
PLANNING ADVISORY COMMITTEE



The City of Saint John

June 20, 2019

His Worship Mayor Don Darling and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Rezoning Application
0 Heather Way**

On May 20, 2019 Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its June 18, 2019 meeting.

Mr. Andrew Toole, representing Dunnett's Landscaping Ltd., appeared before the Committee and was in agreement with the Staff recommendation. Mr. Toole noted that this applicant has no connection to the previous applications on the site and that this was a new concept. Mr. Toole also advised that the proposed 11 buildings would be the maximum and a commitment to build phases 1 and 2 at this point at a rate of 1 building per year and that future phases may be subject to change of building type (townhouse, rowhouse) – all of which will depend on market factors.

Mr. Toole also went through a number of concerns raised in letters of objection received to the Committee. He advised that while the focus of the development would be market rentals, there would be student and affordable housing through programs with the Province. Mr. Toole also addressed concerns in the letter from Meghan and Steve Craig regarding drainage, traffic concerns on Heather Way, distances of buildings from properties on Boyaner Crescent and timing of the project.

Mr. Toole also addressed a request in the letter of support provided by Jill Good that a treed buffer for properties along Hedley Street be provided, and agreed with this suggestion. Staff and the applicant worked to craft an additional condition to this affect, which was adopted as part of the Committee recommendation.

Committee members questioned material currently stored on the site and the use of the storm water modeling for future phases as well as erosion and sediment control. Landscaping materials stored on site will be used as part of the construction of the development.

Brian Irving, of Develop Saint John, spoke in support of the application noting that a recent market study from Turner Drake showed a significant decline in vacancy rates across Saint John (approximately 3.7%, which is considered low) and that for East Saint John vacancy rates for new builds (building built in the last ten years) was virtually zero percent. Given these factors, Develop Saint John supports the project, as it will bring much needed accommodation to the eastern portions of Saint John where demand is significant.

Meghan Craig of Boyaner Crescent appeared before the Committee to speak against the proposal. She acknowledged the responses to her letter of objection provided by Mr. Toole and repeated her concern for potential drainage impacts to her and neighbouring properties as well as traffic concerns on Heather Way, particular in winter when only one lane is cleared.

In response to questions from the Committee, Staff and Mr. Toole explained that during the construction process, interim measures to contain water drainage are required and inspected by the City. Mr. Toole went on to explain the obligation of professional engineers in designing these systems and how any issues would be dealt with.

Upon considering the Staff report, comments from the application, letters of support and opposition and comments from the area resident, the Committee adopted an amended Staff recommendation which incorporates an additional tree buffer for properties along Hedley Street as suggested in a letter of support and accepted by the applicant. The amended recommendation is provided below for Common Council's consideration.

RECOMMENDATION:

1. That Common Council rezone land with an area of approximately 55,603 square metres located at 0 Heather Way, also identified as PID No. 55208300 from Two-Unit Residential (R2) to Mid-Rise Residential (RM).
2. That Common Council pursuant to the provisions of Section 59 of the *Community Planning Act (SNB 2017, c. 19)*, here imposes the following conditions upon the Property having an area of 55,603 square metres, located at 0 Heather Way, also identified as PID No. 55208300, the following conditions upon the development and use of the land:

- a. A treed buffer and berm must be constructed along the property line shared with dwellings on Boyaner Crescent. Hedge height is to be at least 1 metre and must be shown on a landscaping plan, submitted as part of any building permit for buildings which share a property line with dwellings on Boyaner Crescent. The landscaping plan is subject to the approval of the Development Officer prior to the issuance of a Building Permit. All landscaping for this berm must be maintained for the life of the development.
- b. To promote interconnectivity to the future adjacent undeveloped lands, the cul-de-sac is to be designed to City Standards in a manner to ensure that the road can be turning into a through road to the adjacent lands. The design of this cul-de-sac and future changes are subject to approval by the Chief City Engineer or his/her designate.
- c. The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer. These plans will indicate the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for a building permit for the development.
- d. An Engineered Storm Drainage Submission be submitted for the full building out of the development with the Building Permit for "Phase One" (as indicated on the tentative plan provided) of the development. "Phase One" shall comprise the full inclusive build out of the proposed underground infrastructure and street construction necessary to support "Phase one" of the development.
- e. Detailed engineering drawings and design brief (including plan and profile) of all proposed infrastructure (water, sanitary, storm and street) and connections to existing infrastructure must be submitted by the owner/developer's engineering consultant for review and acceptance by the City.
- f. A final engineered water and sewer analysis (domestic demands, fire flows, peak flows, etc.) and servicing proposal will need to be submitted to the City by the owner/developer's engineering consultant for review and acceptance by the City in order to determine/confirm the impact this development will have on the existing municipal water and sewer infrastructure. Prior to any proposed development beyond Phase 2 (as indicated on the tentative plan provided), a flow monitoring program would need to be completed by the City in order to re-evaluate the existing downstream sewer capacities. The developer/owner's engineering consultant will need to submit the subsequent Phase(s), including sewer demands for evaluation and acceptance by the City prior to proceeding.

- g. A treed buffer at least 5 metres in width must be planted along the property line shared with dwellings on Hedly Street. Trees must be a minimum height of 2 metres at time of planting and the tree buffer must be shown on a landscaping plan, submitted as part of any building permit for buildings, which share a property line with dwellings on Hedly Street. The landscaping plan is subject to the approval of the Development Officer prior to the issuance of a Building Permit. All tree planting is to be maintained for the life of the development

Respectfully submitted,



Eric Falkjar
Chair

Attachments



The City of Saint John

Date: June 14, 2019

To: Planning Advisory Committee

From: Growth & Community Planning
Growth & Community Development Services

For: **Meeting of Tuesday, June 18, 2019**

SUBJECT

Applicant: Don-More Surveys & Engineering Ltd.

Owners: Dunnett's Landscaping Ltd.

Location: 0 Heather Way

PID: 55208300

Plan Designation: Stable Residential

Existing Zoning: Two-Unit Residential (R2)

Proposed Zoning: **Mid-Rise Residential (RM)**

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, July 8, 2019**. Committee may impose conditions.

SUMMARY

The applicant is seeking to rezone the parcel from Two-Unit Residential (R2) to Mid-Rise Residential (RM) to facilitate a series of multi-residential buildings, with access to a new public street. Construction of this project will be phased over a long period, beginning with phases one and two within the next year.

