



The City of Saint John

**Date:** March 16, 2023  
**To:** Planning Advisory Committee  
**From:** Growth & Community Services  
**Meeting:** March 21, 2023

**SUBJECT**

**Applicant:** Luke Simpson (048017 NB Ltd.)  
**Landowner:** Luke Simpson (048017 NB Ltd.)  
**Location:** 228 Lancaster Avenue  
**PID:** 00033357  
**Plan Designation:** Regional Retail Centre  
**Existing Zoning:** Regional Commercial (CR)  
**Proposed Zoning:** Corridor Commercial (CC)  
**Application Type:** Rezoning and Temporary Use  
**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's recommendation at a public hearing on **Monday, April 3, 2023.**

The Zoning By-law authorizes the Planning Advisory Committee to permit, for a temporary period of up to one year, a development otherwise prohibited by the By-Law. The Committee can impose conditions.

**EXECUTIVE SUMMARY**

The applicant is requesting to rezone 228 Lancaster Avenue from Regional Commercial (CR) to Corridor Commercial (CC) to facilitate the use of an existing warehouse style building as a warehouse facility and office uses. The applicant has also applied for a temporary use approval which would enable the warehouse facility use to be established prior to the completion of the rezoning process. The proposed development is located on Lancaster Avenue and will be located within an existing structure that was previously utilized as a warehouse facility. The site will be utilized as the temporary collections facility for the New Brunswick Museum, until the permanent collections centre is opened. Approval of the rezoning and temporary use is recommended by staff.

**RECOMMENDATION**

1. That Common Council rezone a parcel of land having an area of approximately 12,780 square metres, located at 228 Lancaster Avenue, also identified as PID Number 00033357, from **Regional Commercial (CR)** to **Corridor Commercial (CC)**.
2. That the Planning Advisory Committee authorize, for a temporary period not exceeding one year, effective following the delivery of the decision; a warehouse facility located at 228 Lancaster Avenue, also identified as PID Number 00033357.

**DECISION HISTORY**

There is no decision history for this property.

**ANALYSIS****Proposal**

The applicant is proposing to reactivate an existing warehouse style building to be used again as a warehouse facility. A rezoning application is required to facilitate the warehouse facility use. The applicant has also applied for a temporary use to allow necessary the renovations to the proposed warehouse portion of the structure, to be undertaken prior to the completion of the rezoning application process. A building permit has been issued for the building to allow the development of the offices, which are a permitted use within the existing and proposed zone.

The proposed warehouse facility and office uses would be located on a previously developed parcel, which contains a large former warehouse building, existing accesses, front yard landscaping and a significant parking area.

**Site and Neighbourhood**

The subject site is located on the City's west side, along Lancaster Avenue and adjacent to a NB Southern Rail Line. The property contains an existing warehouse building that was constructed in 1938 and was home to the Saint John Parts Distribution Centre for the Ford Motor Company. The property was zoned Light Industrial (I-1) under the previous City of Saint John Zoning By-law.

The subject site is located on Lancaster Avenue, an arterial road, east of the Simms Corner intersection and the Fairville Boulevard commercial corridor. The site is located within an area of diverse zoning and land uses. The section of Lancaster Avenue between Fairville Boulevard and the Saint John Throughway Overpass, contains a mixture of commercial, residential and park uses.

The south portion of Lancaster Avenue is zoned Regional Commercial (CR) and includes a mixture of uses including offices, a bowling alley and the existing former warehouse building. These uses are located across the street from Wolastoq Park. As you travel east on Lancaster Avenue, the south side of the street contains residential development zoned for Mid-Rise Residential (RM) and One-Unit Residential (R1) housing. Across the street from the residential area, is a cluster of General Commercial (CG) properties which include a funeral home, restaurant and offices.

The subject site benefits from its location on an arterial road and is well connected to the broader road network with easy connection to Fairville Boulevard. The site is also served by public and active transportation, including access to the City's sidewalk infrastructure and proximity to various transit stops serving Route 1, which provides access to the Uptown and East sides of Saint John. This provides a variety of transportation options for potential employees based out of the site.

