



1350 Hickey Road

Presentation to Common Council

January 28, 2019



Growth & Community Planning Team
Growth & Community Development Services



SAINT JOHN

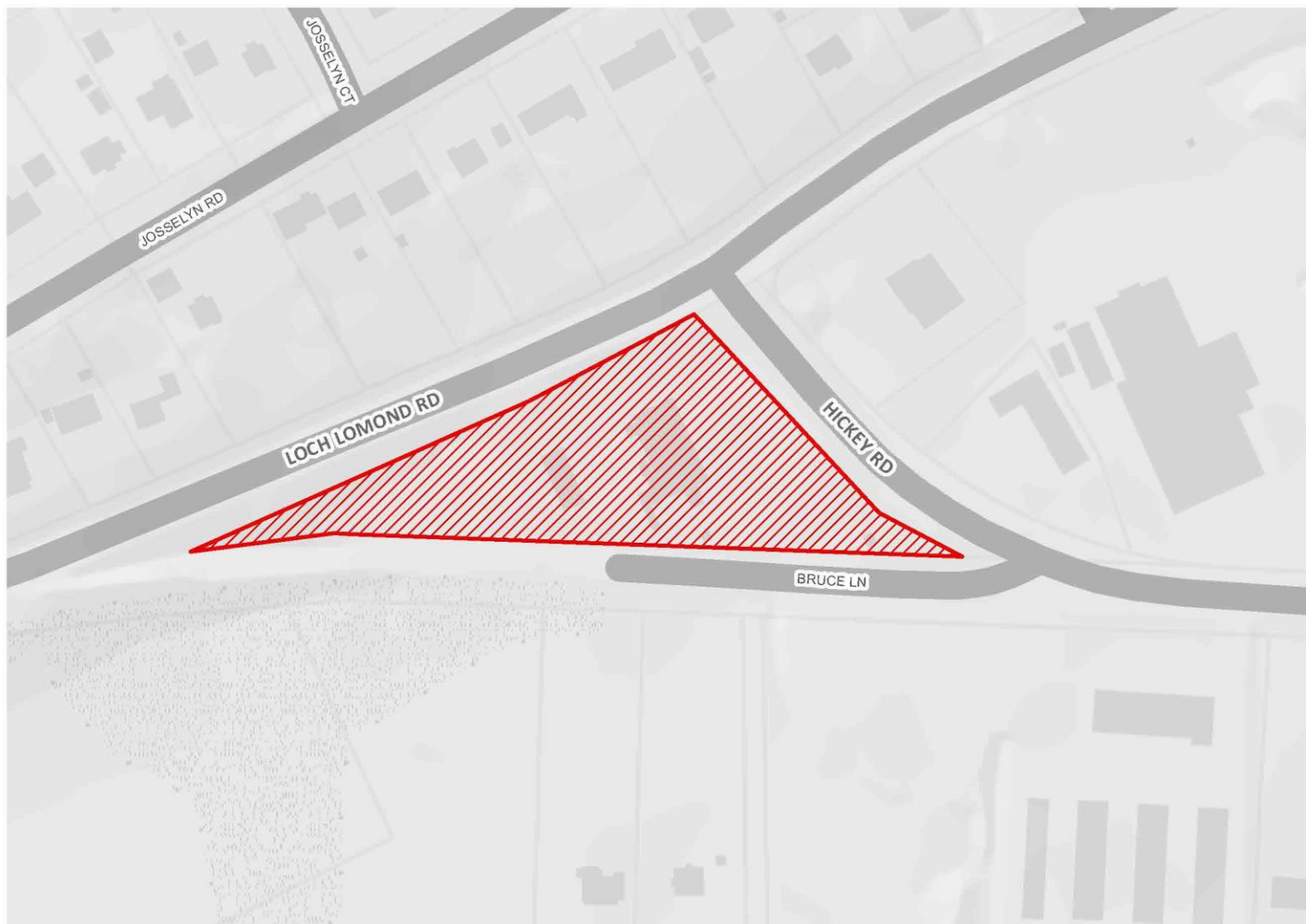