RECOMMENDATION

1. That Common Council rezone land with an area of approximately 55,603 square metres located at 0 Heather Way, also identified as PID No. 55208300 from Two-Unit Residential (R2) to Mid-Rise Residential (RM).
2. That Common Council pursuant to the provisions of Section 59 of the *Community Planning Act (SNB 2017, c. 19)*, here imposes the following conditions upon the Property having an area of 55,603 square metres, located at 0 Heather Way, also identified as PID No. 55208300, the following conditions upon the development and use of the land:
 - a. A treed buffer and berm must be constructed along the property line shared with dwellings on Boyaner Crescent. Hedge height is to be at least 1 metre and must be shown on a landscaping plan, submitted as part of any building permit for buildings which share a property line with dwellings on Boyaner Crescent. The landscaping plan is subject to the approval of the Development Officer prior to the issuance of a Building Permit. All landscaping for this berm must be maintained for the life of the development.
 - b. To promote interconnectivity to the future adjacent undeveloped lands, the cul-de-sac is to be designed to City Standards in a manner to ensure that the road can be turning into a through road to the adjacent lands. The design of this cul-de-sac and future changes are subject to approval by the Chief City Engineer or his/her designate.
 - c. The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer. These plans will indicate the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for a building permit for the development.
 - d. An Engineered Storm Drainage Submission be submitted for the full building out of the development with the Building Permit for "Phase One" (as indicated on the tentative plan provided) of the development. "Phase One" shall comprise the full inclusive build out of the proposed underground infrastructure and street construction necessary to support "Phase one" of the development.
 - e. Detailed engineering drawings and design brief (including plan and profile) of all proposed infrastructure (water, sanitary, storm and street) and connections to

existing infrastructure must be submitted by the owner/developer's engineering consultant for review and acceptance by the City.

- f. A final engineered water and sewer analysis (domestic demands, fire flows, peak flows, etc.) and servicing proposal will need to be submitted to the City by the owner/developer's engineering consultant for review and acceptance by the City in order to determine/confirm the impact this development will have on the existing municipal water and sewer infrastructure. Prior to any proposed development beyond Phase 2 (as indicated on the tentative plan provided), a flow monitoring program would need to be completed by the City in order to re-evaluate the existing downstream sewer capacities. The developer/owner's engineering consultant will need to submit the subsequent Phase(s), including sewer demands for evaluation and acceptance by the City prior to proceeding.

DECISION HISTORY

In 2008, Common Council approved a rezoning of the subject site (as part of a broader application for lands on both sides of Heather Way) to One and Two Family Residential (R-2) Zone. An application to Common Council in 2011 was made to rezone an adjacent site (across Heather Way) to facilitate a manufactured home development. Common Council denied that application, leaving the zoning on the property as R-2.

ANALYSIS

Proposal

The applicant is proposing to rezone the subject parcel from Two-Unit Residential (R2) to Mid-rise Residential (RM) to facilitate the construct a series of multi-residential buildings over time and accessed from a new public street. The initial concept proposes 11 buildings, which would each contain 24 dwelling units. The applicant is pursuing potential affordable housing funding through the Province and given the location near New Brunswick Community College (NBCC), is hoping to help fill the need for future student housing (along with typical market needs).

The applicant has indicated that future phases (beyond Phases 1 and 2) of the development may be subject to change (potentially to other forms like Townhouses) depending uptake of these units. The review of this application has been based on full build out as apartment buildings and represents the upper limit of likely development on the site based on the submitted proposal.

Site and Neighbourhood

The subject site is located in the eastern portion of the City just above the intersection of Grandview Avenue and Heather Way. This parcel is one of a few remaining parcels in this area of the city which have not yet developed. The site is served by transit and is in close proximity to NBCC.

The surrounding development is a mixture of vacant lands and low density residential development along Boyaner Crescent and Hedley Streets. Adjacent multi-residential

development, also zoned RM, is located further to the north along Heather Way. Adjacent lands across Heather Way are also currently undeveloped – representing future development opportunities.

Municipal Plan and Rezoning

Municipal Plan

The subject site is designated Stable Residential in the Municipal Plan. This designation applies to existing neighbourhoods, which have the potential to accommodate additional development at a scale and density that are consistent with the surrounding area. These neighbourhoods may also not be fully built-out, offering other opportunities for additional development. Policies LU-86 through LU-88 support intensification of Stable Residential areas. Policy LU-88 provides criteria to consider for proposed developments in the Stable Residential areas. The applicant has provided their own evaluation of policy LU-88 with the application materials (Submission 3). The staff review of this application against policy LU-88 is below:

Policy LU-88 Staff evaluation	
Ensure that significant new development and redevelopment in areas designated Stable Residential shall generally be permitted only through a rezoning process where compliance is demonstrated with the following requirements:	
a) The proposed land use is desirable and contributes positively to the neighbourhood;	This neighbourhood still has sites, which provide opportunity for strategic densification in an area with existing municipal services. This positively contributes to the neighbourhood by better utilizing an under used piece of road infrastructure through increased development. The applicant will is also seeking to provide affordable housing (through Provincial grants) and cater to housing for students given the proximity to NBCC.
b) The proposal is compatible with surrounding land uses;	The RM Zone is utilized throughout the neighbourhood as new development has occurred. The Zone allows for the integration of other Residential uses, particularly low-density residential development. The types of development allowed in this zone (multi-residential, townhouse, low density forms) fit in well with existing development and work to complete this neighbourhood.
c) The development is in a location where all necessary water and wastewater services, parks and recreation services, schools, public transit and other community and	The proposal is located in an area where all municipal services are readily available; however, modeling has noted that there are downstream sewer capacity limitations. Only phases 1 and 2 can proceed until upgrades

protective services can readily and adequately be provided;	are made. Proposed conditions facilitate phases 1 and 2 and provide a way forward on future phases.
d) Site design features that address such matters as safe access, buffering, and landscaping, site grading and stormwater management are incorporated;	A landscaped buffer between the low density residential area on Boyaner Crescent has been proposed. Stormwater management will be required in accordance with the Drainage By-law. Site grading will be addressed at the permitting stage.
e) A high quality exterior building design is provided that is consistent with the Urban Design Principles in the Municipal Plan; and	The applicant has provided photographic examples to some building projects as reference to design/materials, to be used for this project. The applicant also referenced projects they have done on Noel Avenue (Submission 2) as other examples – all examples show high quality finishes and designs.
f) The proposal is on a property identified as a Corridor on the City structure map (Schedule A) or does not detract from the City's intention to direct the majority of new residential development to the Primary Centres, Local Centres, and Intensification Areas.	The site is not located along a Corridor, but does not detract from intensifying Primary Centres, Local Centres or Intensification Areas as this is a logical extension and attempt to complete an established (but incomplete) neighbourhood and provide housing to support nearby educational sites (NBCC). Heather Way was designed to act as a collector for the neighbourhood and has more than sufficient capacity to handle the proposal.

