
PLANNING ADVISORY COMMITTEE



The City of Saint John

November 27, 2018

His Worship Mayor Don Darling and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Rezoning Application
105 Prince Edward Street**

On October 22, 2018 Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its November 20, 2018 meeting.

The Committee heard a presentation from staff regarding the rezoning of 105 Prince Edward Street from Mixed Commercial to General Commercial to facilitate the conversion of a third floor dwelling unit to a commercial business office use. The business office use accommodates the continued growth of Wheelhouse of Waterloo Village co-working space enterprise. Staff indicated that the proposed rezoning aligns with the intention of Municipal Plan policy and the City of Saint John Zoning Bylaw.

The Committee called on anyone to speak for or against the application. Owen Green, the applicant, noted he was in agreement with the staff report. Committee member, Alex Weaver Crawford, asked Mr. Green to clarify why the rezoning application is being heard now, rather than a few months ago when the project was being developed. Mr. Green clarified that at the time of the first application the third floor conversion was not planned and he was not aware that the change of use would necessitate a rezoning.

After considering the staff report and comments made by the applicant, the Committee approved a motion to recommend that Council approve the proposed rezoning.

RECOMMENDATION:

1. That Common Council rezone a parcel of land having an area of approximately 326 square metres, located at 105 Prince Edward Street, also identified as PID Nos. 00012450 and 55122162, from "CM" Mixed Commercial to "CG" General Commercial.
2. That pursuant to Section 59 of the *Community Planning Act*, the development and use of the parcel of land with an area of approximately 326 square metres, located at 105 Prince Edward Street, also identified as PID Nos. 000012450 and & 55122162 shall be subject to the following conditions:
 - a. A site plan is to be attached to the application for the building permit for the proposed development and all site improvements illustrated on the plan must be completed within one year of obtaining a building permit;

Respectfully submitted,



Eric Falkjar
Chair

Attachments

- 1 – Staff Presentation
- 2 – Staff Report to PAC dated November 16, 2018



The City of Saint John

Date: November 16th, 2018

To: Planning Advisory Committee

From: Growth & Community Planning
Growth & Community Development Services

For: **Meeting of Tuesday, November 20, 2018**

SUBJECT

Applicant: Owen Green

Owner: The Wheelhouse of Waterloo Village Inc.

Location: 105 Prince Edward Street

PID: 00012450 / 55122162

Plan Designation: Medium to High Density Residential

Existing Zoning: Mixed Commercial (CM)

Proposed Zoning: General Commercial (CG)

Proposal: To convert the subject property (PIDs 00012450 and 55122162) from Mixed Commercial (CM) to General Commercial (CG) to allow the property owner to lease all three floors of the current building as commercial office space

Application Type: Rezoning

Jurisdiction: The *Community Planning Act* authorizes the Planning Advisory Committee to give its views to Common Council concerning proposed amendments to the Zoning By-law. Common Council will consider the Committee recommendation at a public hearing on **Monday, December 3, 2018 at 6:30 p.m.**

SUMMARY

Owen Green (Applicant) has submitted the following application on behalf of The Wheelhouse of Waterloo Village Inc. (Owner), which is seeking to rezone the site (PID 00012450 & 55122162) located at 105 Prince Edward Street from a Mixed Commercial (CM) Zone to a General Commercial (CG) Zone.

The Applicant is proposing to repurpose the residential third floor of the building located on the subject site, which currently sits vacant. This would see the subject's office space increase from two floors to all three floors within the building.

The Applicant has indicated that minor interior and exterior development is proposed for the existing building. Interior development would include renovations to create appropriate workspaces and offices and egress from the third floor of the building on the subject property. Exterior developments would include attaching a stairwell located on the west side of the building to comply with egress, commercial use and building code requirements. The stairwell would be developed on the subject property (PID 00012450) and transcend to a neighbouring lot (PID 55122162), where people would be able to safely egress the building on the subject site.

Approval of the rezoning application for the subject property is recommended by Staff as the proposed use (office space) meets the intent of the City's Municipal Plan and Zoning By-law and relates positively to its existing use (office building) and surrounding neighbourhood context.

RECOMMENDATION

1. That Common Council rezone a parcel of land having an area of approximately 326 square metres, located at 105 Prince Edward Street, also identified as PID Nos. 00012450 and 55122162, from "CM" Mixed Commercial to "CG" General Commercial.
2. That pursuant to Section 59 of the *Community Planning Act*, the development and use of the parcel of land with an area of approximately 326 square metres, located at 105 Prince Edward Street, also identified as PID Nos. 00012450 and 55122162 shall be subject to the following conditions:
 - a) A site plan is to be attached to the application for the building permit for the proposed development and all site improvements illustrated on the plan must be completed within one year of obtaining a building permit;

DECISION HISTORY

No previous decisions exist relating to the current application. The subject site contains no existing conditions under the *Community Planning Act* and is not identified as a heritage property.