Proposal

Section 59 Application

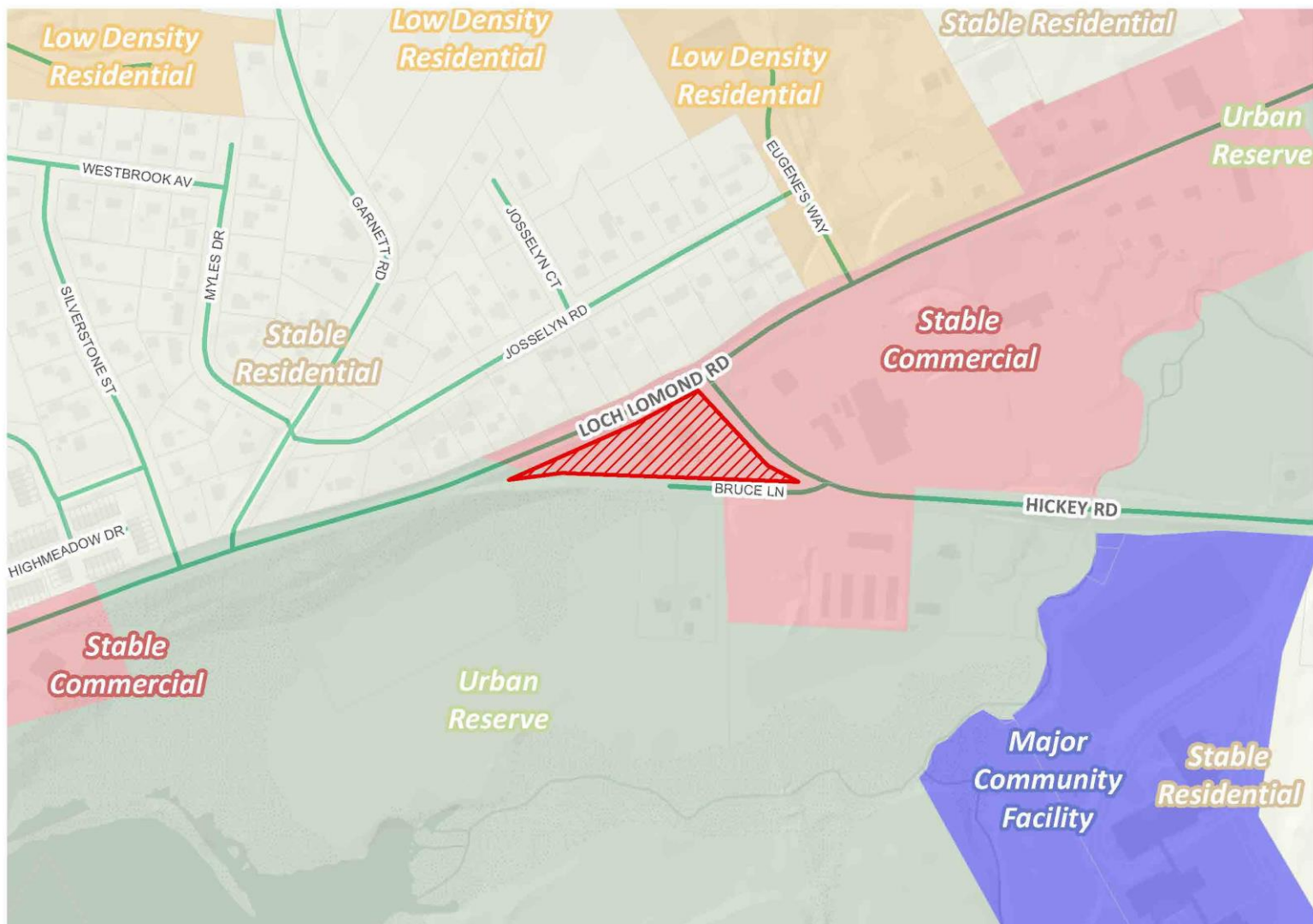
Amend existing conditions as part of the redevelopment of the “On the Vine” country market.