Urban Design Principles

Policy UD-9 provides guidance for new developments, which are in various designations of the plan. This policy provides broad design policy for all parts of the City; such as incorporating natural features and topography, providing landscaping to buffer adjacent sites, and encouraging active pedestrian-oriented uses to help animate the public realm.

The applicant will be providing a linear amenity space around the site connected to a central park space with benches, which will help provide passive recreation opportunities and meet the amenity space requirements of the Zoning By-law. Building layout (based on the concept plan) provide generous front yard spaces for landscaping and all buildings will be oriented to either Heather Way or the future Public Street. The applicant has undertaken similar development along the extension of Noel Drive and provided photos of examples of how the buildings will be designed – which will use high quality materials and design to include private amenity space for future residents. This, combined with zoning regulations of the RM zone will work to provide a high quality public realm and building design.

For sites in Stable Areas, such as this (Stable Residential), policy UD-9 (a) (i) states that “new development will designed to respect and reinforce the physical character of the neighbourhood as set out in Policy UD-10”.

Policy UD-10 gives eight criteria to consider when reviewing redevelopment applications in the Stable Areas:

Ensure that new development and redevelopment in Stable Areas is designed to respect and reinforce the physical character and uses of the surrounding neighbourhood, having regard for:	
a) The local pattern of lots, streets and blocks	The proposed lot pattern of this street is consistent with other cul-de-sacs in the area. It should be noted that this street will be designed to be able to be connected to future development on adjacent lands and so may become a through street in time.
b) The size and configuration of lots;	The size and configuration of lots is consistent with other multi-residential lots in the adjacent area.
c) Nearby building types;	Heather Way has a variety of different types of multi-residential development – the proposed 3 storey buildings will integrate well with this mixture.
d) Height, scale and massing of nearby buildings;	Most residential development in the surrounding area is at least 2 stories; the proposed 3 storey multi-residential development will integrate well. The building lots are situated significantly far away from adjacent low density residential development; therefore limiting the impacts of massing to those homes.
e) The setback of buildings from the street;	Setbacks of the buildings will be consistent with those of the RM Zone.
f) The pattern of rear and side yard setbacks;	The concept plan shows that generally the rear and side yards are landscaped or provide parking – this is consistent with multi-residential development and should limit impacts to other buildings as the development proceeds.
g) Sensitive integration with and enhancement of adjacent heritage properties; and	There are no nearby registered heritage properties.

h) Building materials which contribute to the successful integration of the development into its context.	Based on the examples provided by the applicant; the building materials and design will be of a high quality to positively enhance the neighbourhood context. A condition has also been added to facilitate review of the building design at the permitting phase.
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Rezoning

The proposed rezoning with this application would take the site to the Mid-Rise Residential (RM) Zone. This zone allows a mixture of residential uses from One-unit, Two-unit to townhouses and multi-residential dwellings. The zone allows for development that is a minimum of two stories and no greater than 14 metres if side yards increase beyond the minimum (otherwise 11 metres is the maximum height).

The RM zone occurs throughout this neighbourhood along Hickey Road and Heather Way, where medium density type developments (apartments, row and townhouses) have been built. These sites are along major roadways and edges of the community to provide direct access onto the major road and position medium density development along the major transit routes. This project will fulfill this planning concept by locating density along a cul-de-sac adjacent to transit stops along Heather Way. The cul-de-sac will be a distance that is easily walkable allowing future residents access to transit stops that access NBCC, shopping and other transit interchanges. The cul-de-sac will be designed in a manner to ensure that should adjacent future development lands are built out, that the road connection can be made to enhance community connectivity. A traffic impact study was not required given that Heather Way is a major arterial road with sufficient capacity to handle this proposed development.

Municipal Services

As part of the review of this application, The City has used models that were created to help facilitate the analysis of development proposals in relation to sewer and water capacity. The applicant has worked with the City to provide necessary data to run models of this area. The applicant is aware that capacity is only available for Phases 1 and 2, and there are proposed conditions to limit build out to those phases. The City will undertake future monitoring to analysis modeling data for later phases, and will work with the applicant on timing of future municipal upgrades and build out of later phases.

This process is part of steps taken by Growth and Community Development Services to enhance Customer Service to applicants on proposed developments. This allows the City to work with applicants to understand downstream capacity issues and together on timing of future build out of large development proposals.

Variances

A review of the proposal has not shown any variances would be required at this stage. During the review of future permit applications, the Development Officer will process any variances as required.

Future Subdivision

A public street is proposed which requires a future subdivision to create this right-of-way. This will cause the need for Land for Public Purposes. Given the subject site is not located along any identified future public trails, it is likely that cash in lieu of land versus land would be pursued. The proposed park space provided by the applicant will be a private amenity space provided to residents of the development. Assent to the public road will occur at the subdivision stage.

Conclusion

Staff support this proposal as it achieves the intent of the Municipal Development Plan. This proposal provides an opportunity to introduce elements of a complete community for the surrounding neighbourhood and represents a highest and best use of Municipal infrastructure. The site is in proximity to all services to allow people to live, work and play.

ALTERNATIVES AND OTHER CONSIDERATIONS

No alternatives considered.

ENGAGEMENT**Proponent**

The applicants were encouraged to conduct their own public engagement of nearby residents, as part of an initial pre-application. The applicant has reached out to landowners along Boyaner Crescent via letters and provided information on the development.

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 June 5, 2019. The public hearing for the rezoning was advertised on the City's website on June 17, 2019.

SIGNATURES AND CONTACT**Prepared and reviewed by:**

Kenneth Melanson, BA, RPP, MCIP
Manager, Community Planning

Approved:

Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Kenneth Melanson
Phone: (506) 721-8694
E-mail: Ken.Melanson@saintjohn.ca
Project: 19-84