ANALYSIS

Proposal

Owen Green, the Applicant, is seeking to rezone the subject property located at 105 Prince Edward Street from a Mixed Commercial (CM) zone to a General Commercial (CG) zone in order to repurpose the existing and vacant third (3rd) floor of the building into additional office space. This would see office space situated on all three floors of the building located on the subject property.

Currently The Wheelhouse of Waterloo Village Inc. (Owner) operates the building situated at 105 Prince Edward Street, which contains two floors (the ground and second floor) of designated office space. Due to growth and future demand for office space, the Owner would like to have the building's third floor, which currently sits vacant, repurposed into offices in order to respond and meet this request. An opportunity exists to use an underutilized asset - the vacant third floor of the subject property - located at 105 Prince Edward Street.

Alterations to the exterior of the building would include improving egress from the third floor to meet building code regulations and improve overall safety to employees using the existing building. The stairwell proposed will not be frequently used and should not cause disturbance to neighbouring residents. No long-term land use impacts (noise, smells, etc.) are anticipated. The interior of the third floor will be renovated to building code, which will include proper egress signage and suitable office spaces that would better utilize the existing space.

Allowing this proposal would allow The Wheelhouse of Waterloo Village Inc. to increase the utilization of an existing office building within the City. The intended operations of the new office spaces on the proposed third floor within the building would be aligned with the existing uses located already on the subject site. Site and Floor Plans of the proposed development, have been submitted illustrating interior and exterior renovations.

Subject Property and Neighbourhood

The subject property (PID 00012450) is approximately 162 square metres and contains one three-storey structure that encompasses approximately 100% of the existing lot (PID 0012450) and a parking lot situated on an adjacent parcel (PID 55122162), is directly located to the south-west of the subject property, which currently provides parking facilities for the subject property.

The subject property contains frontage on Prince Edward Street to the south-east and Richmond Street to the north-east and is located within the City's Primary Development Area, and specifically, within the Waterloo Village and Peninsula intensification area and is identified as one of the City's Urban Neighbourhood Intensification Areas. Urban Neighbourhood Intensification Areas, such as the Waterloo Village and Peninsula, will benefit from renewed investment and development and is targeted to receive approximately 45% of future growth and development.

The surrounding neighbourhood is prominently residential, containing a healthy mix of low and medium densities; however, multiple commercial developments are also located directly adjacent or situated within the general vicinity of the subject property. Money Mart and the Teen Resource Centre (TRC) are located to the south-west of the subject property, while Prince Edward Square Mall, a small shopping centre containing a mix of uses, such as retail, residential (1 and 2 bedroom apartments) and commercial office spaces, is located across the street from the subject property.

Municipal Plan Review

The subject site is located in an area of the City designated 'Medium to High Density Residential' and is identified as such on Schedule B of the City's Municipal Plan. Medium to High Density Residential lands provide an emphasis on the provision of higher density residential housing, such as apartments, condominium and town house units. New proposals located within this designation primarily include housing and other compatible uses that may include convenience stores, home occupations, parks, and community facilities, which are permitted in the designation without amendment to the Municipal Plan. Moreover, the Medium to High Density designation (Policy LU-47 of the Plan) encourages the following general types of land use:

- Residential development and Community facilities;
- Appropriate retail and office uses; and
- Live/work forms of development or home occupations."

In addition, the City has identified in section 2.1 – City Structure Goals – of the Municipal Plan to the following goal:

"Locate an integrated mix of land uses within walking distance of each other in Intensification Areas, including places to live, work, shop, learn and play."
(MP, Section 2.1, pg. 34)

New Development and redevelopment in areas designated Medium to High Density Residential, such as the subject property, shall generally be permitted through a rezoning process where compliance is demonstrated by following and meeting specific policies.

The subject property and its proposed use as a commercial office building meets the general intent of the Municipal Plan, as the subject property and proposed development will offer:

- Existing and adequate services and infrastructure;
- Similar use to the existing development (commercial-offices);
- Continuation of small scale (less than 3,000 square foot) business offices;
- Close proximity to public transit routes and other transportation modes;
- Close proximity to public and commercial amenities;
- Retain a commercial-office use at the street frontage;

- Minimal land use impacts (such as traffic, noise and smells) omitting over a long-term period from the proposed development; and
- A scale and density consistent with the surrounding neighbourhood.

Furthermore, no major alterations or additions have been proposed to the exterior of the building, indicating no major buffering, landscaping site grading or stormwater management measures required for further consideration. It is in Staff's opinion; the proposed development has met all general policy requirements identified within the Municipal Plan and has demonstrated compliance for rezoning.

Zoning Review

The subject site is currently zoned as a Mixed Commercial (CM) Zone, which accommodates smaller scale, mixed-use development supporting traditional neighbourhood service corridors. This current zone would not allow for the proposed three-storey business office to be developed on the subject property, as commercial uses are not permitted above two-storeys.

The Applicant has proposed to rezone the subject site to a General Commercial (CG) Zone in order to develop the proposed three-storey commercial office building. The General Commercial (CG) Zone accommodates midsize commercial development that provides services and goods to the broader community, including business offices.

