
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
646-648 Westmorland Road**

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. Brandon Bates of Toss Solutions, representing St. Mary's & St. Bartholomew's Church, appeared before the Committee and was in agreement with the Staff recommendation. Mr. Bates provided details on the history of the former rectory building and how it was purchased back by the Church and would be used to support the East Side Food Bank.

Mr. Harold McInnis with the East Side Food Bank and Rev. Greg McMullen (Rector) of Saint Mary's and Saint Bartholomew's Church also provided details on the need for the East Side Food Bank to relocate from its current location and desire by the church to expand community based programs.

Committee members questioned the presenters on how clients of Food Bank travelled to the facility. The Committee also had questions on dealing with waste and composting. The presenter group explained that most users of the food bank drive and some use transit. Rev. McMullen also detailed conversations with Saint John Transit about potential relocation of transit to stop in front of the church to help support the food bank and expanded community programs. He advised Committee these talks are still ongoing. The presenters advised that currently there is no composting available for commercial pick up.

No members of the public appeared before the Committee to support or object to the proposal.

Upon considering the Staff report, comments from the applicant and letters of opposition, the Committee voted in support of the Staff recommendation

RECOMMENDATION:

1. That Common Council rezone a parcel of land having an area of approximately 1,000 square metres, located at 648 Westmorland Road also identified as PID No. 55161897 from Two-Unit Residential (R2) to Neighbourhood Community Facility (CFN).
2. That Common Council rescind the Section 39 conditions imposed on the August 19, 2002 rezoning of the property located at 646-648 Westmorland Road also identified as PID No. 00303545.
3. That Common Council hereby imposes pursuant to the provisions of Section 59 of the Community Planning Act (SNB 2017, c.19) the following conditions upon the development and use of the parcel of land having an area of approximately 19,352 square metres, located at 646-648 Westmorland Road also identified as PID No. 00303545:
 - a. The use of the site is limited to senior citizens' apartment development, parking area, and access for the adjacent place of worship and food bank.
 - b. The developer must pave all new parking areas, loading areas, manoeuvring areas, and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect landscaped areas and facilitate proper drainage.
 - c. Adequate site drainage facilities (including catch basins) must be provided by the developer in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate.
 - d. All utilities, including power and telephone, must be provided underground.
 - e. The portion of the rezoned area abutting the lots fronting on Longview Court must consist of a landscaped planting strip with a minimum width of 3 metres (10 feet), and shall include a continuous row of deciduous and/or coniferous trees and a continuous board-on-board fence with a minimum height of 1.5 metres (5 feet).

- f. All other disturbed areas of the site not occupied by buildings, driveways, walkways, parking, or loading areas must be landscaped by the developer.
- g. The site shall not be developed except in accordance with a detailed site plan and building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location of all buildings, parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, including those listed above. The approved site plan must be attached to the application for building permit for the development.
- h. All site improvements shown on the approved site and drainage plans must be completed within one year of building permit approval.

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: St. Mary's & St. Bartholomew's Church

Owner: Corporation of the Anglican Parish of Cold Brook – St. Mary

Location: 646-648 Westmorland Road

PID: 00303545 and 55161897

Plan Designation: Stable Residential

Existing Zoning: Two-Unit Residential (R2)

Proposed Zoning: **Neighbourhood Community Facility (CFN)**

Application Type: Rezoning & Section 59 Amendment

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 and Section 59 (previously Section 39) Amendments. 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 a rezoning of the property located at 648 Westmorland Road from Two-Unit Residential (R2) to Neighbourhood Community Facility (CFN). This will accommodate the operation of the East Side Food Bank, with plans for future expansion. In addition, the applicant is requesting an amendment to an existing condition on the neighbouring site (PID 00303545) where existing conditions restrict the use to a seniors' residence. This amendment is being requested to allow the use of the aforementioned site as an access and parking area for 648 Westmorland Road.

RECOMMENDATION

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2. That Common Council rescind the Section 39 conditions imposed on the August 19, 2002 rezoning of the property located at 646-648 Westmorland Road also identified as PID No. 00303545.
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 - a. The use of the site is limited to senior citizens' apartment development, parking area, and access for the adjacent place of worship and food bank.
 - b. The developer must pave all new parking areas, loading areas, manoeuvring areas, and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect landscaped areas and facilitate proper drainage.
 - c. Adequate site drainage facilities (including catch basins) must be provided by the developer in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate.
 - d. All utilities, including power and telephone, must be provided underground.
 - e. The portion of the rezoned area abutting the lots fronting on Longview Court must consist of a landscaped planting strip with a minimum width of 3 metres (10 feet), and shall include a continuous row of deciduous and/or coniferous trees and a continuous board-on-board fence with a minimum height of 1.5 metres (5 feet).

