

COMMISSIONER'S REPORT

**MOUNT PEARL MUNICIPAL PLAN 2010
AMENDMENT NO. 21, 2018**

**MOUNT PEARL DEVELOPMENT REGULATIONS 2010
AMENDMENT NO. 66, 2018**

KENMOUNT HILL CDS AMENDMENT



**George D. Trainor
Commissioner**

INTRODUCTION

Your Commissioner was appointed by letter dated October 17, 2018 from the City of Mount Pearl to conduct a public hearing and prepare a report with respect to the Mount Pearl Municipal Plan Amendment No. 21 and Development Regulation No. 66, (hereinafter referred to as Kenmount Hill CDS Amendment).

Notice of hearing was advertised as required on the 6th day of October, 2018 and the 13th day of October, 2018 in the Telegram.

The hearing was convened as scheduled on the 25th day of October, 2018 at 7:01 pm at Pearlgate Track and Field Complex, 120 Old Placentia Road.

Present was your Commissioner; Catherine Howell, Manager of Development and Planning and Alanna Felt, Planner, Development and Planning.

OPENING REMARKS

As Commissioner I welcomed all in attendance and noted that I have been appointed by the City of Mount Pearl to hold this public meeting this evening. We are here to consider the feedback on the purpose of the amendment to approve the Kenmount Hill Comprehensive Development Scheme (CDS) and its policies and land use designations as they relate to the

Kenmount Hill Comprehensive Development Area, to allow for the orderly growth, development and use of land in the area in a sustainable, efficient and environmentally sensitive manner.

The Kenmount Hill CDS will provide the land use framework for the future growth of the Area as a mixed density residential area allowing a variety of housing styles, linked with recreational and environmentally important open spaces and appropriate locations for commercial uses, including an area west of Mount Carson Avenue. In order to implement the CDS, amendments to the Mount Pearl Municipal Plan 2010 and Mount Pearl Development Regulations 2010 are required to provide the appropriate land policies, land use designations, use zones, development standards and zoning to afford Council the authority to consider future applications for development in that area of the City.

Please note, members of the City of Mount Pearl are in attendance; they are here only to observe your comments, suggestions, etc.

Before proceeding with this hearing I would like to ask for no interruptions when people are speaking – make your notes for when it is your turn to speak. I am the only one who can ask questions of the person speaking.

In addition, unless otherwise noted, the focus of this meeting is specific to the matter at hand and is not a public forum for the matters that are not directly related to this meeting. I should also note the location of washrooms and emergency exits and also request that all persons attending the meeting to please sign the attendance sheet.

Written presentations were received prior to the hearing and presenters given seven minutes to make their remarks are:

Mark Croke	Megan Keough
Bonnie O'Rourke	Rhonda & Jamie Roebottom
Sherry O'Brien	Carla Boyd
Rod Keeping	Paula Walsh
Pam Coristine	Jim Stanton
Benneth Latham	David Pike
Rex & Sheila Normore	Bernice Hillier
Ed & Flo Squires	Ben Hammett
Robert Emberly	Lois Hammond
Nicole Duke	

Additional speaker at this hearing – Brian O'Keefe.

Additional enquiry from CBC after the hearing.

Additional information received after the hearing from Dan Ficken, Craig Norman, Barry Hayes, Megan Keough, Bernice Hillier, Ben Hammett and Brian O'Keefe.

Your Commissioner was in possession of background information prepared by the City of Mount Pearl including but not limited to the notes of the Briefing Session of April 26, 2018 and the background Report, August 2018 proposed by the City of Mount Pearl and the above mentioned written presentations.

I will note the attendance record shows 48 people have signed the attendance form.

YOUR COMMISSIONER'S NOTES

These notes constitute the record of the Hearing as no formal transcript of the proceedings was made. The following is not intended to be a verbatim record of the proceedings but the general commentary of each individual.

ISSUES

First Issue

The first issue to be dealt with at this hearing was Mount Pearl Municipal Plan Amendment No. 21, 2018, which states:

Mount Pearl Municipal Plan 2010:

1. Kenmount Hill Development Scheme .
Amend the text of the Mount Pearl Municipal Plan 2010 that is in effect for the Kenmount Hill Comprehensive Development Area and replace these policies with the policies outlined in the Kenmount Hill Comprehensive Development Scheme
2. The Mount Pearl Municipal Plan 2010 Future Land Use Plan.
Amend the future land use map within the limits of Kenmount Hill Comprehensive Development Area by re-designation of lands from **“Urban-Comprehensive Development Area”, “Highway-Commercial”, “General Commercial”, “Residential Commercial Mix”, “Open Space” and “Conservation”**.