Section 11.7 within the City's Zoning By-law, which provides regulations for the General Commercial Zone, permits the use of Business Office subject to requirements identified in paragraph 11.7(3)(b) of the City's Zoning By-law. Requirements found under section 11.7(3) (b), provide that:

"A Business Office permitted in subsection 11.7(1) shall not exceed 3,000 square metres in gross floor area."

The proposed development is well under the threshold requirement, as each floor has a floor area of 162 square metres, offering a total gross floor area of 486 square metres. In addition to meeting the requirements specific to the General Commercial (CG) zone, the Applicant must meet general provisions for all zones that deal with, but are not limited to, access, parking, loading, signage, and landscaping. The proposed use in this application does not require a designated loading space, nor does it require signage or additional landscaping, as per the City's zoning standards. Furthermore, due to the subject property containing a prior business-office use, no additional parking spaces are required for the proposed development.

Conclusion

Approval of the rezoning application for the subject property is recommended by Staff as the proposed use (business office) meets the intent of the City's Municipal Plan and Zoning By-law and relates positively to its existing use (business office) and surrounding neighbourhood context.

ALTERNATIVES AND OTHER CONSIDERATIONS

No alternatives are proposed for this application.

ENGAGEMENT**Public**

In accordance with the Committee's Rules of Procedure, notification of the proposal was sent to landowners within 100 metres of the subject property on November 9th, 2018. The public hearing for the rezoning was advertised in on the City's website beginning on November 8th, 2018.

SIGNATURES AND CONTACT**Prepared:**

Stephen Stone, MPL
Planner - Dillon Consulting Limited

Reviewed:

Mark Reade, P.Eng., MCIP, RPP.
Senior Planer

Approved:

Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Stephen Stone
Phone: (506) 343-2537
E-mail: sstone@dillon.ca
Project: 18 - 0203