APPENDIX

Map 1: **Site Location**

Map 2: **Municipal Plan**

Map 3: **Zoning**

Map 4: **Aerial Photography**

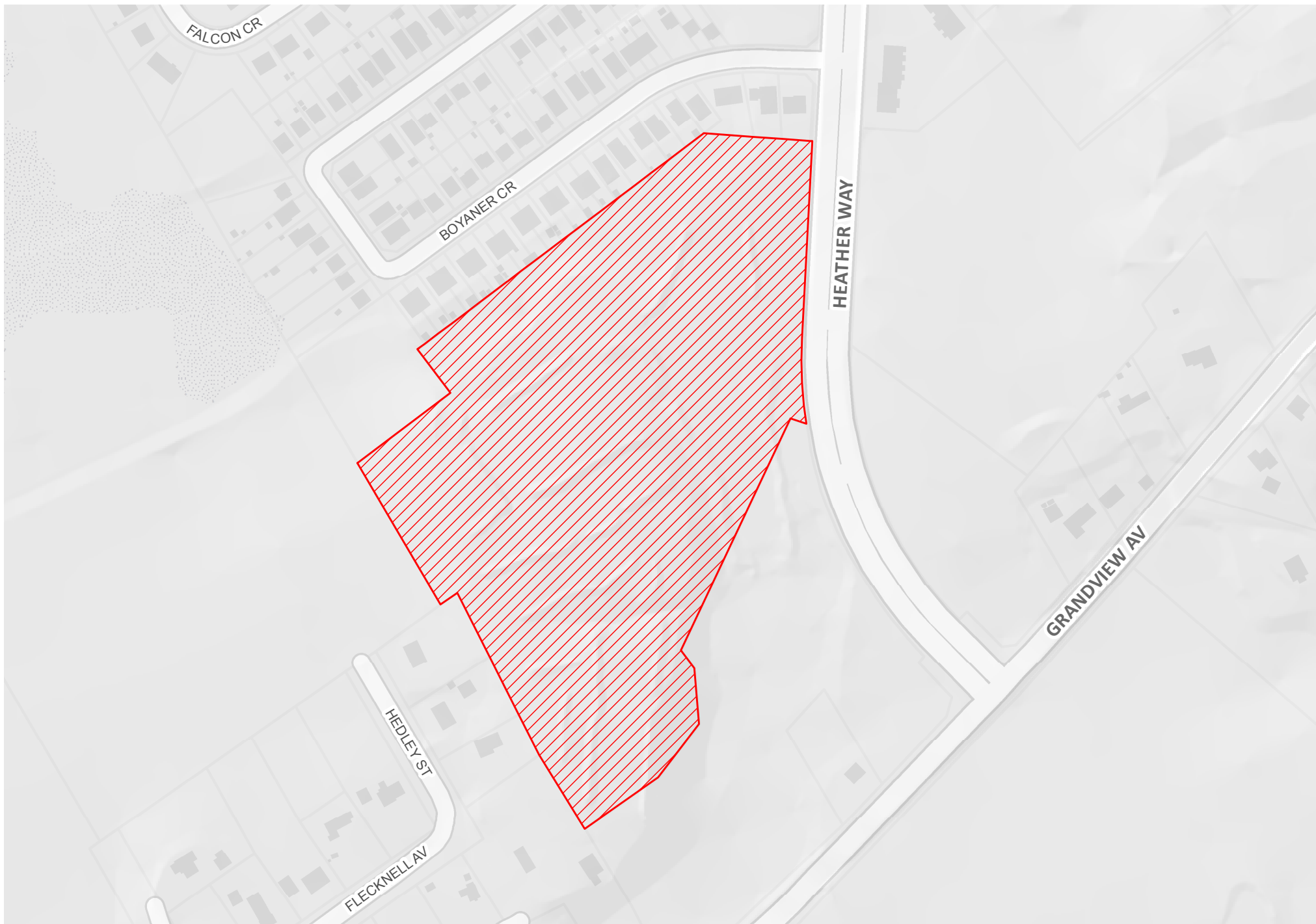
Map 5: **Site Photography**

Submission 1: **Site and phasing plan**

Submission 2: **Applicant examples of exterior design/finishes**

Submission 3: **Staff photos of Noel Drive as examples of exterior design/finishes**