The land use designations affected by Mount Pearl Municipal 2010 Amendment No. 21, 2018 are illustrated on the Future Land Use Plan attached as Schedule 1.

Those lands not being re-designated shall maintain their present designation.

Second Issue

The second issue to be dealt with at this hearing was Mount Pearl Development Regulations 2010 Amendment No. 66, 2018, which states as follows:

Text Amendments to the Mount Pearl Development Regulations 2010:

1. Amend Section 11.6 of the Development Regulations 2010 which references the Residential High Density (RHD) Zone by adding a new subsection to read as follows:
“11.6.5 Mandatory Mix of Housing Types
In the area which is subject to the Kenmount Hill Comprehensive Development Scheme, for any application for the proposed subdivision of land for the purpose of constructing a residential development which is submitted to the City for consideration of approval, a minimum of 35% of the new residential units must be a form other than Single Detached Dwellings. The proposed mix of residential uses for each development project or stage of a residential project will be subject to the approval of Council with conditions and/or restrictions that Council may deem appropriate to set”.
2. Amend Section 11 of the Development Regulations 2010 to add a new zone to be called the Residential Commercial Mix (RCM) Zone to read as follows:

USE ZONE SCHEDULES

3.1.1 **RESIDENTIAL COMMERCIAL MIX**

3.1.1.1 **Permitted Uses**

**Residential
Commercial
Recreational
Public**

3.1.1.2 **Discretionary Uses (Subject to Regulation 3.7)**

3.1.1.3 **Development Standards**

3.1.1.4 **Buffers**

3.1.1.5 **Signs and Advertisements**

3.1.1.6 **Cultural Centre, Civic Use, Place of Worship and Schools**

3.1.1.7 **Shopping Centre**

The Mount Pearl Development Regulations 2010 Land Use Zoning Map:

1. Amend the Mount Pearl Land Use Zoning Map by rezoning the portion of land within the boundaries of the Kenmount Hill Comprehensive Development Area as follows:

Comprehensive Development Area-Kenmount Hill Zone to:

- Residential High Density (RHD) Zone
- Residential Commercial Mix (RCM) Zone
- Commercial Highway (CH) Zone
- Commercial General (CG) Zone
- Open Space (OS) Zone
- Conservation (CON) Zone

Those lands not being re-zoned shall maintain their present zoning.

Map 1 – Land Use Zoning Map as amended and attached should be referred to in order to locate more precisely the lands covered by Amendment No. 66, 2018 above.

THE HEARING

I will now introduce Catherine Howell, Manager of Development and Planning and Alanna Felt, Planner from the City of Mount Pearl. The Manager of Development and Planning, Catherine Howell will now address the hearing and outline the background for the proposed amendments on Kenmount Hill. The proposed amendments came about based on the province's approval of Section 15 of the Urban and Rural Planning Act, 2000 in reviewing Municipal Plan Amendment 21 and Development Regulation 66 – no provincial government interests were identified. Releasing the documents from provincial review, Council may now consider the documents for adoption with the requirement of scheduling a public hearing.

Continuing with the presentation, the first question was Why Kenmount Hill?/Why Now? The response was – vision for growth; new places to live, work, shop and play. The objective of the amendments is to balance the wishes and objectives of property owners in Kenmount Hill; to develop a complete neighbourhood; to provide an open space system; to protect the environment; to establish a road network and to ensure municipal servicing.

Next, Development History starting with 2012 with a Regional plan to permit future urban development, serviced with municipal water and sewer for land located above the 190 metre elevation. Then in 2014 another regional plan to include the re-designation of land in the vicinity of Kenmount Hill from “Rural and Restricted” to “Urban Development”.

The lands were rezoned to Comprehensive development Area (Kenmount Hill) on August 21, 2015. Kenmount Hill CDS (Comprehensive Development Scheme) Amendment was released from Department of Municipal Affairs and Environment on September 20, 2018 and adopted by Council on October 2, 2018. Reviewed the process for public engagement – engaged early and often. Public consultations started in 2015 with study of area land owners and going to 2018 with a public briefing session (April 26) and open house (May 22) that started with the public hearing seeing 875 mailers and handouts being distributed on two separate occasions. Additional information could also be found on the City’s regular website updates and targeted E-mail updates as required together with five local newspaper advertisements and one-on-one meetings between staff, Council and residents. Consultations started in 2015 with study area property owners and continued with Kenmount Hill property owners until Spring 2018.