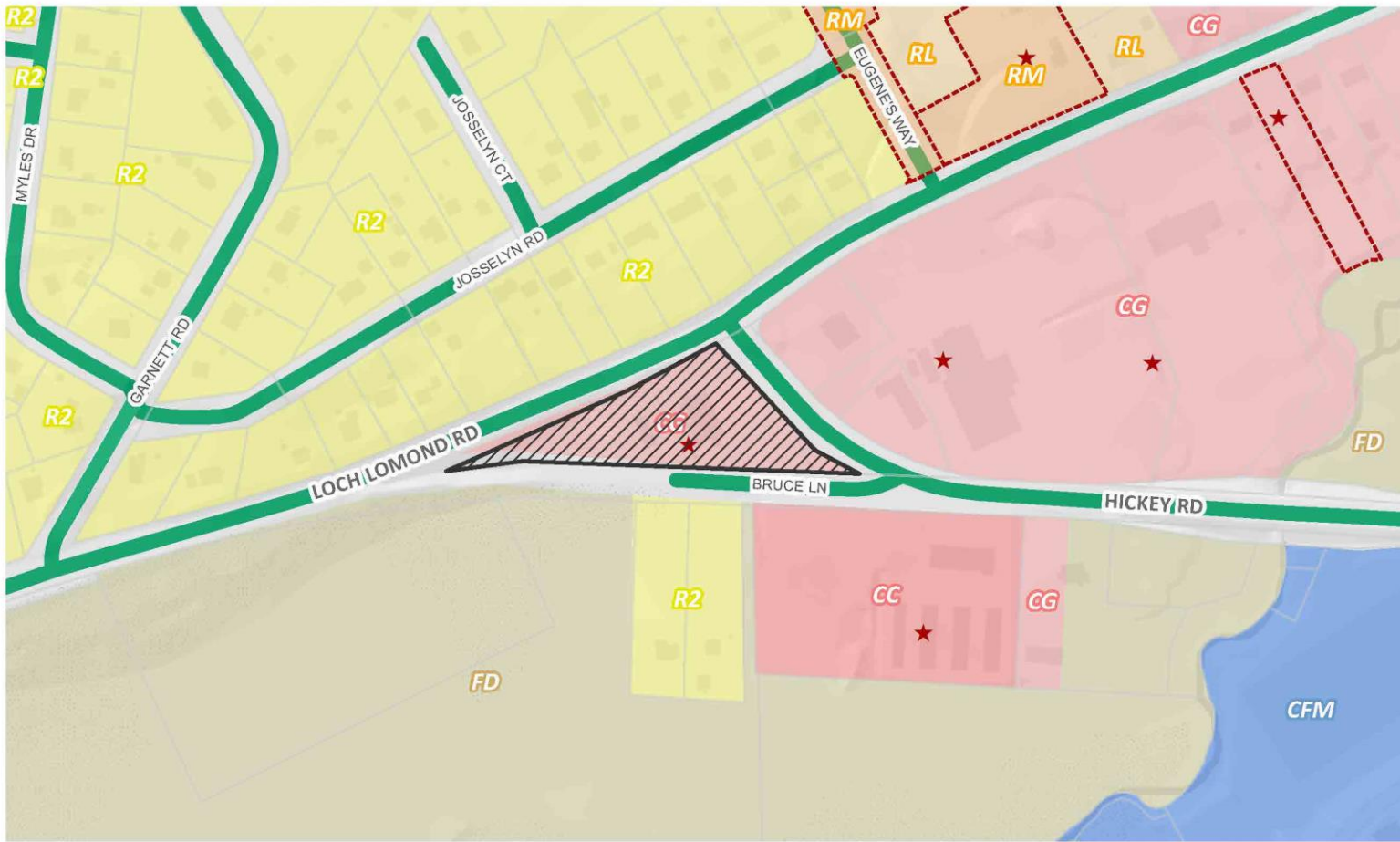
Site Location



Future Land Use



Zoning



(CC) Corridor Commercial (RL) Low-Rise Residential
 (CFM) Major Community Facility (RM) Mid-Rise Residential
 (CG) General Commercial
 (FD) Future Development
 (R2) Two-Unit Residential

