



The City of Saint John

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

SUBJECT

Applicant: Michael Goldenberg
Landowner: 651413 NB Limited
Location: 1429 Loch Lomond Road
PID: 00312900 (portion)
Plan Designation: Stable Residential
Existing Zoning: Low-Rise Residential (RL) and Mid-Rise Residential (RM)
Application Type: Section 59 Amendment, Subdivision
Jurisdiction: The *Community Planning Act* authorizes the Planning Advisory Committee to give its views to Common Council concerning proposed amendments to Section 59 conditions. Common Council will consider the Committee's recommendation at a public hearing on **Monday, December 11, 2023.**

The *Community Planning Act* and Subdivision By-Law authorize the Planning Advisory Committee to approve an access to a lot, where such lot does not abut a Public Street.

EXECUTIVE SUMMARY

The applicant has applied to amend the Section 59 conditions imposed on the March 7, 2022, rezoning of the site to accommodate a revised development proposal. The revised development proposal involves increasing the size of the two multiple unit buildings in the western portion of the site from 3 stories and 30 units to 4 stories and 40 units and to develop 24 townhouse dwellings in the eastern portion of the site instead of a series of four and six-unit buildings. The overall unit count will increase from 82 units to 104 units.

The proponent has also requested amendments relating to the timeline for the completion of the development and timing of the construction of the berm along the eastern property boundary. These conditions were imposed by Common Council in 2022 and were not part of the original PAC recommendation.

Suitability of the subject site for the applicant's proposal was established through Common Council's approval of the required rezoning in March 2022 and the proposal still conforms with the vision, intent, and policies of the Municipal Plan.

Amendments to the Section 59 conditions are recommended by Community Planning as the proposed density and building forms integrate with the surrounding neighbourhood and conform to the policies established in the Municipal Plan.

The recommendation also contains Common Council's assent to assent to money-in-lieu of Lands for Public Purposes and any necessary Local Government Services Easements related to the proposed subdivision.

RECOMMENDATION

1. That Common Council repeal the Section 59 conditions imposed on the March 7, 2022, rezoning of a 1.92-hectare portion of the property located at 1429 Loch Lomond Road, also identified as a portion of PID Number 00312900.
2. That Common Council, pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the following conditions on the parcel of land having an area of approximately 1.92 hectares, located at 1429 Loch Lomond Road, also identified as a portion of PID Number 00312900:
 - (a) That the development be limited to a maximum of 114 dwelling units.

Within the portion of the site zoned Low-Rise Residential (RL), development is limited to the following:

- notwithstanding Section 10.4(1) of the Zoning By-Law, Cluster Townhouse Dwelling(s) containing a maximum of eight dwelling units within a building and maximum height of two stories.
- an access and associated parking for the proposed multiple unit and townhouse development.

Within the portion of the site zoned Mid-Rise Residential (RM), development is limited to the following:

- two buildings having a maximum height of four stories.
- an access and associated parking for the proposed multiple unit and townhouse development.

(b) That a landscaping plan be prepared for the site by the proponent, for the approval of the Development Officer, demonstrating the following elements:

- Landscaping along the Loch Lomond Road frontage of the site which includes the planting of a minimum of one tree or shrub for every 45 square metres of required front yard, provided at least 50 percent of the required plants are trees.
- Landscaping along the eastern boundary of the site, adjacent to the existing dwellings along Lakefield Court incorporating the retention of existing landscaping and a treed berm incorporating two separate rows of coniferous trees (minimum tree height of 1.5 metres at time of planting) where each row of trees is offset from the other row in a manner that obscures visibility through the two rows of trees.

This treed berm must be constructed in its entirety prior to the commencement of the construction of the first building in the portion of the site zoned Low-Rise Residential (RL). Prior to this, the developer is to maintain the natural vegetation in an undisturbed state on the development site within 20 metres of the eastern property boundary.

- Landscaping along the western side of the private access having a minimum width of 4 metres which includes the planting of a minimum of one tree or shrub for every 45 square metres of landscaped area, provided at least 50 percent of the required plants are trees.

(c) That the final design of the site incorporate the following pedestrian connections to be maintained by the developer:

- A sidewalk along the private access.
- A pedestrian connection between the private access sidewalk and the current terminus of Norman Drive.

(d) That the final design of the private access for the site incorporate a minimum width of 7.2 as recommended by the Traffic Impact Study prepared for the development.

- (e) That signage and/or pavement markings be installed and maintained, subject to the approval of the Development Officer, to prevent vehicles from parking on or blocking any required turnaround area for fire fighting access on the proposed private access.
- (f) That the exterior design and materials of the proposed buildings be in substantial conformity to the building elevations detailed in the drawings submitted with the rezoning application and that the exterior elevations of buildings within the development have a cohesive design incorporating elements including but not limited to similar colours, siding materials and door and window proportions and trim to ensure compatibility with the adjacent neighbourhood context.

The building facade facing Loch Lomond Road of the southern 40-unit building must incorporate the following elements: window trim, door trim, corner boards, a differentiation in siding materials, and a minimum of 15 percent of the façade area covered by windows with clear glass.

These building elevations be subject to the approval of the Development Officer must be attached to the required building permit for the development.

- (g) The development and use of the parcel of land be in accordance with detailed building elevation and site plans, prepared by the proponent and subject to the approval of the Development Officer, illustrating the design and location of buildings and structures, garbage enclosures, outdoor storage, driveway accesses, vehicle, and bicycle parking, loading areas, landscaping, amenity spaces, signs, exterior lighting, and other such site features; and
- (h) The above elevation, landscaping, and site plans be attached to the permit application for the development of the parcel of land.
- (i) That any proposed changes to the development that would result in an increased sanitary sewage flow be reviewed by Saint John Water to determine that the sanitary sewer has adequate capacity to accommodate any proposed change.
- (j) The developer shall provide interconnectivity for the water distribution system (from Norman Drive to the proposed development site) prior to the final phase of this proposal and shall provide the required Local Government Services Easement. The width of the easement is subject to the review and acceptance by Saint John Water. The cost and responsibility for the interconnectivity of the water system shall be of the developer and shall be acceptable to the City.
- (k) The developer shall provide the required Local Government Services Easements for the water main and sanitary sewer mains within the proposed development to provide for City ownership of this buried infrastructure. This requirement also extends to the water main connection to Norman Drive. The acceptance of these

easements will be subject to review by Saint John Water. Acceptance of the watermain and associated easement by the city will not occur until the entirety of the watermain and associated interconnection between Loch Lomond Road and Norman Drive is constructed.

- (l) If the developer does not provide watermain interconnectivity to Norman Drive and/or does not provide all required municipal services easements, the developer shall be responsible to provide premise isolation at Loch Lomond Road (at the developer's cost and responsibility) and all infrastructure piping on site shall remain private.
 - (m) If any municipal infrastructure improvements are required to service this proposal, it will be the owner/developer's full responsibility and cost to complete. Prior to determining this, detailed engineering plans and a design brief must be submitted by the owner/developer's engineering consultant to the City for review and approval by the City.
 - (n) That the developer provides a Wetland and Watercourse Alteration Permit, should one be required by the Province, or written confirmation that one is not required, to the Development Officer at the time of Building Permit application for portions of the project that are within 30 metres of a watercourse or wetland.
 - (o) That the developer provides a payment of \$1000 to the City towards the installation of upgrades at the Bon Accord Drive/Loch Lomond Road crosswalk. This amount is payable to the City, should the development be approved, prior to the issuance of the building permit for the first building in the development, and
3. That the Planning Advisory Committee approve the access to all proposed lots from the proposed private street network, suitable for the passage of motor vehicles, as being advisable for the proposed development of land subject to the condition that a notation is placed on all Final Plan(s) of Subdivision noting this private access is not owned or maintained by the City of Saint John.
 4. That Common Council assent to one or more subdivision plans, in one or more phases in general accordance with the site design and Tentative Plan of Subdivision for the proposed development with respect to the vesting of any Local Government Services Easements to be determined during detailed design.
 5. That Common Council accept money-in-lieu of Land for Public Purposes for the proposed subdivision.

DECISION HISTORY

On March 7, 2022, Common Council rezoned a 0.97-hectare portion of the subject site from Two-Unit Residential (R2) to Mid-Rise Residential (RM) along with a 0.95-hectare portion from

Two-Unit Residential (R2) to Low-Rise Residential (RL). Section 59 conditions were imposed as outlined in Attachment 1. These conditions are summarized as follows:

- Limiting the overall development to a maximum of 82 dwelling units, with four, four-unit buildings and one, six-unit building in the portion of the site zoned Low-Rise Residential (RL) and two buildings having a maximum of 30 units each in the portion of the site zoned Mid-Rise Residential.
- Specifying the extent of landscaping to be installed along Loch Lomond Road and requiring the retention of existing landscaping along the eastern boundary of the site and the construction of a treed berm incorporating two separate rows of coniferous trees prior to the commencement of the construction of the first building on the development site.
- Design requirements relating to site access and pedestrian connectivity.
- Building design requirements including maximum building height and specific design requirements for the building facades facing Loch Lomond Road.
- Infrastructure considerations including the developer's responsibility for off-site infrastructure upgrades, should they be required, and connection to the municipal water distribution system.
- A \$1000 payment to the City towards the installation of upgrades at the Bon Accord Drive/Loch Lomond Road crosswalk, prior to the issuance of the first building permit for the development.
- Requiring that the entire development be completed within 6 years of the issuance of the first building permit.

Common Council also granted the necessary assents to the proposed subdivision (vesting of Local Government Services Easements and money-in-lieu of Land for Public Purposes) and approved the name "Blue Jay Way" for the proposed Private Street.

In conjunction with the 2021 application, the Planning Advisory Committee granted variances from the Subdivision By-Law related to the overall development concept to:

- permit a Private Street serving a form of development other than a Cluster Townhouse Dwelling subject to the condition that the Final Plans of Subdivision for the proposed development incorporate a notation stating the City of Saint John is not responsible for any maintenance of the Private Access; and
- to allow for dwelling units in the proposed subdivision to be serviced by a storm sewer system other than a Municipal Storm Sewer System.

These variances are still in effect and are relevant to the current proposal.

ANALYSIS

Proposal

The applicant has revised the proposed development to increase the number of units from 82 to 104 and to change the building topology in the eastern portion of the site. The two multiple unit buildings in the western portion of the site will increase in height from three to four stories and from 30 to 40 units per building. In the eastern portion of the site, the developer is proposing to construct three, eight-unit townhouse buildings that will be two stories in height and are proposed to have ownership tenure. As with the initial proposal, the site will be accessed via a private street with the street now located approximately 20 metres further to the west than the approved concept.

The proponent has withdrawn their previous application to the ARHP for 9 affordable units as it does not work financially and has indicated they will be including 8 units as affordable under the CMHC's MLI select program guideline of affordability for the area.

The proposed design has 104 units for the site, representing an overall net density of 54 units per hectare. As with the previous proposal the two-storey townhouse units in the eastern portion of the site provide a transition between the two multiple-unit buildings in the western area of the site and adjacent neighbourhood to the east. From plans submitted with the application, these townhouse units will be located 15 meters from the eastern property line of the site with additional buffering provided by a vegetated berm.

Initially, in September 2021, eight, 17-unit buildings were proposed for the 1.92-hectare area with an additional private access connection to Norman Drive. This concept was not pursued to final approval by the developer.

Target markets for the proposed development are singles, couples, families, and seniors. The proponent has selected a builder and started the financing arrangements. Construction is anticipated to commence in the summer or autumn of 2024, with one apartment building constructed at a time. The proposed townhouse component is anticipated to be constructed following construction of the two multiple unit buildings, and when the market is more welcoming to a small townhouse model.

Site and Neighbourhood

The current proposal only deals with the 1.92-hectare portion of the site fronting on the north side of Loch Lomond Road, generally located south of the existing watercourse. This area represents approximately 25% of the 7.59-hectare overall site which extends approximately 820 metres north of Loch Lomond Road. Elevations of the site range from 59 metres in the northern portion of the site to 52 metres along Loch Lomond Road. Areas of the site to the north of the subject proposal will retain their current Two-Unit Residential (R2) zoning, with no development currently planned for this 5.68-hectare rear portion of the site.

Staff note that while no development is currently planned for the rear portion of the site, the current Two-Unit Residential (R2) zoning does provide for single, two-unit and semi-detached dwellings to be constructed as-of-right. While there are as-of-right provisions related to land use and zoning, additional assents and/or approvals related to subdivision or access could be required for the as-of-right use.

Lands in the vicinity of the site are largely zoned Two-Unit Residential (R2) with existing development including the Bon Accord subdivision to the northwest of the site and the Folkins Estates and Ganong Subdivisions to the east and northeast of the site. Development within these areas is mostly single-unit dwellings with some two-unit and semi-detached dwellings.