### **Municipal Plan and Zoning**

The subject site is identified as part of the Regional Retail Centre within the City's Municipal Plan. The Regional Retail Centre designation identifies two areas of the City for large-format retail and service concentrations, which are designed to be accessed primarily through automobiles. The Fairville Boulevard Regional Retail Centre is viewed as a secondary and more community-based centre which is less intensive than the McAllister Centre located on the east side of the City.

The subject site is located on the most northern boundary of the Regional Retail Centre, within an area that transitions into a diverse section of the City containing a variety of other types of land uses including Stable Residential, Stable Commercial, Park and Natural Area, and Mixed Use Centre. Additionally, the property, along with the other Regional Retail Centre properties located along Lancaster Avenue, are physically separated from the more prominent portions of the Retail Centre including the Lancaster Mall and the Fairville Boulevard commercial corridor.

The physical separation includes a NB Southern Railway Line and topographic changes of almost 16m between Lancaster Avenue and the northern property boundary of the mall. This physical separation creates a barrier that disconnects the Lancaster Avenue properties from the majority of the Regional Retail Centre. This separation has meant that these properties function differently than those located along Fairville Boulevard and those properties located within the concentrated area of large format retail buildings.

The building and site development further identify the property as being different than the broader area, and it's historic use as the Saint John Parts Distribution Centre for the Ford Motor Company reinforces its role as providing services as opposed to retail oriented uses. Until the adoption of the City's current Zoning By-law at the end of 2014, the subject site was zoned Light Industrial (I-1), which supported the long-term use of the site as a warehouse facility.

With the adoption of the current Zoning By-law, the property was zoned Regional Commercial (CR), which is typically characterized by the development of plazas and shopping malls. A variety of uses are permitted within the zone, ranging from restaurants and retail stores to vehicle repair garages and service stations. Business Offices are also permitted within this zone, and a Building Permit has been issued for the site to facilitate the establishment of this use within the building.

The proposed warehouse facility use is not permitted within the CR zone, but is a permitted use within the Corridor Commercial (CC) zone. The CC zone and the CR zone are the two main zones that make up the Regional Retail Centre future designation area. The northern portion of the Regional Retail Centre area is typically zoned CR and is noted for its development pattern largely comprising of shopping malls, plazas and large format retail buildings. The southern portion of the area is typically zoned CC and largely contains sites that have been transitioning from industrial uses and have a development pattern largely comprising of single building sites.

Although the Lancaster Avenue site is located closest to the CR portion of the area, its site development and historic use align with the development pattern found on the CC zoned properties. The proposed rezoning of the property from CR to CC, aligns with the intent of the Municipal Plan, through retaining one of the two primary commercial zones associated with the future designation area, and will enable the property to continue to support the integrity of the Fairville Boulevard Regional Retail Centre.

In addition, it should be noted that the proposed rezoning will support the reactivation of the property with its original and longstanding warehouse facility use. Based on discussions with other members of the business community, Staff have been made aware that there are limited warehousing options available within the City, particularly in proximity to major retail areas. The reactivation of this site as a warehouse facility should help support this identified gap within the City's commercial building inventory.

Staff are in support of the proposed rezoning of 228 Lancaster Avenue from the CR to CC zone to facilitate the use of the property as a warehouse facility. Due to the existing development of the property, staff are not recommending any Section 59 conditions limiting the use of the site.

### **Temporary Use**

In addition to the rezoning application, the landowner has applied for a temporary use approval to allow the site to be used as a warehouse facility in advance of the completion of the rezoning application process. A temporary use approval is granted for a one-year time period, during which time the applicant is to undergo a rezoning process for the property.



The proposed temporary use application, in addition to the rezoning application, was facilitated by the landowner in order to support the use of the site as an interim location for the New Brunswick Museum's collections facility. It is anticipated that the collections facility will occupy the space for upwards of seven years, during which time a permanent collections centre will be developed. The warehouse facility and office space will enable the proper storage and care of the Museums collections until the permanent collections centre has been opened. It has been identified that the interim facility will be open to the public by appointment only, which will limit the daily traffic generated by the development.

