



The City of Saint John

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

SUBJECT

Applicant: K L Concepts Ltd.
Landowner: K L Concepts Ltd.
Location: 49 Quinton Avenue
PIDs: 55031827, 55031819 and 00402651
Plan Designation: Stable Residential
Existing Zoning: One-Unit Residential (R1)
Proposed Zoning: Mid-Rise Residential (RM)
Application Type: Zoning Bylaw 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. Common Council will consider the Committee's recommendation at a public hearing on **Monday, December 9, 2024.**

EXECUTIVE SUMMARY

This application is to rezone the subject property to permit the development of a 10-unit residential building and to align the existing legal non-conforming 10-unit building to an appropriate residential zone.

RECOMMENDATION

1. That Common Council rezone a parcel of land having an area of approximately 1,838 square metres, located at 49 Quinton Avenue, also identified as PID Numbers 55031827, 55031819 and 00402651, from **One-Unit Residential (R1)** to **Mid-Rise Residential (RM)**.
2. That Common Council, pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the following conditions on the parcels of land having an area of approximately 1,838 square metres, located at 49 Quinton Avenue, also identified as PID Numbers 55031827, 55031819 and 00402651:
 - (a) That development of the site be limited to the existing 10-unit residential building and the proposed 10-unit residential building, as identified in the submitted site plan and associated renderings.
 - (b) The footprint, height and massing of the development be in substantial conformity with the plans submitted with the rezoning application, and includes:
 - i. exterior cladding being composed of materials and colour palette or those similar in the elevation renderings;
 - ii. a landscaping plan, to be approved by the Development Officer, that maintains or includes landscaping and/or fencing that act as a privacy buffer along property lines shared with neighbouring properties; and
 - iii. that all required amenity space for the proposed multi-unit building be provided on the subject property and that the street facing façade incorporate private amenity space in the form of balconies.

DECISION HISTORY

While the City of Saint John cannot guarantee historical records prior to 1976, in this instance the City has limited records dating back to 1951. On January 23, 1951, the Town Planning Commission adopted an amendment to the Zoning By-law of that time permitting any building erected within City, prior to January 1, 1930, as a one-family dwelling could be converted into a multiple-family dwelling.

In 1954, Alfred B. Mollins, responsible for constructing approximately 25% of the Quinton Heights subdivision, approached the Director of the Town Planning Commission with an application to convert the barn at Quinton Heights into a 10-unit apartment building. Following the Town Planning Commission's Meeting on October 12, 1954, the Commission approved the conversion of the barn at 49 Quinton Avenue into a 10-unit apartment building.

ANALYSIS

Proposal

This application is to rezone 49 Quinton Avenue from One-Unit Residential (R1) to Mid-Rise Residential (RM) and to construct a multi-unit residential building on the vacant south-western portion of the existing lot. The applicant will subdivide 49 Quinton Avenue into two lots to separate the proposed development from the existing 10-unit residential building. The existing building is a legal non-conforming use but has been included in the rezoning to align the existing land use with a suitable residential zone.

Site and Neighbourhood

The subject site is located on the west side of the City in the Quinton Heights neighbourhood. The site contains a legal non-conforming 10-unit residential building.

The neighbourhood is predominantly residential and is served by Larche Memorial Park at the intersection of Hillcrest Drive and Quinton Avenue. The subject site is also located close to the Fairville Boulevard retail corridor.

Municipal Plan

The property is designated Stable Residential within the Municipal Plan. The design of the proposed development is inspired by the existing 10-unit building at 49 Quinton Avenue. The materials of the proposed multi-unit residential building were chosen to blend with the neighbourhood. The project aligns with the Municipal Plan by:

- Increasing density within an area with municipal services.
- Complementing the surrounding land uses, including nearby townhomes and the existing multi-unit residential building, as the area gains diverse building types.

This proposal offers added density to the neighbourhood while preserving community character through the development of a building design that reflects the design of the existing multi-unit building at 49 Quinton Avenue. The proposal aligns with the Municipal Plan's policies associated with housing creation and infill development.

Zoning

The subject site is currently zoned One-Unit Residential (R1). Although the existing 10-unit building is a legal non-conforming use and is permitted to exist within the One-Unit Residential (R1) zone, the proposed development provides an opportunity to rezone the subject site to Mid-Rise Residential (RM), aligning the existing 10-unit residential building of the property with an appropriate zone.