An area of multiple unit development, zoned Mid-Rise Residential (RM), is located in the Bon Accord subdivision northwest of the site along Inverness Place. The adjacent property to the west of the subject site is also zoned Mid-Rise Residential (RM) and contains two, six-unit buildings. Staff note the multi-unit development along Inverness Place is immediately adjacent to lots containing single-unit dwellings, with the lot containing the two six-unit buildings west of the site located approximately 30 metres away from lots containing single and two-unit dwellings.

Commercial, institutional, and higher density residential uses also exist along this section of Loch Lomond Road with a 39-unit seniors housing building located at the intersection of Loch Lomond Road and Eugene's Way approximately 700 metres west of the subject site within an area zoned Mid-Rise Residential (RM). This segment of Loch Lomond Road also contains other non-residential uses including a convenience store and gas bar, churches, and a telephone switching facility.

Municipal Plan

Municipal Plan

The site is designated as Stable Residential in the Municipal Plan. An analysis of the proposal with respect to the relevant policies of the Municipal Plan is provided in Attachment 3. Key findings indicate that the built form and density is compatible with the surrounding neighbourhood and aligns with the policy direction provided in the Municipal Plan. The proposed development is considered infill development of a vacant parcel of land utilizing existing municipal services, which conforms to a key direction established in the Municipal Plan.

While a density target is not provided for Stable Residential areas, these areas can contain a mix of housing types and densities. In this case, the surrounding residential neighbourhoods have predominately lower density building types such as single and two-unit dwellings with higher density multiple unit dwellings also located in the surrounding neighbourhoods. These areas of multiple unit development include two, 6-unit buildings located immediately west of the site at 1421 Loch Lomond Road, five buildings ranging between 12 and 30 units along Inverness Place, and a 39-unit building at the intersection of Loch Lomond Road and Eugene's Way. Of relevance is the mid-rise residential development located in the Bon Accord Subdivision, along Inverness Place approximately 300 metres northwest of the subject site.

These five lots along Inverness Place have between 45 and 60 units per hectare, with an average density of 51 units per hectare. The building at the intersection of Eugene's Way and Loch Lomond Road has a site density of 62.6 units per hectare.

The proposed development has a density of 54 units per hectare, which although slightly higher, is comparable to the average density of the existing area of multiple unit development in the Bon Accord subdivision and lower than the development at the intersection of Loch Lomond Road and Eugene's Way.

While the Stable Residential land use designation does not have a numeric density target, instead relying on the context of the surrounding neighbourhood, Staff note the proposed net density of 54 units per hectare is within the density target of between 35 and 90 units per hectare envisioned in Low to Medium Density Residential areas. While higher than the upper threshold of 45 units per hectare in Low Density Intensification Areas, the proposed development is located at the edge of a residential area on a site having frontage on an arterial roadway, which is an appropriate location for higher density development within a residential neighbourhood. In addition, there are developments within the surrounding neighbourhood having comparable levels of density. Given this Community Planning is of the opinion that the density of the revised concept is reasonable for the site.

In addition to the density targets established in the Municipal Plan, the proposal still conforms to the development vision established in the Municipal Plan through the following:

- **Compatibility with Existing Development** – Separation is provided from adjacent areas of residential development along Bon Accord Drive and Lakefield Court through buffering and a transition in building massing and density.
- **Adequacy of Servicing and Transportation** – Water and sanitary sewer capacity exists for the proposed development. Loch Lomond Road is served by transit and an earlier Traffic Impact Study completed for the development has identified that no off-site transportation improvements are required to support the development. As the site is located within the Primary Development Area, it represents the infill of a site along an arterial roadway corridor where services exist.
- **Building Design** - While the architectural finishes including cladding and window and door treatments are subject to detailed design, the massing of the proposed buildings is consistent with multiple unit buildings located within the surrounding area.
- **Site Location** - The site is located on an arterial roadway and is located approximately 650 metres east of the Forest Hills/Lakewood Suburban Intensification Area and 300 metres east of the existing Stable Commercial designation along Loch Lomond Road.
- **Impact on Intensification Areas** – Multi-unit residential development has been and is currently being constructed in the adjacent Intensification Area with the recent

completion of the Knights of Columbus apartments at the intersection of Loch Lomond Road and Eugene's Way and the construction of the Calabria Estates development off Mountain View Drive. Other intensification areas such as the Uptown and Millidgeville area are also experiencing strong demand and given this, the proposal is not anticipated to detract from demand being experienced in the Intensification Areas established in the Municipal Plan.

The proposal represents an opportunity to introduce additional density and housing diversity into a suburban context within East Saint John to meet the demands of future population growth and evolving housing needs in this area of the City and the broader community. Housing provided by the development can provide affordability for many sectors of the market including a growing student population at NBCC and provide housing in proximity to employment nodes in East Saint John including the refinery, industrial parks, and regional retail districts. Development in this area is also supported by recreational assets such as the Irving Oil Fieldhouse and the Little River Reservoir District Park. Also, the site is located along a corridor that is transitioning with commercial, institutional, and other medium density residential developments.

Affordable Housing

A key goal of the Municipal Plan is to provide an appropriate range of housing types. Unit sizes and affordability and form of ownership at various densities are needed to meet the needs and income levels of current and future City residents. Originally the developer applied to the Provincial Department of Social Development for funding to incorporate 9 affordable housing units in the development under the Federal/Provincial Affordable Rental Housing Initiative. Under the proposed development concept, the developer is now pursuing 8 affordable units under the CMHC's MLI select program guideline of affordability for the area.

In addition, the developer is proposing 24 owner occupied townhouses in the eastern portion of the site. These townhouses represent a building topology that meets the definition of the "missing middle"¹ with respect to housing affordability. These are units that fit within the broad range of housing styles between single detached units and multiple unit buildings.

The developer's approach conforms with the intent of the Municipal Plan to integrate mixed incomes across all neighbourhoods within the City. Given this, a specific condition attached to the rezoning requiring the provision of affordable housing units is not recommended by Community Planning.

From the above summary and the analysis of conformance with the Municipal Plan Policies (Attachment 3), Staff are of the opinion that the proposed development achieves the intent of the Municipal Plan based on the density, the proposed uses, and the building forms in the proposed development.

¹ CMHC, through the Housing Accelerator Fund, defined Missing Middle as follows: Multi-unit housing characterized as missing middle refers to ground-oriented housing types that exist between single-detached and mid-rise apartments. This includes garden suites, secondary suites, duplexes, triplexes, fourplexes, row houses, courtyard housing, and low-rise apartments (less than 4 stories).

Zoning and Section 59 Amendment

The subject site is currently zoned Low-Rise Residential (RL) and Mid-Rise Residential (RM) which permit a range of residential densities including townhouse and multiple dwellings.

Based on an initial review of the plans submitted with the application, the proposed dimensions and setbacks generally meet the standards of the underlying zoning, except for the following required variances:

- Building on Lot 1 - Variance to reduce lot size from 6055 square metres to 4246 square metres.
- Building on Lot 1 - Variance to reduce rear yard from 6 metres to 4.5 metres
- Buildings on Lot 1 and 2 - Variance to increase the height of the two multiple unit buildings from 14 metres to 15.2 metres.
- Buildings on Lot 1 and 2 - Variance to reduce bicycle parking spaces from 12 to 4.
- Building on Lot 2 - Variance to increase maximum front yard from 9m to approximately 35.8 metres.
- Building on Lot 2 –Variance to reduce side yard adjacent to Lot 1 from 6.7 m to 4.5 m (based on height requirement).
- The parking area serving the two multiple unit buildings will require a variance to reduce the required area of landscaped islands in the parking area from 132 square metres to nil.
- The 16-foot-wide townhouse units will require variance to reduce dwelling unit width from 6 metres to 4.88 metres.
- The townhouse units will require a variance to reduce the separation between sidewalls of the adjacent townhouse buildings from 7.5 metres to 6 metres.

These variances are considered reasonable and will be processed through the Development Officer variance process (staff level) prior to issuance of the required building permit(s).

Requested Section 59 Amendments

The development proposal approved by Common Council in March 2022, was subject to a series of conditions imposed by Common Council in accordance with Section 59 of the *Community Planning Act*. The developer is seeking to amend these conditions to allow for a revised proposal that incorporates townhouses in the eastern portion of the site and increases the scale of the multiple unit buildings in the western portion of the site.

The requested Section 59 amendments are discussed in more detail below.

Revised Development Concept

The existing Section 59 conditions (condition (a)) places the following limitations on the scale of the development:

- Limiting the overall development to a total of 82 dwelling units.

- Limiting development within the portion of the site zoned Low-Rise Residential (RL) to buildings having a maximum height of two stories and a maximum of four or six units per building.
- Limiting development within the portion of the site zoned Mid-Rise Residential (RM) to buildings having a maximum height of three stories and a maximum of 30 units per building.

The proposed increase in overall units to 104 units with two four story multiple unit buildings in the western portion of the site and three, eight-unit townhouses in the eastern portion of the site is considered reasonable from a development and density perspective given the location of the development along Loch Lomond Road and the buffering provided.

The proposed townhouse development is comprised of three buildings each with eight cluster townhouses (townhouses abutting a Private Street). The RL zone limits the number of townhouses per building to a maximum of six units. The configuration of the site would not provide for 24 units to be developed as a series of four six-unit buildings. Although the 24 townhouse units are an increase in the number of units in the eastern portion of the site from the 22 units in a series of four and six-unit buildings within the approved proposal, Community Planning is of the opinion an increase to three eight-unit buildings and 8 units per building is reasonable. An amendment to the Section 59 conditions is recommended to provide for a maximum of eight townhouses in a building along with the development access within the area of the site zoned Low-Rise Residential (RL).

Within the portion of the site zoned Mid-Rise Residential (RM), two multiple unit dwellings are still proposed, however, the building heights are proposed to increase from three to four stories and the number of units per building to increase from 30 to 40. Community Planning is of the opinion this is a reasonable scale of development and that condition a) be revised to place a reasonable overall unit cap on the entire development of 114 units to provide the developer with flexibility in bringing the development to completion. By establishing a unit cap above the number identified within the existing development proposal, this will allow for changes to unit design (e.g., 2-bedroom units becoming 1-bedroom units) that often occur during the detailed design phase of the project. This will allow these changes to occur without the requirement for an additional amendment to Section 59 conditions.

Site Landscaping

Condition (b) of the existing Section 59 conditions requires that a landscaping plan be developed for the approval of the Development Officer detailing landscaping along the Loch Lomond Road frontage and along the eastern boundary of the site, adjacent to the existing dwellings along Lakefield Court. This landscaping plan is subject to the approval of the Development Officer, and shall demonstrate the following elements:

- Landscaping along the frontage of the site along Loch Lomond Road which includes the planting of a minimum of one tree or shrub for every 45 square metres of required front yard, provided at least 50 percent of the required plants are trees.

- Landscaping along the eastern boundary of the site, adjacent to the existing dwellings along Lakefield Court, incorporating the retention of existing landscaping and a treed berm incorporating two separate rows of coniferous trees (minimum tree height of 1.5 metres at time of planting) where each row of trees is offset from the other row in a manner that obscures visibility through the two rows of trees. This treed berm must be constructed in its entirety prior to the commencement of the construction of the first building on the development site.

The developer has requested that the timing of the berm construction in the eastern portion of the site be delayed. Currently the Section 59 conditions require the berm to be constructed prior to any buildings being constructed on the development site. The developer has proposed that this occur following the construction of the multi-unit buildings but before the construction of the townhouse buildings. Community Planning is supportive of this approach but recommend a revised Section 59 conditions relating to the timing of the beam construction and the creation of a 20 metre wide no disturbance zone along the eastern property boundary of the site that must remain undisturbed with current vegetation retained until construction of the townhouse buildings commence.

Community Planning recommends an additional requirement be added to this condition requiring additional landscaping along the western side of the private access along the front of the parking area for the proposed multi-unit buildings. The parking area for the proposed multi-unit buildings contains 132 spaces, 52 more than the minimum required for the two 40-unit buildings. Of particular concern is the visual impact of this large parking area from the proposed townhouse units in the eastern portion of the site.

To mitigate the visual impact of the parking area for the multi-unit buildings, an additional landscaped area is recommended as part of the Section 59 conditions requiring a landscaped strip along the western side of the private access having a minimum width of four metres. This will require the elimination of approximately 13 parking spaces in the multi-unit development area. It is also recommended that this area incorporate a minimum amount of landscaping consistent with the front yard landscaping requirements for commercial zones (1 tree or shrub per 45 square metres of area).

Exterior Building Design

Condition (f) of the existing Section 59 conditions details exterior design elements for the buildings within the proposed development and as currently written details specific design elements to be incorporated on the building facades facing Loch Lomond Road. These design elements include differentiation in siding materials and a minimum of 15 percent of the façade area incorporating windows with clear glass. These design elements seek to minimize the massing of the larger multi-unit buildings in relation to Loch Lomond Road in the currently approved proposal which incorporated a 30-unit three story building in the southwest portion of the site and a six-unit multiple dwelling with its front façade facing Loch Lomond Road in the southeastern portion of the site.