- f. All other disturbed areas of the site not occupied by buildings, driveways, walkways, parking, or loading areas must be landscaped by the developer.
- g. The site shall not be developed except in accordance with a detailed site plan and building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location of all buildings, parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, including those listed above. The approved site plan must be attached to the application for building permit for the development.
- h. All site improvements shown on the approved site and drainage plans must be completed within one year of building permit approval.

DECISION HISTORY

On April 22, 2003, Common Council rezoned this parcel (PID 55161897) from "IL-1" Neighbourhood Institutional to "R-2" One and Two Family Residential in order to recognize the long-existing residential use of the former church rectory, which was no longer being used in conjunction with the nearby church.

On August 19, 2002, Common Council rezoned PID 00303545 (the property to the east) from "IL-1" Neighbourhood Institutional to "RM-1" Three Storey Multiple Residential in order to permit a senior citizens' apartment development. The rezoning was subject to a number of Section 39 (now Section 59) conditions dealing with site development requirements including paving, curbing, site drainage, underground utilities, landscaping, and site plan approval. The Planning Advisory Committee had recommended the proposed rezoning, including the Section 39 conditions, at its July 30, 2002 meeting. At the same time the Committee granted several variances from the requirements of the Zoning By-law and Subdivision By-law in order to permit the creation of separate lots for the former rectory, the seniors' apartment development site and the adjacent St. Mary & St. Bartholomew Anglican Church (646 Westmorland Road), and to permit an addition to the rear of the rectory.

ANALYSIS

Proposal

The applicant is proposing to rezone 648 Westmorland Road from Two-Unit Residential (R2) to Neighbourhood Community Facility (CFN). The proposal would allow for the use of the property as a food bank and expansion to the building. An amendment to the Section 59 conditions on the adjacent site (PID 00303545) that restrict the use to solely a seniors' residence is also being sought to allow access and parking for the Place of Worship and proposed Food Bank.

As the use of this property is restricted through the existing Section 39 conditions to a senior citizens' apartment development an amendment to this condition, in addition to a future seniors residence is required to allow for access and parking for the food bank site and church.

Site and Neighbourhood

The subject site is a 1,000 square meter lot located in the east of Saint John. The area is characterized by other Two-Unit Residential & Mid-Rise Residential developments as well as City owned community facilities on adjacent lots. The site is located in the Forest Hills community, and is located within a Stable Residential area.

The site currently has a dwelling owned by the Anglican Church and was previously used as a parish rectory structure. There are plans to expand the building to accommodate the needs of the proposed tenants, as well as future planned uses permitted by the by-law. These future uses include community cooking classes, a clothing depot, a small laundry facility, reading programs in collaboration with the library, among others.

Both lots (PID 00303545 and 55161897) are owned by the Corporation of the Anglican Parish of Cold Brook - Saint Mary, as well as the adjacent lot where the Saint Mary's and St. Bartholomew's Church and corresponding parking lot operate. This parking lot extends onto PID 00303545. Though the zoning of the lot does not permit the exclusive use of the land as a parking lot or access road, as the applicant plans to develop PID 00303545, and therefore Staff does not believe this to be detrimental to the surrounding community, as the parking would be secondary to the Place of Worship use.

Municipal Plan

The Municipal Plan, through its policies, supports the applicant's rezoning application and the Section 59 amendment. Policies CF-40 and LU-126 support the reuse of religious facilities for other community uses and collaboration between social agencies. The site is in close proximity to one of the City's district recreational hubs, adding to the social benefits of the area.

The rezoning would allow the church to provide other secondary uses in accordance with a Place of Worship, including cooking classes, a clothing depot, a laundry facility, reading programs, among other community outreach services, therefore, meeting the intent of the Policies CF-40 and LU-126 of the Plan.

Rezoning and Section 59 Amendment

The site containing the former rectory, while it fronts on Westmorland Road, has driveway access through the adjacent parcel (PID 00303545) which is also where parking for the proposed food bank will be provided. As these parcels and the adjacent parcel containing the place of worship are all under same ownership (Anglican Church), no issues with the parking and access arrangement are anticipated.

The use of this adjacent parcel is subject to conditions imposed by Common Council in 2002 in conjunction with a rezoning application for the site to permit a seniors' housing development. These conditions outline various standards related to site development standards and also restrict the use of the parcel to the proposed seniors' housing development. Staff recommend the conditions be amended to provide for the parking and access to the church and food bank as additional uses of the site.