The property had previously been developed with the existing warehouse structure and existing site development. An attached site plan provides an example of the site layout and upgrades including fencing around the property, one identified loading zone (for occasional deliveries), and ample parking spaces on site for both staff and visitors. In addition, some limited cosmetic improvements for the building exterior have been identified (see attached elevation drawing), in addition to significant interior improvements.

Staff are recommending the approval of the temporary use, as the necessary rezoning application is being reviewed simultaneously.

### **Conclusion**

The proposed rezoning of 228 Lancaster Avenue from the Regional Commercial to Corridor Commercial zone aligns with the intent of the Municipal Plan and supports the continued success of the Fairville Boulevard Retail Commercial Centre. The return of the site to its previous use as a warehouse facility will enable the site to provide much needed warehousing uses within proximity to a main commercial corridor. Staff are not recommending any Section 59 conditions for the proposed rezoning.

The proposed Temporary Use for the warehouse facility, is also supported by staff. The temporary use approval will facilitate the necessary site and building improvements to support the warehouse facility use, while also honouring the requirement for a rezoning process to be undertaken to formalize the use on a long term basis. Staff are not recommending the inclusion of any conditions as part of the proposed approval.

### **ALTERNATIVES AND OTHER CONSIDERATIONS**

No alternatives were considered.

### **ENGAGEMENT**

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 March 7, 2023. The public hearing notice was posted on the City of Saint John website on March 8, 2023.

**APPROVALS AND CONTACT**

Author	Commissioner
Jennifer Kirchner, MCIP, RPP	Jacqueline Hamilton, MCIP, RPP

**Contact:** Jennifer Kirchner  
**Telephone:** (506) 639-7933  
**Email:** Jennifer.Kirchner@saintjohn.ca  
**Application:** 23-0010 and 23-0011

