
PLANNING ADVISORY COMMITTEE



The City of Saint John

May 23, 2024

Her Worship Mayor Donna Noade Reardon and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Rezoning and Section 59 Amendment Application
2400 Westfield Road**

On April 15, 2024, Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its May 22, 2024 meeting.

Yeva Mattson, Planner with Growth and Community Services, appeared before the Committee and provided an overview of the proposed Rezoning and Section 59 Amendment.


Richard and Janice Hunt, the proponents, appeared to speak in favor of the application and agreed with staff recommendation.

No other members of the public appeared before the committee to speak in favour or opposition and one letters in favor was received regarding the application.

RECOMMENDATION:

1. That Common Council rezone a parcel of land having an area of approximately 5,261 square metres, located at 2400 Westfield Road, also identified as PID 00290585, from **Rural General Commercial (CRG)** to **Rural Settlement Residential (RS)**.
2. That Common Council rescind the conditions imposed on the **May 3, 2016** rezoning of the property located at 2400 Westfield Road, also identified as PID 00290585.

Respectfully submitted,

A handwritten signature in black ink that reads "Brad Mitchel". The signature is written in a cursive style and is set against a light gray rectangular background.

Brad Mitchel
Chair

Attachments





The City of Saint John

Date: May 16, 2024
To: Planning Advisory Committee
From: Growth & Community Services
Meeting: May 22, 2024

SUBJECT

Applicant: Janice and Richard Hunt
Landowner: Derek Logan
Location: 2400 Westfield Road
PID: 00290585
Plan Designation: Rural Settlement
Existing Zoning: Rural General Commercial (CRG)
Proposed Zoning: Rural Settlement Residential (RS)
Application Type: Rezoning and Section 59 Amendment
Jurisdiction: The *Community Planning Act* authorizes the Planning Advisory Committee to give its views to Common Council concerning proposed amendments to the Zoning By-law and amendments to the Section 59 conditions of the subject property. Common Council will consider the Committee's recommendation at a public hearing on **Monday, June 24, 2024**.

EXECUTIVE SUMMARY

The applicant is applying to rezone the site at 2400 Westfield Road from Rural General Commercial (CRG) to Rural Settlement Residential (RS) and to rescind the existing Section 59 Conditions. The application will enable the commercial space to be removed and converted back into the existing single-family dwelling. Approval of the application is recommended.

RECOMMENDATION

1. Rezoning a parcel of land having an area of approximately 5,261 square metres, located at 2400 Westfield Road, also identified as PID 00290585, from **Rural General Commercial (CRG)** to **Rural Settlement Residential (RS)**.
2. That Common Council rescind the conditions imposed on the **May 3, 2016** rezoning of the property located at 2400 Westfield Road, also identified as PID 00290585.

DECISION HISTORY

In December 2004, the subject site was rezoned from Neighbourhood Institutional "IL-1" to General Business "B-2" to allow for the conversion of the former church into a cabinetry shop and associated showroom and one-unit dwelling. At the time of the rezoning, Section 59 conditions were applied:

- a) The use of the property be restricted to the applicant's proposal involving a cabinetry shop with associated showroom and dwelling;
- b) The building, and in particular the proposed cabinetry shop be established and maintained at all times in a manner acceptable to the Building Inspector and Fire Chief;
- c) The hours of operation be restricted to 7:00 a.m. to 6:00 p.m. Monday through Saturday;
- d) No addition to the building occur without the approval of the Planning Advisory Committee;
- e) The damaged portions of the existing parking area be repaired with asphalt no later than September 1, 2005.

ANALYSIS

Proposal

The applicant is proposing to rezone the subject site to Rural Settlement Residential (RS) to allow for the conversion of the existing building to a one-unit dwelling. The building consists of one cabinetry shop and associated showroom with a one-unit dwelling. Section 59 conditions of the property limit the property to the current use and do not allow for the structure to be used solely for residential purposes. There would be no changes to the exterior beyond the removal of the commercial signage.

Site and Neighbourhood

The subject site is located on Westfield Road in the northwest portion of the City. The immediate and broader residential neighbourhood is of low-density zoning which supports one- and two-unit homes. There are also some scattered rural general commercial sites as well as institutional uses, including a community centre, across the street from the subject site. The area is located outside of the Primary Development Area and all sites are on well and septic which are regulated by the province.

Municipal Plan and Rezoning

Municipal Plan

The site is designated as Rural Settlement in the Municipal Plan. An analysis of the proposal with respect to the relevant policies of the Municipal Plan is provided in Attachment 2. The

proposal conforms to the policies established within the Municipal Plan, which supports low density residential.