The current design has a much smaller end wall of a townhouse unit facing south towards Loch Lomond Road in the eastern portion of the site. Given the smaller scale of this townhouse building, it has a reduced massing which mitigates its scale with respect to Loch Lomond Road, Community Planning recommends this condition be revised to only have the specific design elements apply to the Loch Lomond Road facing façade of the proposed 40-unit building given its larger scale and massing.

Development Timeline

Common Council imposed a time limit on the completion of the development of 6 years from the issuance of the first building permit (as condition (p) of the existing Section 59 conditions).

The proponent notes they have selected a builder and started the financing arrangements, with the plan to construct one multiple unit building at a time with construction of the first building anticipated to start in the summer or fall of 2024 and having both multiple unit buildings completed within 2 to 4 years of the start date. The townhouses would not be built until after the apartments are completed, and until the developer anticipates a more welcoming market for a small townhouse model. Given this, the proponent is of the opinion that it makes sense to remove the condition requiring the entire project to be completed within a 6-year period from the issuance of the first building permit. The proponent would also prefer to leave the lands on the east side of the site untouched until a point where construction of the townhouse units is set to commence and is of the opinion clearing that land, and constructing a berm will not be as private as leaving the natural growth that currently exists.

Community Planning notes both the *Community Planning Act* and the City's Municipal Plan provide a framework for Council to impose a condition relating to the timeline for completion of a development. Section 59(5) of the *Community Planning Act* allows for Common Council to prescribe time limits within which a development may be constructed or provide a timeframe for the Developer's compliance with terms and conditions imposed on a rezoning. Specifically Policy I-5 of the City's Municipal Plan aligns with the approach specified in Section 59(5) of the *Act* in that Policy I-5 allows for Council to establish timeframes on the phasing and/or completion of development where it is determined that an application to rezone land is speculative in nature. The policy also provides for reversion of the zoning to the zoning which existed prior to approval of the rezoning.

Although a timeline for completion was imposed on this development in 2022 by Common Council, Community Planning notes past cases involving this approach have largely involved sites that were not located within the City's Primary Development Area and were not designated for development. These developments often involved a Municipal Plan Amendment to change the underlying Future Land Use designation and an amendment to the Primary Development Area (PDA) boundary. This development is supported by the underlying Municipal Plan designation and the site is located within the PDA.

The imposition of a timeline can impose challenges for the developer impacting the viability of the project. There are factors beyond the control of the developer that have the potential to pose

delays on the construction timeline. These include supply chain issues and material availability and the availability of skilled building trades.

Given this, Staff recommend amending the Section 59 conditions to eliminate the current requirement to complete the entire project within 6 years from the issuance of the first building permit. Construction timelines are regulated through the City's Building By-Law which provides that a Building Permit is valid for a 2-year period. On projects such as the proposed development involving multiple buildings, permits are typically issued for individual buildings. While there is a provision to extend the building permit by an additional year, these are typically not granted unless necessary.

Other Current Section 59 Conditions

Community Planning recommends the other Section 59 conditions imposed in 2022 remain as is. An overview of these conditions is provided below.

- **Pedestrian Connectivity** – Condition (c) requires a sidewalk to be provided along the proposed Private Access and a pedestrian connection between this sidewalk and the current terminus of Norman Drive, with this sidewalk and pedestrian connection to be maintained by the developer.
- **Access Width** - The Traffic Impact Study for the site recommended the width of the Private Access be between 7.2 metres and 12 metres. Condition (d) requires a minimum width of 7.2 metres with condition (e) requiring signage and/or pavement markings to delineate areas that must be kept clear for the maneuvering of fire apparatus.
- **Detailed Plans** – Conditions (g) and (h) are standard conditions requiring the development and use of the parcel of land be in accordance with detailed building elevation and site plans, prepared by the proponent and subject to the approval of the Development Officer, and submitted with the permit application for the development of the parcel of land.
- **Infrastructure Design and Upgrades** – Condition (m), consistent with City Policy, requires that any municipal infrastructure improvements required to service this proposal, be the developer's full responsibility and cost to complete. Condition (i) requires that any changes to the development resulting in an increased sanitary sewage flow be reviewed by Saint John Water to determine if adequate capacity exists.
- **Water Distribution Network** – Conditions (j), (k), and (l) require the developer to either interconnect the water distribution for the proposed development to the existing system on Norman Drive and Loch Lomond Road as part of the municipal distribution network providing an additional connection between Loch Lomond Road and the area of existing development to the northeast, or install the required premise isolation if the water main is under private ownership. The conditions also require the provision of any necessary

Local Government Service Easements should the water and sanitary sewer mains be owned by the City.

- **Wetland and Watercourse Alteration Permit** – A watercourse was noted in the northern portion of the site through consultation with the New Brunswick Department of Environment and Local Government and a review of aerial photography and mapping. The revised design has development occurring outside of the 30-metre watercourse buffer. NBDELG also noted the potential for unmapped wetlands on portions of the site. Condition (n) requires the Developer to provide a Wetland and Watercourse Alteration Permit, should one be required by the Province, or written confirmation that one is not required to the Development Officer at the time of Building Permit application for portions of the project that are within 30 metres of a watercourse or wetland.
- **Crosswalk Upgrades** – Condition (o) requires the developer to provide a payment of \$1000 to the City for crosswalk upgrades at the Bon Accord Drive/Loch Lomond Road intersection. This was an additional condition recommended by Staff to Common Council in March 2022.

Servicing and Traffic

Infrastructure Development and Saint John Water have reviewed the proposal and have not noted any concerns with respect to water or sewer capacity. Staff note that detailed engineering plans for the development will be subject to review and approval by the City. Saint John Water has noted a water flow (hydrant) test is required to be completed by the developer prior to detailed design. The development will also be subject to the City's Drainage By-Law which requires that the engineered stormwater management plan achieve a zero net increase from the site (i.e., limits post-development discharge to the existing pre-development discharge).

A Traffic Impact Statement² for an earlier proposed development scenario with 105 dwelling units was completed for the site. Key findings of the Traffic Impact Statement are summarized below:

- It is expected that the proposed development will generate 40 vehicle trips during the AM Peak hour (10 entering/30 exiting), 48 vehicle trips during the PM Peak hour (29 entering/19 exiting), and a total of 608 trips daily.
- An analysis of the Level of Service (LOS) for the 2030 horizon period with the development in place indicates that the intersection of Loch Lomond Road and the development access (site driveway) will operate efficiently and be well below capacity with the development in place.
- The development is expected to increase traffic volumes on Loch Lomond Road by 4%, which is equivalent to approximately 4 years of background growth. The consultant does

² Englobe Corp. Traffic Impact Statement – 1429 Loch Lomond Rd Residential Development. October 29, 2021

not anticipate significant impacts to traffic operations on Loch Lomond Road to occur because of the development.

- A left turn lane warrant was completed for vehicles turning left into the development from Loch Lomond Road. The analysis concluded that a left turn lane would not be warranted at the intersection because the left turning volumes during the AM and PM peak hours would not be high enough.
- Increased traffic at the Loch Lomond Road/Hickey Road and Loch Lomond Road/McAllister Drive/Champlain Drive intersections will not cause any major changes to the overall performance of the intersections with overall intersection delays increasing by 1 to 2 seconds during the AM Peak and PM Peak analysis periods.

Based on these results, the additional traffic from the development will not have a significant impact on traffic operations.

While counts for the initial traffic study were completed during the COVID-19 pandemic, the count completed by the consultant for this traffic impact study identified a daily volume of 13,700 vehicles per day for Loch Lomond Road. This daily traffic volume was representative of a count completed prior to the pandemic on this section of roadway. Staff also note that the count conducted by the consultant was completed in late 2021 during a time when businesses were reopened and “circuit breaker” restrictions were not in effect.

Undoubtedly, the COVID-19 pandemic did have some impact on traffic flows on Loch Lomond Road but between the count being representative of pre-pandemic volumes and the generally low increase in additional delay from the development-related traffic, impacts are expected to be manageable.

Over the short-term, the City is pursuing opportunities to optimize the traffic infrastructure in the area, with longer term fixes being outside the scope of this application. City staff note that traffic on Loch Lomond is influenced by as-of-right development in areas along this roadway corridor and additional development outside of the City’s boundaries.

Through developing MoveSJ, it was recognized that Loch Lomond Road is reaching its capacity to effectively handle added vehicle traffic volumes, particularly in the westbound lanes. This is also substantiated through community input. There will be a point in the future where increasing vehicular capacity along Loch Lomond Road will require upgrades to Loch Lomond Road, improving access to existing alternate arterial or collector routes (such as Golden Grove Road or the Airport Arterial), constructing new alternate arterial or collector routes, or a combination of these various solutions. The review and update to the to the Municipal Plan provides for the findings and recommendations of MoveSJ and its associated Transportation Model to be incorporated to provide integration between the City’s future transportation and land use networks.

Over the shorter term, there are opportunities to gain additional capacity from existing infrastructure on Loch Lomond Road. The City's continued focus on a balanced transportation system by considering service levels for active transportation modes (walking and cycling) and Transit, would be expected to divert trips from private vehicles to other modes, reducing the number of cars added to Saint John streets, including on Loch Lomond Road. The addition of Vehicle Detection at key signalized intersections along Loch Lomond Road including the Hickey Road, McAllister Drive, McDonald Street, and Bayside Drive (Kane's Corner) intersections allows traffic signal timings to adjust to variations in demand, improving the efficiency of how traffic signals work, and in this case, traffic operations along Loch Lomond Road. The site is currently served by both dedicated transit routes and the Saint John Transit's new east side Flex service.

In addition to the cost-effective introduction of technology (Vehicle Detection), City staff has identified an opportunity to explore another cost-effective technology, traffic signal coordination, which may also lead to increased efficiency of traffic flow along Loch Lomond Road. Coordination is the process of aligning the operation of several sets of traffic signals along a certain roadway corridor to improve traffic flow along that corridor. In the case of Loch Lomond Road, for example, coordinating the signals at Hickey Road and McAllister Drive in the westbound direction during the morning rush hour so that the signals at McAllister Drive turn Green when the traffic reaches that intersection from Hickey Road, would create efficiencies in flow in that direction that would otherwise be caused by forcing the traffic to stop for a red signal.

Subdivision

A subdivision of the site is proposed which will result in the creation of separate lots for each of the proposed multiple unit buildings. This approach is often taken in developments involving multiple buildings as the separate parcels of land for each building provide for construction mortgages and refinancing to occur on an independent building basis.

The proposed townhouse units will be on a third parcel of land and would be developed subject to the *Condominium Property Act* which places the entire townhouse development, including private streets and common amenity spaces, under the ownership and long-term responsibility of a registered condominium corporation.

Under the *Community Planning Act*, it is the jurisdiction of the Planning Advisory Committee to consider authorizing access other than a public street for lots which do not front on a public street. This is required for Lot 2 where the northernmost multiple-unit building is located. Staff recommend approval of the access subject to a condition requiring a notation on the Final Plans of Subdivision that the City of Saint John does not provide any maintenance of the Private Access.

It is also recommended that Council assent to all necessary Local Government Service

Easements to provide for the proposed water and sanitary sewer mains. These easements will be finalized through work associated with the plan of subdivision and will provide access to the water and sanitary sewer mains which will be municipally owned.

Conclusion

Approval of the 2022 rezoning established the suitability of the subject site for the applicant's proposal. The proposal still conforms with the vision, intent, and policies of the Municipal Plan and meets the standards provided in the Zoning By-Law with some dimensional variances required. The proposed density and building forms fit within the context of the surrounding neighbourhood.

Amendments to the existing Section 59 conditions are recommended and the proposed subdivision is supported by Staff with the required Council assents provided in the recommendation.

ALTERNATIVES AND OTHER CONSIDERATIONS

Should the Committee or Common Council elect to impose a timeline for the completion of the development, a possible alternative would be to impose a condition requiring the two multiple unit buildings within the western portion of the site to be completed within a specific timeline given the proponent has expressed a more finite timeline regarding the completion of this component.

A draft condition, should the Committee or Council elect the alternative is as follows:

- p) That the two multiple unit buildings in the western portion of the site be completed within 6 years of the issuance of the first building permit for either of these two buildings.

ENGAGEMENT

Proponent

The proponent conducted community engagement in conjunction with the original rezoning application in 2021 and 2022.

Public

In accordance with the Committee's Rules of Procedure, notification of the revised proposal was sent to landowners within 100 metres of the subject property on November 6, 2023. Notice of the Public Hearing for the rezoning will be posted on the City of Saint John website on November 16, 2023.