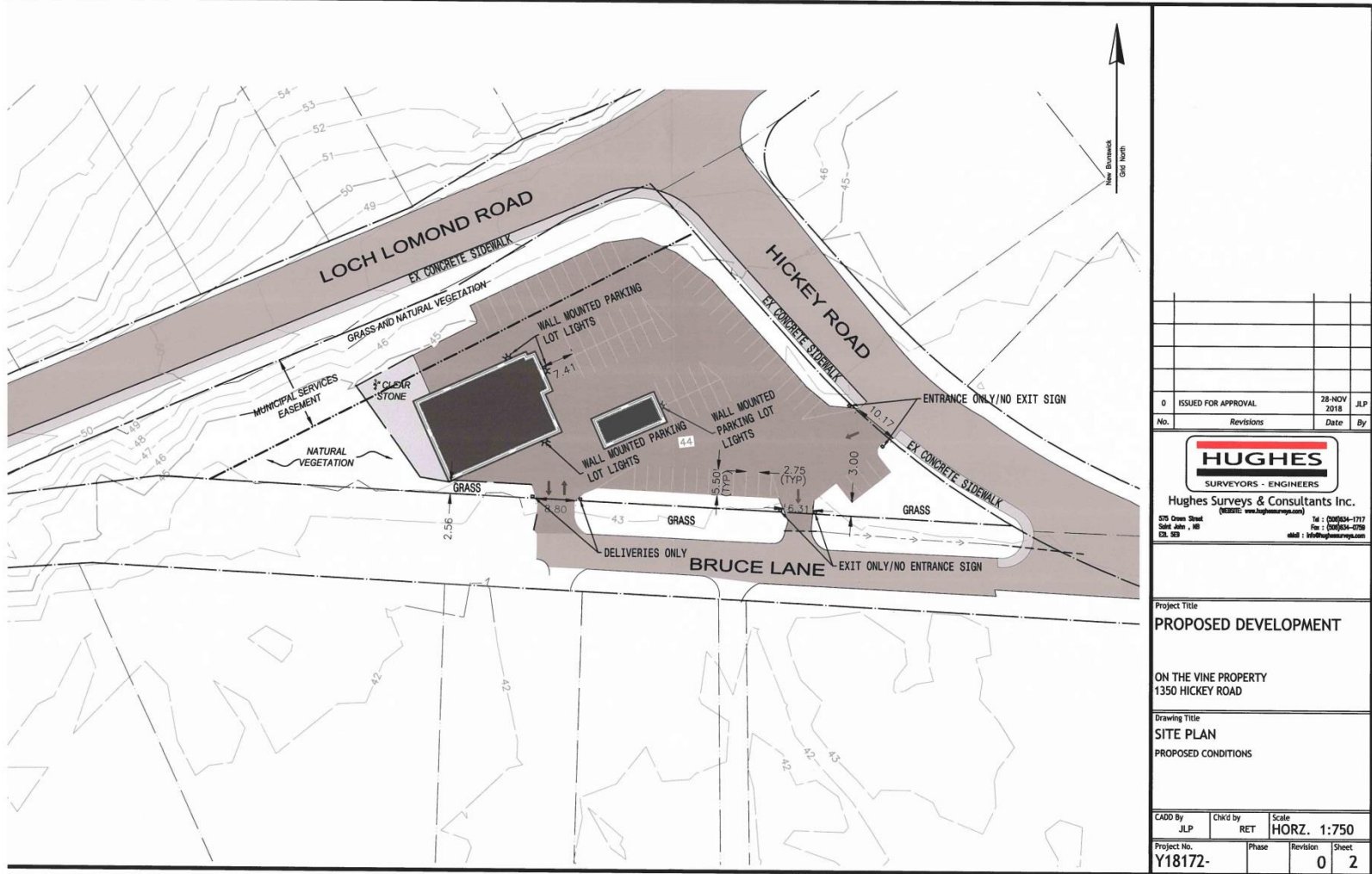
★ Section 39 Conditions



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Site Plan

Submission 2: Site Plan



Rendering



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Site Aerial

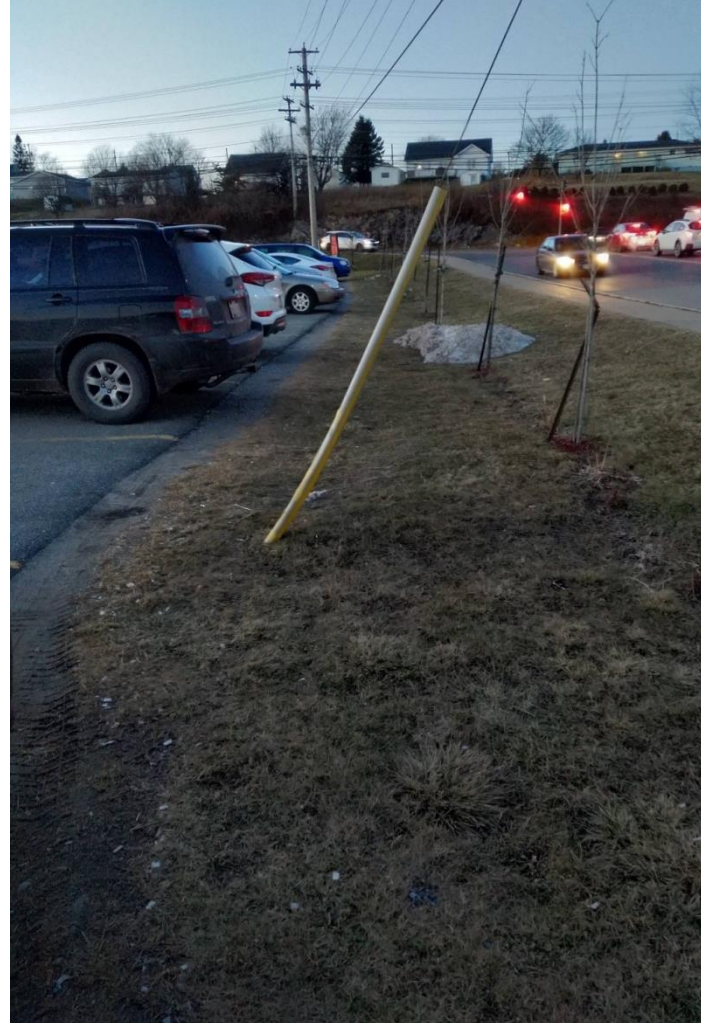


SAINT JOHN

Site Aerial



Site Photos



Site Photos



Site Photos



SAINT JOHN

- Proposed Section 59 conditions

Requested Amendments	Staff Recommendation
a) Driveways and parking areas must be paved	Driveways and parking areas must be paved and curbed
f) Limit accesses Hickey Rd (entry only), two on Bruce Lane (exit only and loading/unloading only).	
g) Remove condition to curb and provide sidewalk along Bruce Lane to any driveway	Continue to require curbing along north side of Bruce Lane to the second driveway, but remove sidewalk requirement
h) Remove condition to grant easement	
i) Remove condition to require detailed site plan	Retain this condition as it is an important measure to ensure appropriate landscaping, driveway signage, curbing.
j) Remove site improvements timeline of one year	
	Additional condition– storm drainage systems require submission and acceptance of as-built drawings prior to issuance of occupancy permit.