The purpose of the amendment is to approve the **Kenmount Hill Comprehensive Development Scheme (CDS)** and its **policies and land use designations** as they relate to the Kenmount Hill Comprehensive Development Area. The Kenmount Hill CDS will provide the **land use framework** for the **future growth** of the area as a **mixed density residential** area allowing a variety of housing styles, linked with **recreational and environmentally important open spaces**, and appropriate locations for **commercial uses**, including an area west of Mount Carson Avenue. In order to implement the Kenmount Hill CDS, amendments to the Mount Pearl Municipal Plan 2010 and Mount Pearl Development Regulations 2010 are required to provide the appropriate

land use policies, land use designations, use zones, development standards and zoning that allow Council the authority to consider future applications for development in that area of the City. Council's approach is to rezone the lands on Kenmount Hill (which are currently zoned "Comprehensive Development Area - Kenmount Hill"); to guide future development, approve the proposed road network, encourage a range of urban development, ensure municipal services are in place to accommodate any proposed urbanization and conserve wetlands – together protecting environmentally sensitive areas (Steep slopes).

Continuing on to key concerns – a few major points will be noted for each key concern:

Roundabouts - installed at intersection of Mount Carson and Wyatt Boulevard; Conceptual at this point; issues and concerns have been noted and will be addressed in the preliminary design stage.

Increased Traffic – the City of Mount Pearl commissioned a study by Harbourside Transportation Consultants (HTC); the City is committed to making necessary improvements to address operations and traffic flow as per the results of the traffic study.

Conservation of Wetland and Watercourses – the plan is for a "green" community with linear walkway connections. Any existing wetland tributary systems have been reserved as **Conservation** lands, as well as any lands with slopes steeper than 15% and hilltops are recommended to be zoned **Open Space** for conservation purposes and for the creation of a large **urban park**; all development with 15 metres of a wetland will be referred and is required to receive a permit under the Water Resources Act from the Provincial Department of Municipal Affairs and Environment.

Open Space – keeping almost 40% open space; establishing a **30 metre buffer around the wetlands**; maintaining **natural vegetation**; creating **backyard buffers** where possible; ensuring **zero net increase** in storm water run-off.

Housing Density – the City’s intent to zone **Residential High Density (RHD)** is to permit for a **mix** of residential density forms, to include: Single detached homes, semi-detached homes, quadplexes, apartment; the proposed mix of residential densities can potentially yield 1,285 residential units, with a population of 2,560 persons.

Backyard Buffers for Residential properties – the City requires a buffer **residential and non-residential** uses (10 m for industrial and 3 m for commercial); the City **does not require** a buffer between residential uses; residential buffers will be considered in **future Subdivision Development Plan** applications.

Tavenor Place Conversion - the original comprehensive development scheme demonstrated the conversion from a cul-du-sac to a collector road. Upon further discussion and review, the City of Mount Pearl has proposed an **alternative location** for the collector road, which is conceptual, pending a detailed engineering review. The same amount of collector roads will remain as originally proposed (three).

Safety at Montclair Street Playground – Montclair Street will be extended into the future development area; the City has committed to: implementing traffic calming and safety measures at the Montclair Playground and vicinity, including the installation of safety bollards, increased signage and

the installation of a crosswalk at the playground entry. Any park area that may be extended, will not negatively impact any wetlands in the area.

Land Servicing – the City of Mount Pearl has committed to the upgrades that will be required for the development of the Kenmount Hill Comprehensive Development area. The details of these upgrades are still being assessed, however, they include: the addition of a second water tower near the existing tower to support both the existing and new development; completing sanitary sewer upgrades required to accommodate the additional sewer capacity; Specifically related to storm water servicing – the City of Mount Pearl requires that all development shall result in a zero net runoff; this will be required in any future development in this area; all storm water created from development is required to be maintained onsite; storm water detention is required.

Snow Storage – snow storage spaces are **required** in all new subdivisions in the City of Mount Pearl; the provision of snow storage is a requirement that is typically included in the **Subdivision Development Agreement** signed between the City and the subdivision developer.