APPENDIX

Map 1: **Site Location**

Map 2: **Municipal Plan**

Map 3: **Zoning Map**

Map 4: **Aerial Photography**

Map 5: **Site Photography**

Submission 1: **Floor Plans**

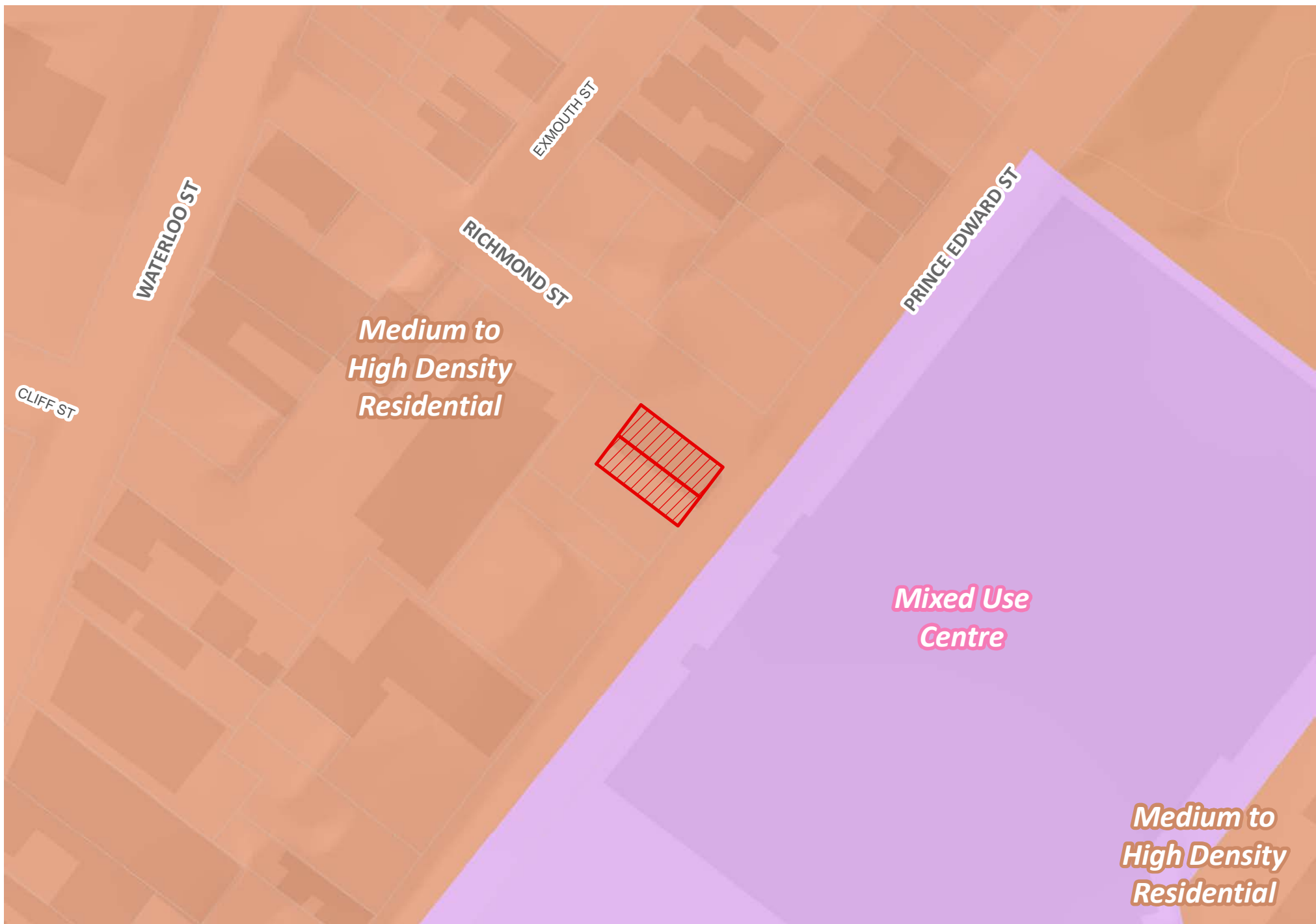


Map 1 - Site Location

Owen Green - 105 Prince Edward St.

The City of Saint John
Date: October-22-18



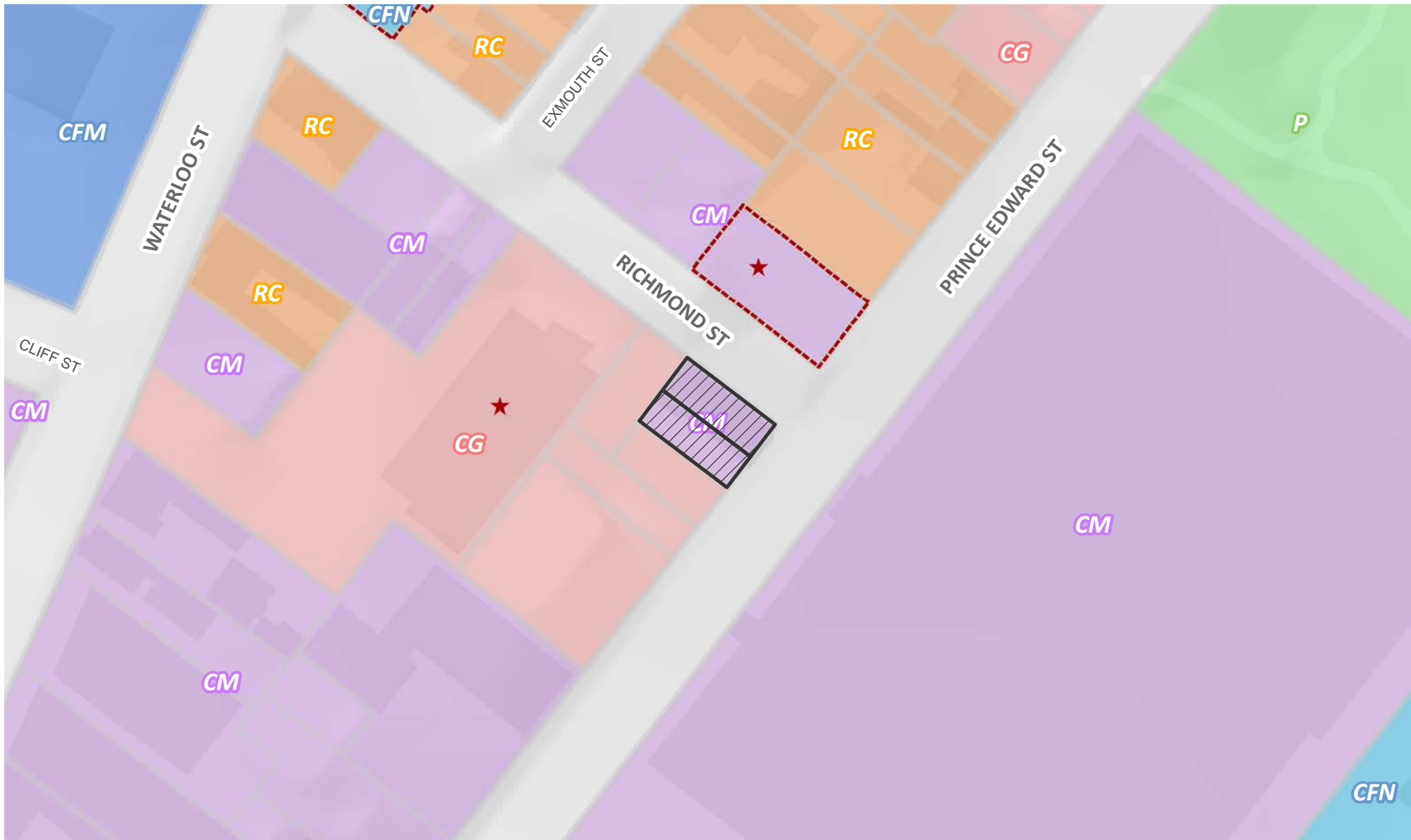


Map 2 - Future Land Use

Owen Green - 105 Prince Edward St.

