
PLANNING ADVISORY COMMITTEE

November 20, 2024

Her Worship Mayor Donna Noade Reardon and
Members of Common Council

Your Worship and Councillors:



The City of Saint John

**SUBJECT: Rezoning and Subdivision
9 Austin Lane (PID 00403972 (portion))**

On October 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 November 19, 2024, meeting.

George Cormier, the applicant, appeared before the Committee and agreed with Staff Recommendation. Responding to a question from the Committee, he noted that the rental townhouses provide an alternative building form within the rental market compared to apartment style multiple unit dwellings.

No other persons appeared before the Committee and no letters were received regarding the application.

The Committee unanimously adopted the Staff Recommendation.

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.

Respectfully submitted,



Brad Mitchell
Chair
Attachments



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
Mark Reade, P.Eng., MCIP, RPP	Jennifer Kirchner, MCIP, RPP	Pankaj Nalavde, MCIP, RPP

Contact: Mark Reade
Telephone: (506) 721-0736
Email: Mark.Reade@saintjohn.ca
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**

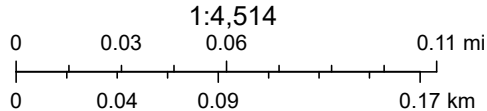
Submission 2: **Building Elevation**

9 Austin Lane - Air Photo



11/7/2024, 9:26:26 AM

 Subject Site  Property Parcels




The City of Saint John, Service New Brunswick, New Brunswick Emergency Measures Organisation