Street Connections – the City of Mount Pearl wants to ensure that there is a clear sense of entering and leaving a Mount Pearl Neighbourhood with a clear municipal boundary; neighbourhoods will not be split into two municipalities.

Existing Antenna Tower – there is an existing tower in the highest contour elevation and is located outside of the City of Mount Pearl municipal boundary; Federal legislation regulates antenna safety, including requirement for development; the City of Mount Pearl will ensure all future development complies with Federal legislation.

Land Use Impact Assessments – the City of Mount Pearl has utilized industry experts for the development of the Comprehensive Development Scheme Study and the Traffic Study; the results of these studies include all relevant information that would be included in a Land Use Impact Assessment Report; it is the City’s belief that we have completed the equivalent studies to a Land Use Impact Assessment in relation to the Comprehensive Development Area.

WRITTEN REPRESENTATIONS

NOTICE

Your Commissioner reviewed the commentary of all speakers and instead of showing detailed comments in order of speaking, compressed individual comments to each person’s name

As we have multiple requests to speak, I will allow seven minutes to make your representation.

The procedure for speaking will be as follows:

First preference will be given to those individuals who have submitted a written report on the subject matter – followed by persons who would like to speak and those who have used up their seven minutes and have additional comments.

1. Mark Croke Declined to speak
Main concern for walking trails.

2. Megan Keough Concerns for Montclair Park – park fence –
her home - sidewalk on her property – becoming
a major throughfare - impact on surrounding
community – snow clearing – wetlands – flooding
concern about information not being recorded
consequently, having another public meeting.

3. Bonnie O'Rourke Submitted an eleven page submission to Council concerning this Public Meeting on Kenmount Hill CDS - has submitted on three other occasions - Amendments are too extreme – not compatible with existing uses; Comment “City within a Park” consulting with consultants not people – only allow 8% residential use – reserve 40% of land - not suitable for development anyway – Buffer zone 200 feet City of St. John’s – Apartment Buildings – 3 to 4 to 7 storeys – Extreme high density – Tract Consultants seem to forget people have to walk - why three collector roads – losing part of playground on Montclair – why no urban forest master plan – Traffic report – old data – one day data – City not paying attention Is this amendment for developers – also note to Telegram article – a tale of two cities.
4. Rhonda and Jamie Roebbotham Declined to speak
Written submission referred to: increased traffic In Montclair -Wyatt Boulevard – Mount Carson – and Kenmount Road – no access on Montclair – student overcrowding – no environmental Assessment of the proposed development.
5. Sherry O'Brien She did not wish to speak – Ronald O'Brien made her presentation. Need to leave tree line between new development and the residents of Farrell Drive – Montclair and Ambassador Place have a buffer zone – because of high winds, Farrell Drive needs a buffer zone – lots of garage on walking trails need trees to protect homes – wildlife and wetlands.

6. Carla Boyd Not in attendance
Her presentation indicated support for Kenmount Hill Development and land designation to expand and this is a great opportunity to do so.
7. Rod Keeping Not in attendance
Letter wished to ask about Tree Buffer Zone at rear of his hoe on Montclair Street – will the forested area be wiped out like on Kenmount Rd. – Avalon Ford – what increases in traffic on Montclair?
8. Paula Walsh Before speaking requested no pictures – concerns about how notes were being taken – recorded – advised no formal transcript. Concerned about plans for Montclair Street – access/exit for new road to a new subdivision – this road not made to be a major throughfare – what happens to current playground – wetlands any plans for maintaining the integrity of this valuable resource – traffic study by Harbourside very difficult to find – what is City doing for developers – can residents see all submissions so we can review? Can we send additional submissions to the Commissioner after the Public Meeting.
9. Pam Coristine Moved back to Newfoundland and found Montclair Street – thought no more development Concerned about terms of development for Mount Pearl – St. John’s – Paradise – Portugal Cove/St. Phillips – Kenmount Hill. Residents will live for the next 10 years through development – I say no to development – Impressed with changes made to the initial plan for development – concerned about municipal boundaries as the City of Mount Pearl has no immediate plan on their side of the municipal boundary on Kenmount Hill.