The City of Saint John
Date: October-22-18





- (CFM) Major Community Facility
- (CFN) Neighbourhood Community Facility
- (CG) General Commercial
- (CM) Mixed Commercial
- (P) Park
- (RC) Urban Centre Residential

★ Section 39 Conditions

Map 3 - Zoning

Owen Green - 105 Prince Edward St.

The City of Saint John
Date: October-22-18



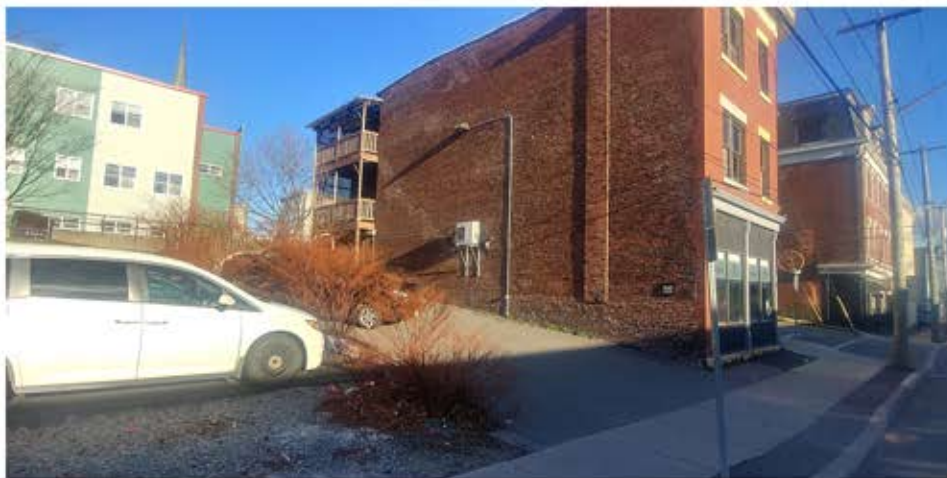


Map 4 - Aerial Photography

Owen Green - 105 Prince Edward St.

The City of Saint John
Date: October-22-18





View towards north



View towards north-east



View towards south-west



View towards south-east

Map 5: Site Photography

The Wheelhouse of Waterloo Village Inc. - 105 Prince Edward Street

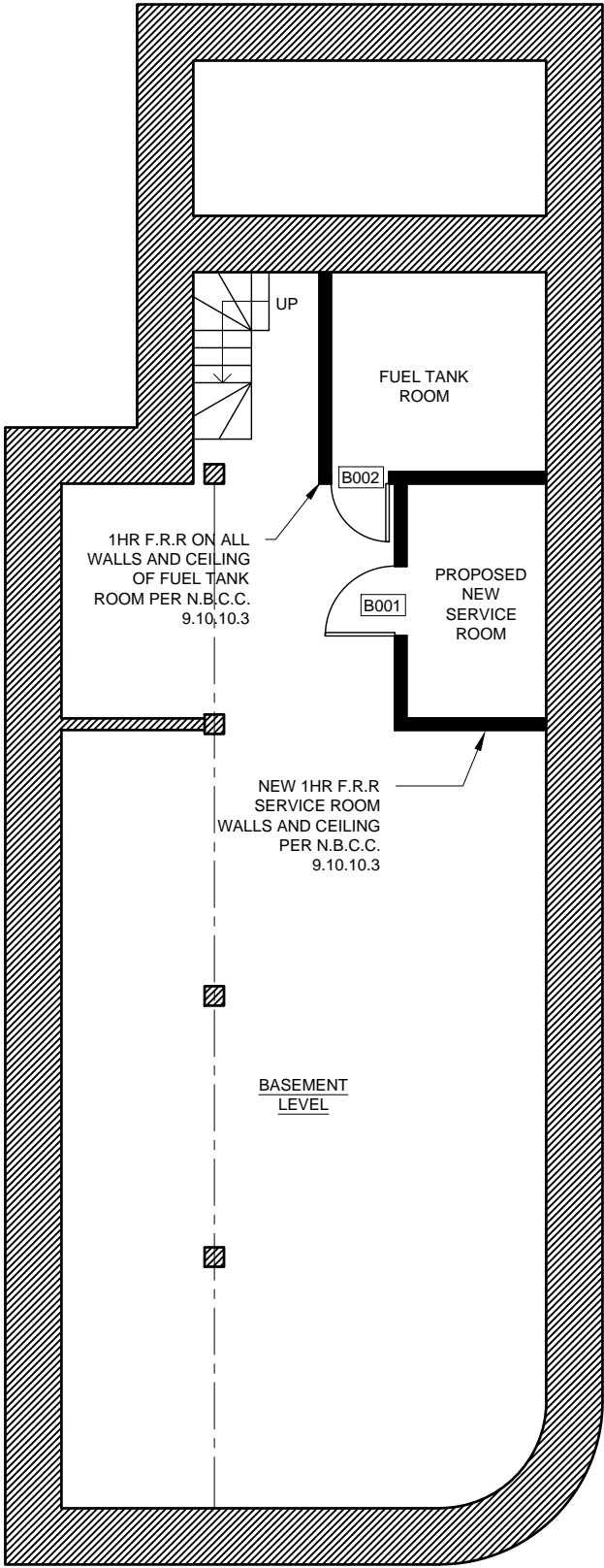
The City of Saint John
Date: November 15, 2018