Conclusion

Approval of the Rezoning of the site to allow for the relocated and expanded food bank is recommended on the basis that the rezoning will be beneficial to the surrounding community, and fits within the surrounding community context. This is an ideal location for the non-profit operation as it is a cost effective and an accessible area. The amending of the Section 59 condition on the adjacent site is also recommended to accommodate the operations of the Place of Worship and Food Bank while allowing for the development of the seniors facility in the future.

ALTERNATIVES AND OTHER CONSIDERATIONS

No alternatives were considered.


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 June 7, 2019. The Public Hearing for the rezoning was advertised on the City's website beginning on June 17th, 2019.

SIGNATURES AND CONTACT

Prepared:

A handwritten signature in black ink, appearing to be 'Corey Cooper', with a stylized flourish at the end.

Corey Cooper, MPlan
Planner

Reviewed:



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

Approved:



Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Cooper, Corey
Phone: (506) 632-6846
E-mail: corey.cooper@saintjohn.ca
Project: 19-0085

APPENDIX

Map 1: **Site Location**

Map 2: **Municipal Plan**

Map 3: **Zoning**

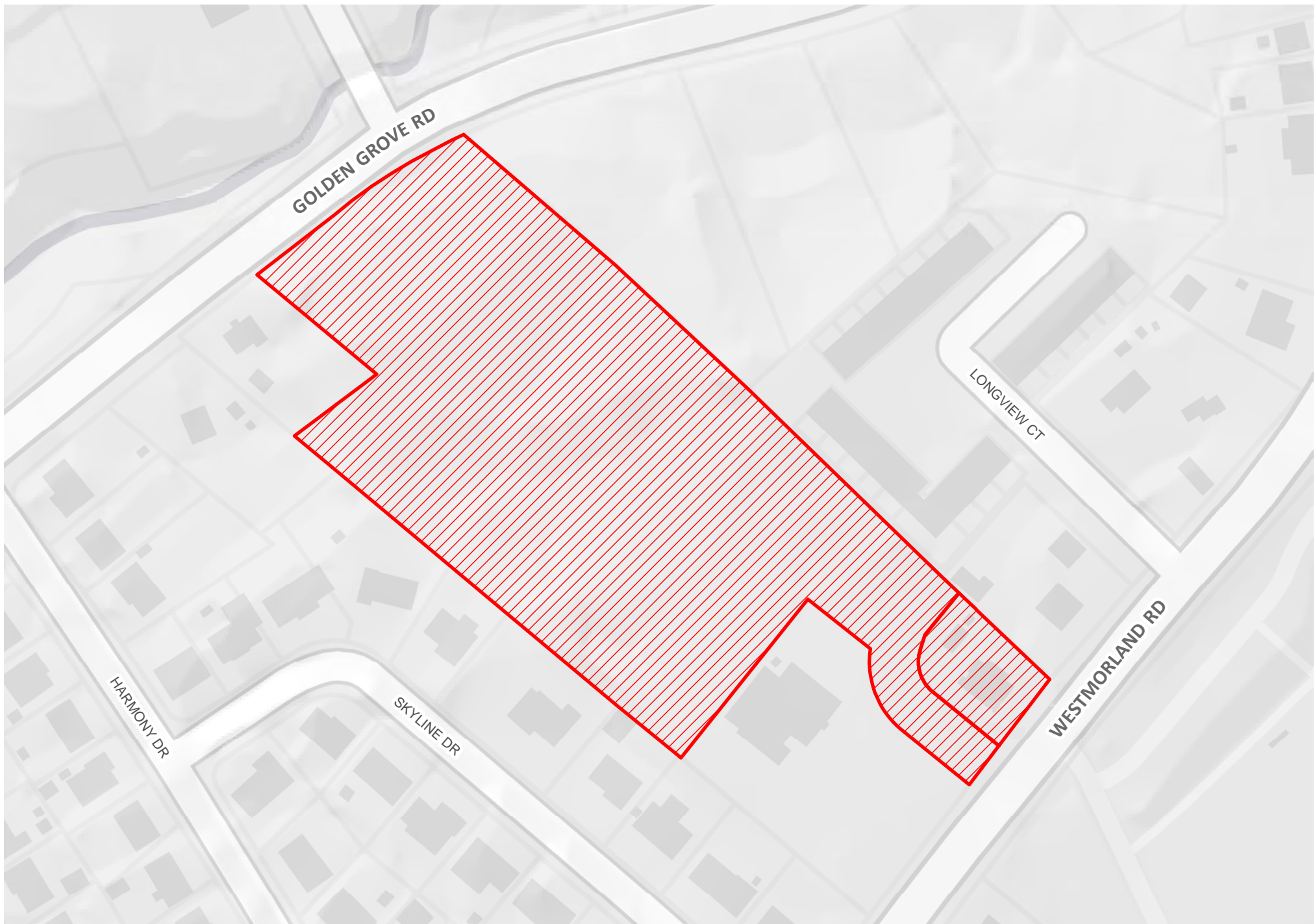
Map 4: **Aerial Photography**

Map 5: **Site Photography**

Submission 1: **Site Plan**

Submission 2: **Floor Plan**

Submission 3: **Rendering**



Map 1 - Site Location

Corporation of the Anglican Parish of Coldbrook - St. Mary - 646-648 Westmorland Road