Submission 4: **Applicant Planning Analysis**



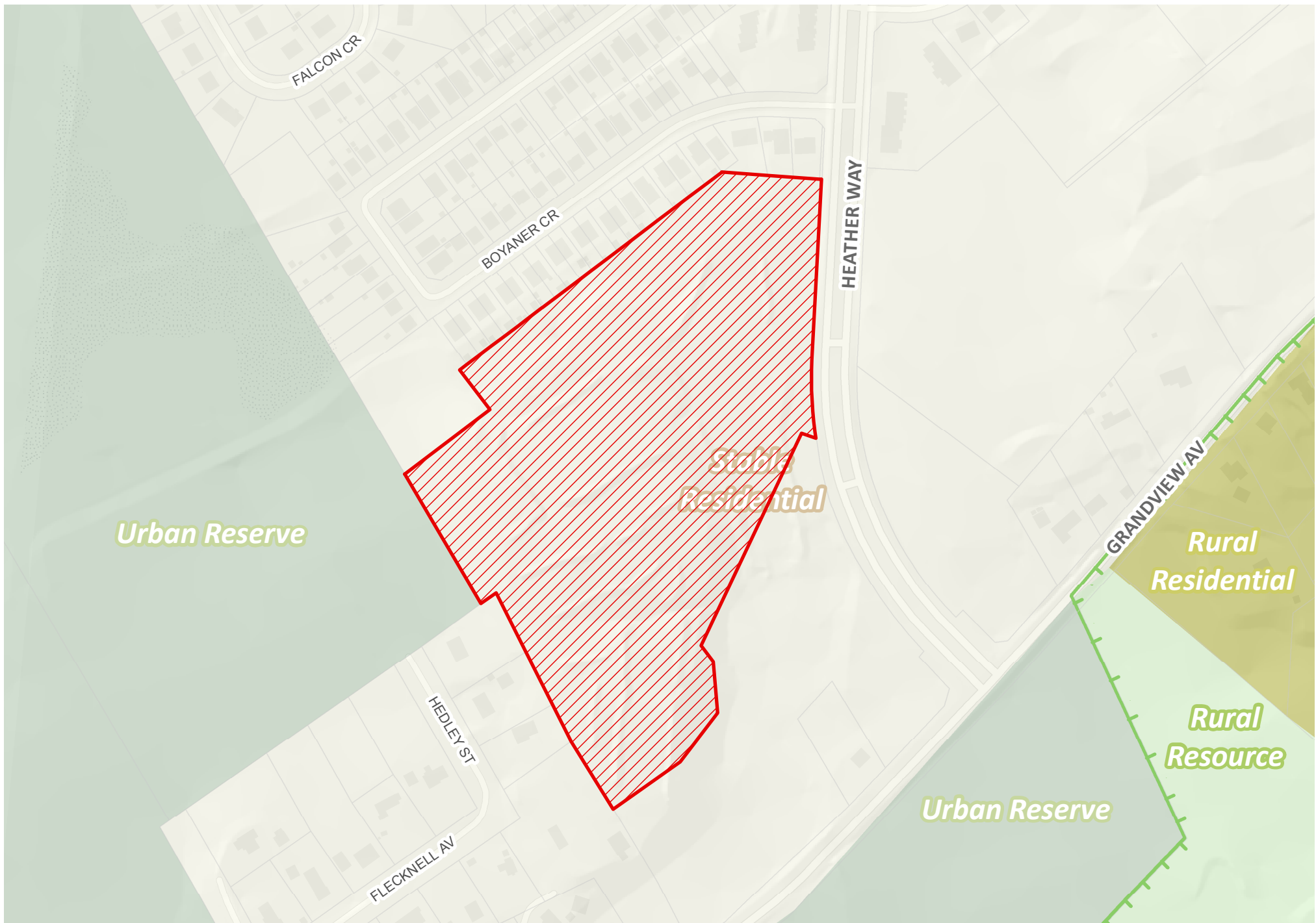
Map 1 - Site Location

Dunnett's Landscaping Ltd. - 0 Heather Way

The City of Saint John
Date: June-06-19

0 50



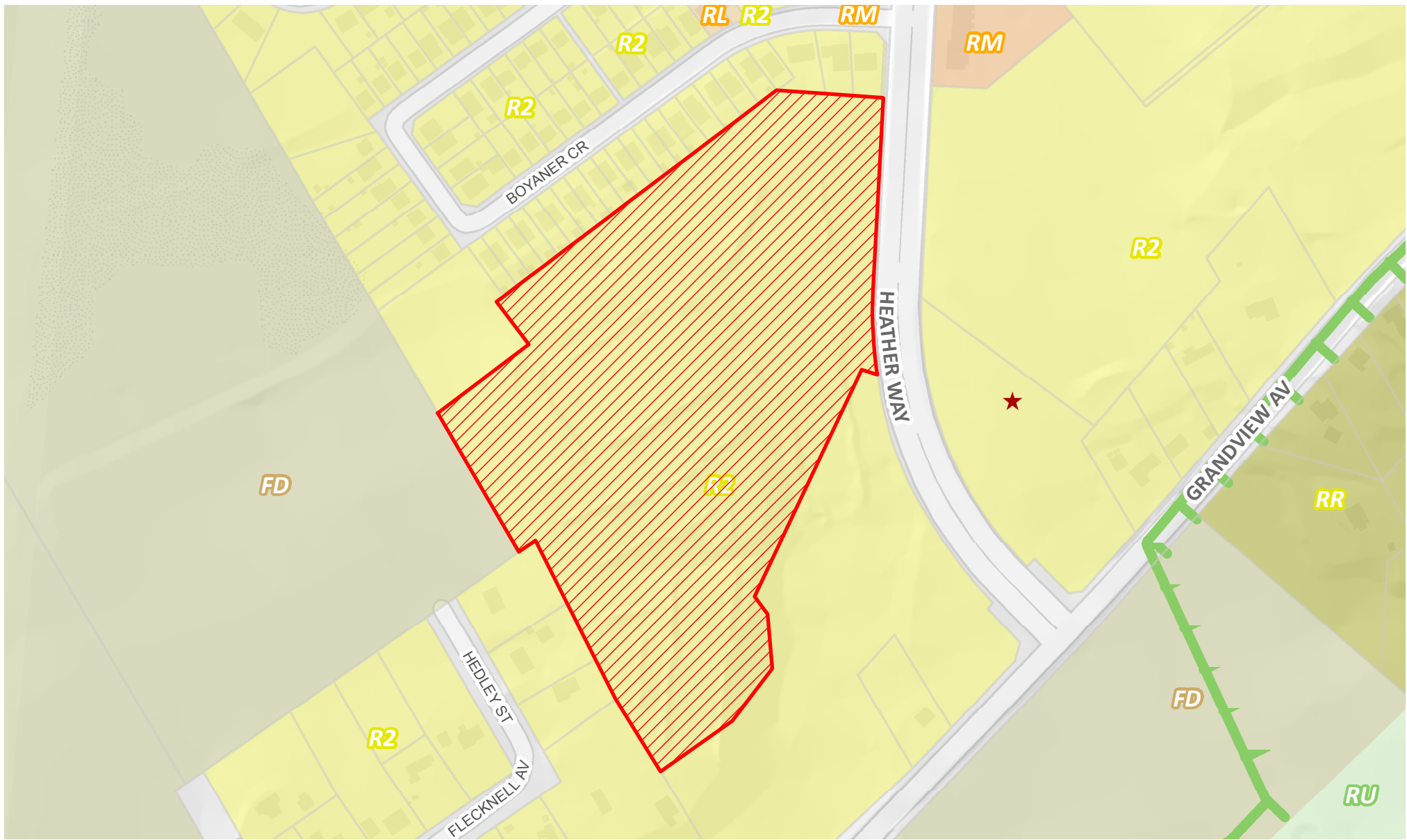


Map 2 - Future Land Use
Dunnett's Landscaping Ltd. - 0 Heather Way

The City of Saint John
Date: June-06-19

0 50 m





(FD) Future Development (RR) Rural Residential
(R2) Two-Unit Residential
(RL) Low-Rise Residential
(RM) Mid-Rise Residential
(RU) Rural

★ Section 59 Conditions

Map 3 - Zoning

Dunnett's Landscaping Ltd. - 0 Heather Way

The City of Saint John
Date: June-06-19

0 50 m





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Map 4 - Aerial Photography

Dunnett's Landscaping Ltd. - 0 Heather Way

The City of Saint John
Date: June-06-19

0 75 m





View of Heather Way (looking towards Boyaner Cres)



Site seen from Heather Way



Site - looking toward Grandview Ave



Site - looking toward Boyaner Cres dwellings

Submission 1



Site Plan
**Dunnett's
Landscaping Ltd.**
Heather Way, Saint John,
Saint John County, NB

Scale: 1:1000
0 10 20 30 40 50 60 70 80 90 100

DUNNETT'S
LANDSCAPING LTD.
SURVEYS &
ENGINEERING LTD.

Drawn: 190060VA
Date: April 25, 2019



Site Context Plan
**Dunnett's
Landscaping Ltd.**
Heather Way, Saint John,
Saint John County, NB



DOWN - MORE
SURVEYS &
ENGINEERING LTD.

Dwg: 190060VA
Date: April 29, 2019

Phasing:

Phase 1:

1-24 unit building
12-1 bedroom units
12-2 bedroom units

Phase 2:

3-24 unit buildings
12-1 bedroom units
12-2 bedroom units

Phase 3:

3-24 unit buildings
12-1 bedroom units
12-2 bedroom units

Phase 4:

4-24 unit buildings
12-1 bedroom units
12-2 bedroom units



Phasing Plan
Dunnett's
Landscaping Ltd.
Heather Way, Saint John,
Saint John County NB



DOWN - MORE
SURVEYS &
ENGINEERING LTD.