APPROVALS AND CONTACT

Author	Manager	Director (Acting)	Commissioner (Acting)
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Application: 22-203

APPENDIX

Map 1: **Aerial Photography**

Map 2: **Future Land Use**

Map 3: **Zoning**

Attachment 1: **Existing Section 59 Conditions**

Attachment 2: **Site Photography**

Attachment 3: **Municipal Plan Policy Review**

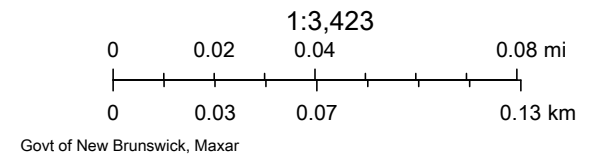
Submission 1: **Site Plans and Building Plans**

Submission 2: **Tentative Plan of Subdivision**

1429 Loch Lomond Road Air Photo



2023-10-23



1429 Loch Lomond Road Air Photo



2023-10-23

 Subject Site

 Property Parcels

 Street Centrelines

 Streams

World Imagery

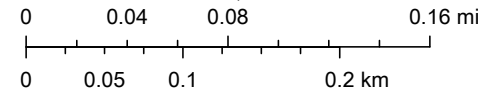
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

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Govt of New Brunswick, Maxar

1429 Loch Lomond Road Future Land Use



2023-10-23

 Subject Site


 Streams


Future Land Use

 Stable Residential

 Property Parcels

 Primary Development Area

 Stable Commercial

 Urban Reserve

 Street Centrelines

 Rural Resource

World Imagery

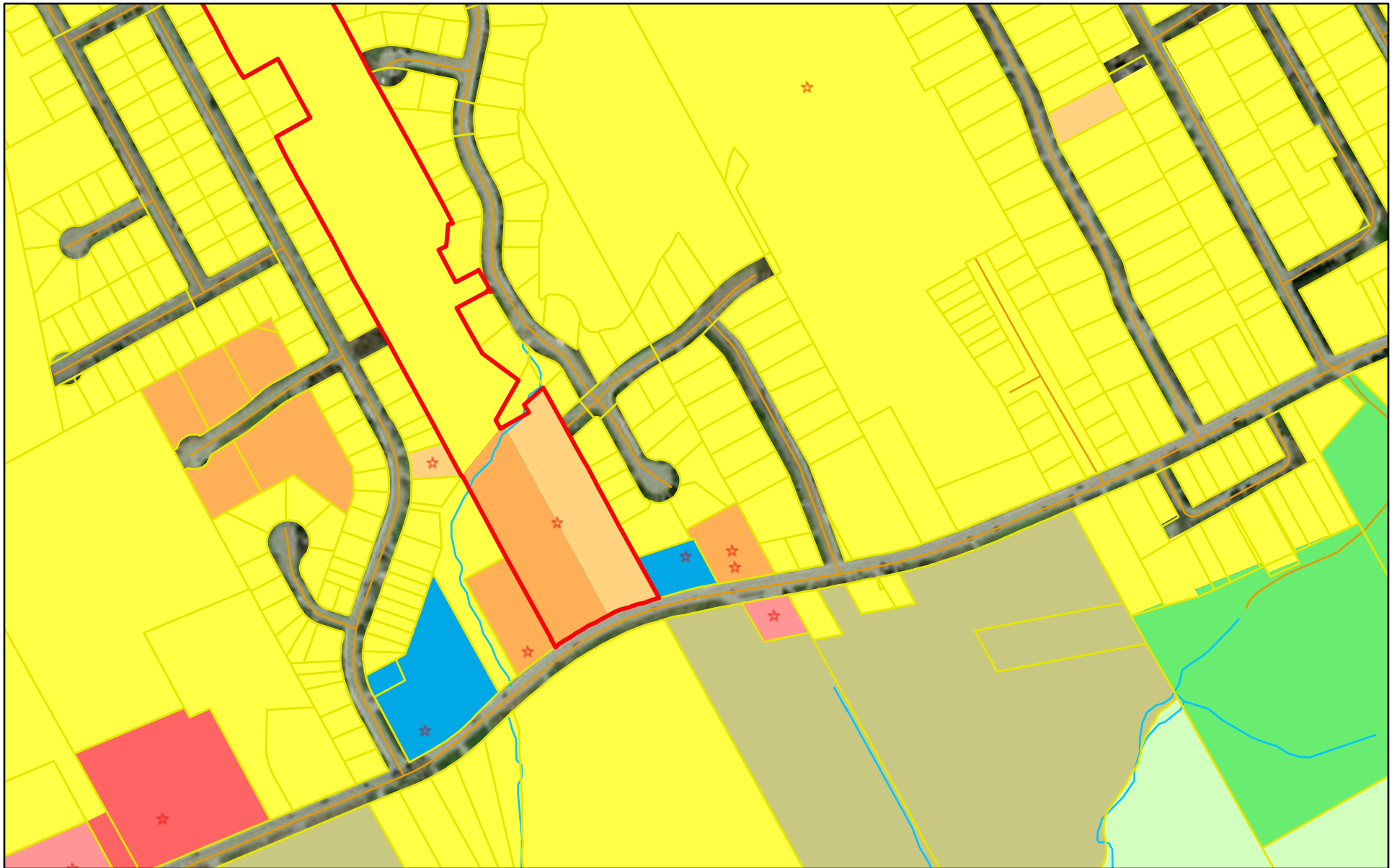
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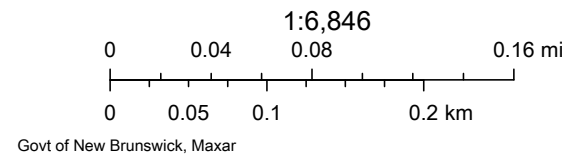
Govt of New Brunswick, Maxar

1429 Loch Lomond Road Zoning



2023-10-23

- | | | | | |
|--------------------|--------------------|---------------|----|-----|
| Subject Site | Street Centrelines | Zoning | R2 | CFN |
| Property Parcels | Streams | RM | CC | P |
| Conditional Zoning | | RL | CG | FD |



Attachment 1 - Existing Section 59 Conditions

"A"

Section 59 Conditions – 1429 Loch Lomond Road

RESOLVED that Common Council, pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the following conditions on the parcel of land having an area of approximately 1.91 hectares, located at 1429 Loch Lomond Road, also identified as a portion of PID Number 00312900:

- (a) That the development be limited to a maximum of 82 dwelling units. Within the portion of the site zoned Low-Rise Residential (RL), development is limited to four buildings having a maximum height of two stories and a maximum of four units per building, and one building having a maximum of six dwelling units and a height of two stories. Within the portion of the site zoned Mid-Rise Residential (RM), development is limited to two buildings having a maximum height of three stories and a maximum of thirty units per building.
- (b) That a landscaping plan be prepared for the site, for the approval of the Development Officer, demonstrating the following elements:
 - Landscaping along the Loch Lomond Road frontage of the site which includes the planting of a minimum of one tree or shrub for every 45 square metres of required front yard, provided at least 50 percent of the required plants are trees.
 - Landscaping along the eastern boundary of the site, adjacent to the existing dwellings along Lakefield Court incorporating the retention of existing landscaping and a treed berm incorporating two separate rows of coniferous trees (minimum tree height of 1.5 metres at time of planting) where each row of trees is offset from the other row in a manner that obscures visibility through the two rows of trees. This treed berm must be constructed in its entirety prior to the commencement of the construction of the first building on the development site.
- (c) That the final design of the site incorporates the following pedestrian connections to be maintained by the developer:
 - A sidewalk along the private access.
 - A pedestrian connection between the private access sidewalk and the current terminus of Norman Drive.
- (d) That the final design of the private access for the site incorporate a minimum width of 7.2 metres as recommended by the Traffic Impact Study prepared for the development.
- (e) That signage and pavement markings be installed and maintained to prevent vehicles from parking on or blocking any required turnaround area for firefighting access on the proposed private access.
- (f) That the exterior design and materials of the proposed building facades facing Loch Lomond Road be subject to the approval of the Development Officer in order to ensure compatibility with the adjacent neighbourhood context, and that the approved elevation plan(s) also be attached to the required building permit for the development.

The exterior design of these building facades must incorporate the following elements: window trim, door trim, corner boards, a differentiation in siding materials, and a minimum of 15 percent of the façade area covered by windows with clear glass.

The exterior elevations of buildings within the development are to have a cohesive design incorporating elements including but not limited to similar colours, siding materials and door and window proportions and trim.

- (g) The development and use of the parcel of land be in accordance with detailed building elevation and site plans, prepared by the proponent and subject to the approval of the Development Officer, illustrating the design and location of buildings and structures, garbage enclosures, outdoor storage, driveway accesses, vehicle, and bicycle parking, loading areas, landscaping, amenity spaces, signs, exterior lighting, and other such site features; and
- (h) The above elevation, landscaping, and site plans be attached to the permit application for the development of the parcel of land.
- (i) That any proposed changes to the development that would result in an increased sanitary sewage flow be reviewed by Saint John Water to determine that the sanitary sewer has adequate capacity to accommodate any proposed change.
- (j) The developer shall provide interconnectivity for the water distribution system (from Norman Drive to the proposed development site) prior to the final phase of this proposal and shall provide the required Local Government Services Easement. The width of the easement is subject to the review and acceptance by Saint John Water. The cost and responsibility for the interconnectivity of the water system shall be of the developer and shall be acceptable to the City.
- (k) The developer shall provide the required Local Government Services Easements for the water main and sanitary sewer mains within the proposed development to provide for City ownership of this buried infrastructure. This requirement also extends to the water main connection to Norman Drive. The acceptance of these easements will be subject to review by Saint John Water. Acceptance of the watermain and associated easement by the City will not occur until the entirety of the watermain and associated interconnection between Loch Lomond Road and Norman Drive is constructed.
- (l) If the developer does not provide watermain interconnectivity to Norman Drive and/or does not provide all required municipal services easements, the developer shall be responsible to provide premise isolation at Loch Lomond Road (at the developer's cost and responsibility) and all infrastructure piping on site shall remain private.
- (m) If any municipal infrastructure improvements are required to service this proposal, it will be the owner/developer's full responsibility and cost to complete. Prior to determining this, detailed engineering plans and a design brief must be submitted by the owner/developer's engineering consultant to the City for review and approval by the City.
- (n) That the developer provides a Wetland and Watercourse Alteration Permit, should one be required by the Province, or written confirmation that one is not required, to the Development Officer at the time of Building Permit application for portions of the project that are within 30 metres of a watercourse or wetland.
- (o) That the developer provides a payment of \$1000 to the City towards the installation of upgrades at the Bon Accord Drive/Loch Lomond Road crosswalk. This amount is payable to the City, should the development be approved, prior to the issuance of the building permit for the first building in the development; and
- (p) "That the entire development be completed within 6 years of the issuance of the first building permit".

Attachment 2 - Site Photography



View of site from Loch Lomond Road.



View of site from Norman Drive.



View from site looking east.



Existing building topology on Loch Lomond Road.

Municipal Plan Policy	Assessment
<p>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.</p>	<p>The proposed development consists of two building forms: three eight-unit townhouses located in the eastern portion of the site and two forty-unit buildings located in the western portion of the site. This represents a total of 104 dwelling units on the 1.92-hectare site, a net density of 54 units per hectare.</p> <p>Although areas immediately surrounding the site are largely developed with single and two-unit dwellings, the surrounding area does contain multiple unit residential development, with two, 6-unit buildings located immediately west of the site at 1421 Loch Lomond Road. Also, within the surrounding neighbourhood, an area of mid-rise residential development is located along Inverness Place which includes three 12-unit buildings, a 15-unit building and a 30-unit building. These individual building sites have net densities ranging between 45 and 60 units per net hectare with an overall net density of 51 units per hectare. The density of this existing area of mid-rise development compares favourably with the 54 units per net hectare proposed for the subject site. A 39-unit building is located at the intersection of Eugene’s Way and Loch Lomond Road having a site density of 62.6 units/hectare.</p> <p>As a basis for comparison, the Municipal Plan sets the following density targets:</p> <ul style="list-style-type: none"> • Between 20 and 45 units per hectare for Low Density Intensification areas. • Between 35 and 90 units per hectare in Low to Medium Density Residential areas. • A minimum density of 45 units per hectare in Medium to High Density Residential areas.
<p>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</p>	<p>The proposed development represents intensification of an appropriate scale and form as it is of a comparable density to mid-rise residential development found in the surrounding neighbourhood.</p>

<p>community character and make a positive contribution to the neighbourhood.</p>	<p>Staff also note the massing of the proposed buildings is comparable to other multiple unit development buildings within the surrounding area.</p> <p>Loch Lomond Road is designated as an arterial roadway in the Municipal Plan and higher density residential land uses are considered to be an appropriate land use along arterial roadways.</p>
<p>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:</p> <ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> a. The proposed development will increase the supply of rental housing within the Loch Lomond Road area and the City as a whole. The development is separated from the existing residential area to the north along Coronation Bon Accord Drive and the site design incorporates lower density zoning and development (8-unit townhouse dwellings with a height of 2 stories) to provide a transition of built form and density to the existing low density residential development along Lakefield Court. In addition to this transition, the proposed townhouses buildings will have a minimum setback of 15 metres from the eastern property line of the site which is the common property line with the dwellings along Lakefield Court. b. In addition to the discussion above with respect to criteria (a), Staff note multiple unit dwellings exist to the west of the site along Loch Lomond Road and at other locations along Loch Lomond Road and also within the surrounding neighbourhood along Inverness Place. Given this, the proposal is compatible with surrounding land uses within the area. c. Municipal services are available, and Loch Lomond Road is served by transit, including the recently expanded Flex (on-demand) service. As the site is located within the Primary Development Area, it represents infill of a site along an arterial roadway corridor where services exist. Water and sanitary sewer capacity exists to accommodate the development. A Traffic Impact Statement completed for an earlier proposed 105-unit development scenario indicated the development would increase traffic volumes on Loch Lomond Road by 4% with respect to peak hour and daily volumes which is not anticipated to have an impact on traffic operations along Loch Lomond Road.