The City of Saint John
Date: June-05-19



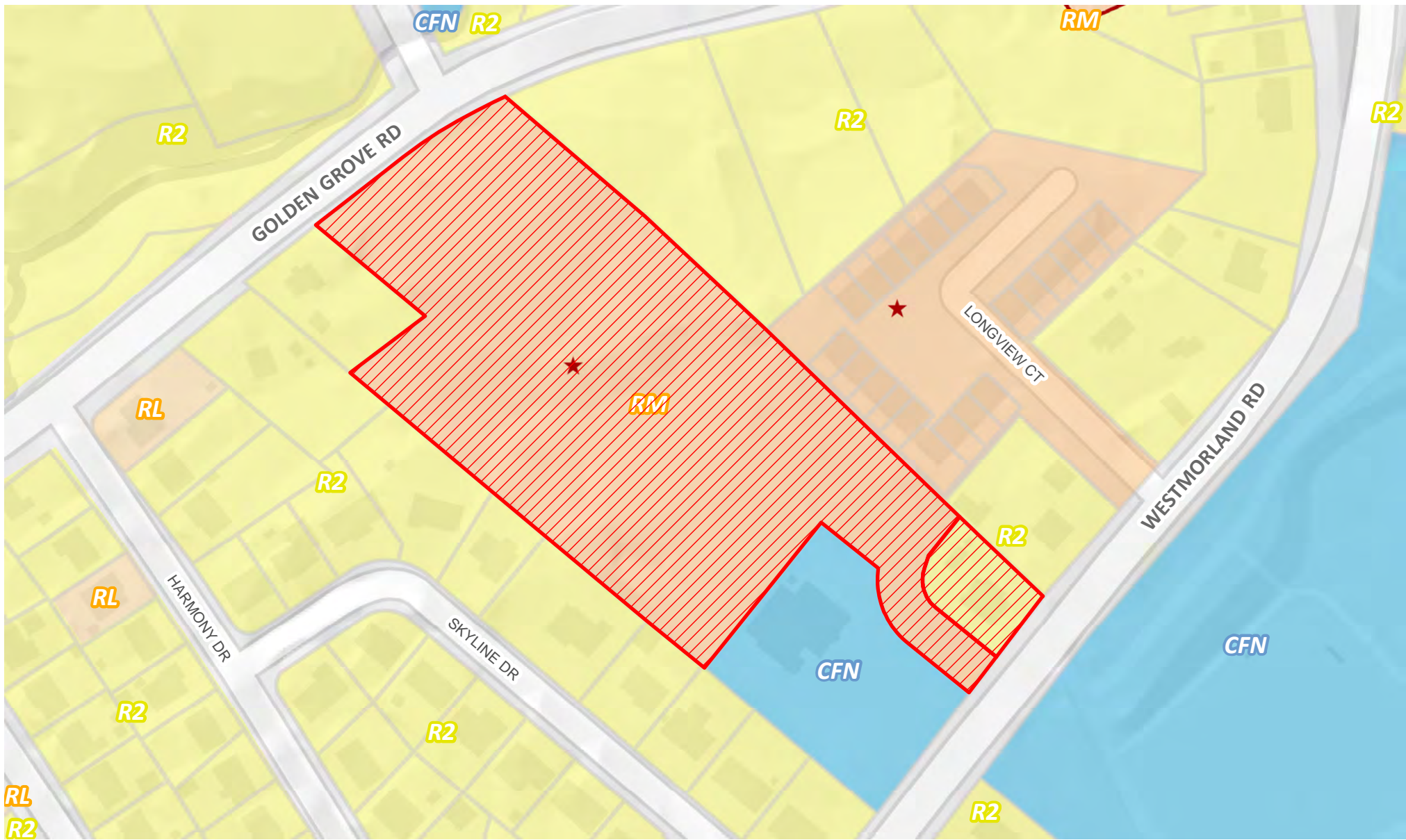


Map 2 - Future Land Use

Corporation of the Anglican Parish of Coldbrook - St. Mary - 646-648 Westmorland Road