Due to the size and shape of the lot the new development will require variances to:

- Reduce the side yard setback from 2.5 metres to 2 metres.
- Reduce the front setback from 6 metres to 4 metres.

The variances regarding the front and side yard setbacks are not out of character with the neighbourhood. The reduced front yard setback will allow the development to incorporate private amenity spaces, such as balconies, enhancing the building's design character and adding vibrancy to the façade.

These variances are under the jurisdiction of the Development Officer and will be processed prior to the issuance of a building permit.

Infrastructure and Protective Services

The City's Infrastructure Development, Public Works, Building and Fire and Emergency Management Service Areas also reviewed the proposal, and no concerns were raised with the development.

It was determined that given the location and capacity of the streets on both Quinton Avenue and the greater neighbourhood, a Traffic Impact Statement was not necessary. The estimated vehicular capacity of neighbourhood streets, within any neighbourhood in Saint John, are expected to see an average of 1,000 vehicles per day and the traffic generated by 10 additional residential units within the Quinton Heights neighbourhood would be a minimal impact.

Section 59 Conditions

Staff are proposing Section 59 conditions that limits the development to the proposed footprint, height, massing, and overall building design. This change ensures the project's scale is fixed while allowing flexibility in unit count during the final design phase.

An additional condition related to the provision of amenity space is proposed, which would require the placement of additional balconies on the street facing façade of the building, enhancing the building's design character and adding vibrancy to the street façade.

Conclusion

The proposed multi-unit residential development is supported by the Municipal Plan and is an example of incremental densification. The rezoning of 49 Quinton Avenue from One-Unit Residential (R1) to Mid-Rise Residential (RM) will permit the development of a multi-unit residential building and bring the existing legal non-conforming 10-unit residential building into conformity with the proposed zone. Section 59 conditions are recommended related to the site development, which will establish the footprint, height, massing and design of the structure.

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 November 4, 2024. The public hearing notice will be posted on the City of Saint John website on November 14, 2024.

APPROVALS AND CONTACT

Author	Manager	Director	Commissioner
Thomas Lewallen	Jennifer Kirchner MCIP, RPP	Pankaj Nalavde MCIP, RPP	Amy Poffenroth

Contact: Thomas Lewallen
Telephone: (506) 977-0274
Email: thomas.lewallen@saintjohn.ca
Application: 23-0099

APPENDIX

Map 1: **Aerial Photography**

Map 2: **Future Land Use**

Map 3: **Zoning**

Attachment 1: **Municipal Plan Review**

Attachment 2: **Site Photography**

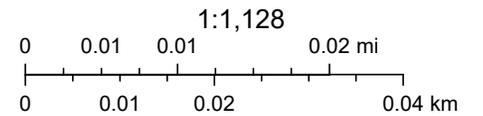
Submission 1: **Site Plan and Elevation Drawings**