	<ul style="list-style-type: none"> d. Site design features that address buffering from adjacent uses include landscaping and a large setback along the eastern property line having a minimum depth of 15 metres which will incorporate landscaping. Access is proposed via a private access and a Traffic Impact Study completed for the development has provided recommendations for the detailed design and construction of this access. Stormwater management and grading will be subject to the City’s Drainage By-law and reviewed at the detailed design stage. Staff note the site slopes from north to south towards Loch Lomond Road with a watercourse located in the northern portion of the site. e. While the architectural finishes including cladding and window and door treatments are subject to detailed design, the massing of the proposed buildings is consistent with multiple unit buildings within the surrounding area. f. The site is located on an arterial roadway and is located approximately 650 metres east of the Forest Hills / Lakewood Suburban Intensification Area. The adjacent Intensification Area has experienced multi-unit residential development with the recent completion of the Knights of Columbus apartments at the intersection of Loch Lomond Road and Eugene’s Way and construction of the Calabria Estates development off Mountain View Drive. Other intensification areas such as the Uptown and the Millidgeville area are also experiencing strong demand. The proposed project is not anticipated to detract from demand being experienced in the Intensification Areas established in the Municipal Plan.
<p>Policy UD-9 Ensure all development proposals generally conform to the following General Urban Design Principles:</p> <ul style="list-style-type: none"> a. That new development respect and reinforce the existing and planned context in which it is located through appropriate setbacks, landscaping, buildings entrances, building massing, architectural style and building materials. Specifically, the built-form of new 	<ul style="list-style-type: none"> a. Three eight-unit townhouse are proposed in the eastern portion of the site, zoned Low-Rise Residential (RL). This portion of the development will incorporate a minimum 15 metre building setback from the eastern property line of the site. This setback and proposed massing and density of the four-unit buildings will respect the adjacent area of low-density residential development along Lakefield Court. In addition, the 40-unit buildings have a density,

<p>development shall be designed to achieve the following objectives for specific areas of the City:</p> <ul style="list-style-type: none"> i. In Stable Areas, as identified on the City Structure map (Schedule A), new development will be designed to respect and reinforce the physical character of the established neighbourhood, as set out in Policy UD-10; b. Locating building entrances facing the public street; c. Designing sites to incorporate existing natural features and topography; d. Designing sites to protect, create and/or enhance important view corridors to the water or landmark sites or buildings; e. Incorporating innovations in built form, aesthetics and building function to encourage high quality contemporary design that will form the next generation of heritage; f. Where appropriate and desirable, encouraging active pedestrian-oriented uses and a high level of transparency at grade to reinforce and help animate the public realm; g. Designing sites, buildings and adjacent public spaces as complete concepts with integrated functions; h. Using quality, durable building materials and a consistent level of design and detail for all elements of the building; i. Designing for visual interest by incorporating well-articulated building façades, landscaping, local history, public art and/or culture into sites and buildings; j. Directing high-rise buildings to appropriate areas and ensuring their design is sensitive to the neighbourhood and/or heritage context; k. Encouraging sustainability in design by: <ul style="list-style-type: none"> i. Utilizing reused, recycled, renewable or local building materials where possible; 	<p>height and massing similar to other multiple unit buildings in the vicinity of the site.</p> <ul style="list-style-type: none"> b. The building entrances do not face a Public Street, as a result of the design of the site which incorporates a Private Street. c. The subject site is at a lower elevation ranging from 53 metres to 61 metres compared to 57 metres and above for the residential area immediately to the east along Lakefield Crescent. This lower elevation provides a degree of mitigation of the height of the proposed buildings in relation to the surrounding neighbourhood. d. No established view corridors exist in the vicinity of the site. e. The proposed buildings are of a typical design for suburban multi unit development. f. Little animation of the Public Realm is provided, Staff note this is not necessarily required given the private roadway access and by the fact it has limited frontage on a Public Street. g. Some integration is provided with the shared private access, but this could be improved with design features such as a pedestrian access through the development linking to the adjacent Public Street network and an internal amenity space which acts as a focal point for the development. h. The proposed buildings are of a typical design for suburban multi unit development. i. Facade articulation is provided through decks and cladding materials. j. The development incorporates two- and four-storey buildings, not high-rise buildings. Sensitivity to the neighbourhood context is demonstrated by having the four-storey buildings in the western portion of the site, adjacent to existing multiple-unit development and along Loch Lomond Road, a major arterial. The two-storey buildings are located in the eastern portion of the site adjacent to an area of low-density single unit development along Lakefield Court. A minimum setback of 15 metres is provided between the eastern site boundary and the four-unit buildings to provide an additional transition to the existing development along Lakefield Court.
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Attachment 3: Municipal Plan Review -1429 Loch Lomond Road – November 2023

<ul style="list-style-type: none"> ii. Using green building or neighbourhood standards; iii. Designing for energy efficiency and alternative sources of energy; iv. Designing for water conservation and on-site stormwater management; v. Promoting the conservation and adaptive re-use of existing buildings and designing sites to retain mature trees; vi. Designing sites and buildings to work with, rather than against, the natural environment by designing according to the topography, hydrology, ecology and natural drainage patterns of the site and taking advantage of passive solar gain and natural light; and vii. Using native vegetation for landscaping where appropriate. l. Designing sites and buildings according to the Crime Prevention through Environment Design (CPTED) principles to promote safety and security, in balance with other urban design goals; and m. Locating and screening parking and loading facilities so they are generally not visible from the street, particularly in Centres and Neighbourhood Intensification Areas; n. Limit surface parking between the front of a building and the public street or sidewalk; o. Design safe and direct access to buildings for pedestrians, cyclists and transit users by providing walkways from the public street, transit stops, and parking p. Design sites and building accesses that are barrier-free, convenient and have clear signage; and q. Generally locating surface parking, outdoor storage, loading and other service areas at the rear or side of the 	<ul style="list-style-type: none"> k. Little information has been provided related to sustainable design approaches taken by the development. Staff note that as the site faces south, there will be a degree of passive solar gain, particularly in the east and west facing building facades. In addition, the watercourse in the northern portion of the site and the associated legislated setbacks provide an opportunity for the retention of treed areas. l. The provision of a private street serving the development, combined with the orientation of the townhouse buildings provides a degree of security and “eyes on the street”. m. Parking lots are not generally visible from adjacent Public Streets. n. Landscaping is proposed along Loch Lomond Road. o. The earlier traffic study completed for the development recommends a sidewalk be incorporated along the proposed private access to provide a pedestrian linkage to Loch Lomond Road. This could be enhanced by providing a pedestrian connection to Norman Drive. p. Site design would be subject to the appropriate provisions of the National Building Code and Provincial Barrier Free Regulation. q. Parking areas are screened from adjacent Public Streets. Staff the location of parking in this area minimizes the impact of parking on adjacent areas of existing residential development.
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<p>property and buffering or screening these functions from adjacent properties and the public realm.</p>	
<p>Policy UD-10 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:</p> <ul style="list-style-type: none"> a. The local pattern of lots, streets and blocks; b. The size and configuration of lots; c. Nearby building types; d. The height, scale and massing of nearby buildings; e. The setback of buildings from the street; f. The pattern of rear and side yard setbacks; g. Building materials which contribute to the successful integration of the development into its context 	<ul style="list-style-type: none"> a.& b. The pattern of the overall development, a long cul-de-sac, is reflective of the area with many dead-end streets extending from Loch Lomond Road. A pedestrian connection is recommended to improve connectivity with the surrounding neighbourhood. The lot sizes and configuration are appropriate for the proposed multi-unit development. c. &d. Multiple unit dwellings of a similar scale exist in the neighbourhood surrounding the site. e. A Section 59 condition is recommended related to landscaping along the Loch Lomond Road frontage of the site given the proposed front yard setback is greater than provided for by the RM Zone standards. g. Detailed design of the exterior of the buildings has yet to be finalized.
<p>Policy HS-13 Encourage the location of affordable housing throughout the Primary Development Area, particularly in close proximity to shopping, community facilities, and existing or potential public transit routes.</p> <p>Policy HS-14 Encourage housing providers to build affordable housing using available incentives, when possible, such as tax rebates, grants or subsidies.</p> <p>Policy HS-15 Encourage housing providers to build market-based affordable housing and integrate subsidized affordable housing units into larger market-based development projects, wherever possible.</p>	<p>The applicant has withdrawn their earlier application to the ARHP as it did not work financially. Instead they will be doing 8 units as affordable under the CMHC's MLI select program guideline of affordability for the area.</p>

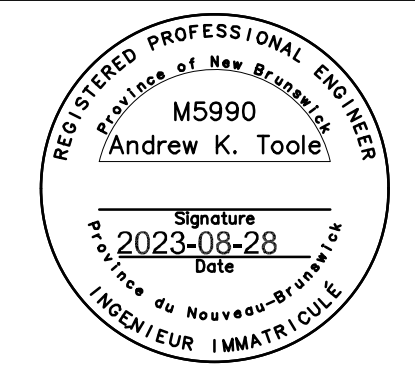
<p>Policy I-2</p> <p>In considering amendments to the Zoning Bylaw or the imposition of terms and conditions, in addition to all other criteria set out in the various policies of the Municipal Plan, have regard for the following:</p> <ul style="list-style-type: none">a. The proposal is in conformity with the goals, policies and intent of the Municipal Plan and the requirements of all City bylaws;b. The proposal is not premature or inappropriate by reason of:<ul style="list-style-type: none">i. Financial inability of the City to absorb costs related to development and ensure efficient delivery of services, as determined through Policy I-7 and I-8;ii. The adequacy of central wastewater or water services and storm drainage measures;iii. Adequacy or proximity of school, recreation, or other community facilities;iv. Adequacy of road networks leading to or adjacent to the development; andv. Potential for negative impacts to designated heritage buildings or areas.c. Appropriate controls are placed on any proposed development where necessary to reduce any conflict with adjacent land uses by reason of:<ul style="list-style-type: none">i. Type of use;ii. Height, bulk or appearance and lot coverage of any proposed building;iii. Traffic generation, vehicular, pedestrian, bicycle or transit access to and from the site;iv. Parking;v. Open storage;vi. Signs; andvii. Any other relevant matter of urban planning.	<p>These are addressed through proposed Section 59 conditions related to the design of the development and servicing.</p>
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Attachment 3: Municipal Plan Review -1429 Loch Lomond Road – November 2023

<p>d. The proposed site is suitable in terms of steepness of grade, soil and geological conditions, locations of watercourses, wetlands, and susceptibility of flooding as well as any other relevant environmental consideration;</p> <p>e. The proposal satisfies the terms and conditions of Policy I-5 related to timeframes and phasing of development; and</p> <p>The proposal meets all necessary public health and safety considerations.</p>	
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Submission 1 - Site Plans and Building Plans

DON-MORE
SURVEYS &
ENGINEERING LTD.



- Notes:
- All work to be performed in accordance with the City of Saint John General Specifications, Latest Revision.
 - All elevations are geodesic based on Service New Brunswick Active Control utilizing geoid model CGVD2013.
 - The approximate location of known infrastructure is shown on the plans based on the best available information at the time. However, the consultant accepts no responsibility for the accuracy or completeness of this information.
 - Contractor to confirm horizontal location and vertical elevation of all existing services prior to commencing work. Contractor to immediately report any discrepancies to the engineer.
 - It is the responsibility of the contractor to become familiar with and understand the nature and extent of the work to be executed, the nature of the soil, surface water drainage, the general form of the surface of the ground, and generally of all matters which can in any way influence the construction of this project.
 - All required permits must be obtained in advance of construction.
 - All applicable City by-laws, Provincial and Federal statutes and regulations must be adhered to.
 - Contractor may not substitute any materials unless approved by the engineer.
 - Contractor to notify the City of Saint John regarding construction schedule prior to commencing construction.
 - Contractor shall be responsible for traffic control and safety measures during the work.
 - The contractor shall check and verify all dimensions and utility locations and report all errors and omissions prior to commencing work.
 - All municipal infrastructure, public utilities, natural gas mains, and other infrastructure must be located in the field prior to the start of excavation.
 - Contractor to ensure proper erosion and sedimentation control methods are used to control site runoff during construction.
 - All required permits must be obtained in advance of construction.