**APPENDIX**

Map 1: **Aerial Photography**

Map 2: **Future Land Use**

Map 3: **Zoning**

Attachment 1: **Site Photography**

Attachment 2: **Municipal Plan Policy Review**

Submission 1: **Site Plan**

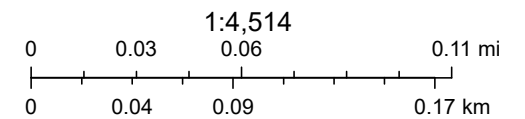
Submission 2: **Elevation Plan**

# City of Saint John



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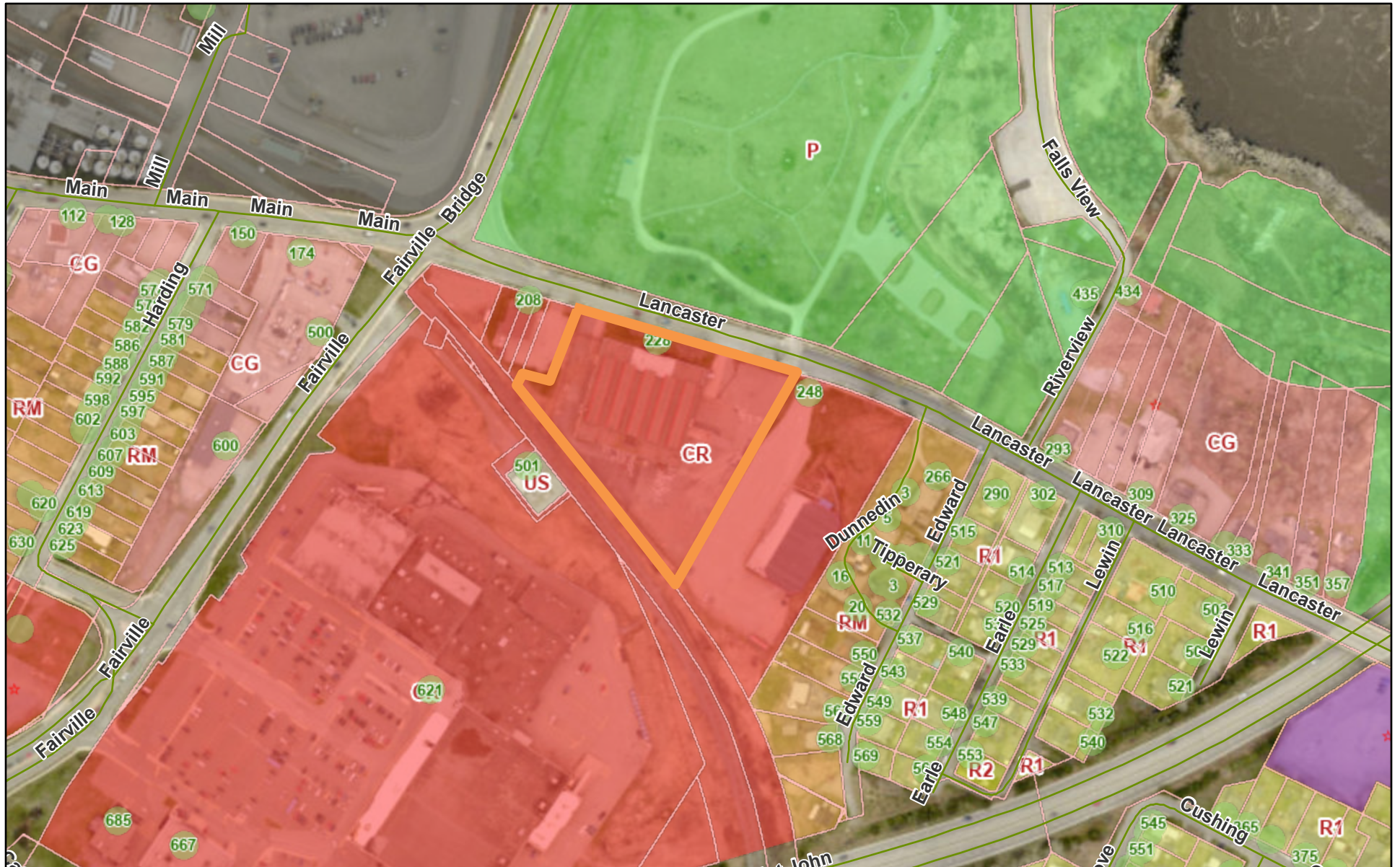
- Override 1
- Official Civic Addresses
- Property Assessment
- Property Parcels



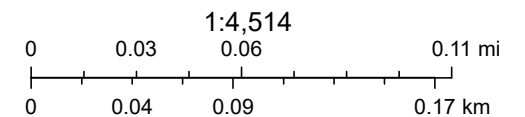
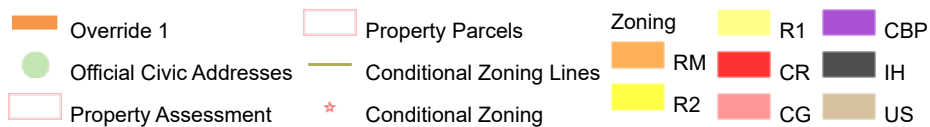
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



