 24 unit buildings to the back of the property away from Hampton Road; concern a traffic study completed in July may not best reflect typical traffic patterns; accuracy of the renderings to the final development; project impact on water pressure in the area; demographic restrictions for tenants; excessive density of the proposal; need for space between the buildings and increased setback distances; construction process and timeline; possible building size reduction for the two 24 unit buildings; stormwater management mechanisms on the property; the need for 65 units when only 32 inquiries have been received; assurances residents are not likely to take a "shortcut" through the neighbourhood; heights and setbacks of neighbouring buildings compared to the proposal; concern adjacent property owners did not anticipate the addition of 65 neighbours; effect on property values in the area; retention areas consideration for downstream properties during rain storms; and how the proposal augments the quality of the surrounding area.

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The developer and consultants provided the following information: other designs exist however after discussions with Town staff it was determined the existing layout is best suited for the location; the traffic study was adjusted to include traffic counts a year prior during the spring and fall months to better reflect typical traffic patterns; the Development Agreement includes a clause stating the final project must be an exact reflection of the renderings; there will be no impact to water pressure of neighbouring buildings; though the project may attract older generations, there are no restrictions based on demographics for potential tenants; the proposal meets and exceeds all By-law requirements; developer is willing to discuss relocation of the buildings; it is likely the larger buildings will be constructed at the same time as the garden homes; the estimated completion timeframe is between 24-30 months; reducing the size of the two larger buildings is not a feasible option; the underground parking and elevator are features that may be affected should building sizes be reduced; there are three retention areas for stormwater located along the southwest side of the property; interest in the property is expected to increase once the project is marketed to the public and the traffic study utilizes existing traffic data to determine route estimations for proposal generated traffic.

Mayor Grant called on DPDS White to give a presentation.

DPDS White gave a presentation and noted the following: staff's advice is based on Rothesay's Municipal Plan and professional best practices and experience; the Municipal Plan is the vision for the Town, and the Zoning By-law states the rules to implement the Municipal Plan; protection of existing neighbourhoods is a key tenet of the Municipal Plan; current residential development in Rothesay is generally low density; 82% of Rothesay is zoned residential; 46% are single family homes; 57% of Rothesay households have 2 or fewer people; the Municipal Plan encourages efficient land use by reducing lot sizes and clustering housing units to create a more sustainable development pattern; some citizens no longer desire the burden of large properties and large house maintenance; Council welcomes alternative housing options as a part of the natural evolution and growth of the Town as noted in the Municipal Plan; and alternative housing enables Rothesay to remain a preferred residential community offering a variety of high quality housing options. DPDS White gave a brief summary of the six criteria found in the Municipal Plan Policy under 5.2.3 (h) and how the proposal meets the criteria.

DPDS White also noted the following: the proposal of 65 units is 15.6% under the maximum allowable density in the R4 zone; all setback standards have been complied with; and the parking requirement is exceeded by 10 parking spaces. He also referred to the following: walkability, neighbourhood planning, design planning moving away from single family homes to higher density, transect planning (higher density at town center and progressively less dense towards the edges of the community), Leadership in Energy and Environmental Design (LEED) standards, and neighbourhood diversity.

DPDS White concluded staff recommend By-law 2-10-27 be enacted to rezone 7 Hillcrest Drive from R1A to R4 and Council enter into a Development Agreement with A.E. McKay Builders to develop the proposal, noting there will not be any decisions made by Council this evening.

Council inquired about the following: relocating the buildings further back on the property; existing setbacks in the area; incompatibility with current development in the area; current zoning would accommodate 8 single family homes; building height; possibility of a compromise on the number of units; existing drainage issues and stormwater management; landscaping and buffering; reasonable construction timeline; possible effect on current property values in the area; reducing the height of the buildings; safety and sidewalks and the rationalization for such a change in this area. Some inquiries were directed to the developer/consultants.

DPDS White advised of the following: relocating the larger buildings at the back of the property may

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create a wall effect and be intrusive for the property owner(s) of 9 Hillcrest Drive; the larger buildings are angled to Hampton Road rather than a “solid wall” effect, with an average setback similar to Town Hall; while there are 65 units in the plan, the proposal is 9 buildings on the 4 acre property; the Development Agreement must be adhered to; the stormwater management plan takes into account potential impacts on all properties in the area; no negative impacts are expected for downstream properties; and the proposal augments the quality of the surrounding area aesthetically. He noted a typical single family home is 11m in height. The proposed 24 units buildings have a height at the peak of the roof is 15m, which steps down to about 11m on the roadway façade. He further noted the density is an approved standard in Rothesay and represents part of the natural growth and evolution of the Town, as indicated in the Municipal Plan.