The City of Saint John
Date: June-05-19





(CFN) Neighbourhood Community Facility
 (R2) Two-Unit Residential
 (RL) Low-Rise Residential
 (RM) Mid-Rise Residential

★ Section 59 Conditions

Map 3 - Zoning

Corporation of the Anglican Parish of Coldbrook - St. Mary - 646-648 Westmorland Road

The City of Saint John
 Date: June-05-19





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

Map 4 - Aerial Photography

Corporation of the Anglican Parish of Coldbrook - St. Mary - 646-648 Westmorland Road

The City of Saint John
Date: June-05-19

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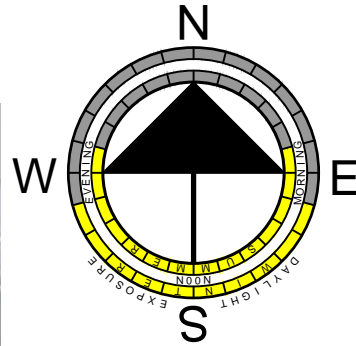
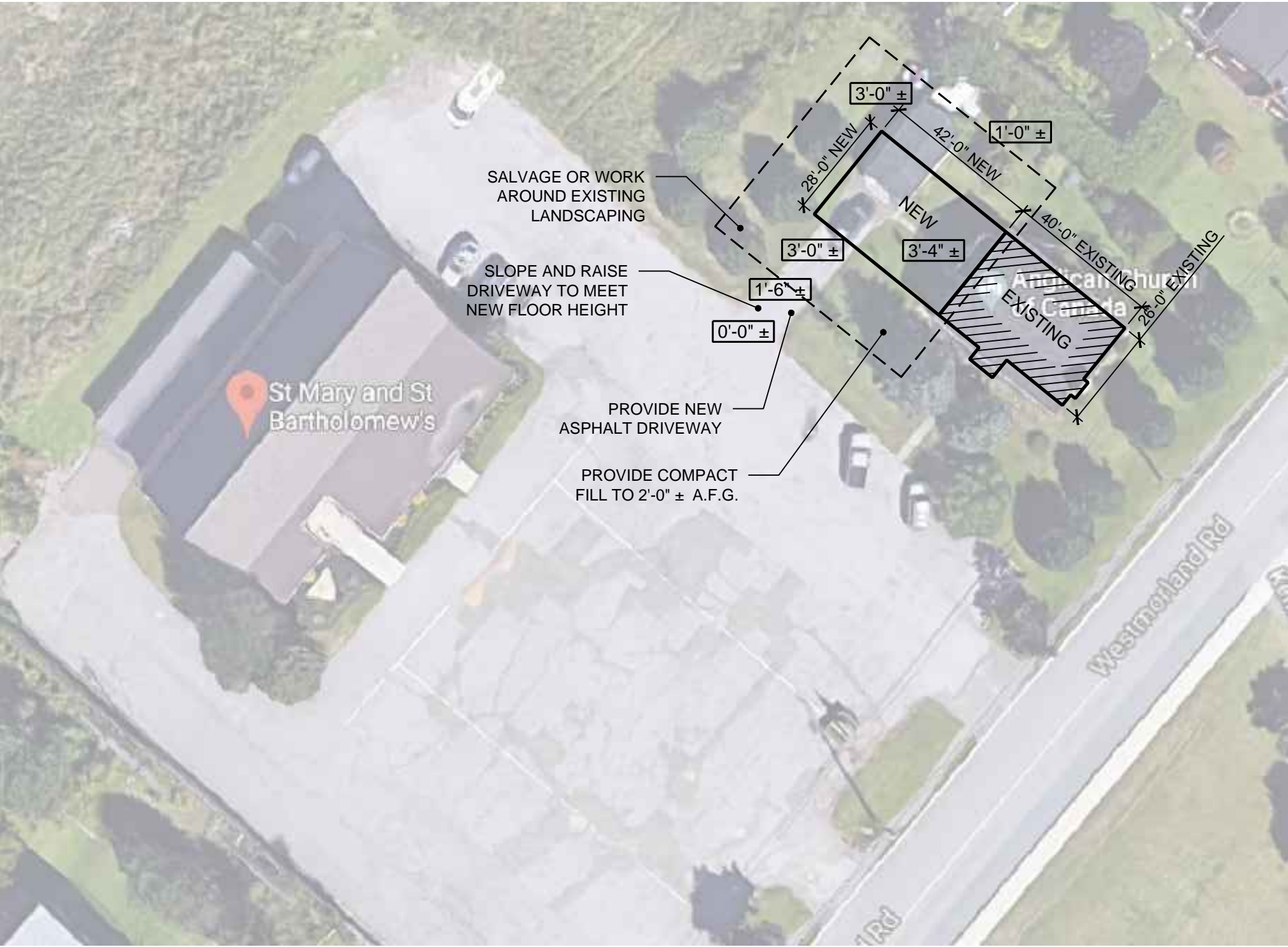