10. Jim Stanton Concept of development – smart growth is flawed and fraught with problems for the future
Words used for Smart Growth – avoiding the strict segregation of land allows for the creation of interesting, healthy and convenient community neighbourhoods – but no proof.
11. Beneth Latham Significant traffic increase on entrance/exit of Montclair Street for vehicles accessing and Exiting Wyatt Boulevard – How can this be Managed? Stream that runs behind our Property on Montclair Street – what will happen to it? Where can you get better neighbours and what is going to happen to our playground across the street? High density area how and why is this going to happen? Not against development. Need a review of traffic to get to work – including the three collector roads and roundabouts.
12. David Pike Concerns: will any existing roads be widened as part of the proposed development – what happens to the snow? Will any expropriations happen as part of the proposed development? Has any consideration been given to the impact of the infranoise generated by the radio tower on the hill. Neighbourhood playground – how can you move the playground to the Wetlands area – concerns on three access roads – two now. Why Wyatt Boulevard?
13. Rex and Sheila Normore Concerns: worried that the City of Mount Pearl intends to go ahead with the comprehensive Development scheme (CDS) proposed for Kenmount Hill in spite of the objections and concerns of residents in the immediate area. Do not want a road running through our park on Montclair Street and wetlands and do not want a Roundabout at Wyatt Boulevard – Montclair Street Is low density, single family – now going to High rise apartment buildings, condos, double and

Single family dwellings and seniors apartments –
Increased traffic and noise levels – loss of green
Space – now high winds and water runoff from the
Loss of forest

14. Bernice Hillier

Concerns: Opposed to this Kenmount Hill
Development – 1243 units right behind my house -
Two roads through Elmcliff Subdivision
Playground – Now have high traffic zone – how do
We get out of Wyatt Boulevard – Will the value of
our homes increase/decrease with development –
Immediate area around Montclair Street is
Wetlands – hence we have basements flooded -
Will my home now be flooded with development –
An access road should never be put near or
through a playground bringing through 1500 cars
daily – the traffic issues are many, trying to get on
and off this hill and now your plan will increase
our problems. I believe you should build around
Elmcliff Subdivision not interfere with our lives
If a road goes through our playground with high
traffic volumes this is dangerous and careless for
people in our neighbourhood – I hope Council has
taken the people's concerns of Mount Pearl –
Council has always listened to and taken care of
their people as a whole – please let that happen –
please make us proud again – concerned that
information may have been missed or
unintentionally overlooked.

15. Ed and Flo
Squires

Originally asked Bonnie O'Rourke to give a
presentation for them – her remarks can be found
in her presentation.

Did request to speak when all presenters had
spoken –

Ed Squires

Concerns: Impact – sociological – this is Conceptual – How is this going to effect my home on Tavenor Place – regarding values – stop renting basement apartments - deregister – value still goes up – adding a garage value decreased – safety of children in park – concerns of residents are valid – improvements are required. Only conceptual planning – making road in Tavenor Place – add more frontage to me – more Maintenance property value decline again.

16. Ben Hammett

Concerns: We are not against change – this is why we are against – low density development is fine – high density development is frightening – can the traffic situation for this high density development be sorted out if the property owners do not know what they want to build – need wide buffer zones to assuage the loss of greenbelt – can the apartment blocks – one end be pointed in our present direction – can location of duplex and quadplex housing be relocated – what about flooding – forest/trees have been removed – water catchment being considered – there is no objection to Low Density Development – it is the alternative that is causing concern for everybody – Council are cramming in the highest amount of housing they possibly can, totally with traditional approach – they are doing multi-types of housing simply because their research indicates this is what families want now. Can Mount Pearl be an environmental leader by making the entire area into a park – their plan stinks.

17. Robert Emberly Concerns: City doing a great job on water runoff for Farrell Drive – we have compact housing - with development double the traffic - difficult to use Farrell Drive in the winter – third road should be Blackmarsh Road – noted no fire block between homes on Farrell Drive – Farrell Drive not the access road.
18. Lois Hammond Only heard about this development a couple of weeks ago – live on Holden Street for 36 years – I walk the Montclair and Tavenor Street with my Dog – traffic now will be too much due to high Density development – what is going to happen – Told 36 years ago – Metrobus could not make the Hill – Mount Pearl is a city within a park – why Develop a beautiful area – why develop trails – Trees – have wildlife – High density areas/people pay more taxes – Develop a park for the area – let's make a park.
19. Nicole Duke Notice for this meeting was placed on my car – having problems with the tower – told car not needed now with Metrobus – no bus after 8:00 pm at night – now saying three to seven storey buildings – I hear only one to seven storey building – Where are all these people going to park – traffic study – Wyatt Boulevard – height not warranted – maybe in the near future – One roundabout now, maybe four or five down the road Six million dollars – city will pay, not the Developers – Pedestrian – children – what about Safety features – cannot see people – Mount Carson – Commonwealth Avenue – Topsail Road Someone walking will be hurt- Bypass Montclair and Tavenor – go directly to Kenmount Road – Interfere with traffic on Kenmount Road – have a light not a roundabout – not listening to residents.