Mr. McKay indicated a reasonable construction timeline would be 24–30 months and advised a lower number of units would not be feasible for the project. Mr. Allaby indicated there are sidewalks on the proposed “Balmoral Boulevard” with a cross-connection to the two 24 unit buildings. Mr. Allaby also noted he is familiar with the area and that Hampton Road is considered a local collector/arterial street that provides access to residential, commercial and institutional uses. Ms. Crawford advised of the following: the stormwater management plan meets or exceeds the current Town requirements; the study involves a review of the greater drainage area and not only the subject property; a site visit was conducted and Ms. Crawford is familiar with the Town guidelines.

Mayor Grant called three times for those wishing to speak against the proposal. The following people spoke: Peter Klohn, 57 Hampton Road; Steve Palmer, 4 Hibbard Lane; Michel Sanscartier, 9 Hillcrest Drive; Bruce Taylor, 20 Hillcrest Drive; Gillian Wallace, 69 Scovil Road; Shari Foley, 10 Hillcrest Drive; Tina Overing, 1 Henderson Park; Lawrence MacDonald, 24 Hillcrest Drive; and Natalie Thomson, 22 Hillcrest Drive. The following comments were made: how the Town notifies residents of potential developments; a suggested review of the development approval process; community expectations and notification to residents; discrepancies in documentation provided relating to the proposal; is there a need for this development and is there another location where it could be built; desire to live in Rothesay; impact on the quality of the neighbourhood; excessive density; concern regarding increased traffic during and after construction; potential damage if blasting is required during construction; impact of increased users for sewer and water systems including the recently approved apartment buildings at 104 Hampton Road; location of other R4 areas in Rothesay; equivalent of constructing a “Best Western” hotel in the neighbourhood; no room for additional students in nearby schools if families purchase the condominiums or garden homes; negative impact on property resale values; pedestrian safety with added traffic; relation to the Municipal Plan; length of time before building commences; changes to the development agreement – section 35 (5 years is too long for construction) and section 38 changed from apartment buildings to condominiums; landscaping should be in place before construction, existing vegetation preservation on the property; and the traffic study process and results.

Mayor Grant called three times for those wishing to speak in favour of the proposal. The following people spoke: Pat Neil, 7 Victoria Crescent; Debbi Henderson, 5 Bel-Air Avenue; Terry Holt, 27 Islay Drive; Cindy Steeves (n/a); and Joy Fanjoy, 34 Rothesay Park Road. The following comments were made: Mr. McKay is a reputable builder; desire to down-size property with less burden of home ownership and still live in Rothesay; lack of alternative housing options of a similar nature in Rothesay; lower density compared to larger cities such as Toronto; attractive design; great for individuals hoping to downsize; marketing to seniors who are unlikely to increase traffic during peak commute times; great location and close to many Town amenities; pedestrian friendly; improved aesthetic if larger buildings are relocated to the back of the property; empathy for concerns of adjacent property owners; request for Council to remain open to this type of development in the community; increased tax base beneficial to

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the Town in continuing to provide the services that residents have been accustomed to and the younger generation is also interested in this type of development.

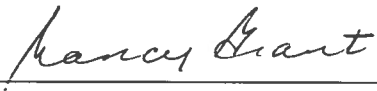
Mayor Grant invited Mr. McKay to add any further comments. Mr. McKay noted the following: A.E. McKay Builders is open to feedback and will consider the concerns brought forth; overall need for the proposal; interest in working in Rothesay; strong interest from the public; determination to avoid negative impacts on the community; and A.E. McKay Builders strives to provide the best quality developments.

Mayor Grant called for any questions for DPDS White and, there being none, thanked all who attended the public hearing.

**MOVED** by Counc. McGuire and seconded by Counc. Wells the public hearing be adjourned.

**CARRIED.**

The public hearing adjourned at 9:00 p.m.

  
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MAYOR

  
\_\_\_\_\_  
CLERK