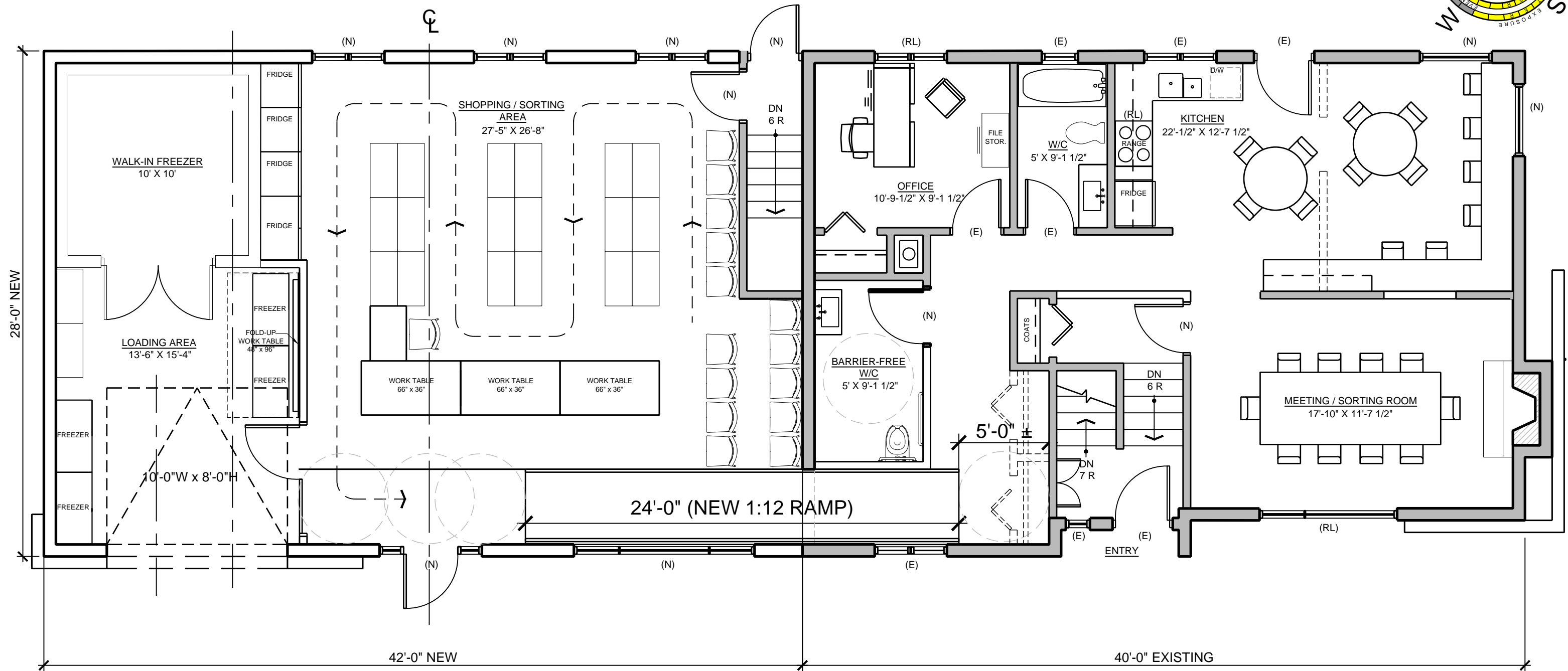
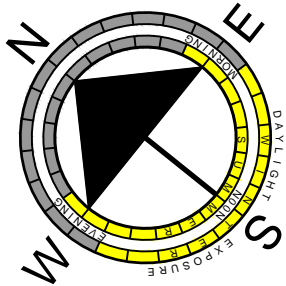




SITE PLAN LEGEND

	C.B.	CATCH BASINS
	M.H.	MAN HOLE
	F.H.	FIRE HYDRANT
	L.S.	LIGHT STANDARD
	U.P.	UTILITY POLE
	B.H.	BORE HOLE LOCATIONS
		DATUM POINT / BENCH MARK
	25.3	NEW GRADE ELEVATION
	25.3	EXISTING GRADE ELEVATION
		PROPERTY LINE
	ST	STORM LINE
	W	WATER LINE
	S	SANITARY LINE
	F	FIRE PROTECTION WATER LINE
	P	POWER LINE
	GAS	GAS LINE
	<	FLOW DIRECTION (DRAINAGE)
	X	FENCE
		LIMITS OF EASEMENTS AND SETBACK
		LIMITS OF CONTRACT / DISTURBANCE
		CULVERT
		EXISTING ROAD / WALKWAY
		NEW ROAD / WALKWAY
		EXISTING ROAD / OBJECT TO BE REMOVED