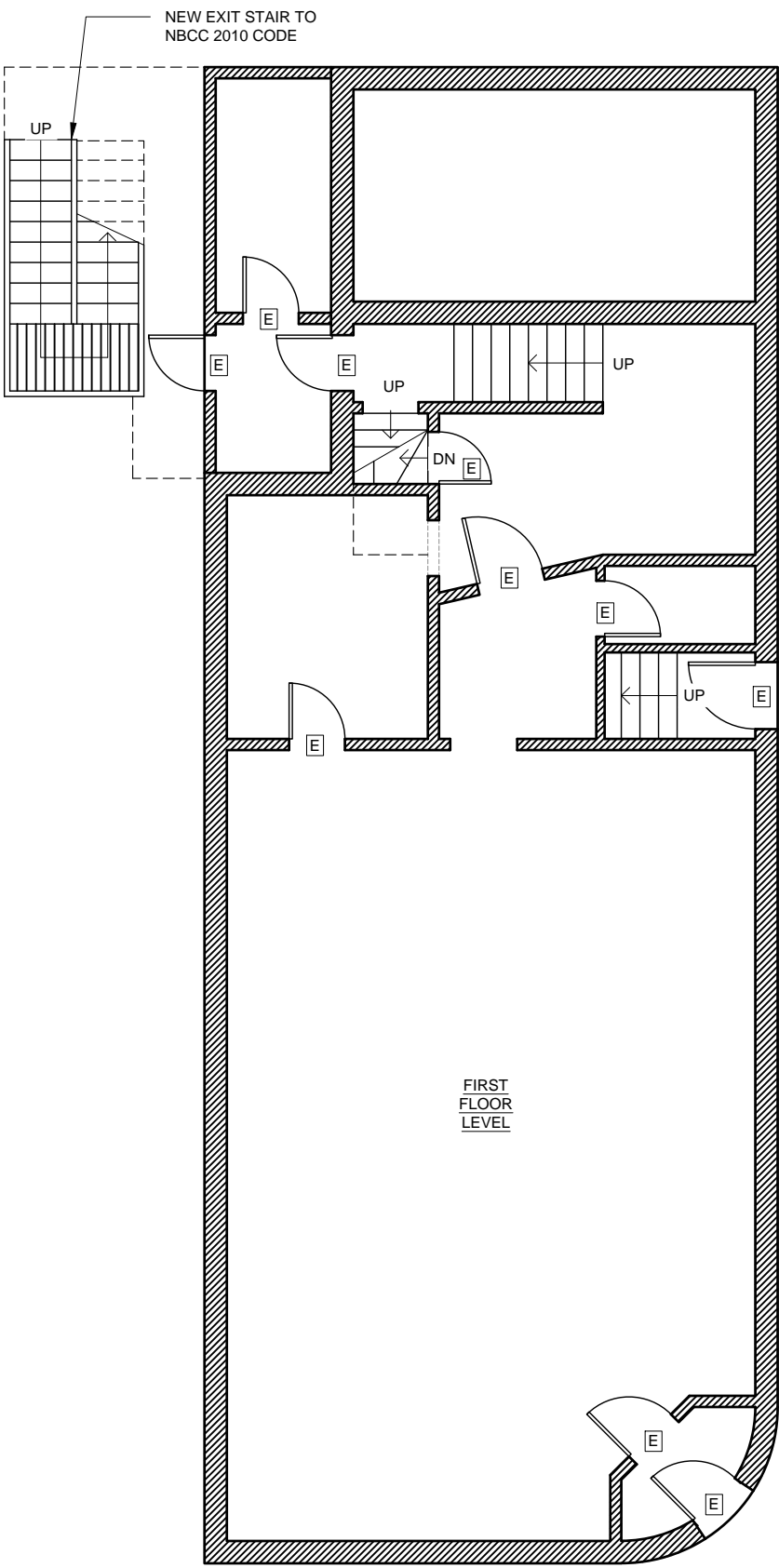
DOOR TAG	DOOR TYPE	DOOR HARDWARE
E	EXISTING DOOR TO REMAIN	EXISTING DOOR HARDWARE TO REMAIN
B001	NEW 45 MIN. F.R.R DOOR	NEW DOOR CLOSURE
B002	NEW 45 MIN. F.R.R DOOR	NEW DOOR CLOSURE
D201	NEW 20 MIN. F.R.R DOOR	DOOR CLOSURE C/W SMOKE DETECTOR TRIGGERED HOLD OPEN
D202	NEW 20 MIN. F.R.R DOOR	DOOR CLOSURE C/W SMOKE DETECTOR TRIGGERED HOLD OPEN
D203	EXISTING DOOR TO REMAIN	NEW DOOR CLOSURE
D301	NEW INSULATED STEEL DOOR	NEW DOOR CLOSURE AND DOOR HARDWARE