Future Land Use - 49 Quinton Avenue



 Subject Property

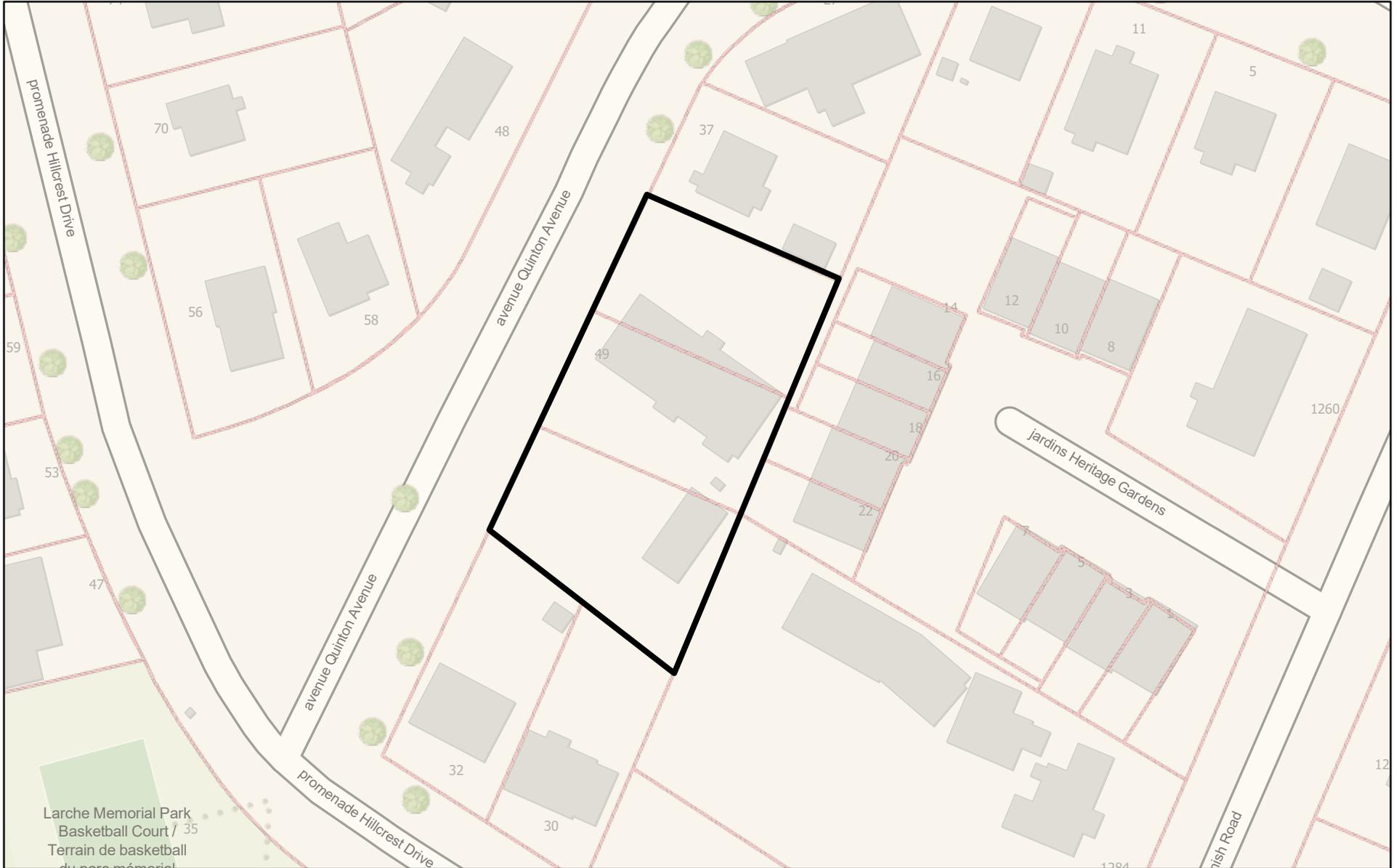
 Property Parcels



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

GIS Viewer
(C) City of Saint John

Future Land Use - 49 Quinton Avenue



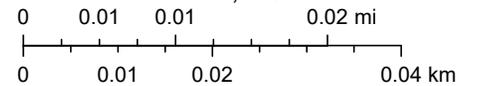
 Subject Property

 Property Parcels

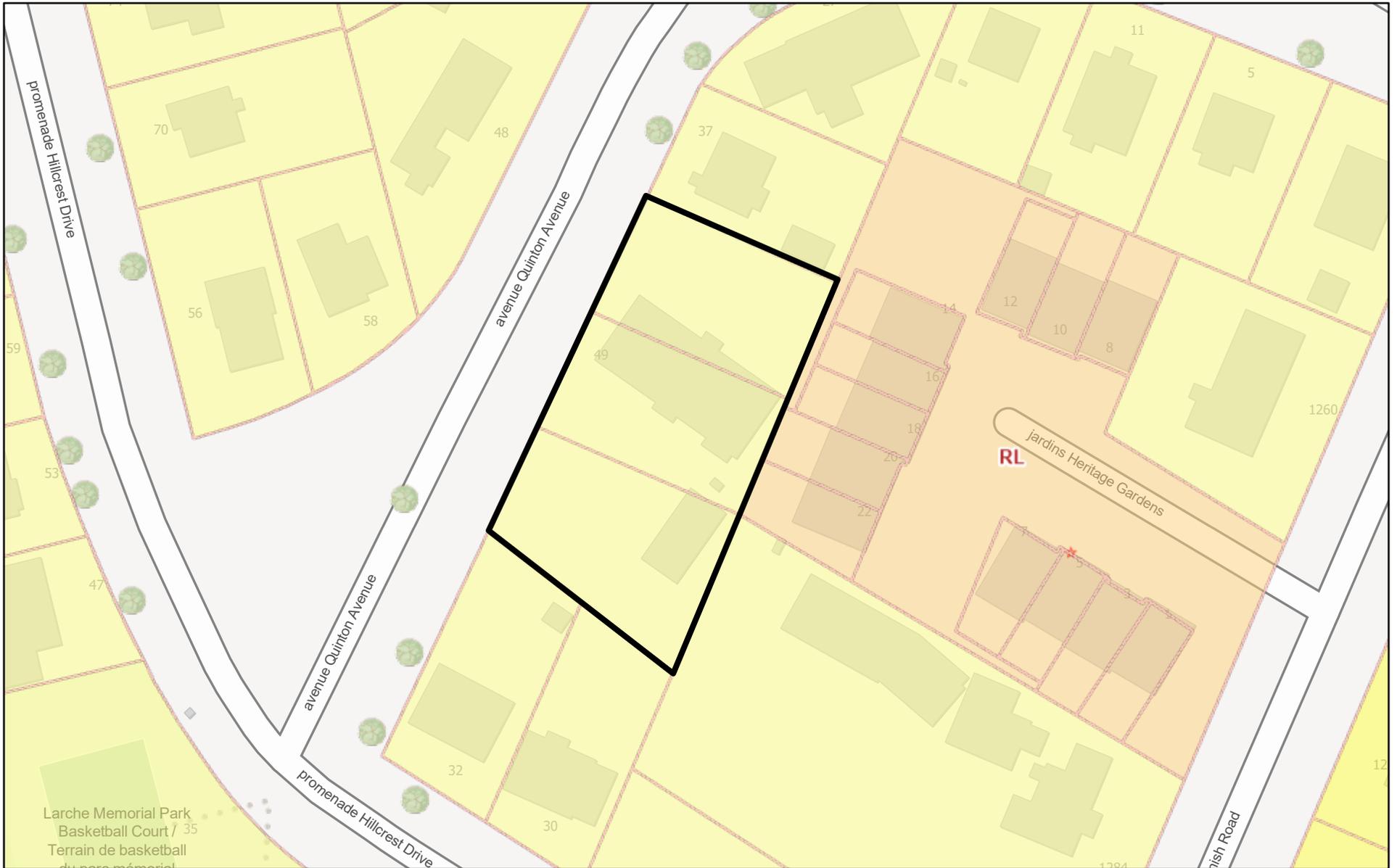
Future Land Use

 Stable Residential

1:1,128



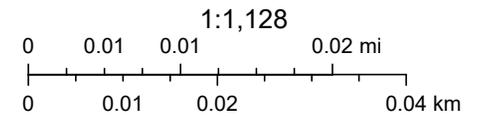
Zoning - 49 Quinton Avenue



- Subject Property
- Property Parcels
- Conditional Zoning

Zoning

- Two-Unit Residential (R2)
- Low-Rise Residential (RL)
- One-Unit Residential (R1)



Municipal Plan Policy	Planning Assessment
<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>The proposal represents the continued transition of the Quinton Heights neighbourhood to include more diverse residential building typologies along the edges of Manawagonish Road. The proposed development respects the development patterns and built form of the area and will help provide more diverse housing options within the area.</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 developed incorporates various building and landscaping designs that complement the surrounding area's existing built context. b. The proposal matches the progression of residential density in the neighbourhood. c. The location of the development allows for connection to City infrastructure and will provide easy access to public services including parks. d. The site design has considered the topography of the site by seeking to include landscaping and adequate green space to minimize stormwater runoff while constructing fences to improve privacy for neighbouring properties. e. The building design has incorporated various design elements to promote a dynamic façade by utilizing various shapes, colours, cladding materials and sizes to combat monotony while referencing the existing building's design elements. f. The location of the development is within the Primary Development Area.