GIS Viewer
(C) City of Saint John

9 Austin Lane - Future Land Use



11/7/2024, 9:36:40 AM

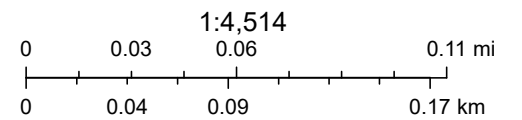
 Subject Site

 Property Parcels

 Stable Residential

Future Land Use

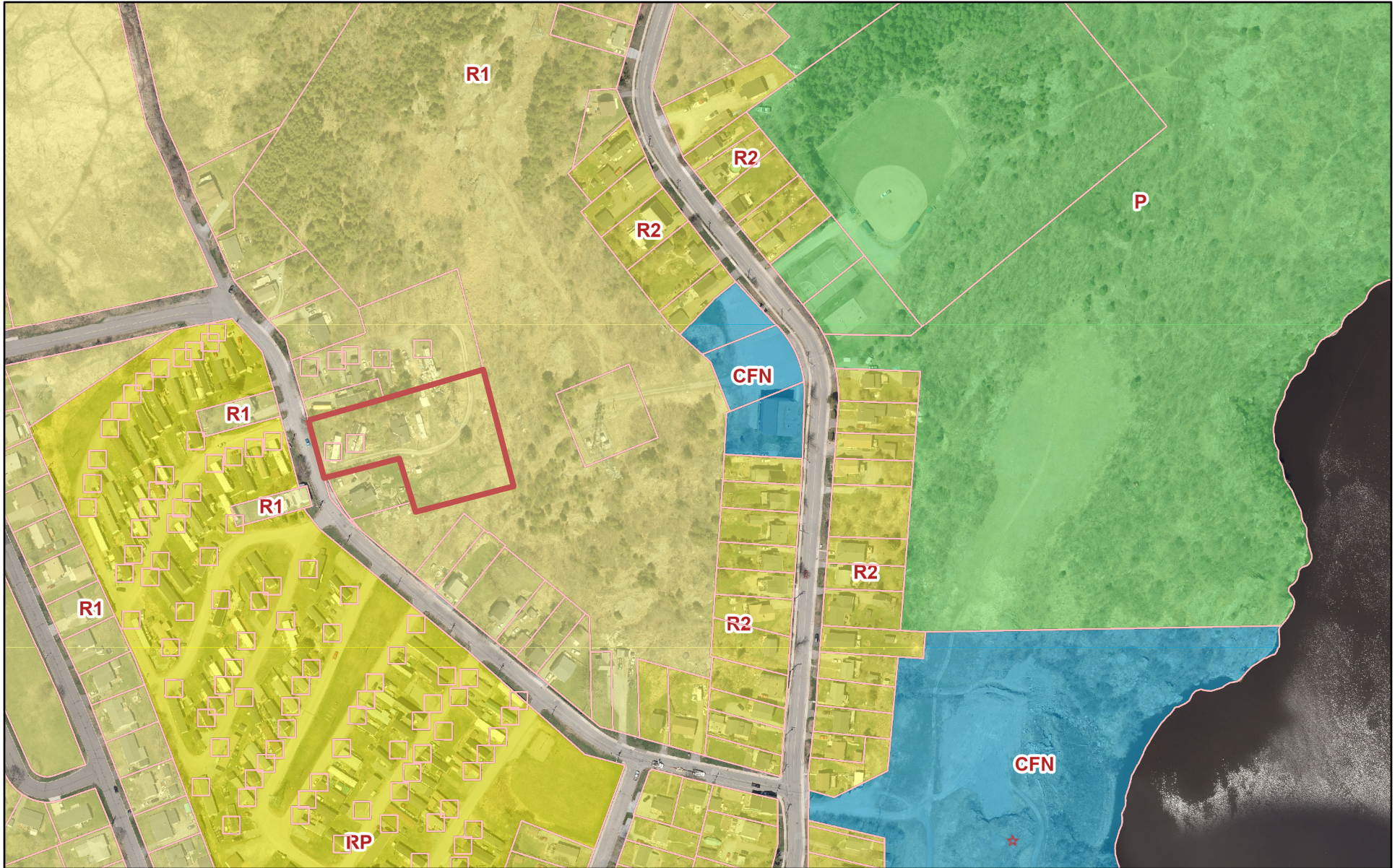
 Park and Natural Area



The City of Saint John, Service New Brunswick, New Brunswick Emergency Measures Organisation

GIS Viewer
(C) City of Saint John

9 Austin Lane - Zoning



11/7/2024, 9:35:16 AM

— Subject Site

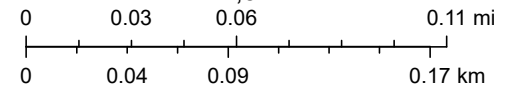
□ Property Parcels

Zoning

- R1
- RP
- R2
- CFN
- P

★ Conditional Zoning

1:4,514



The City of Saint John, Service New Brunswick, New Brunswick Emergency Measures Organisation

GIS Viewer
(C) City of Saint John



View of site from Kingsville Road.



View of portion of site adjacent to Kingsville Road.



View of portion of site adjacent to Kingsville Road.



View of existing dwelling on site.

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 0.57-hectare site will accommodate 5 units which represents a net density of 9 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>Community Planning is of the opinion the proposed density is acceptable given the predominant lower density nature and built form of the surrounding neighbourhood.</p>
<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 community character and make a positive contribution to the neighbourhood.</p>	<p>Although not currently found in the neighbourhood, the proposed four-unit townhouse is considered a low-density building form which would be compatible with the surrounding built environment. It also represents an evolution of the historic, multi-building development patterns of 9 Austin Lane.</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> <ol 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; 	<ol style="list-style-type: none"> a & b. The proposed development will increase the supply of rental housing within the west side and the City as a whole. The location of the buildings on the site allows for the setbacks of the RL zone to be met, providing compatibility with adjacent land uses. c. As the site is located within the Primary Development Area, it represents infill of a site along a collector roadway corridor where services exist. Water and sanitary sewer capacity exists to accommodate the development. No roadway improvements are required to accommodate the additional development-related traffic. d. The site will be accessed by an existing private roadway. The required setbacks of the RL zone are met providing separation between the