20. Brian O'Keefe

City in a Park – not going to see – History of Mount Pearl getting destroyed – Citizens – Apartment Complex – what a place to retire – Nothing available – doctor - stores - Pearlview – homes bungalows – no duplex's etc. right to Kenmount Road – All single family homes off Mount Carson – Montclair and Farrell Drive - do not want high density – not getting answers to questions – Council must be fair in development – beautiful Kenmount Park. Buy and put a park in it – Kenmount Park – 782 residences to 1825 people – now have 1243 units – population 1.5 per unit – 2000 people approximate - where is the parking and road layout – one comment do not have to go with development – presented a petition with 145 names against this project – five lane roundabout will be an embarrassment and a nightmare of accidents – it's time to push back with these developers – you the Council have to take control of Kenmount Hill – if the developers don't like it, then stop the development and wait a few years – you are suppose to fight for the residents of Mount Pearl.

21. CBC Concerns

The intent of the proposed CDS Amendment is to rezone lands that are currently zoned Comprehensive Development Area (Kenmount Hill) – this will allow the future development of a variety of uses, including residential and commercial – a summary of these are as follows – Residential High Density (RHD) – Residential Commercial Mix (RCM) - Commercial Highway (CH) - Commercial General (CG) – currently, lands related to the proposed Kenmount Hill Comprehensive Development Scheme Amendment are not currently zoned low density - the lands are zoned Comprehensive Development Area (Kenmount Hill) which does not permit any type of development within the current City of Mount Pearl Development Regulations 200 – The

Comprehensive Development Area (Kenmount Hill) is now available for serviced urban development up to the 230 metre contour elevation and are pursuing the rezoning of these lands to accommodate future development based on studies completed by the party professional consultants – different densities of residential development are proposed to accommodate a mixed density of housing forms including single detached units, double dwellings, quadplexes and apartment buildings – east of Wyatt Boulevard
Condo/Apartment Buildings to a height of 39 feet high – Residential/Commercial adjacent to Kenmount Road will be seven storeys – Residential Commercial Mix Zone will be comprised of restaurants, shops, banks, pharmacies, furniture stores, to name a few.

22. Dan Ficken

Comments received after the Public Hearing

Support the proposed mixed use development it fits in line with what a proper municipal plan should set out in a modern and growing city setting. Essentially, St. John's and Mount Pearl have been growing in a patchwork of spaghetti subdivisions with endless cul-du-sacs and sprawling shopping areas with huge parking lots and roads that do not promote walking or urban health - Now seeing a modern municipal plan and connected regional planning between municipal boundaries and including a mix of different zones and residential options – the expansion of Kenmount Hill in Mount Pearl seems to me like a responsible level of residential, commercial, park and green space options.

23. Craig Norman

Comments received after the Public Hearing

Noted that information may have been missed or unintentionally overlooked – lack of recording equipment or appropriate means to record and capture the people's concerns.

24. Barry Hayes

Comments received after the Public Hearing

Noted that information may have been missed or unintentionally overlooked – lack of recording equipment or appropriate means to record and capture the people's concerns. Council and the planning department seems to be more concerned for the developers – Elmcliff was a totally enclosed subdivision – only single family dwellings – low density – now apartments – Fiduciary duty to Elmcliff subdivision – no city would change a low density zone into a high density neighbourhood and tie streets together - told Mount Pearl did not know what St. John's is planning – In fact, St. John's development will be tied at the boundary line to bring Mount Carson Avenue across Kenmount Hill to meet up with Old Pennywell Road – Traffic from Team Gushue Highway will use Montclair Street as a main access to Wyatt Boulevard – Why in Traffic Study is there no mention of access to Montclair Street or Tavenor Place – To allow the access road through Montclair, Council is prepared to fill in wetlands to move the playground - where is the 30 metre buffer – North side of Montclair is wetland – Wetlands continue from Georges Pond and south of Montclair including their waters are wetlands – concerned for reduced property values.

As Commissioner for the hearing, I asked if anyone present had any other comments- questions for Council on any submissions made this evening.

No reply from anyone in attendance.