D302	EXISTING DOOR TO BE RELOCATED AT D308 LOCATION	DOOR HARDWARE TO BE MOVED WITH DOOR
D303	NEW 20 MIN. F.R.R DOOR	DOOR CLOSURE C/W SMOKE DETECTOR TRIGGERED HOLD OPEN
D304	EXISTING DOOR RELOCATED TO THIS LOCATION	EXISTING DOOR HARDWARE TO REMAIN
D305	NEW 20 MIN. F.R.R DOOR	DOOR CLOSURE C/W SMOKE DETECTOR TRIGGERED HOLD OPEN
D306	NEW 20 MIN. F.R.R DOOR	NEW DOOR CLOSURE
D307	NEW 20 MIN. F.R.R DOOR	DOOR CLOSURE C/W SMOKE DETECTOR TRIGGERED HOLD OPEN
D308	EXISTING DOOR D302 RELOCATED TO THIS LOCATION	EXISTING DOOR HARDWARE TO REMAIN, PROVIDE NEW DOOR CLOSURE

- NOTES:
- PERFORM ALL WORK TO NATIONAL BUILDING CODE OF CANADA 2010 AND ALL ADDITIONAL PROVINCIAL AND MUNICIPAL STATUTES.
 - REMAINDER OF BASEMENT TO REMAIN UNOCCUPIED AND NOT USED FOR STORAGE.
 - EMERGENCY LIGHTING AND EXIT SIGNAGE BY ELECTRICAL CONTRACTOR
 - NO LOCKING MECHANISM SHALL BE PLACED ON DOORS THAT ARE PART OF THE EXITING