<ul style="list-style-type: none"> 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"> proposed buildings and property line. Stormwater management will be required in accordance with the Drainage By-law. e. The exterior façade is similar to other townhouse building forms. f. The proposed project is not anticipated to detract from the housing demand being experienced in the Intensification Areas established in the Municipal Plan, given the small scale of the project.
<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 development shall be designed to achieve the following objectives for specific areas of the City: <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 	<p>Policy UD-9 provides broad design policy for all parts of the City; such as incorporating natural features and topography and providing landscaping to buffer adjacent sites. The building layout (based on the concept plan) provide setbacks which conform to the Zoning By-Law. The proposed townhouses are oriented onto the existing private street, which provides access to the site.</p> <p>The proposed townhouse development is part of a series of site improvements occurring at 9 Austin Lane which has included improvements to the existing site conditions and future removal of vacant buildings.</p> <p>A Section 59 condition is recommended regarding landscaping.</p>

<p>contemporary design that will form the next generation of heritage;</p> <ul style="list-style-type: none">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;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; andvii. Using native vegetation for landscaping where appropriate.	
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<ul style="list-style-type: none"> 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 property and buffering or screening these functions from adjacent properties and the public realm. 	
<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 lot size and configuration aligns with lot sizes found in this area. c. &d. Although there are no existing townhouse buildings in the immediate area, the proposed site layout has the buildings located to integrate into the area through setbacks around the site. e,f &g. The proposed setbacks meet the zone standards. A contemporary design of the exterior of the building is proposed.

<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>Section 59 conditions are proposed with respect to landscaping and the timing of the building permit and final subdivision approval.</p>
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Attachment 2: Municipal Plan Policy Review-9 Austin Lane

<ul style="list-style-type: none">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;e. The proposal satisfies the terms and conditions of Policy I-5 related to timeframes and phasing of development; andf. The proposal meets all necessary public health and safety considerations.	
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Kingsville Road

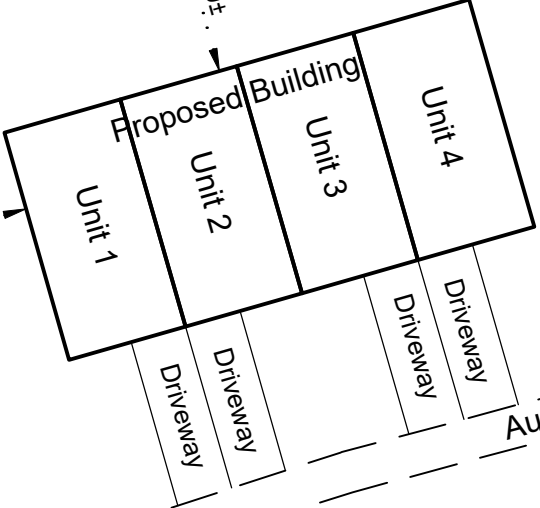
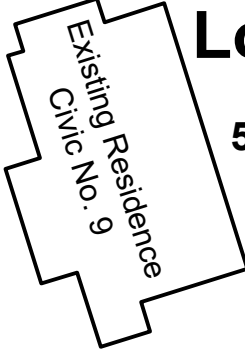
Remnant of
George Dennis Cormier

Document: 43897074
Registered: 2023-06-01
PID 00403972
Remnant Area = 4730 m²±

Joan Annette Theall
Document: 32833999, Registered: 2013-07-02
PID 00403832

106±
Subject to Pole & Anchor Agreement
Document 275107, Volume 843, Page 273
Registered: March 17, 1978

Lot 24-1
Area
5730 m²±



Milford Memorial Centre Inc.
Document 10372275, Volume 2058, Page 127
Registered: 23 July 1999
PID 00414391

N.B. Grid North

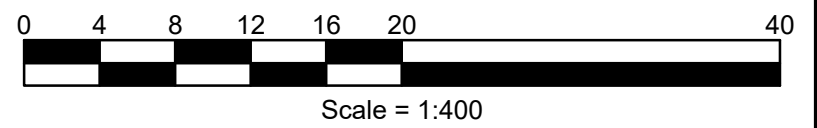
New Brunswick Power Corporation Right of Way
Document 106266, Volume 177, Page 416
Registered: June 6, 1924
Plans Drawer 6, No. 7 & Drawer 6A, No. 7