# City of Saint John



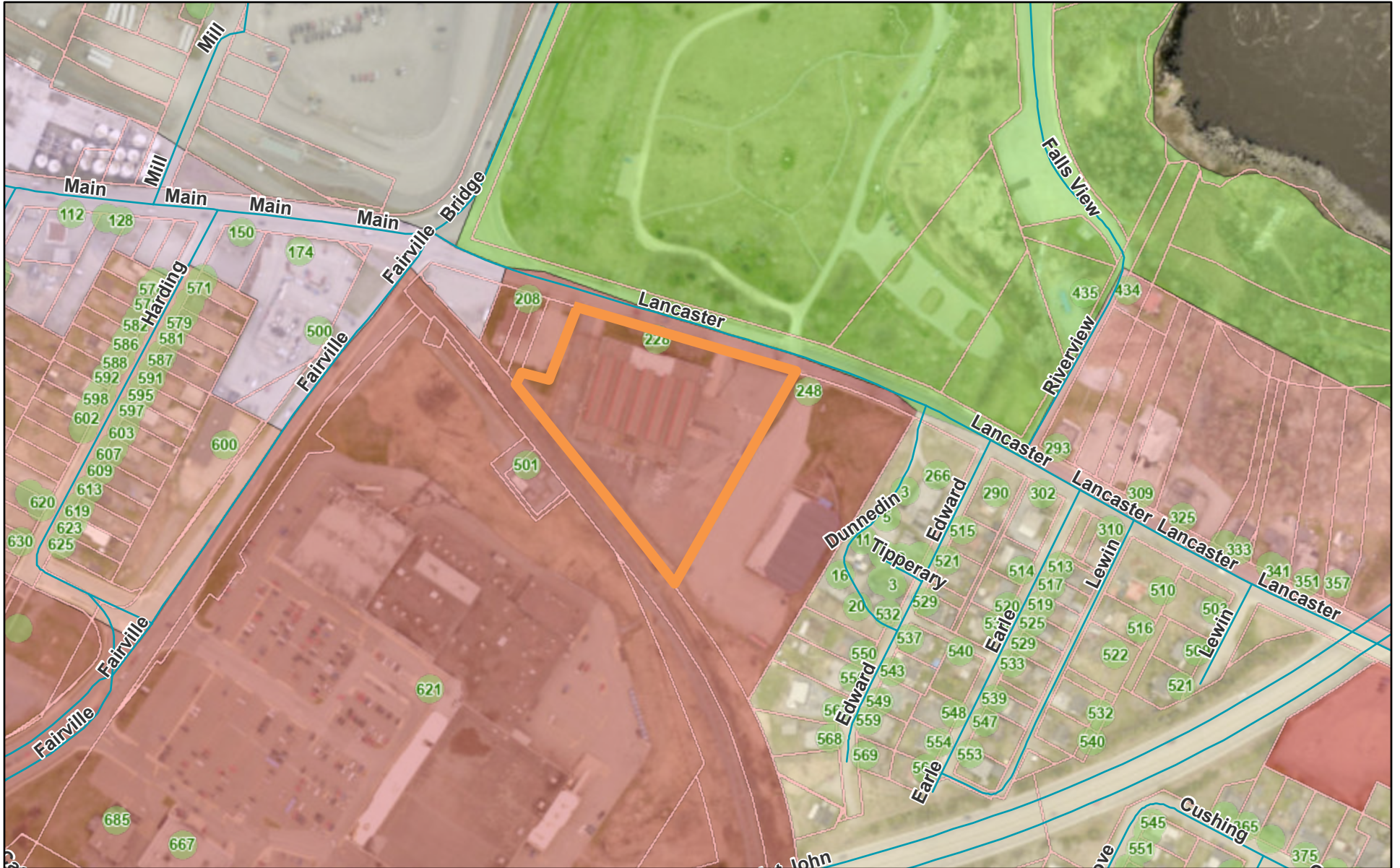
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

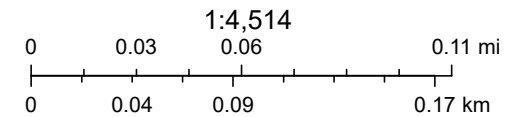


# City of Saint John



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- |   |  |  |   |
|---|--|--|---|
| <span style="color: orange;">—</span> Override 1                  | <span style="border: 1px solid red;"> </span> Property Parcels                       | <span style="background-color: #c0392b;"> </span> Regional Retail Centre | <span style="background-color: #95a5a6;"> </span> Heavy Industrial      |
| <span style="color: green;">●</span> Official Civic Addresses     | <span style="background-color: #f1c40f;"> </span> Future Land Use                    | <span style="background-color: #e74c3c;"> </span> Business Centre        | <span style="background-color: #2ecc71;"> </span> Park and Natural Area |
| <span style="border: 1px solid red;"> </span> Property Assessment | <span style="background-color: #f39c12;"> </span> Medium to High Density Residential | <span style="background-color: #f08080;"> </span> Stable Commercial      | <span style="background-color: #f1c40f;"> </span> Stable Residential    |
|   | <span style="background-color: #e1bee7;"> </span> Mixed Use Centre                   |  |   |