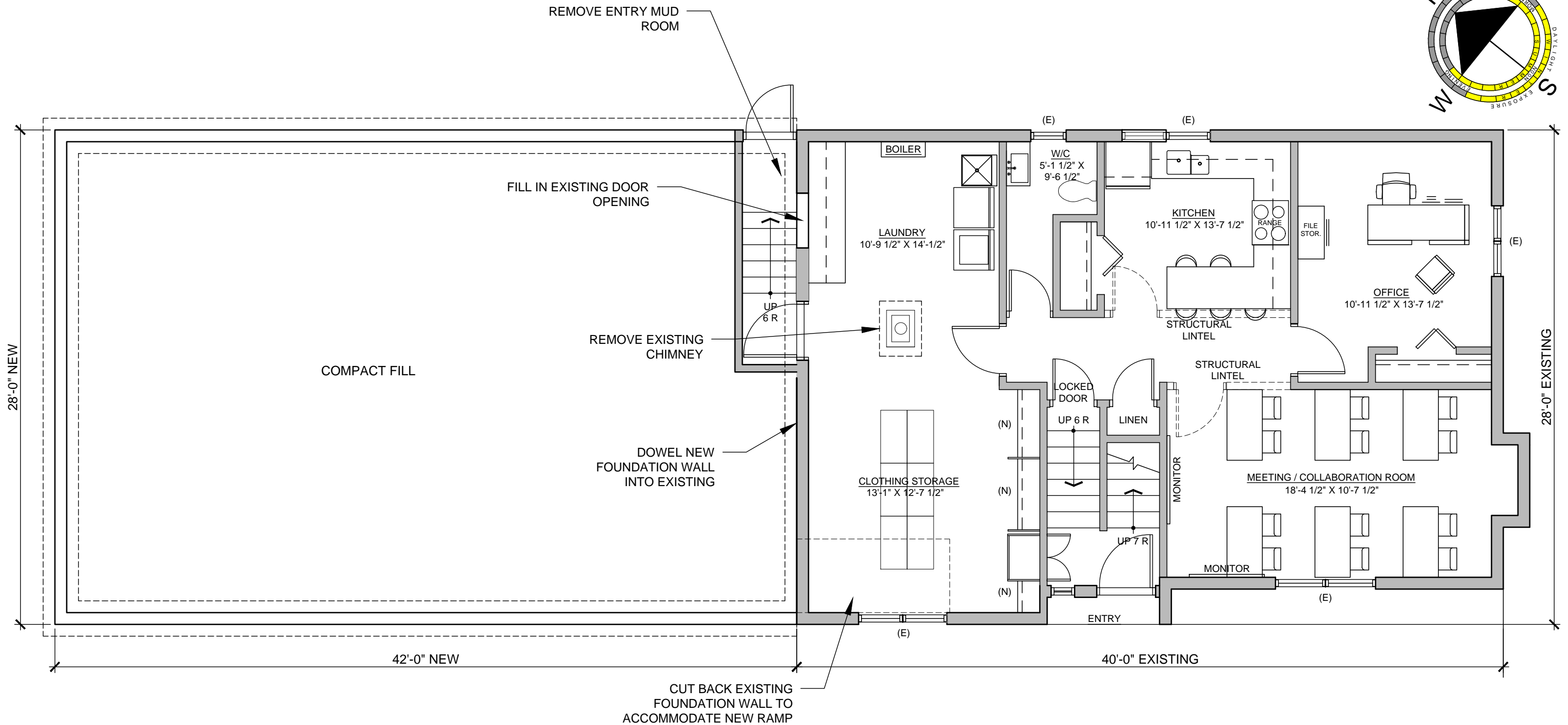
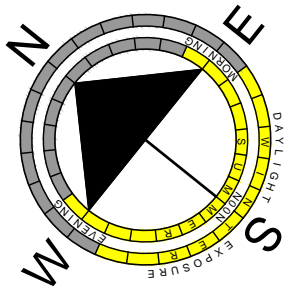