Title Data

PID 00403972
Owner: George Dennis Cormier
Document: 43897074
Registered: 2023-06-01

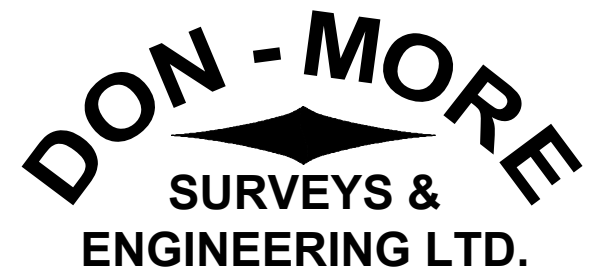
Amanda Nicole Brown
Sean David King
Document: 14318050
Registered: June 5, 2002
PID 00405316

Site Plan
Cormier Subdivision
Lot 24-1
Kingsville Road, City of Saint John
Saint John County, NB



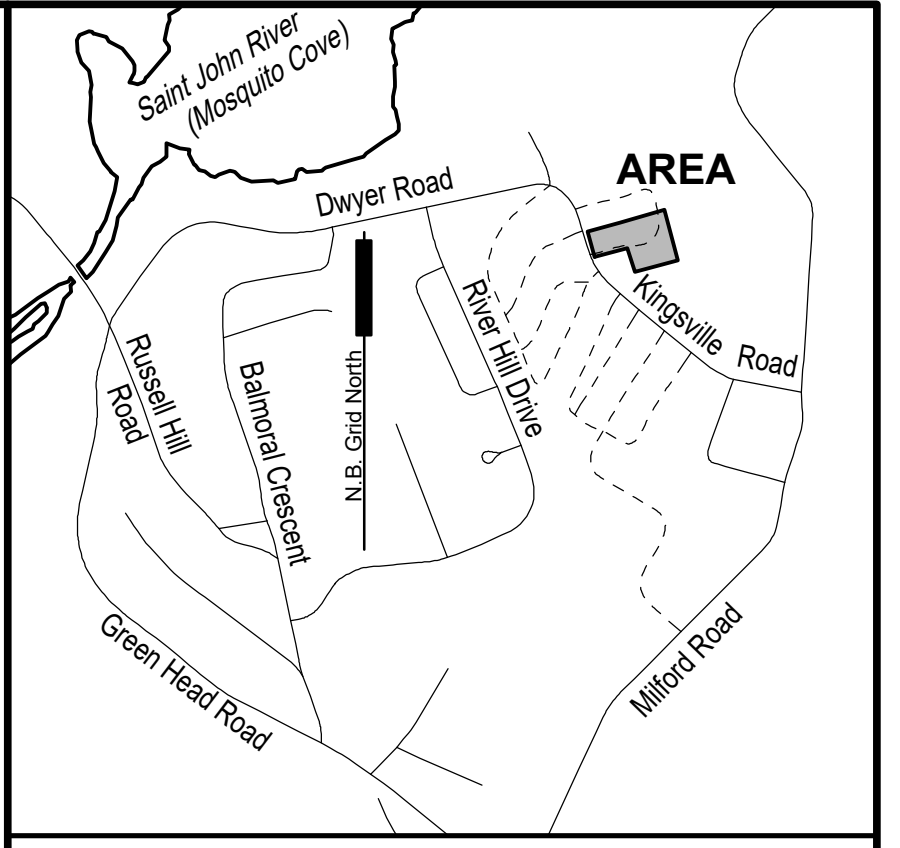
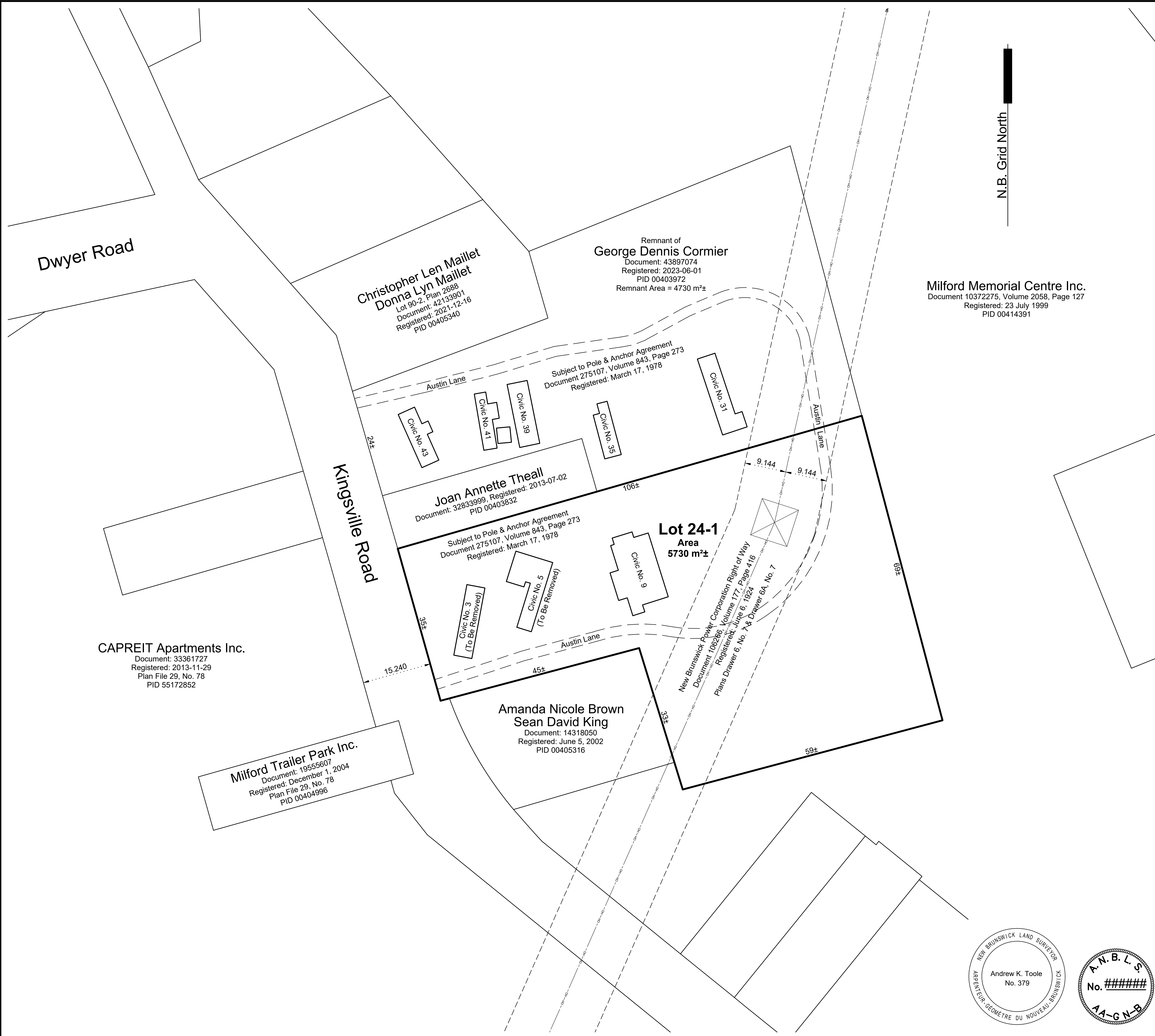
Milford Memorial Centre Inc.
Document 10372275, Volume 2058, Page 127
Registered: 23 July 1999
PID 00414391

Dated: May 21, 2024
Dwg: 24173 Site Plan



Inc.
2004

Approvals



Key Plan
Scale = 1:10,000

Legend

- SMF - Standard survey marker found
- ⊙ SMS - Standard survey marker set
- RIBF - Round iron bar found
- IBF - Square iron bar found
- IPF - Iron pipe found
- CALC - Calculated point
- ▲ NBCM - N.B. Co-ordinate Monument
- ⊙ - Tabulated co-ordinate reference

