



The City of Saint John

**Date:** November 14, 2024  
**To:** Planning Advisory Committee  
**From:** Growth & Community Services  
**Meeting:** November 19, 2024

**SUBJECT**

**Applicant:** George Dennis Cormier  
**Landowner:** George Dennis Cormier  
**Location:** 9 Austin Lane  
**PID:** 00403972 (portion)  
**Existing Plan Designation:** Stable Residential  
**Existing Zoning:** One-Unit Residential (R1)  
**Proposed Zoning:** Low-Rise Residential (RL)  
**Application Type:** Rezoning and Subdivision  
**Jurisdiction:** The *Community Planning Act* authorizes the Planning Advisory Committee to give its views to Common Council concerning proposed amendments to the Municipal Plan and Zoning By-Law. Common Council will consider the Committee's recommendation at a public hearing on **Monday December 9, 2024.**

**EXECUTIVE SUMMARY**

The applicant has applied to subdivide a 0.57-hectare portion of the site from the parent parcel and rezone the portion being subdivided (Lot 24-1) to allow for the construction of a four-unit townhouse. The rezoning to Low-Rise Residential (RL) would allow for the construction of the

proposed townhouse and the retention of the existing single unit dwelling that portion of the subject site.

Staff are supportive of the proposed rezoning as it conforms to the policy direction established in the Municipal Plan. The subdivision and rezoning of the southern portion of the site will bring this portion of the property into conformity with the Zoning By-Law.

### **RECOMMENDATION**

1. That Common Council rezone a parcel of land having an approximate area of 0.57 hectares, located at 9 Austin Lane, also identified as a portion of PID Number 00403972 from One-Unit Residential (R1) to Low-Rise Residential (RL).
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 0.57 hectares, located at 9 Austin Lane, also identified as a portion of PID Number 00403972:
  - (a) That a landscaping plan be prepared for the development by the proponent, for the approval of the Development Officer, demonstrating landscaping of the site and including the following elements:
    - Landscaping of the front yard of proposed Lot 24-1 along Kingsville 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 of the area around the proposed townhouse building which includes the planting of three trees between the front wall of the proposed townhouse building and Austin Lane.
  - (b) That the above landscaping plan be attached to the permit application for the development of the parcel of land.
  - (c) That the subdivision plan be registered prior to the issuance of the required building permit for the townhouse dwellings.
3. That Common Council assent to the submitted subdivision plan, in general accordance with the submitted subdivision plan, with respect to any required Local Government Services Easements and Municipal Drainage Easements.
4. That Common Council accept money-in-lieu of Land for Public Purposes in relation to the proposed subdivision.

5. That Common Council authorize the preparation and execution of one or more City/Developer Subdivision Agreements to ensure the provision of the required work and facilities, including any necessary temporary turnarounds.

### **DECISION HISTORY**

There is no past decision history regarding the subject site.

### **ANALYSIS**

#### **Proposal**

The applicant is proposing to rezone a 0.57-hectare portion of the subject parcel from One-Unit Residential (R1) to Low-Rise Residential (RL) to facilitate the construction of a four-unit townhouse. The townhouse units and the existing one-unit dwelling will be rented.

#### **Site and Neighbourhood**

The subject site is in the Greenhead area of west Saint John, across from the Milford Estates manufactured housing development. The subject site was part of the Collwell Mobile Home Park on the east side of Kingsville Road. The applicant is proposing to subdivide the subject site from the parent parcel which includes 6 mobile homes located north of the subject parcel. The use of the northern portion of the property as a manufactured housing development will remain as a legal non-confirming use on the portion of the site retaining its One-Unit Residential (R1) zoning.

The surrounding low-density neighbourhood contains a mix of One-Unit Residential (R1) and Two-Unit Residential (R2) Zoning. A manufactured housing development is located across Kingsville Road from the site and is zoned Mini-Home Park Residential (RP).

#### **Municipal Plan**

The site is designated Stable Residential in the Municipal Plan. Stable Residential areas are existing neighbourhoods within the Primary Development Area having the potential to accommodate additional development, at a scale and density consistent with the surrounding context.

An analysis of the proposal with respect to the relevant policies of the Municipal Plan is provided in Attachment 2.

The built form and density of the proposed townhouses are compatible with the surrounding neighbourhood and align 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. This conforms to a key direction of 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 proposed net density and building forms align with the surrounding neighbourhood context.

From the above summary and the analysis of conformance with the Municipal Plan Policies (Attachment 2), 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.

### **Rezoning**

The subject site is currently zoned One-Unit Residential (R1) which does not permit the proposed building form of a townhouse dwelling or a dwelling group.

From a review of the plans submitted with the application, the proposed dimensions and setbacks meet the standards of the requested RL zoning and other By-Law requirements.

The application was circulated to other City Service Areas for comment, and they were supportive of the proposal. Fire and Emergency Services are supportive of the concept, provided the width of the portion of Austin Lane serving the proposed development is increased to 6 metres from its current width of approximately 3 metres. Staff note this is a requirement of the National Building Code.

A Section 59 condition is recommended to require the planting of trees and shrubs along the Kingsville Road frontage of proposed Lot 24-1 and the area around the townhouse building including three trees between the proposed townhouse building and Austin Lane.

### **Subdivision**

The proposed subdivision requires a series of assents from Common Council including assents for money-in-lieu of Land for Public Purposes and authorization of a City/ Developer Subdivision Agreement should this be required related to the servicing for the proposed development. The required assents are included in the recommendation to Common Council.

Staff recommend a condition that the subdivision plan be registered prior to the issuance of the required building permit for the townhouse dwellings. This will ensure that the proposed townhouse development is located on a lot separate from the northern portion of the site that will continue to contain a non-conforming use (mobile homes)

### **Conclusion**

Approval of the application is recommended as it confirms to the Municipal Plan and Zoning By-Law.

### **ALTERNATIVES AND OTHER CONSIDERATIONS**

No alternatives are proposed.

### **ENGAGEMENT**

#### **Public**

In accordance with the Committee's Rules of Procedure, notification of the application was sent to landowners within 100 metres of the subject property on November 5, 2024. Notice of the

Public Hearing for the rezoning will be posted on the City of Saint John website on November 13, 2024.

### **APPROVALS AND CONTACT**

Author	Manager	Director
<b>Mark Reade</b> , P.Eng., MCIP, RPP	<b>Jennifer Kirchner</b> , MCIP, RPP	<b>Pankaj Nalavde</b> , MCIP, RPP

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**Application:** 24-0149

### **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 Plans and Tentative Plan of Subdivision**

Submission 2: **Building Elevation**