GROUND FLOOR PLAN
CONCEPT PHASE

SAINT MARY & SAINT BARTHOLOMEW'S
ANGLICAN CHURCH OF CANADA
SAINT JOHN, NEW BRUNSWICK

scale: 3/16" = 1'-0"
project: 18-47 (506)
approved: B. BATES

SK **2** REV. 1
May 14, 2019

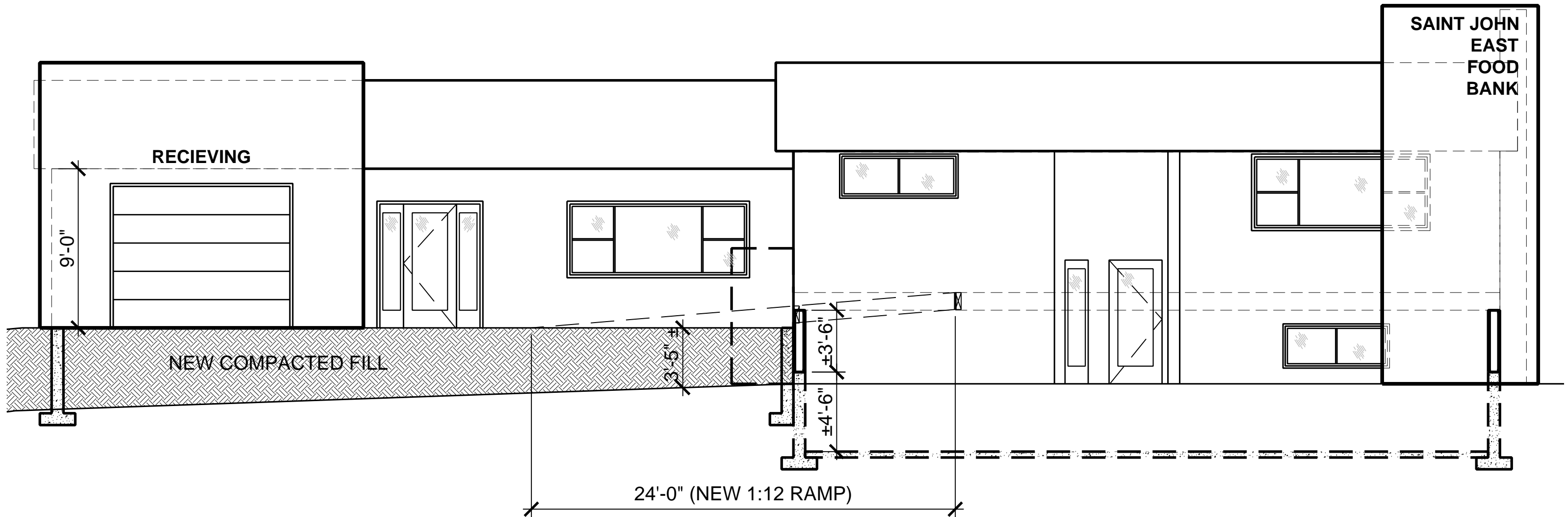


BASEMENT PLAN
CONCEPT PHASE

SAINT MARY & SAINT BARTHOLOMEW'S
ANGLICAN CHURCH OF CANADA
SAINT JOHN, NEW BRUNSWICK

scale: NTS
project: 18-47 (506)
approved: B. BATES

SK **3** REV. 1
June 4, 2019



To whom this may concern:

I am sorry to inform you that me and my family is not in favor of converting the said residential house into a food bank. This may change the peaceful surroundings that we have right now and security of my family as well.

Thank you.

Truly yours,

Bella Buban

Toni Belle Buban

Karlo Antonio Buban

LONGVIEW PARK HOMEOWNERS INC

Planning Advisory Committee
City of Saint John, Growth & Development Services

June 17, 2019

Dear Sir/Madam:

In response to the letter from the Community Planning and Development regarding the Rezoning-648 Westmorland Road the homeowners of Longview Court have a question and concerns.

How much green space is planned along the proposed parking space and the Longview Court property?

There is a concern that the extended parking lot will provide the public with open access to the Longview Court Property. Also, there will be a significant increase in walking traffic from the Golden Grove Road neighborhoods through the area behind our property. **We request that the church erect and maintain a metal chain link fence the full length of the property boarder.**

A food bank will generate large amounts of food waste/garbage that will be a draw for rats and other rodents. This has become an issue for homeowners in other areas of the east end of Saint John. **We suggest the garbage area be at street side of building to be as far away as possible from residential homes.**

The Longview Court community is home to a number of seniors and young families. We understand the need for a Food Bank in the East Saint John area but are concerned about the impact this plan will have on our safety and well-being.

We appreciate your consideration of our concerns and hope to have a satisfactory resolve.

Sincerely,

Lloyd Teakles, President
Longview Court Homeowners Inc.
Lloyd.teakles@gmail.com
1-506-633-8512