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



## Site Photos

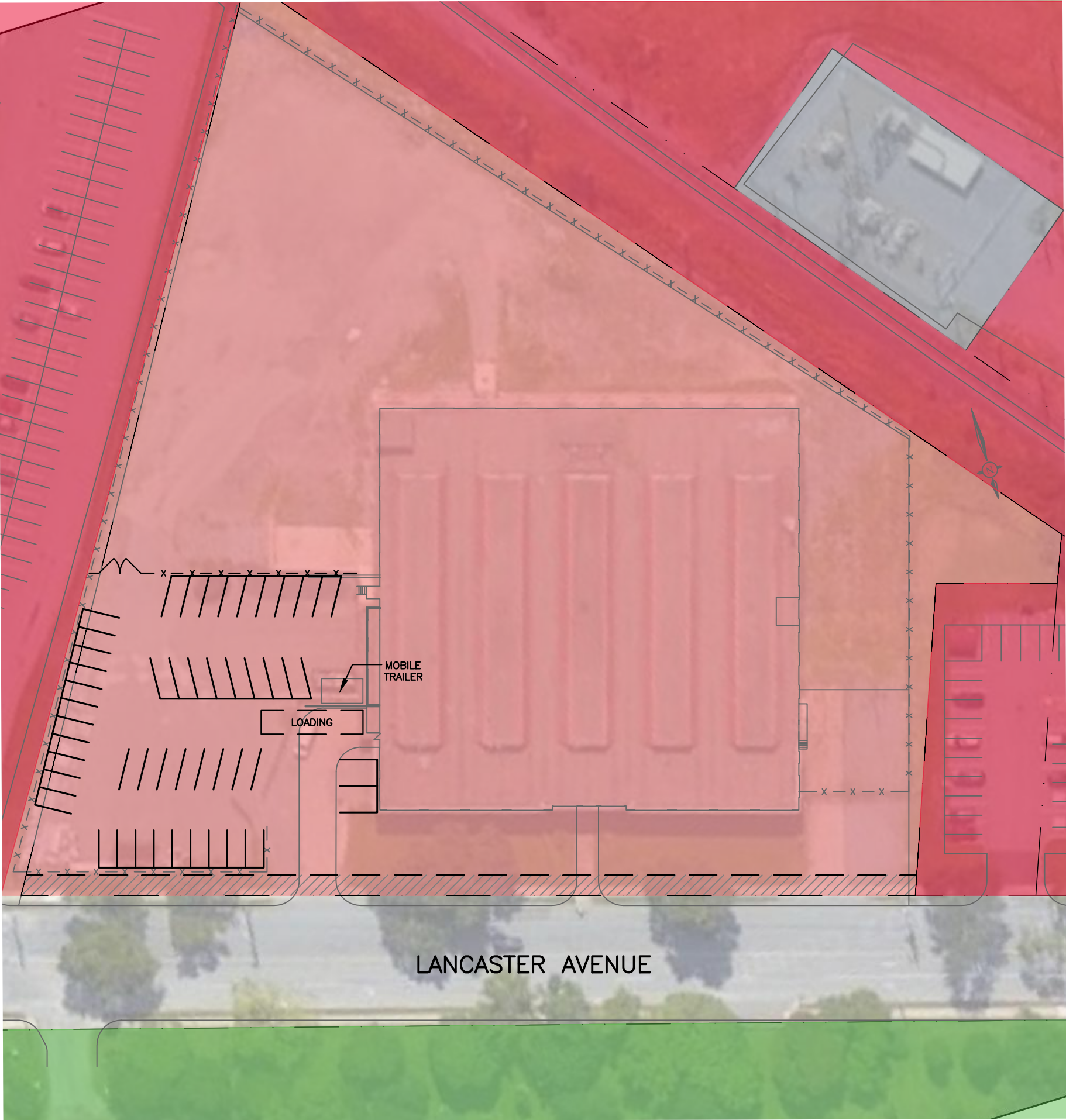


## Attachment 2: Municipal Plan Policy Analysis

Municipal Plan Policy	Planning Assessment
<p><b>Policy LU-60</b></p> <p>b. Fairville Boulevard Regional Retail Centre is a secondary, more community-based Regional Retail Centre which will contain less intensive commercial retail and service-based uses intended to primarily serve residents west of the St. John River.</p>	<p>b. The proposed rezoning of the parcel from CR to CC aligns with the overall goals of the Fairville Boulevard Regional Retail Centre as it continues to support commercial and service-based uses. The building's use as a warehouse facility and offices are permitted within the CC zone and provide support to the broader commercial network within the area.</p>
<p><b>Policy LU-61</b></p> <p>When considering development in the Regional Retail Centres:</p> <ul style="list-style-type: none"> <li>a. Ensure the specific land uses established in the Regional Retail Centre are appropriate and strengthen the role of the City's Primary Centres;</li> <li>b. Strongly discourage new major professional offices and to locate;</li> <li>c. Encourage quality urban design and where possible, more intense land use and development;</li> <li>d. Require development applicants to demonstrate consideration of transit and pedestrian connectivity to the street and between retail locations;</li> <li>e. Ensure development contributes to a more pedestrian-oriented atmosphere by minimizing surface parking lots, encouraging shared parking, increasing landscaping and improving sidewalks and streetscaping; and</li> <li>f. Ensure infrastructure improvements made necessary by a development are generally the financial responsibility of the developer.</li> </ul>	<ul style="list-style-type: none"> <li>a. The Regional Retail Centres prioritize commercial uses established within the CR and the CC zone. The Fairville Boulevard area supports a mixture of these zones to allow a range of uses that benefit residents of Saint John.</li> <li>b. The proposed use of the building as a warehouse facility, aligns with the intent of the designated area. The proposed office uses are necessary for the function of the overall building operation, and does not represent the construction of a new professional office building.</li> <li>c. The subject site contains an existing building that appears to be single storey when viewed from the street. The brick building will receive some minor aesthetic updates to the street facing building elevation.