The proposed development is compatible with the vision established within the Municipal Plan, as the proposed development is:

- consistent with the character and form of the existing community.
- low density residential

The proposal will enable the removal of vacant commercial space, enabling the structure to be re-established as a fully residential use. This aligns with the low-density housing and the community character of the neighbourhood.

Zoning

The Rural Settlement Residential (RS) Zone accommodates low-density residential uses in the form of one- and two-unit dwellings. The RS zone is compatible with the surrounding development pattern and the proposed conversion of the commercial space to residential would be in compliance with the RS zone standards.

Section 59 Conditions

The RS zone is a low-density zone that would limit the subject site to a maximum of two-units. While the applicant has proposed to convert the commercial space into a single one-unit residence, there could be potential in the future to add a second unit, a garden suit, or a secondary suite. This is compatible with the surrounding neighbourhood development pattern and would need to meet the RS zone standards as well as being required to meet the requirements of the National Building Code of Canada. The owner would also be required to apply for a Change of use Permit which will allow Building to review floor plans and conduct an inspection of fire separation and safety.

Staff recommend not requiring any Section 59 conditions to restrict the site as the requirements of the Zoning Bylaw and the Building Code act as structures to limit the development of the site beyond the existing or future use.

Conclusion

The proposed rezoning to allow for the development of a one-unit dwelling in the former commercial space aligns with the policies established in the City's Municipal Plan and conforms to the City's Zoning By-law. The proposed rezoning will facilitate the use of the property as a low-density dwelling which would conform to the character and form of the existing community and require no exterior changes to the building. Staff are recommending approval of the rezoning and the rescinding of former Section 59 conditions.

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 May 6, 2024. The public hearing notice was posted on the City of Saint John website on May 16, 2023.

APPROVALS AND CONTACT

Manager	Director	Commissioner
Jennifer Kirchner, RPP, MCIP	Pankaj Nalavde, RPP, MCIP	Amy Poffenroth, PEng MBA

Contact: Yeva Mattson
Telephone: (506) 721-8453
Email: yeva.mattson@saintjohn.ca
Application: 24-0051



APPENDIX

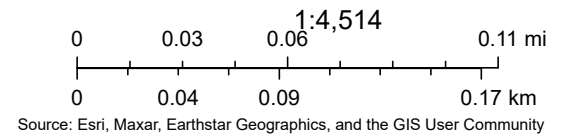
Map 1: **Aerial Photography**
 Map 2: **Future Land Use**
 Map 3: **Zoning**
 Attachment 1: **Site Photography**
 Attachment 2: **Municipal Plan Policy Review**
 Submission 1: **Site Plan**

2400 Westfield Road



4/24/2024

-  Subject Site
-  Property Parcels








2400 Westfield Road

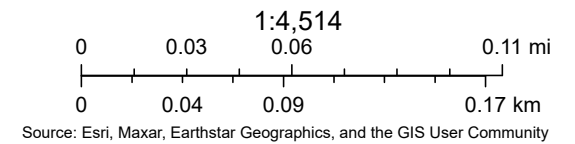


4/24/2024

Future Land Use

-  Subject Site
-  Property Parcel

-  Rural Resource
-  Park and Natural Area
-  Rural Settlement









2400 Westfield Road

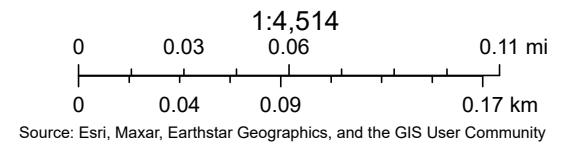


4/24/2024

Zoning

-  Subject Site
-  Property Parcels

-  Rural Settlement Residential (RS)
-  Rural General Commercial (CRG)
-  Neighbourhood Community Facility (CFN)
-  Rural (RU)