Drawn: 190060VA
Date: April 24, 2019

Berm with Hedge

typical table view



Berm with Hedge

typical end view



1.2m - Ashbury Pine



1.2m - Ashbury Pine

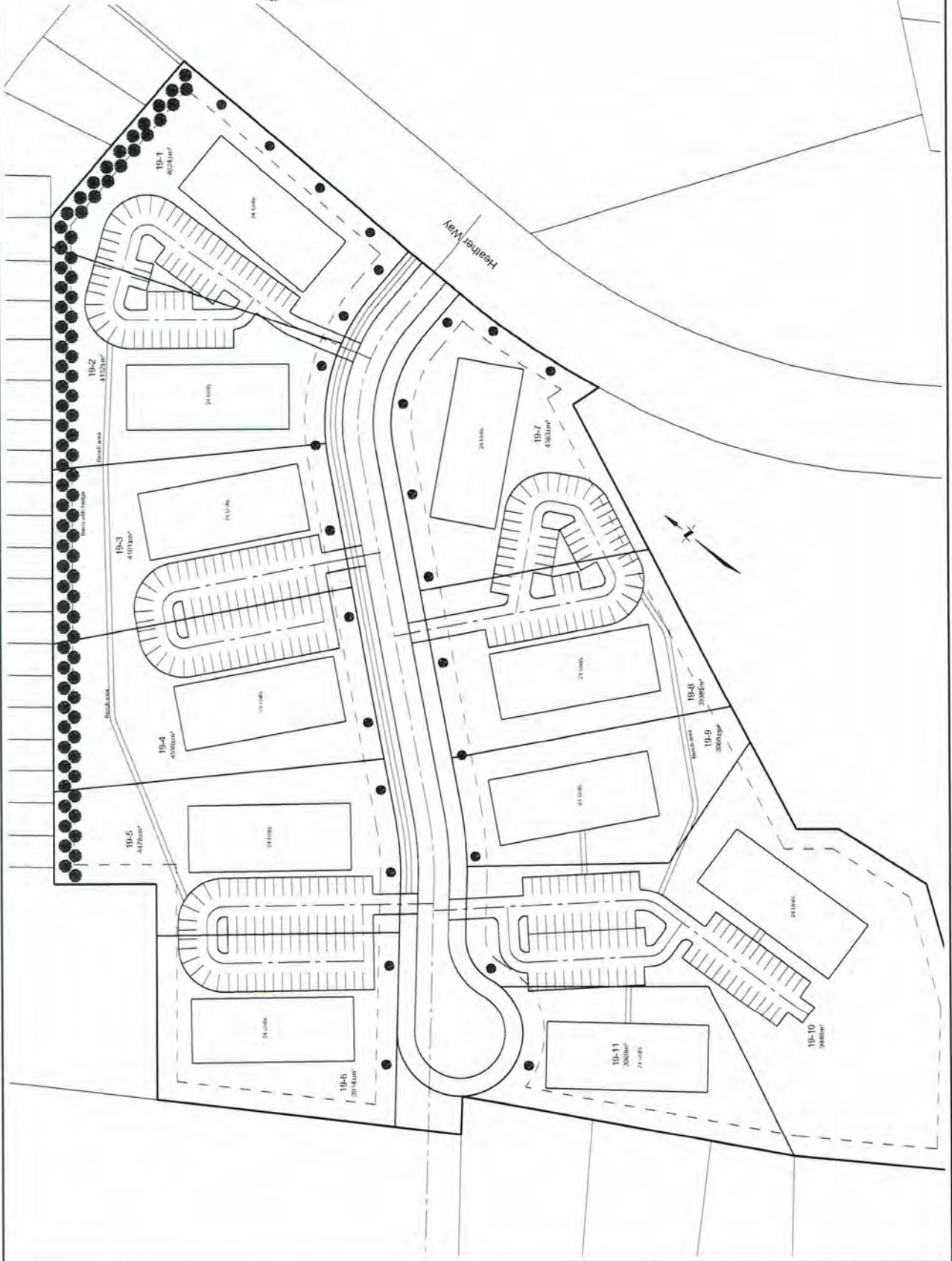
Landscaping Plan
Dunnett's
Landscaping Ltd.
Heather Way, Saint John,
Saint John County, NB



DON - MORE
SURVEYS &
ENGINEERING LTD.

Dwg: 190060VA

Date:
April 29, 2019



Submission 2 – Applicant examples of exterior design/finishes





Submission 3 – Examples of architectural style/materials for future buildings – Noel Avenue (photos taken by staff)





May 2, 2019

Kenneth Melanson, BA, RPP, MCIP
Manager of Community Planning
Growth & Community Development Services – City of Saint John

VIA E-Mail: ken.melanson@saintjohn.ca

Re: Planning Review

This proposed development is located adjacent to Heather Way in east Saint John. The development will involve the construction of a new street accessed from Heather Way, and eleven building lots. Each lot will contain a twenty-four unit, three story apartment building and associated site features. Photos of a similar project completed in another part of the City are included with this package.

A site plan has been included which shows the layout of the new street and lots. It also shows the site relative to the surrounding land uses. The surrounding neighbourhood is a wide range of residential uses ranging from single family homes to high rise apartments. This development is a medium density development, and is consistent with existing uses in the area. Figure 1 below shows a current zoning map of the area and we can see that uses in the area range from R1 to RH.

We are working with Saint John Water to fully understand the availability of water and sanitary services to support this development. Preliminary discussions indicate adequate water and sewer capacity. Detailed design will address this in greater detail.

Saint John Transit currently services this area and has indicated a willingness to add a bus stop at the intersection of the new street and Heather Way as development progresses.



Figure 1: Current Zoning Map

Stormwater management will be part of the detailed design for each site. Each site will be designed in such a way that stormwater is stored on the site reducing peak flows to pre-development levels.

A berm topped with a vegetated hedge will be installed between this development and the adjacent development to the north. This will provide buffering and screening between the existing single family homes and the new multi-family development.

This development is located off Heather Way which is a major arterial street in the City. Existing services exist in this area and this development can be considered as infill for this existing area.

The buildings will be constructed of a high quality exterior facade. Photos of a similar project are included with this package.

Municipal Plan

This area is designated as Stable Residential and is located within the Primary Development Area in the municipal plan. See figure 2.