</li> <li>d. The property is served by a main transit route and is in proximity to bus stops. In addition, Lancaster Avenue includes sidewalks that connect into a broader pedestrian network.</li> <li>e. The proposed development will revitalize an existing building and utilize existing landscaping and parking.</li> <li>f. The property is already serviced by City infrastructure and no improvements to these systems have been identified.</li> </ul>

<p><b>Policy LU-63: Fairville Boulevard Regional Retail Centre</b>  Require the preparation of a neighbourhood plan or structure plan for the Fairville Boulevard Regional Retail Centre, which shall contain statements of policy with respect to:</p> <ul style="list-style-type: none"> <li>a. Coordinating land uses and infrastructure improvements in the area;</li> <li>d. Further encouraging the relocation of incompatible land uses from the area to the City's Industrial Parks;</li> <li>e. Providing improved linkages and transitions between the Regional Centre and adjacent neighbourhoods; and</li> <li>f. Establishing priorities for community improvements.</li> </ul>	<p>This policy addresses a larger scale planning process for the area, but an assessment of the proposal to the more applicable policy statements is included below.</p> <ul style="list-style-type: none"> <li>a. The property contains a long-standing land use that is supported by existing infrastructure and an appropriate building design.</li> <li>d. The proposed rezoning of the property to CC is in alignment with the intent of the Fairville Boulevard Regional Retail Centre. The CC zone has been used for properties within the Centre that typically have a single building site design and may be more associated with service provision rather than retail stores. The proposed warehouse facility use is permitted within the CC zone and is needed to support not only the commercial sector, but in this situation, a community asset.</li> <li>e. The property is located at the northern boundary of the Regional Retail Centre in an area that includes diverse land uses including commercial, recreational and residential properties. The building and a warehouse facility use was established within the neighbourhood as early as 1938 and is sufficiently buffered from the nearby residential areas by the adjacent bowling alley.</li> <li>f. The proposed use will incorporate some design enhancements to the front building façade and will provide space for an important community asset.</li> </ul>
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SITE PLAN LEGEND