ATTACHMENT 1: SITE PHOTOGRAPHY



Subject Site from Westfield Road



Subject Site looking North up Westfield Road

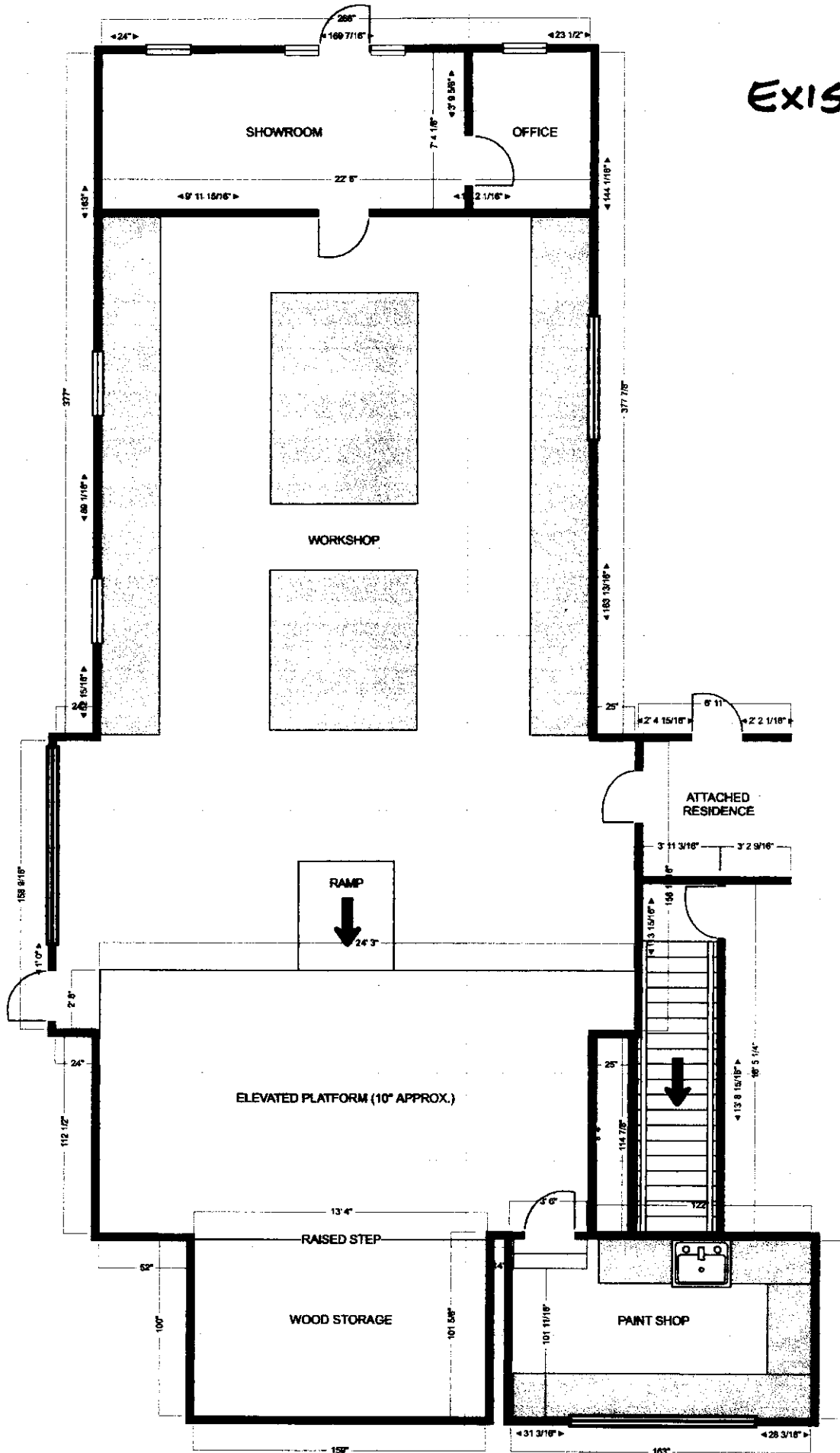


Surrounding Neighborhood looking South along Westfield Road (subject site to far left)