Lands dealt with by this plan are bounded thus

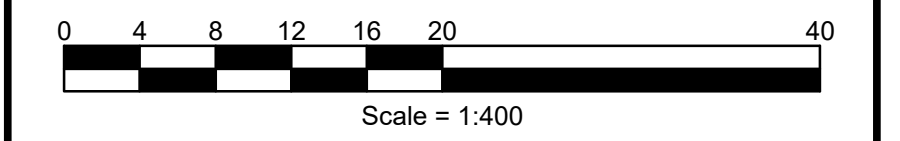
Notes

1. All computations performed and coordinates shown are based on the New Brunswick stereographic double projection and the NAD83(CSR) 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 Month, 2023.
9. Survey markers not set at road deflections to avoid landowner confusion.

Purpose of Plan

- To create Lot 24-1. Lot 24-1 contains an existing dwelling (Civic No. 9) to be kept. Other structures (Civic No's 3 & 5) are to be removed.

Subdivision Plan
Cormier Subdivision
Lot 24-1
Kingsville Road
City of Saint John
Saint John County, NB



DON - MORE
SURVEYS &
ENGINEERING LTD.

Dated: May 17, 2024
TENTATIVE
ANDREW K. TOOLE, N.B.L.S.#379

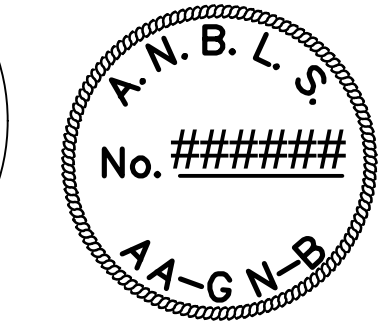
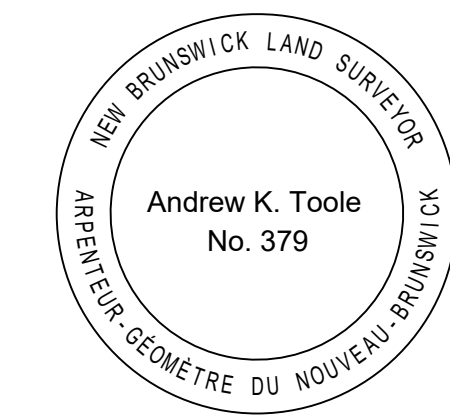
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NB Grid Coordinate Values