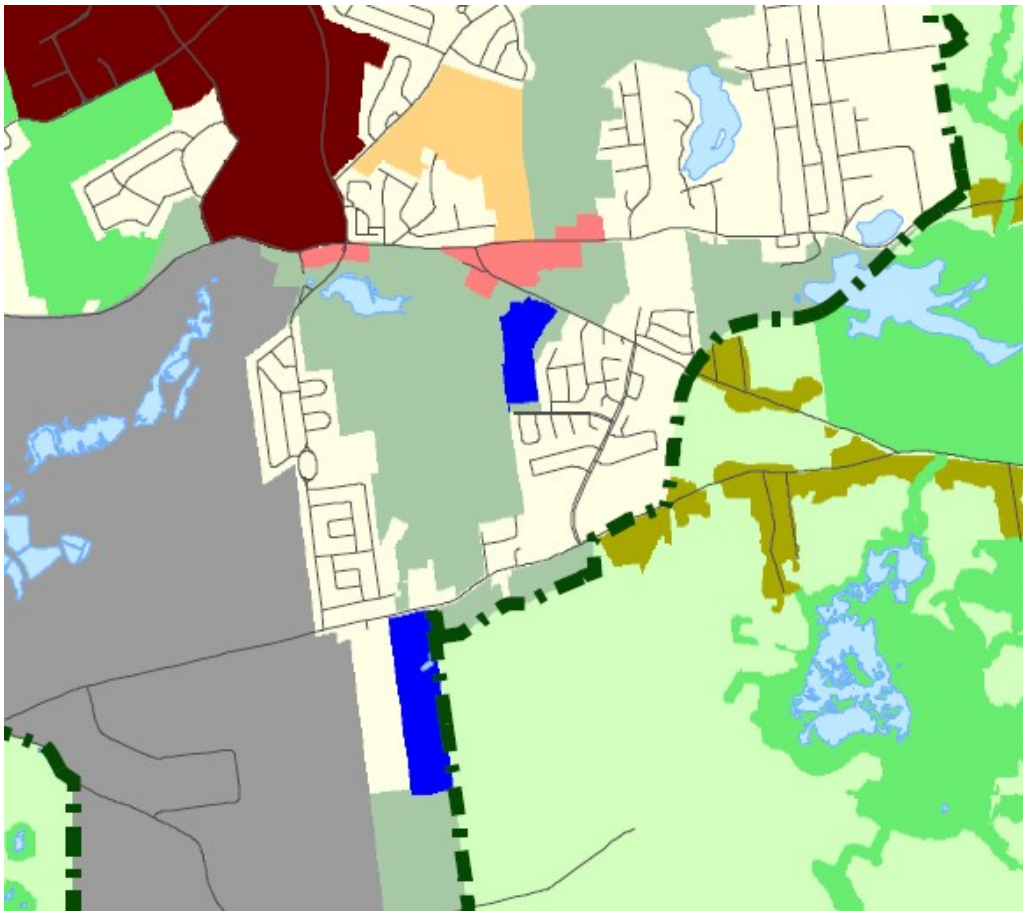


Figure 2: Municipal Plan



The Municipal Plan contains three policy statements related to this type of development:

Policy LU-86: Create the Stable Residential designation on the Future Land Use map (Schedule B). Within the Stable Residential designation, housing of almost every form and density may be found and both the existing neighbourhood context and compatibility with the Municipal Plan goals will determine suitability of new proposals. Other compatible uses that may be found in the Stable Residential designation include convenience stores, home occupations, parks, and community facilities which are permitted in the designation without amendment to the Municipal Plan.

Policy LU-87: Intend that the areas designated Stable Residential will evolve over time from a land use and built-form perspective but that new and redeveloped land uses are to reinforce the predominant community character and make a positive contribution to the neighbourhood.

Policy LU-88: Ensure that significant new development and redevelopment in areas designated Stable Residential shall generally be permitted only through a rezoning process where compliance is demonstrated with the following requirements:

- a. The proposed land use is desirable and contributes positively to the neighbourhood;*
- b. The proposal is compatible with surrounding land uses;*
- c. The development is in a location where all necessary water and wastewater services, parks and recreation services, schools, public transit and other community facilities and protective services can readily and adequately be provided;*
- d. Site design features that address such matters as safe access, buffering and landscaping, site grading and stormwater management are incorporated;*
- e. A high quality exterior building design is provided that is consistent with the Urban Design Principles in the Municipal Plan; and*
- f. The proposal is on a property identified as a Corridor on the City Structure map (Schedule A) or does not detract from the City's intention to direct the majority of new residential development to the Primary Centres, Local Centres, and Intensification Areas.*

This development is consistent with the existing uses in the area, meets the context of the municipal plan and fits into plan policy LU-88. The proposed development is consistent with existing uses and zoning in the area and will provide a positive benefit to this part of the City.

From: [onestop](#)
To: [Melanson, Ken](#)
Cc: [Burgess, Aimee](#)
Subject: FW: PID No. 55208300 - Rezoning Application 0 Heather Way
Date: June 17, 2019 12:47:28 PM

Paula Hawkins
One Stop Development Shop
Permitting & Inspection Services
10th floor – City Hall
Saint John, NB E2L 4L1
(506)658-2911
paula.hawkins@saintjohn.ca
onestop@saintjohn.ca

From: Megan Craig [mailto:Newyrsbaby@hotmail.com]
Sent: June-17-19 12:41 PM
To: onestop
Subject: PID No. 55208300 - Rezoning Application 0 Heather Way

Good Afternoon,

I am writing regarding the proposed Rezoning Application for 0 Heatherway PID # 55208300.

As a resident of Boyaner Crescent for the last 6 years, (my husband's parents lived in the home since it was built in 1977, we bought the home in August 2013). I am greatly concerned about this proposal for the following reasons:

1. Any dig/build comes with it the concerns of water run off. The properties on Boyaner Crescent that will be affected are on a slope and some already have water issues. As an insurance broker I know all too well about clients who never had water issues, that now have issues due to new constructions.
2. The resale values in our neighborhood will definitely not benefit from this build.
3. Currently the homes on my side of Boyaner Crescent have the benefit of privacy in our back yards, I have to assume that 11 buildings that are 3 storeys high will affect that privacy.
4. The increased traffic on Heatherway with only one exit will affect everyone

in my neighborhood, especially in the winter when only one lane is plowed each way on Heatherway. If all of these units are occupied, there is a potential of hundreds more vehicles commuting daily.

Along with my concerns, I have the following questions:

1. How far away from my property line will these units and parking areas be?
2. Will these buildings be subsidized or market value rentals?
3. What is the timing for the build, the first letter indicated there would be 8 buildings, when it was proposed to council they showed 11 buildings.
4. Is there any chance there will be more then or less then 11 buildings?
5. Currently there are some trees along our property lines, will more trees be planted to give us added privacy and security?
6. I assume that it would be a requirement for there to be fire hydrants installed for these buildings, is that correct?
7. If this proposal is approved and we have water issues, what responsibility do the builders have? Is there a time limit for this?