Community Engagement

- Public hearing advertised on City website on December 21st, 2018
- Neighbours were notified within 100 metres of property on January 4th, 2019
- Two members of the public in attendance at the Planning Advisory Committee meeting in support of application in principle.
- No letters received regarding the application.
- Applicant in attendance and in full support of staff's recommendation.



Planning Advisory Committee Recommendation

1. That Council amend the section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road by rescinding the existing conditions and imposing the following (as contained in staff report)
2. The Committee also recommended that Infrastructure and Operations staff review the construction of the curb on the north side of Bruce Lane, in particular the existing curb return radius, from an operational and safety perspective in light of the concerns raised by residents and communicate back to the applicant prior to the Public Hearing.



Supplementary Report

Subsequent to the PAC meeting, staff meet with Infrastructure and Operations to discuss the curb on the north side of Bruce Lane. As a result of the condition of the existing street standard, staff have decided to endorse removing this condition. The modified recommendation has been included in a supplemental Council report.



Staff Recommendation

1. That Council amend the section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road by rescinding the existing conditions and imposing the following (as contained in staff report)

COUNCIL REPORT

M&C No.	2019-368
Report Date	January 23, 2019
Meeting Date	January 28, 2019
Service Area	Growth and Community Development Services

His Worship Mayor Don Darling and Members of Common Council

SUBJECT: 1350 Hickey Road – Supplementary Report

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Authors	Commissioner/Dept. Head	City Manager
<i>Andrew Reid</i>	<i>Jacqueline Hamilton/ Michael Hugenholtz</i>	<i>John Collin</i>

RECOMMENDATION

That Common Council consider amending Planning Advisory Committee's recommendation with the following:

That Common Council amend the Section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road, also identified as PID 00313072 by rescinding the existing conditions and imposing the following:

- a) The developer must pave all parking areas, vehicle manoeuvring areas and full widths of the driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
- b) Adequate site drainage systems must be provided by the developer, in accordance with an engineered storm drainage submission, and subject to the approval of the Chief City Engineer or designate, and the approved drainage submission must be attached to any application for building permit for the development;
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
- e) Vehicular access to the site shall consist of a maximum of one driveway on

Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, and a maximum of one driveway from Bruce Lane for loading and unloading for deliveries all with appropriate signage. No access is permitted on Loch Lomond Road. The exact location of any permitted driveway is subject to the approval of the Chief City Engineer or designate;

f) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development; and

g) All Storm Drainage Systems require As-Built Drawings confirming the installation of the required stormwater drainage system must be submitted and accepted by the City prior to the issuance of an Occupancy Permit;

EXECUTIVE SUMMARY

As part of the review of the 1350 Hickey Road Section 59 Amendment application, staff was directed by the Planning Advisory Committee to consult with Infrastructure Development and Transportation and Environment staff to ensure staff's recommendation regarding curbing the north side of Bruce Lane would not exacerbate the existing conditions of the street. Subsequent to the meeting, staff undertook further assessment of Bruce Lane and decided to remove the requirement to install curbing along Bruce Lane.

PREVIOUS RESOLUTION

On January 15th, the Planning Advisory Committee directed that staff consult with that Infrastructure Development and Transportation and Environment staff to review the construction of the curb on the north side of Bruce Lane, in particular the existing curb return radius, from an operational and safety perspective in light of the concerns raised by residents and communicate back to the applicant prior to the Public Hearing.

STRATEGIC ALIGNMENT

n/a

REPORT

Upon further review of the existing Bruce Lane street alignment, Planning, Infrastructure Development, and Transportation & Environment staff determined that considerable work to the right-of-way would be required to extend curbing along the north side of Bruce Lane. Considering street width, curb installation and any required street drainage, staff concluded it would more appropriately be addressed through a future street reconstruction. Staff are therefore recommending a revised recommendation that Common Council proceed with the Planning Advisory Committee's recommendation, while removing the curbing condition the north side of Bruce Lane.