BASEMENT FLOOR LEVEL



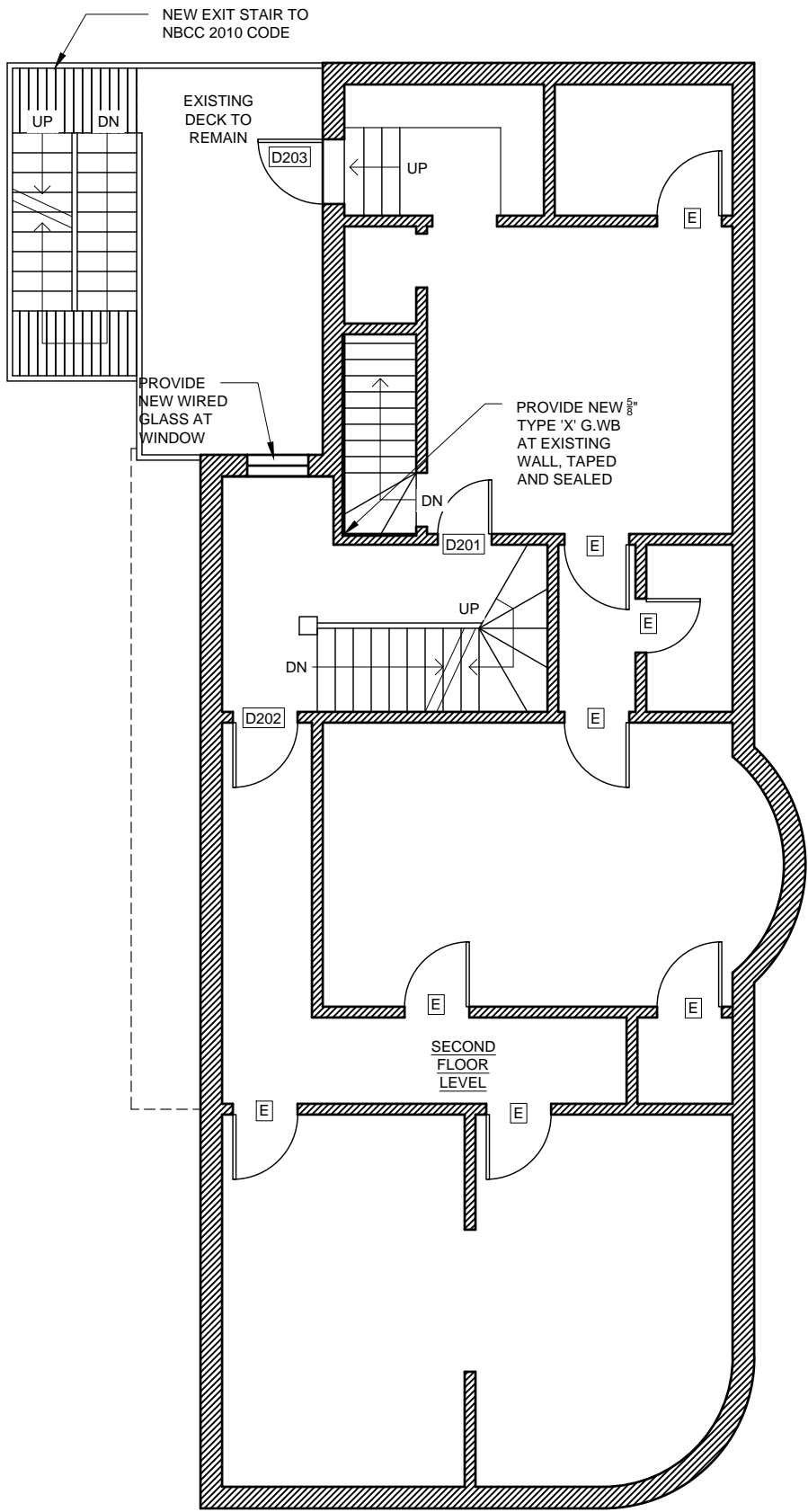
FIRST FLOOR LEVEL

RICHMOND STREET

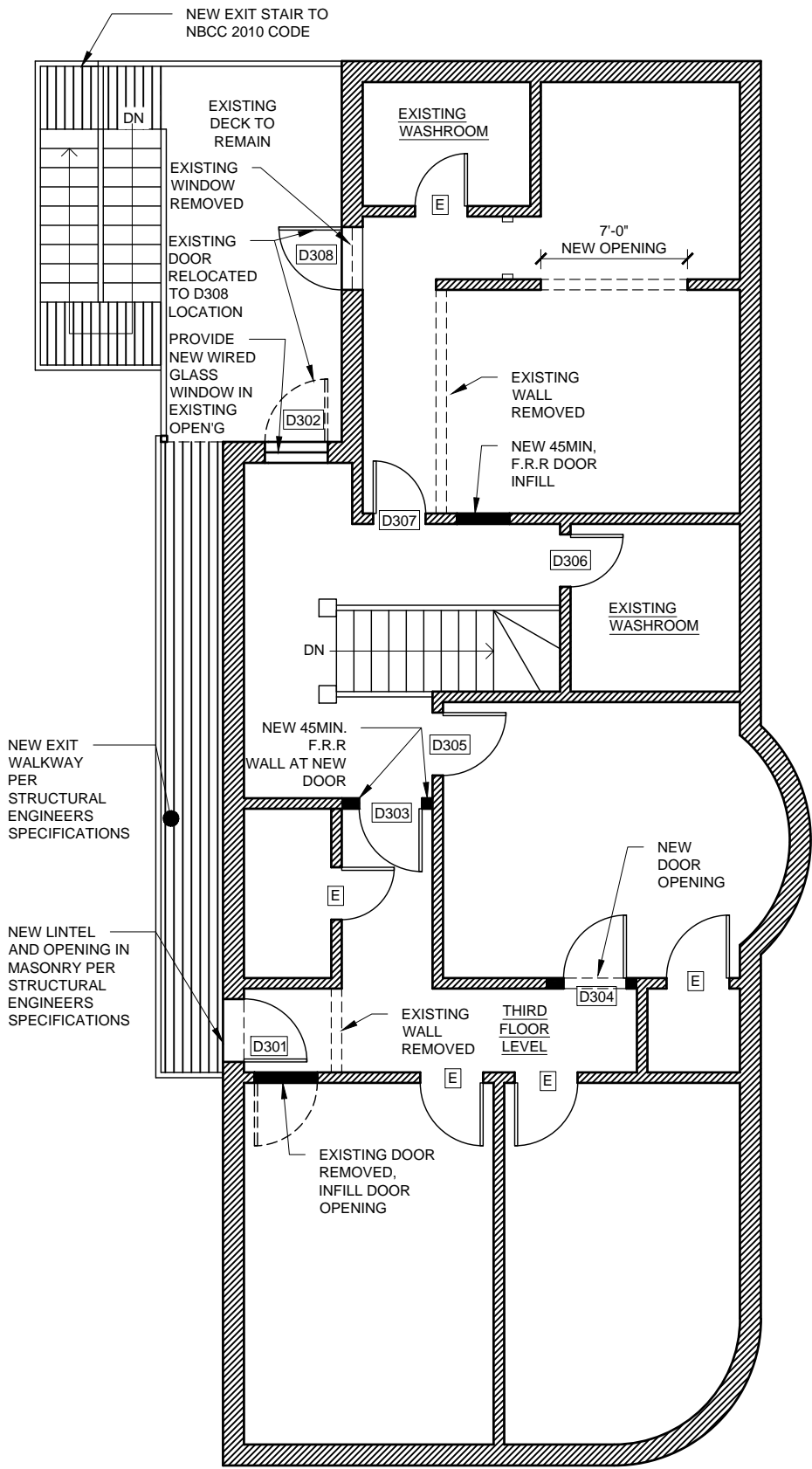
PRINCE EDWARD STREET



Project Name: THE WHEELHOUSE	Scale: $\frac{1}{8}" = 1'-0"$	Sheet Name: SK-1
Contact: info@theacre.ca	Date: 11 OCT, 2018	Sheet Title: BASEMENT AND FIRST FLOOR LEVELS



SECOND FLOOR LEVEL



THIRD FLOOR LEVEL