I would honestly be surprised if the owners were able to have enough interest in this area to occupy all of these units. I feel like 11 buildings in this area is excessive.

Megan & Steve Craig
256 Boyaner Crescent
Saint John, NB
E2J 4C7

From: [onestop](#)
To: [Melanson, Ken](#)
Cc: [Burgess, Aimee](#)
Subject: FW: Rezoning Application - 0 Heather Way
Date: June 17, 2019 8:44:53 AM

Paula Hawkins
One Stop Development Shop
Permitting & Inspection Services
10th floor – City Hall
Saint John, NB E2L 4L1
(506)658-2911
paula.hawkins@saintjohn.ca
onestop@saintjohn.ca

From: Spiros Nicoles [mailto:spiros.nicoles@gmail.com]
Sent: June-16-19 2:43 PM
To: onestop
Subject: Rezoning Application - 0 Heather Way

To whom it may concern:

I am writing in regards to the rezoning application (PID No. 55208300), which is requesting to have 11 apartment complexes built off of Heatherway.

I personally do not agree to this proposal. I believe having over 200 plus tenants in one area, with the only entrance/exit to the area being on Heatherway will cause a lot of traffic and congestion, especially during school season. Traffic already gets backed up during school season especially since NBCC is within this area, and this will only make matters extremely worst.

I also believe that building these complexes in this area takes away from our residential environment. There are a lot of homes in and off of Heatherway and we all take pride of our home and property. Having apartment buildings built in a "housing" style area, will create a revolving door of tenants, and we really do not know what type of people will be living there. These tenants will not own property or homes in the area and therefore can bring or attract unwanted individuals who have little care for other people's properties. This issue exist in other parts of the city, including East Saint John, where apartment complexes mixed with home neighborhoods have brought unwanted problems to the home owners.

Previously, someone wanted to build a trailer park in this area (I'm not sure if this is the same builder). The neighborhood spoke against the trailer park and that plan was put to rest, and now you are suggesting a switch to apartment buildings. Going from trailer park to apartment buildings does not fix our neighborhood concerns, nor does it respect the concerns we had. This proposal creates the same problems and/or concerns we previously had . The only thing that is happening here is that you are changing the style, but ignoring all of our concerns from before.

What is even more concerning is that only people on Boyaner Cres received letters in regards to this proposal, No one else close to this area off of Heatherway received letters or were asked for their input on this matter, like they were last time when the trailer park was proposed.

Everyone in the area, from Boyaner and Wyatt Crescent, for example will be impacted by this and everyone should be notified and asked for an opinion.

If you want to build actual houses/homes, to keep the same style of neighborhood we have had since the Heatherway area was first developed decades ago, then by all means go ahead, but creating complexes that congest our area, and allow the potential for revolving door tenants, without anyone knowing what type of individuals will be living there, well there is no need for this. We want to keep the same style development in this area as we always had, meaning no apartment complexes or trailer parks.

Also, the proposed two rows of trees between the new property and Boyaner Cres, in theory may be great, but does not separate the two areas or create privacy.

I hope you consider my suggestion before making a final decision.

Thank you for your time.

Spiros Nicoles

Jill Good
23 Falcon Crescent
Saint John, NB
E2J 0C5
Jillianguood14@gmail.com

June 17, 2019

Planning Advisory Committee,

Having grown up and lived in the area my entire life there was no other choice when it came time for my husband and I to purchase our home 10 years ago, at 23 Falcon Crescent, which is in close proximity to this proposed development.

We are **in favour** of the proposed development as outlined in the report at 0 Heather Way, and are happy to see the area developed. We ask that the owner consider the following:

- 1) We would ask that the Planning Advisory Committee notes that while the subject site is currently surrounded by undeveloped lands that represent future development opportunities, it is important to note that it is also in very close proximity is a large subdivision and high school. All of which are serviced by municipal sewer and water infrastructure. Please ensure that the proper drawings and studies are conducted **prior to construction of Phase 1** to guarantee that there are no impact to existing homeowners in the area.
- 2) My grandmother lives at 20 Jimegal lane highlighted on the map below:



The previous owner cleared the land of most of the trees. We ask that the new owner consider leaving the trees that remain at the back of the subject site along Hedley Street & Jimegal Lane properties (shown with a green line) and provide the same treed buffer and berm that is proposed for along Boyaner Crescent in 2 a of the recommendations outlined in the report.

- 3) We would like the owner to know that there is currently neighbourhood interest in revitalizing the existing playground on Boyaner Crescent which is only 285 meters from the subject site. While the report indicates that they looking to attract students that attend NBCC given the close proximity, we feel that long term tenants are what will ensure success and allow for the full build out of the proposed development. To attract long term, quality tenants investments into recreational amenities such as the Boyaner Crescent playground are important to attracting families and growing the City of Saint John.

Residents from Falcon Crescent and Boyaner Crescent have met with Parks & Recreation staff and are in preliminary discussions on revitalizing the playground area and its equipment. Given the proposed developments very close proximity to the existing Boyaner Crescent Playground and that the residents of the new development would greatly benefit from the use of the neighbouring playground, we ask that the owner consider directly investing into the Boyaner Crescent Playground. We would love to work with the new owner on making the area an even more attractive place for families to live and grow.

Thank you so much for investing in this area and consider my letter.



Jill Good

June 18/2019

Dear Planning Advisory Committee,

Regarding the proposed rezoning of 0 Heatherway. We are not in favour of the rezoning of this area for the following reasons. I live at 10 Jimegal Lane, and my mother lives at 20 Jimegal Lane which is directly adjacent to the land in the proposal. We have lived in this area for approximately 35 years.

- I feel that my current property value would be negatively impacted by the construction of multiple 3 story apartment buildings within sight of my home. Both my home and my mother's home will have a full view of the back of these buildings which are at a higher elevation than ours and therefore will stand out on the skyline which currently is a forest view.
- The developers plan to rent apartments to students from NBCC is also concerning to us. This does not seem to be a solid business plan on their part to rely on possible student rental income to sustain and upkeep properties of this type and we are concerned that they will fall into disrepair over a shorter period of time.
- The rental to students means that there will be a constant change of residents in the area that may have no vested interest in contributing to the community at large.
- We are also concerned that the construction may affect the water supply in the area of homes that are on wells and springs.

In closing if this proposal were to be approved, we ask that the developer maintains the tree line at the back of the property adjacent to Flecknell Ave, Hedley St, and Jimegal Lane and also installs and maintains the same landscaped buffer proposed for the property adjacent to Boyaner Crescent.

Sincerely;

David and Patricia Flecknell
10 Jimegal Lane,
Saint John, NB

Mavis Flecknell
20 Jimegal Lane,
Saint John, NB