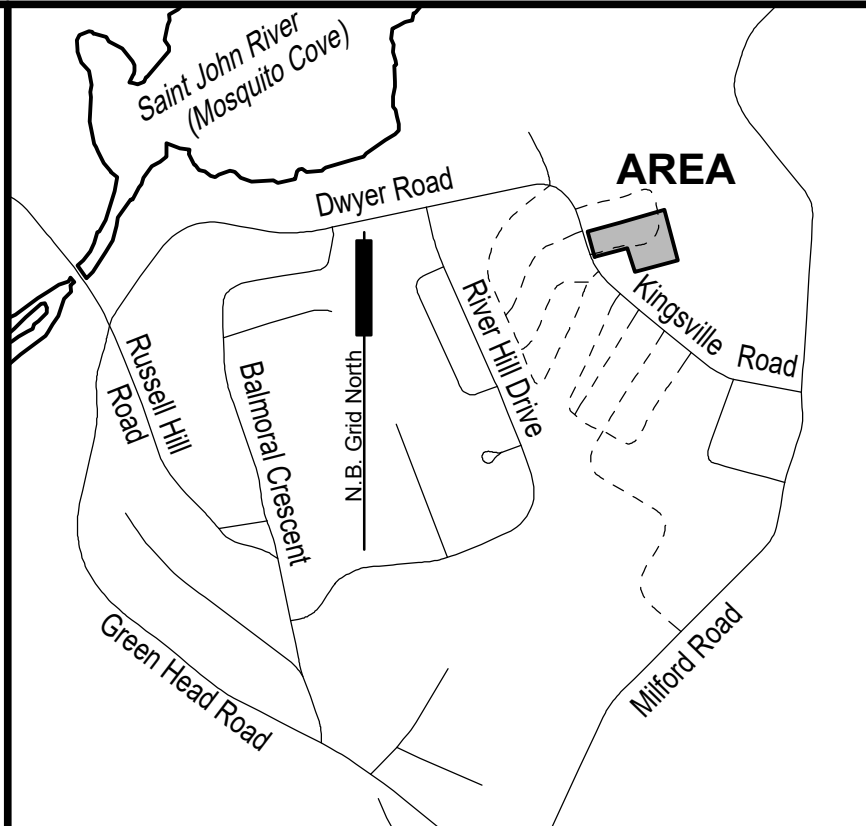
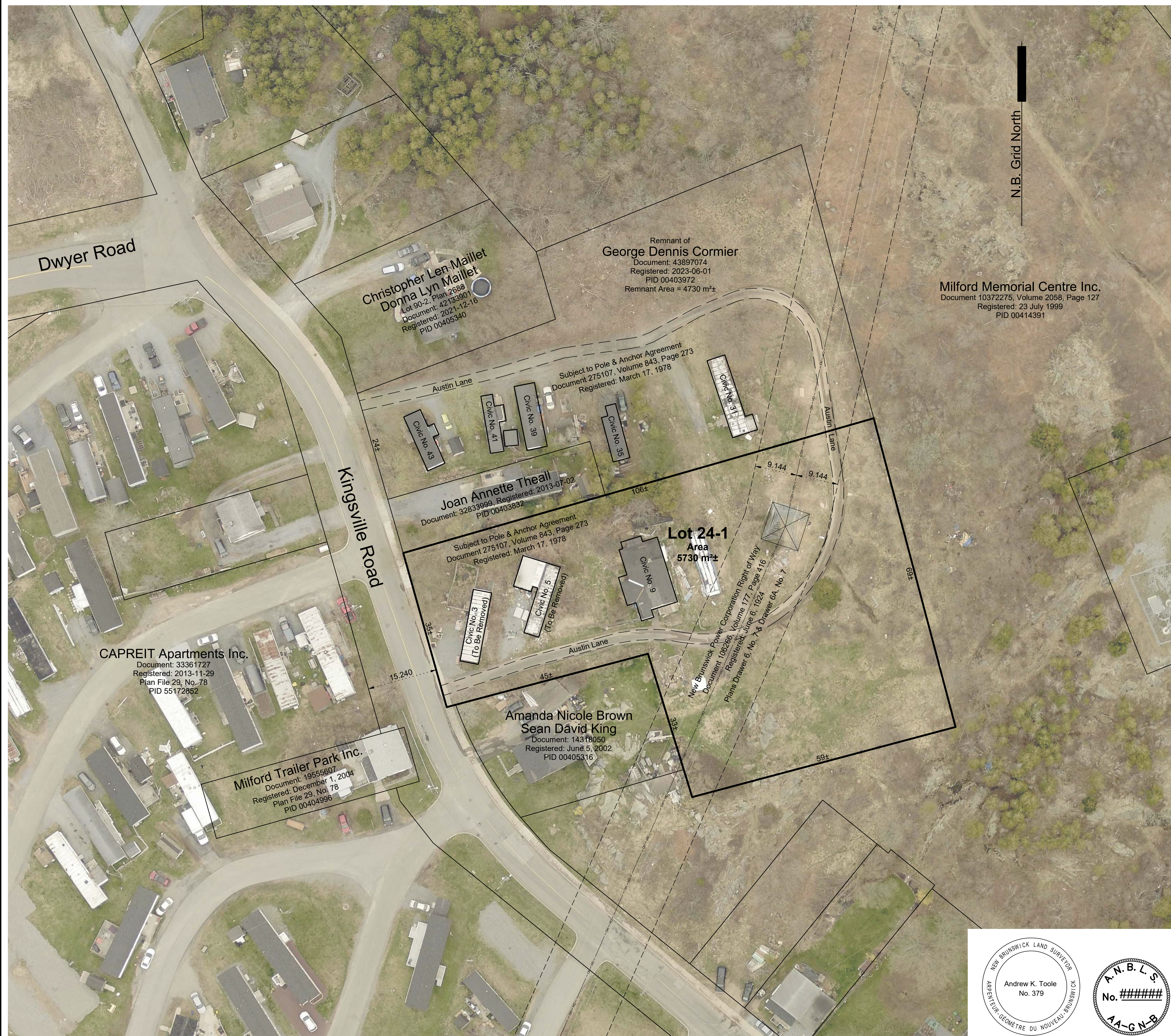
Point	Easting	Northing	Remarks