<p>Policy UD-9 Ensure all development proposals generally conform to the following General Urban Design Principles:</p> <ul style="list-style-type: none"> b. Locating building entrances facing the public street; c. Using quality, durable building materials and a consistent level of design and detail for all elements of the building; h. Designing for visual interest by incorporating well-articulated building façades, landscaping, local history, public art and/or culture into sites and buildings; n. Limit surface parking between the front of a building and the public street or sidewalk; 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. 	<ul style="list-style-type: none"> b. The development faces Quinton Avenue while maintaining the requisite parking along the eastern side of the building. c. The building design has incorporated various design elements to promote a dynamic façade by utilizing various shapes, colours, cladding materials and sizes to combat monotony while referencing the existing building’s design elements. h. The development utilizes various elements of design in both its building and landscaping. n/q. Surface parking for both the existing and proposed building will be located on the eastern side of both buildings; parking lots will be shielded from adjacent properties by both landscaping and fencing.
<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; h. Building materials which contribute to the successful integration of the development into its context. 	<ul style="list-style-type: none"> a/b. The development will utilize existing lots and will revitalize the underutilized portion of the property. c/d. The development is located in an area that features a range of building typologies, sizes, heights, and massing. f. The development follows the existing setbacks of the surrounding area. h. The development materials are consistent with modern building styles and was designed to complement the existing adjacent multi-unit building.