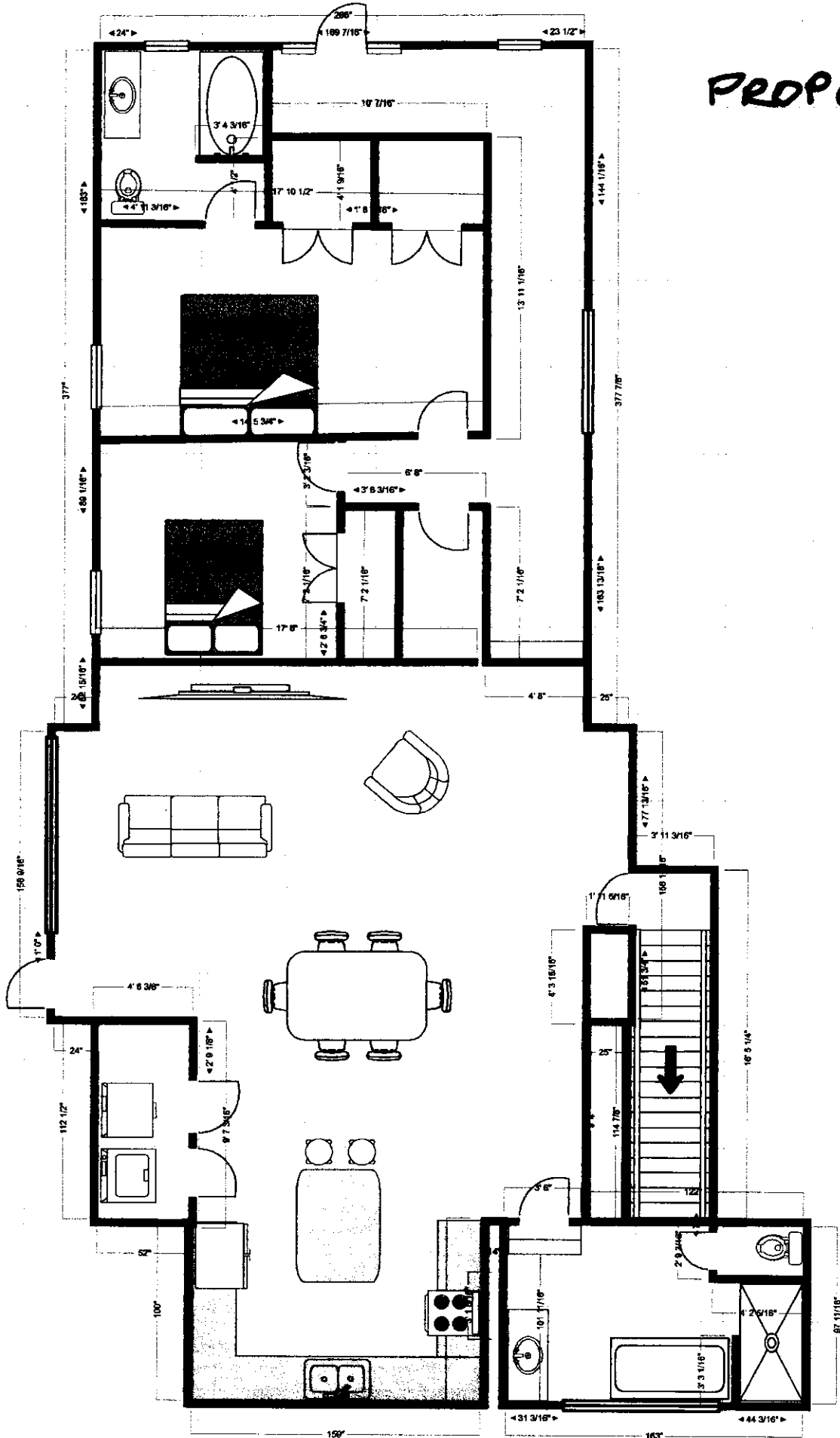
Attachment 2: Municipal Plan Policy Review

Municipal Plan Policy	2400 Westfield Road Assessment
<p>Policy LU-101 Create the Rural Settlement Area designation on the Future Land Use map (Schedule B). Council intends that lands within the Rural Settlement Area designation are to be developed in a way that is consistent with the character and form of the existing community. The development of low density housing with private on-site water and wastewater systems is permitted, as are appropriate commercial uses, community facilities, home occupations, and parks.</p>	<p>This proposal aligns with the goal of low-density housing with private on-site water and wastewater. The proposed development would be a one-unit residential dwelling which reflects the neighbourhood development pattern.</p>
<p>Policy UD-16 Ensure that where new development and significant redevelopment in Rural Settlement and Rural Residential Areas is permitted, it will be compatible with the existing character of the area and respect and enhance the surrounding natural environment.</p>	<p>This development will not require any changes to the exterior of the building, which will ensure the design of the building is compatible with the character of the area.</p>

EXISTING



PROPOSED



From: Colette Keith
Sent: Sunday, May 12, 2024 12:24 PM
To: OneStop <onestop@saintjohn.ca>
Subject: 2400 Westfield Road

You don't often get email from colettekeith@outlook.com. [Learn why this is important](#)

[External Email Alert] **Please note that this message is from an external sender. If it appears to be sent from a Saint John employee, please forward the email to spamsample@saintjohn.ca or contact the IT Service Desk.**

To Whom it May Concern:

We received notice of rezoning for 2400 Westfield Road.

We live at 2344 Westfield Road and have no issues with this proposed rezoning; we look forward to welcoming our new neighbours.

Best,

Colette & Kenneth Keith