Title Data
PID 00403972
Owner: George Dennis Cormier
Document: 43897074
Registered: 2023-06-01

Signature of Owners
.....
George Dennis Cormier



Approvals



Key Plan
Scale = 1:10,000

Legend

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Notes

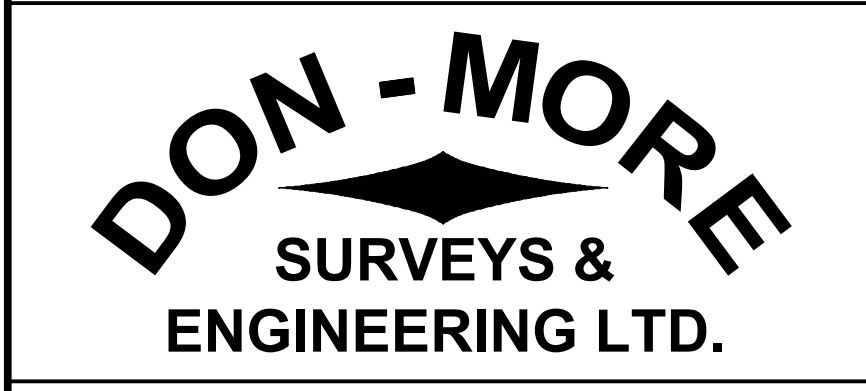
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Purpose of Plan

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Subdivision Plan
Cormier Subdivision
Lot 24-1
Kingsville Road
City of Saint John
Saint John County, NB

Scale = 1:400



Dated: May 17, 2024
TENTATIVE
ANDREW K. TOOLE, N.B.S.#379

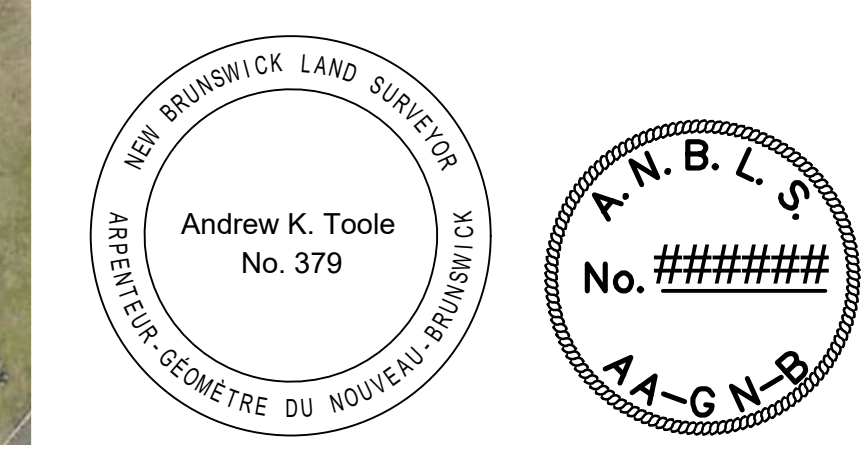
Dwg: 24173SDT

NB Grid Coordinate Values

Point	Easting	Northing	Remarks

Title Data
PID 00403972
Owner: George Dennis Cormier
Document: 43897074
Registered: 2023-06-01

Signature of Owners
George Dennis Cormier



PRELIMINARY DESIGN
NOT FOR CONSTRUCTION



Exterior Elevation Front



SCALE = 1/8" = 1'-0"
11" x 17"

CORMIER 4 PLEX
SAINT JOHN, NB
July 8, 2024