Meeting adjourned – 9:57 pm.

CONCLUSION

The City of Mount Pearl has a vision for growth and the Development of Kenmount Hill is a critical component of that expansion towards growing a residential and commercial footprint.

The Kenmount Hill development will provide new opportunities for new places to live, work, shop and play in future expansion.

CONSIDERATIONS AND OBSERVATIONS

Important Observation

Wetlands, walking trails, trees, wildlife, bicycle use: The plan is for a “green” community with linear walkway connections. Any existing wetland tributary systems have been reserved as Conservation lands, as well as any lands with slopes steeper than 15% and hilltops are recommended to be zoned Open Space for conservation purposes and for the creation of a large urban park.

The residents of Kenmount Hill would like to work with Council for a large urban park but would like to see this designated before development. Are the residents and City looking for two different things? If a large area of land is being reserved i.e. Wetlands, can Council denote this area upfront and with residents, work out a time table for development of a park.

Traffic: Residents for Elmcliff Subdivision, Farrell Drive, Wyatt Boulevard, Mount Carson Avenue, Kenmount.

Council has commissioned a study by Harbourside Transportation to prepare a Traffic Impact Study. Many good points but the residents of Kenmount Hill do have concerns like Elmcliff Subdivision and Montclair Street, which are older established neighbourhoods now becoming major traffic routes.

This development is a long term project and will see many changes regarding traffic. Has one way traffic in older areas been reviewed in conjunction with Roundabouts, Yield, Merge, Stop signs and traffic lights and additional connector roads? A review will be warranted

Extreme High Density Zoning: Council has indicated that by amending the development regulations and adding the Residential High Density, which is specific to the Kenmount Hill CDA area only, this prevents the dwelling units with a new subdivision, in the Kenmount Hill CDA area, from being all high density housing, as the intent of the condition is to have a Mandatory Mix of Housing Types and all subdivisions are to be approved by the City.

This Kenmount Hill CDA is or will be one of the last major development projects for the City of Mount Pearl. Therefore, land is at a premium especially putting in a major park. Has consideration been given to help with high density to instead have large parking lots to having parking garages to see through consultation with the residents of Kenmount Hill to help alleviate some of the concerns of high density.

Buffer Zones: Many existing property owners are concerned regarding buffer zones if and when new development occurs.

In the Backyard Buffers for Residential Properties the City does not require a buffer between residential uses. Property owners with more than 20 years occupancy should have a say in development that would occur at the rear of their property and should be granted privacy by means such as a Tree Buffer Zone.

Proposed Kenmount Hill CDS Amendment: I have noted some of the major concerns of property owners in the Kenmount Area to the proposed development.

Others wished to support the proposed mixed use development because it fits in line with what a proper municipal plan should set out to achieve in a modern and growing city setting

There have been too many piecemeal developments that are really just islands to themselves within the urban core and throughout the region and are not reflective of future growth and connectivity to other neighbourhoods and commercial areas. Emphasis must be put on adhering to a modern municipal plan and connected regional planning between municipal boundaries including a mix of different zones and residential options.

A majority of people in the Kenmount Hill Area are not opposed to development. For development to take place, the residents of Kenmount Hill and the City of Mount Pearl must agree on many issues already discussed such as wetlands, large urban park, traffic, extreme high density zoning, and buffer zones.

The City of Mount Pearl had approached the Department of Municipal Affairs and Environment – Local Governance and Land Use Planning Division regarding the Kenmount Hill CDS Amendment – Municipal Plan Amendment 21, 2018 and Development Regulations 66, 2018, Section 15 Provincial Review and Release and received a reply on September 20, 2018 releasing all documents from provincial government and agency interests. Noted in the letter was that Council may now consider the documents for adoption and, if it does so, schedule a public hearing.

Your Commissioner has reviewed the Background Report prepared by the City of Mount Pearl including but not limited to the minutes of the Briefing Session of April 24, 2018 and a Briefing Session – an Open House event on May 22, 2018.

In addition, written and verbal submissions containing comments and representations made during the public hearing of October 25, 2018.

RECOMMENDATION

It is your Commissioner's recommendation that:

The City of Mount Pearl Municipal Plan 2010, Amendment No. 21, 2018
and Mount Pearl Development Regulations 2010, Amendment No. 66, 2018
(Kenmount Hill CDS Amendment) be approved.

Respectfully submitted, this 23rd day of November, 2018.

George D. Trainor
Commissioner