Policy I-2

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:

- 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:
 - 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; and
 - v. 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:
 - 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; and
 - vii. Any other relevant matter of urban planning.
- 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; and
- f. The proposal meets all necessary public health and safety considerations.

- a. The proposal aligns with various aspects of the Municipal Plan, as detailed below, and the Mid-Rise Residential (RM) zoning within the Zoning By-Law outside of required setback variances due to the existing size of the lot.
- b. –
 - i. There will be no added financial burden to the City regarding services provided to the development.
 - ii. No concerns.
 - iii. Island View School is a kilometre to the west and West Side Co-op Preschool, Barnhill Memorial School, and Saint Rose School 1.5 kilometres to the east.
 - iv. The subject site is located near the arterial Manawagonish Road and does not impede nearby intersections.
 - v. N/A
- c. –
 - i. The 10-unit apartment residential as is the surrounding neighbourhood.
 - ii. Proposed Section 59 conditions will limit the building, and any future building, on the lot to the development that is being proposed; ensuring that the character of the property stays consistent through time.
 - iii. City traffic engineer determined that a Traffic Impact Assessment was not necessary given the expected volume of the streets and the addition of cars in relation to the proposed development.
 - iv. There will be adequate parking available.
 - v. N/A
 - vi. N/A
 - vii. –
- d. There are no specific topographic features or limitations that would inhibit the development of the proposed 10-unit apartment building.
- e. The development would take approximately 18-20 months from the time of approval of rezoning from Common Council to completion.
- f. The proposal meets the necessary public health and safety consideration set out by the City's Infrastructure Development, Public Works, Building and Fire and Emergency Management Service Areas.



Existing Legal Non-Conforming 10-Unit Apartment Building - 49 Quinton Avenue



Location of the Proposed 10-Unit Apartment Building - 49 Quinton Avenue



EXISTING SITE

LEVEL	1 BDRM. UNIT	2 BDRM. UNIT
1	1 (BARRIER FREE)	1
2	2	2
3	2	2
W/G	0	0
TOTAL	5	5

REZONING
 CHANGE R1 TO RM
 RM VARIANCES: SHOWN IN TABLE
CIVIC ADDRESS
 49 QUINTON AVE.
 SAINT JOHN, NB E2M 4E3
 PID# 5021819

10 - UNIT APARTMENT (1 AFFORDABLE)
3 STOREY + BASEMENT

DATA SUMMARY:

NAME	AREA (SQ. M)	ALIGNMENT REQUIRED	ACTUAL	VARIANCE
LOT AREA	813	1.00	813	792
PROPOSED BUILDING	307	-	-	-
EXISTING BUILDING	-	50% MAX.	37.76 %	-
HARD SURFACE	261.5	-	30.94 %	-
LANDSCAPE GREEN	254.5	-	31.3 %	-
PARKING*	-	10 SPACES	10 SPACES	-
DENSITY**	10 UNITS	813	11x100+100x1.605	792
SETBACK	-	6M	6M	-
FRONTAGE	-	6.8M	6.8M	-
LOT DEPTH	-	30M	33.8M	-

*AFFORDABLE UNITS = 0.5 SP + 9 UNITS + 1 SP = 10 PARKING
 **DENSITY BONUS



PROPOSED BLDG.



1 SITE PLAN
 1" = 10'-0"

NOORY ENGINEERING INC.
 11110 104th Ave. S.
 Suite 100, Burnaby, BC V5A 4E9
 Canada
 www.nooryeng.com

NOORY ENGINEERING INC.
 11110 104th Ave. S.
 Suite 100, Burnaby, BC V5A 4E9
 Canada
 www.nooryeng.com

No.	Description	Date

49 QUINTON AVE. 10-UNIT APARTMENT

Project No: N180
 Date: 01/08/2024
 Author: MZC
 Checker: MIN

SITE PLAN

A.01

Scale: 1" = 10'-0"