PROPERTY LINE

LIMITS OF EASEMENTS  
& SETBACK

FENCE, EXISTING TO  
REMAIN

FENCE, NEW

REGIONAL COMMERCIAL  
(CR) ZONE

UTILITY SERVICE (US)  
ZONE

PARK (P) ZONE

RE-ZONING APPLICATION,  
CORRIDOR COMMERCIAL  
(CC) ZONE

PARKING  
\*\*CONCEPT ONLY  
44 PARKING SPACES  
+ 2 BARRIER - FREE  
46 PARKING SPACES

Client

Client

048017 NB LTD.

General notes

Notes g n rales

Project Title

Titre du projet

228 LANCASTER AVENUE  
SAINT JOHN, NB

Sheet title

Titre de la feuille

SITE PLAN

Stamp

Sceau

Date

Date

Approved by

Approuv  par

JAN. 19, 2023

J.G.

Scale

 chelle

Consultant

Num ro de

N.T.S.

reference

r f rence de

Drawn by

Dessin  par

number

l'expert-conseil

M.C.

**TOSS**

Project No.

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Sheet No.

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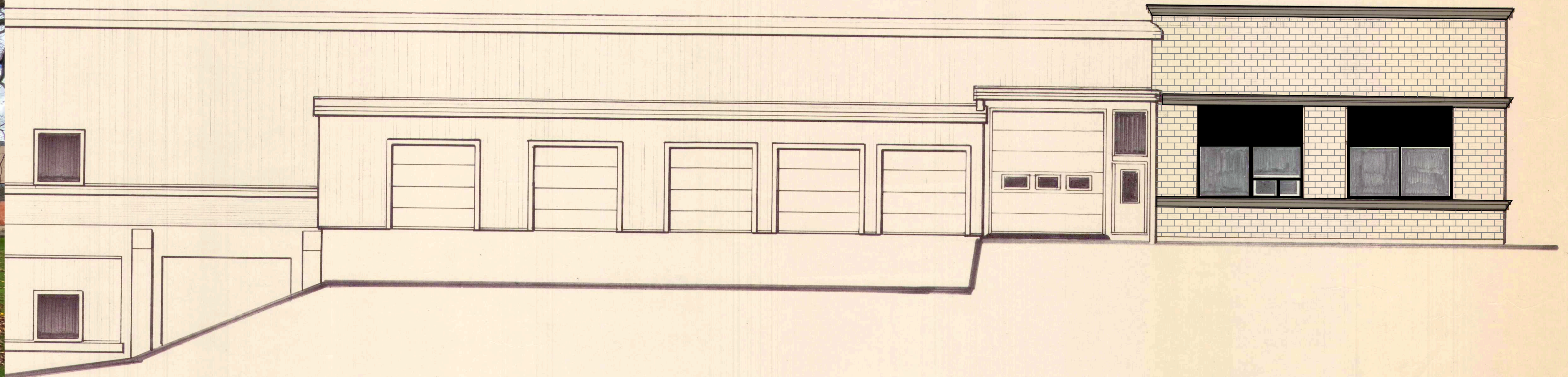
BH313B B19-R02

SK1





FRONT ELEVATION SCALE: 1" = 6'-0"



LEFT ELEVATION SCALE: 1" = 6'-0"



## FACADE UPGRADE

Panels above windows and building entrance (currently light beige) to be painted black to coordinate with existing doors, windows and masonry accents.

ELEVATIONS:  
 FORD PLANT BUILDING  
 DRAWN FOR - C.O.# 048017 NB. LTD  
 LANCASTER AVE. SAINT JOHN WEST N.B.  
 SCALE: SHOWN  
 JAN. 1995

JOB# 95-004