- New Building Areas
- New Asphalt Areas
- New Concrete Areas
- New Gravel Areas
- New Grass Areas
- New Wooded Areas

Revision:

1	2023-08-28	Issued for Review
No.	Date y/m/d	Description

Dwg: 21349ESP3 Dated: August 29, 2023

Designed by: A. Toole If this bar is not 25mm long, adjust your plotting scale

Drawn by: A. Toole

Checked by: A. Toole

Scale:
Horizontal 1:250 Vertical N/A

SCALE: 1:250 METRIC

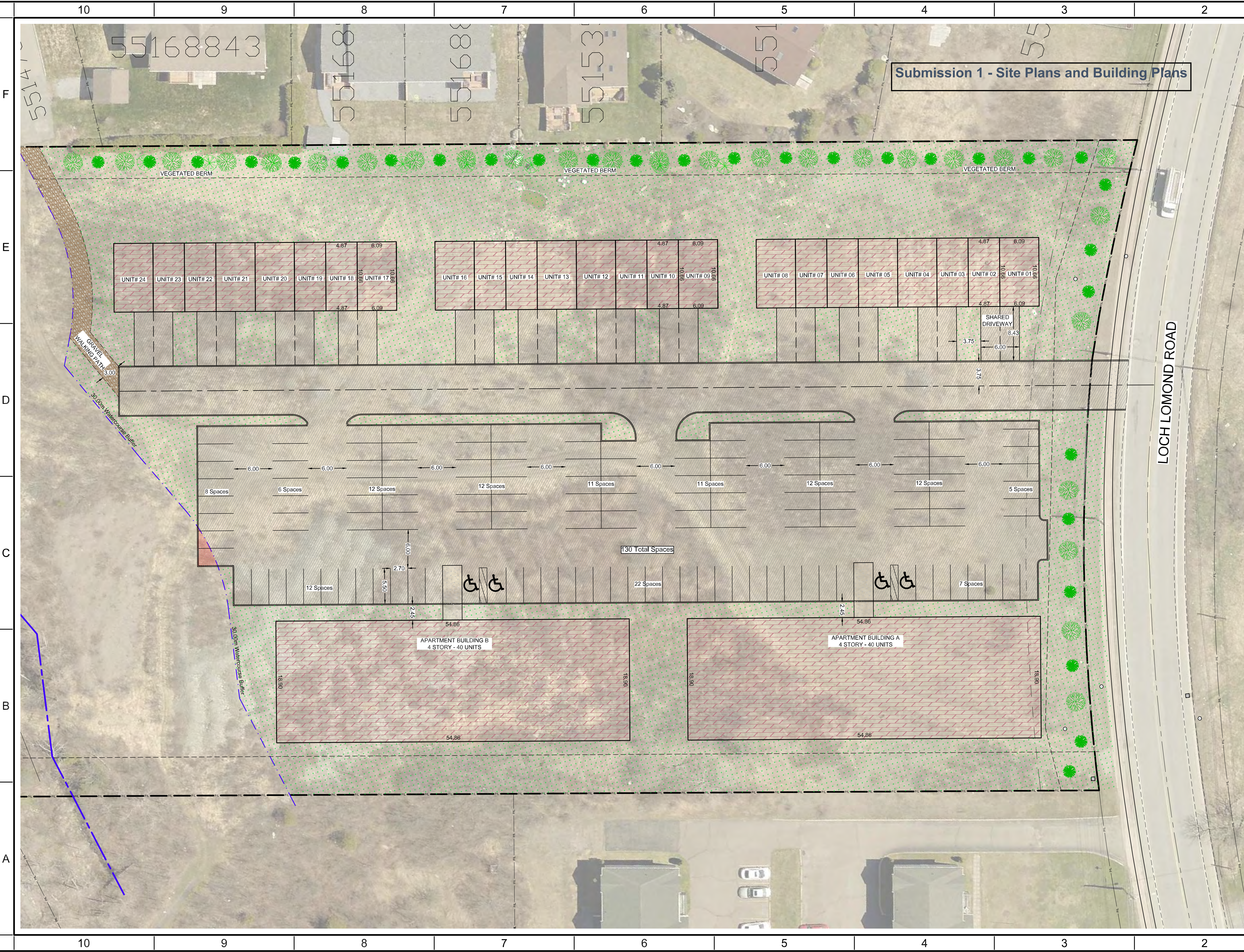
Client:
733063 NB Inc.

Project:
**1429 Loch Lomond Road,
Saint John, NB**

Title:
Site Plan & Areas

Sheet **C2** of 2

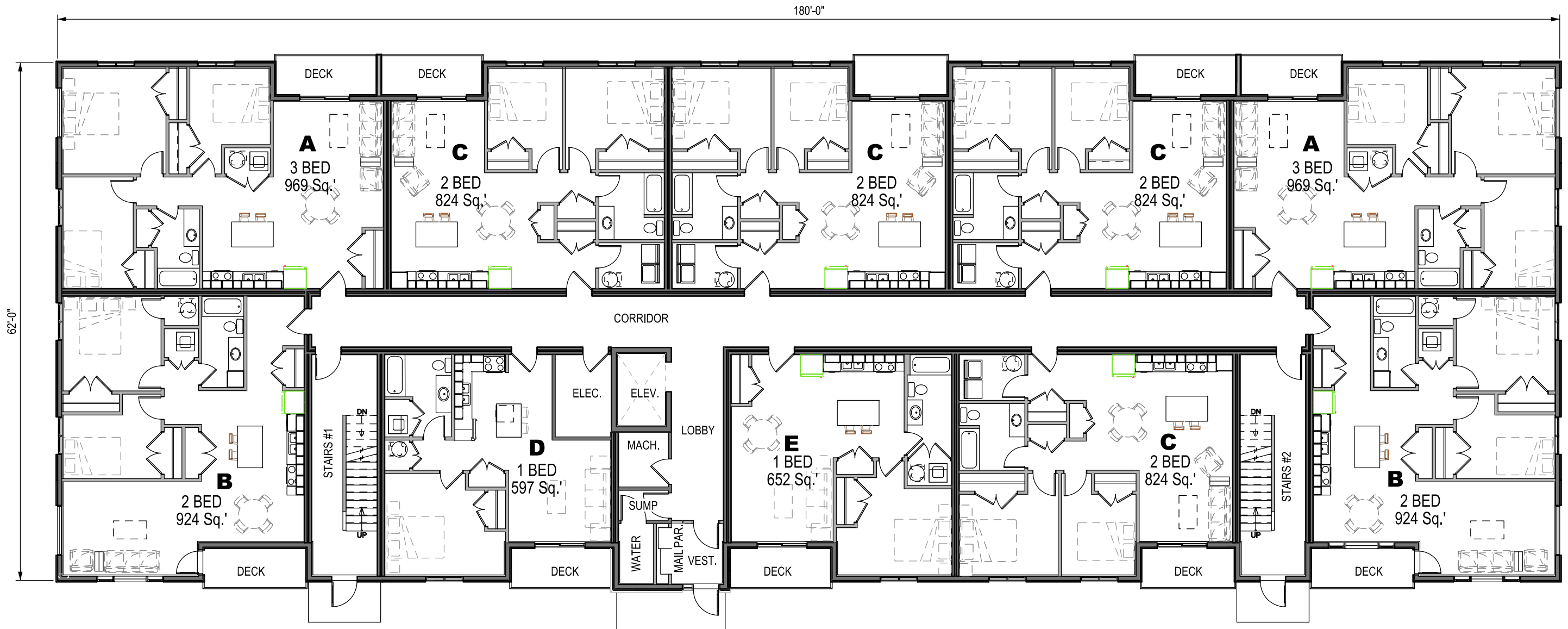
Issue: Issued for Review	Rev # 1
Date of: 2023-08-28	



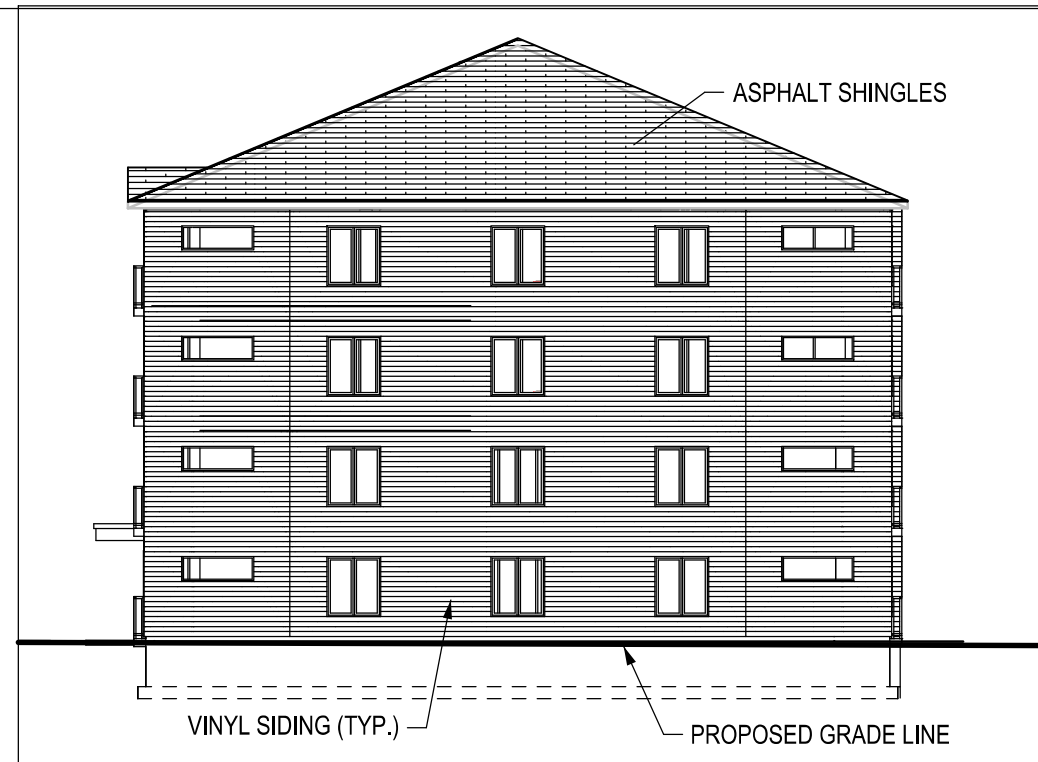


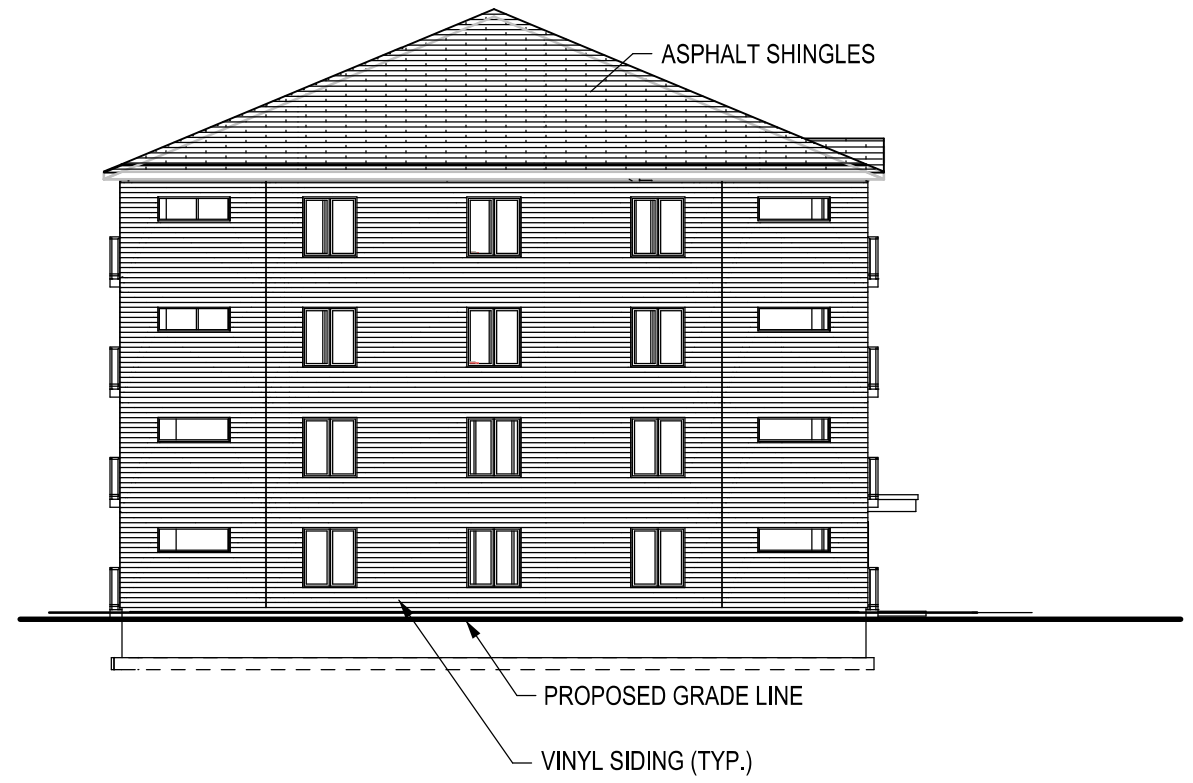
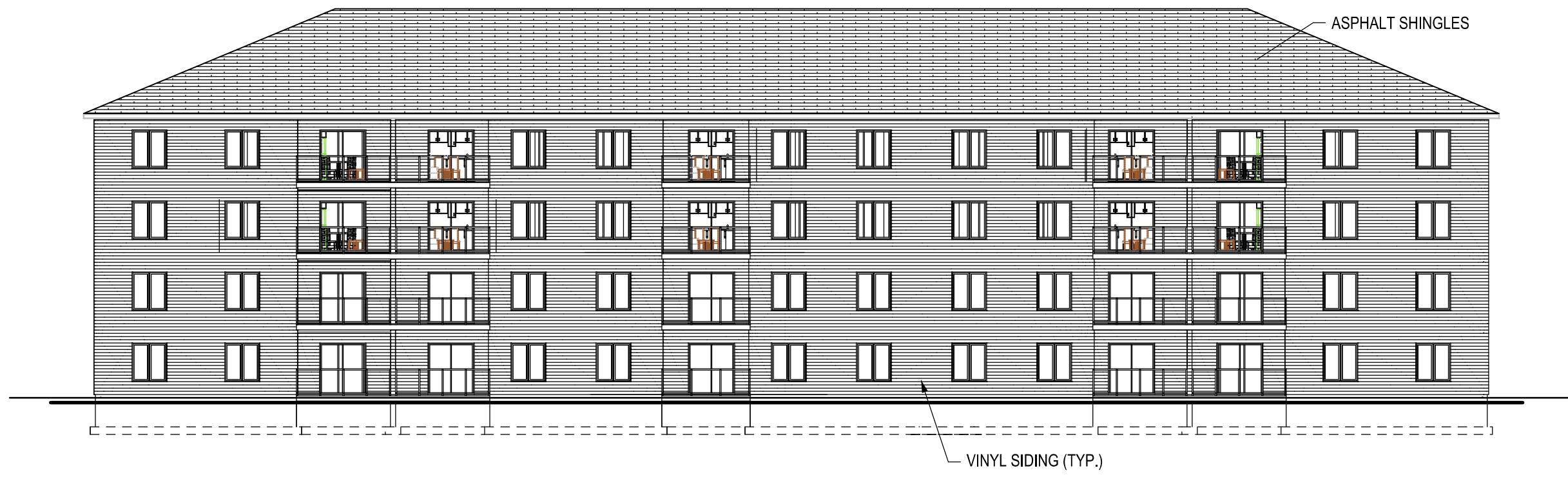


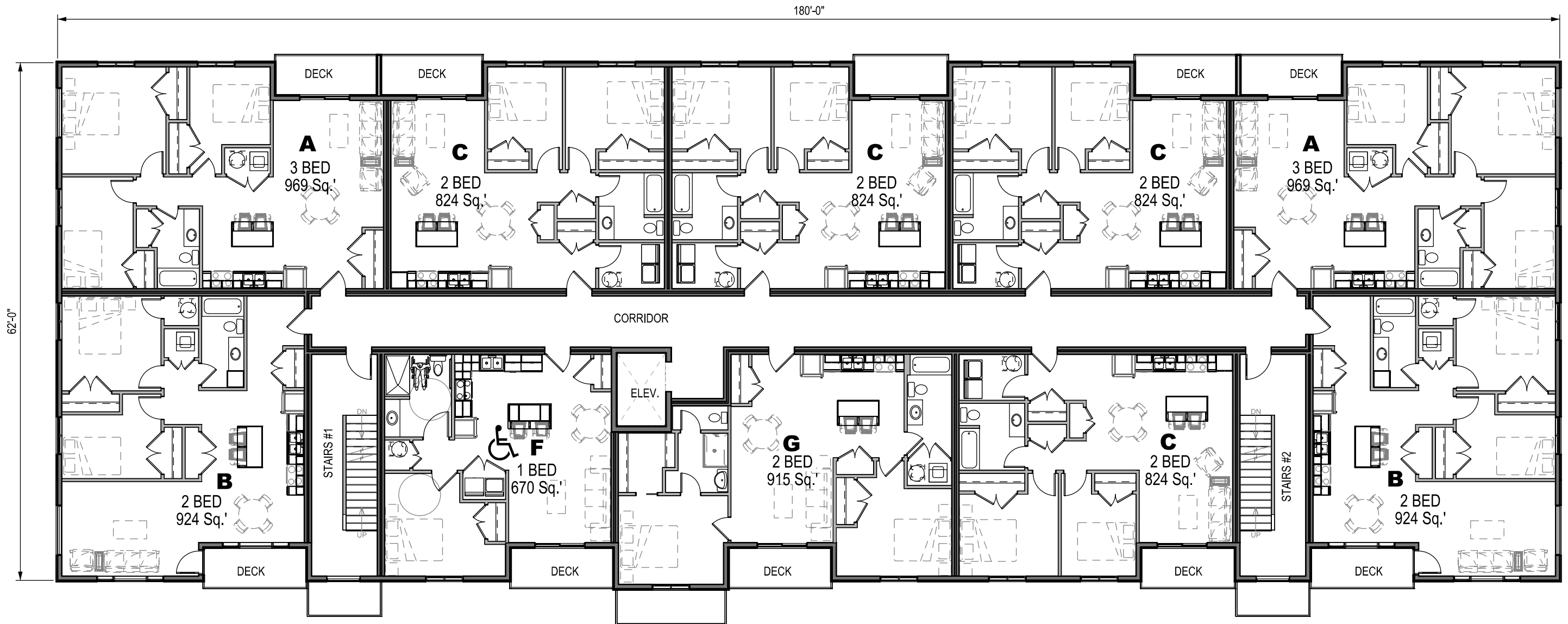




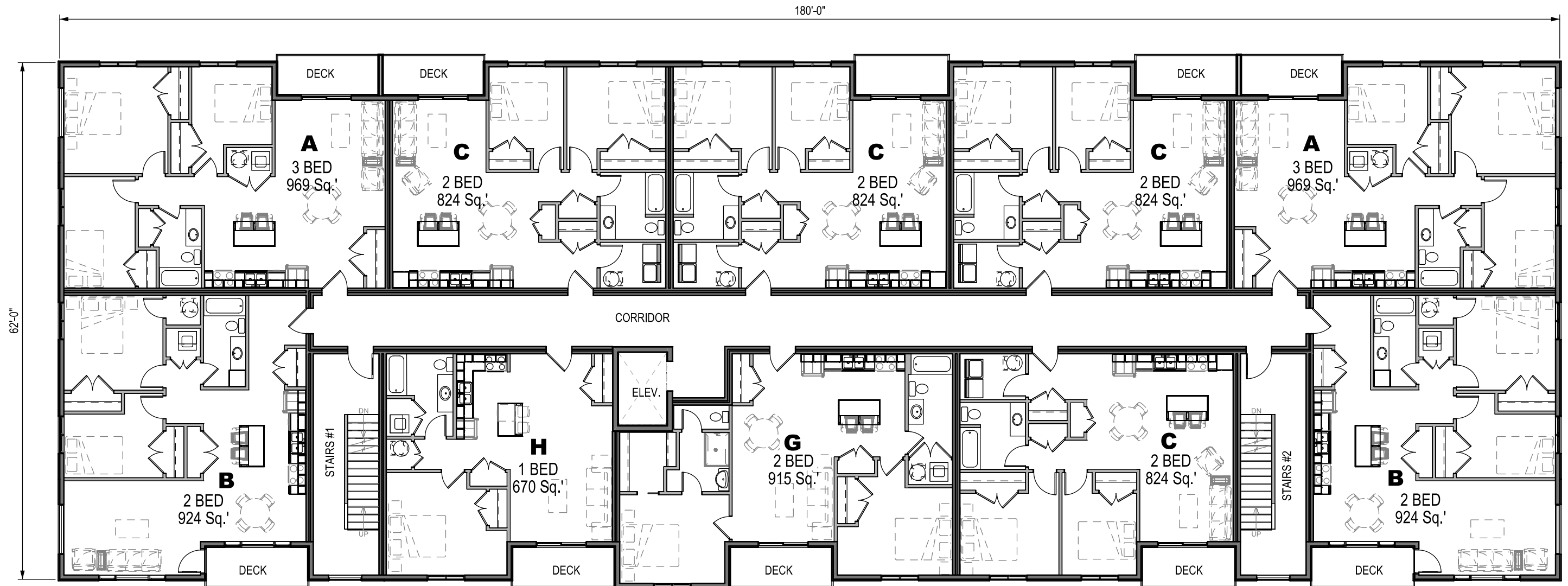
BUILDING AREA
10682 Sq.' 992 Sq.m





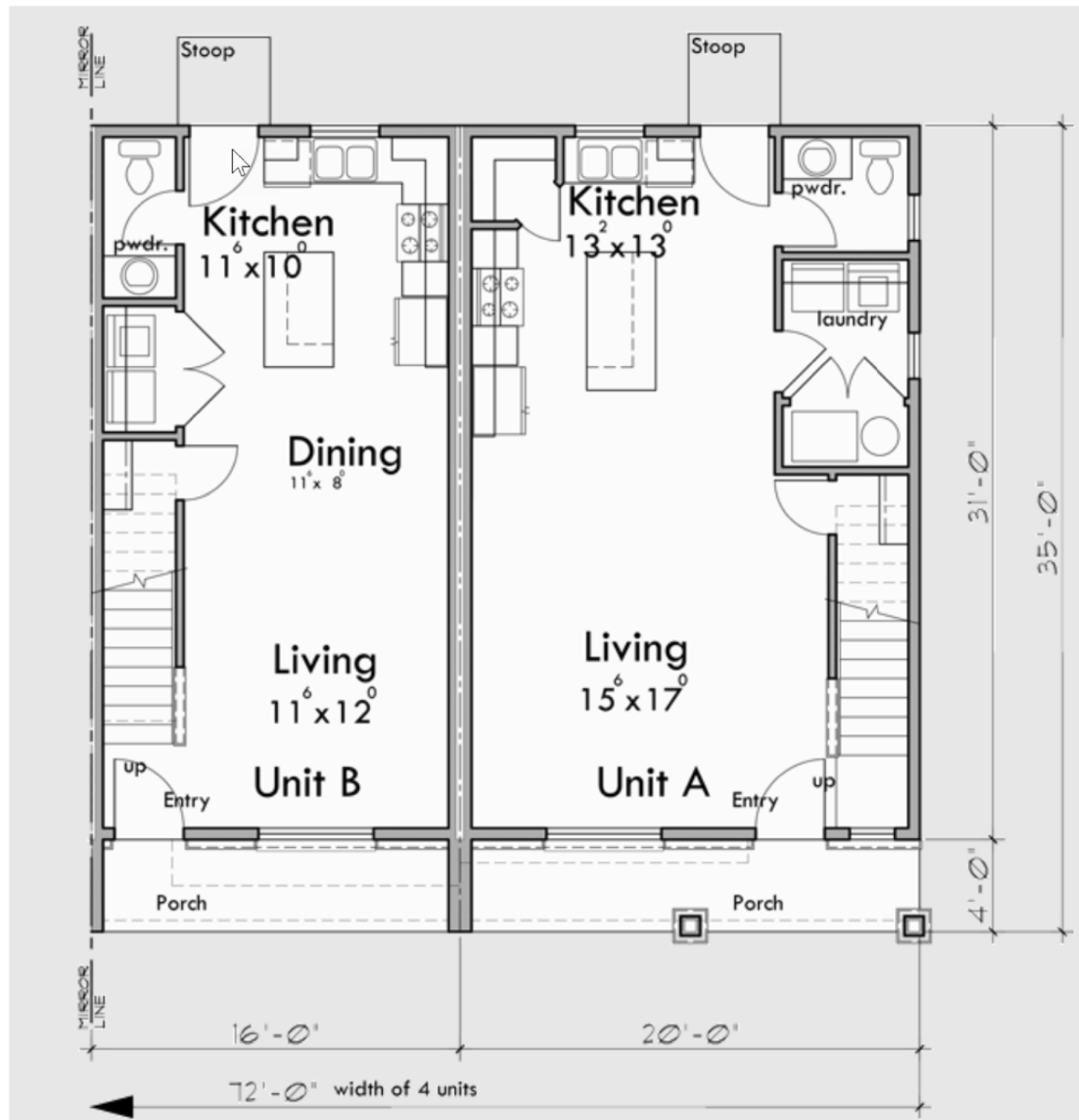


BUILDING AREA
10682 Sq.' 992 Sq.m

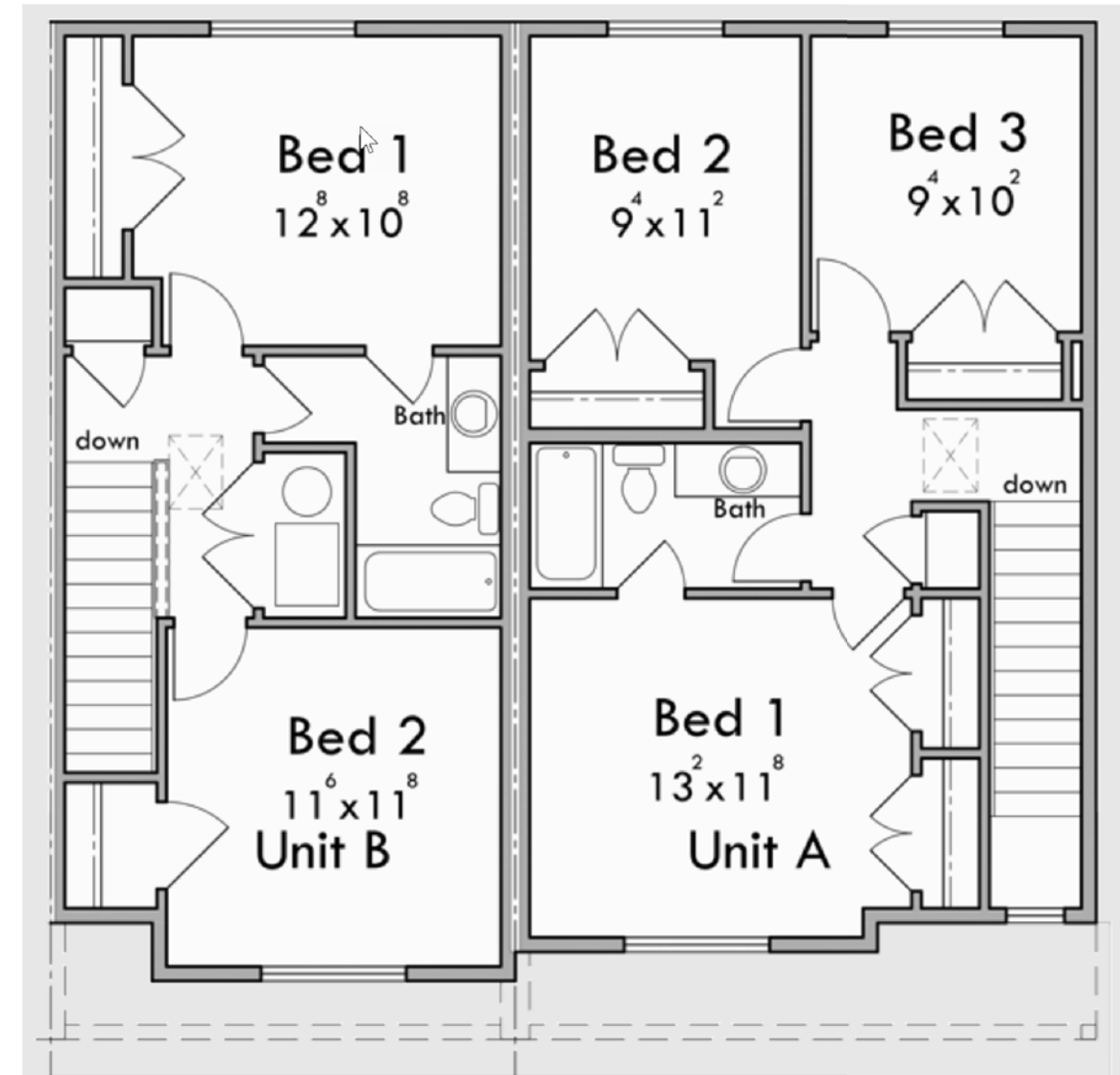


BUILDING AREA
10682 Sq.' 992 Sq.m





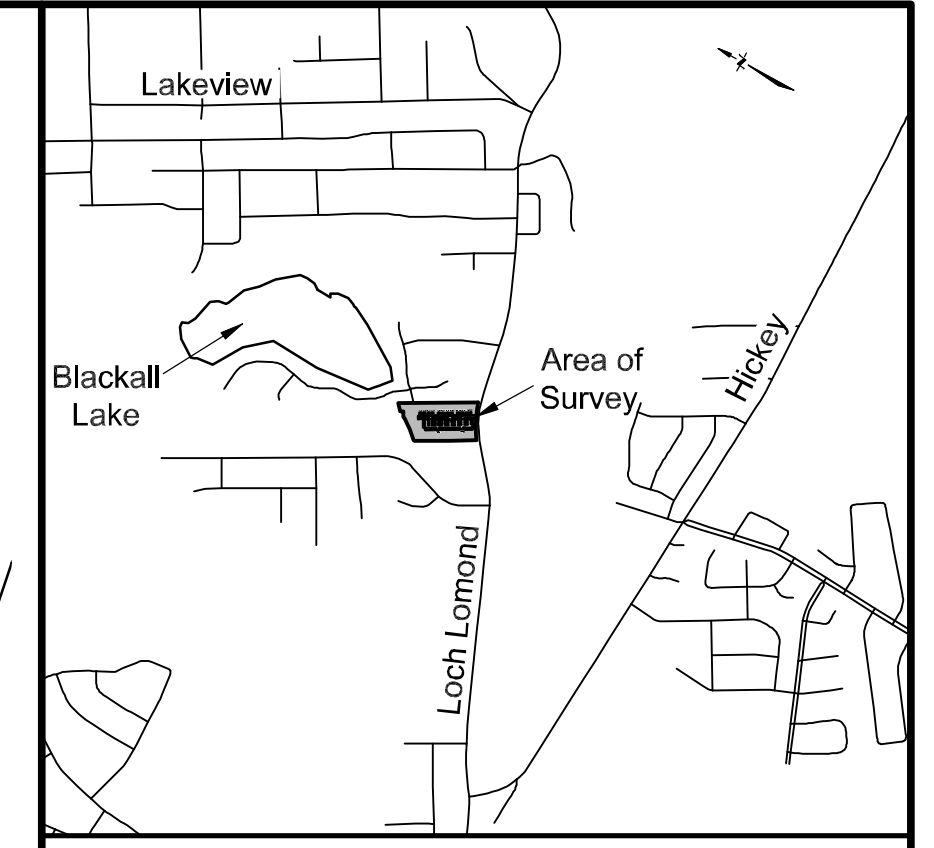
GROUND FLOOR



SECOND FLOOR

Approvals

Submission 2 - Tentative Plan of Subdivision



- Key Plan**
Scale = 1:20,000
- Legend**
- ⊙ SMS - Standard survey marker set
 - SMF - Standard survey marker found
 - CALC - Calculated point
 - RIB - Round iron bar found
 - SQIB - Square iron bar found
 - IP - Iron pipe found
 - Ⓝ Tabulated coordinate reference
- Lands dealt with by this plan
— SNB - Service New Brunswick Mapping

- Notes**
1. All computations performed and coordinates shown are based on the New Brunswick stereographic double projection and the NAD83(CRS) ellipsoid as realized by Service New Brunswick's Active Control System.
 2. All distances shown are in metres and are grid distances calculated using a combined scale factor utilizing geoid model CGG2013a.
 3. All directions are New Brunswick grid azimuths established using GNSS.
 4. Document and plan numbers referred to are those of the land titles or county registry office.
 5. Certification is not made as to legal title, being the domain of a lawyer, nor to the zoning & setback bylaws or regulations, being the domain of a Development Officer.
 6. Certification is not made as to covenants set out in the document(s) and the location of any underground services and/or fixtures permanent or otherwise.
 7. Peripheral information and adjacent owner information was derived from Service New Brunswick records unless otherwise noted.
 8. Field survey was completed in September, 2023.
 9. Survey markers not set at road deflections to avoid landowner confusion.

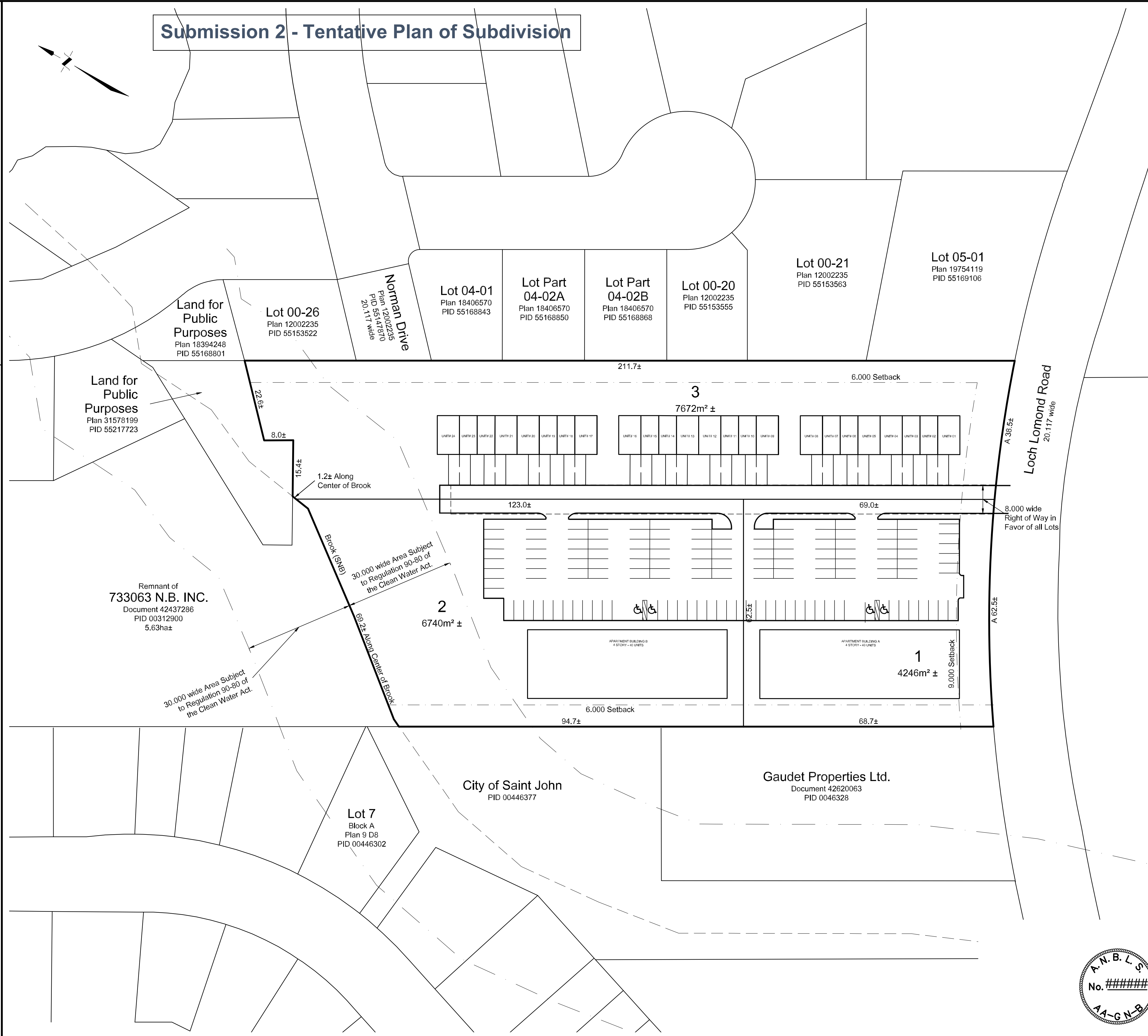
- Purpose of Plan**
- To create 3 new multi-residential lots.
 - To create a 8.000 wide Right of Way in favor of all lots.

Subdivision Plan
733063 N.B. Inc. Subdivision 23-1
Loch Lomond Road, Saint John
City of Saint John
Saint John County, NB

DON - MORE
SURVEYS & ENGINEERING LTD.

Dated: **TENTATIVE**
September 20, 2023
ANDREW K. TOOLE, NBL# #379

Dwg: 21349SDT3



Watercourse and Wetlands Alteration (WAWA) Regulation Note

These areas may be subject to the Watercourse and Wetlands Alteration Regulation 90-80 of the Clean Water Act. Prior to undertaking any alteration in this area, contact the Department of Environment's Regional Office to determine potential regulatory requirements.

Areas identified as Regulated Wetlands, Watercourses or Provincially Significant Wetlands have been mapped using Service New Brunswick Digital Data, 2022 Version.

Title Data
PID 00312900
Owner: 733063 N.B. INC.
Document 42437286
Registered: 2022-03-22

Signature of Owners

Michael Goldenberg, President
for: 733063 N.B. INC.