SERVICE AND FINANCIAL OUTCOMES

No service or financial implications are anticipated as a result of this report; the recommendation deals with improvements to private property.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

This report has been reviewed by Infrastructure Development and Transportation & Environment Services.

ATTACHMENTS

- 1 –Staff Presentation re: 1350 Hickey Road
- 2 – Recommendation from the Chair of Planning Advisory Committee re: 1350 Hickey Road
- 3 – Staff Report dated January 11, 2019 re: 1350 Hickey Road

PLANNING ADVISORY COMMITTEE



The City of Saint John

January 25, 2019

His Worship Mayor Don Darling and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Section 59 Application
 1350 Hickey Road**

On December 17, 2018 Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its January 15, 2019 meeting. Staff presented the applicant's request and staff's recommended amendments to the set of existing Section 39 conditions.

The applicant was in attendance and requested clarification regarding part (h), with respect to as-built drawings. After receiving clarification, the applicant voiced full support for staff's recommendation.

David Pollard, a resident of Bruce Lane, appeared before the Committee. He noted he was in favour of staff's recommendation to remove the sidewalk requirement on Bruce Lane, due to the narrowness of the street. He indicated concern that because the sidewalk and curb curving off Hickey Road had decreased the width of Bruce Lane, he was not in support of extending the curb from the existing infrastructure along Bruce Lane.

The applicant re-appeared before the Committee, requesting clarity on curbing the north side of Bruce Lane. Staff responded that the inquiry regarding existing infrastructure would need to be deferred to Transportation and Environment Services and Infrastructure Development; however, a curb may still be suitably designed on the North Side of Bruce Lane and this issue need not necessarily affect the proposed Section 59 condition.

The Committee recommended that Infrastructure and Transportation and Environment staff review the construction of the curb and sidewalk return on the

north side of Bruce Lane, in particular the existing curb return radius, from an operational and safety perspective in light of the concerns raised by residents and communicate back to the applicant prior to the public hearing.

RECOMMENDATION:

That Common Council amend the Section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road, also identified as PID 00313072 by rescinding the existing conditions and imposing the following:

- a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
- b) Adequate site drainage systems must be provided by the developer, in accordance with an engineered storm drainage submission, and subject to the approval of the Chief City Engineer or designate, and the approved drainage submission must be attached to any application for building permit for the development;
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
- e) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, and a maximum of one driveway from Bruce Lane for loading and unloading for deliveries all with appropriate signage. No access is permitted on Loch Lomond Road. The exact location of any permitted driveway is subject to the approval of the Chief City Engineer or designate;
- f) The developer must extend concrete curb to City specifications, along the north side of Bruce Lane to the second driveway;
- g) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be

attached to any application for building permit for the development; and

h) All Storm Drainage Systems require As-Built Drawings confirming the installation of the required stormwater drainage system must be submitted and accepted by the City prior to the issuance of an Occupancy Permit;

Respectfully submitted,



Eric Falkjar
Chair

Attachments

1 – Report to Planning Advisory Committee dated January 11, 2019



The City of Saint John

Date: January 11, 2019

To: Planning Advisory Committee

From: Growth & Community Planning
Growth & Community Development Services

For: **Meeting of Tuesday, January 15, 2019**

SUBJECT

Applicant: Residential Contractors Inc. on behalf of 616813 N.B. Ltd

Owner: 616813 N.B. Ltd (On the Vine Meat & Produce)

Location: 1350 Hickey Road

PID: 00313072

Plan Designation: Stable Commercial

Existing Zoning: General Commercial (CG)

Application Type: Section 59 Amendment

Jurisdiction: Common Council has requested the views of the Planning Advisory Committee concerning proposed amendments to the existing Section 39 conditions of the subject property. Council will consider the Committee's recommendation at a public hearing on **Monday, January 28, 2019.**

SUMMARY

The applicant is proposing to amend existing Section 39 conditions as part of the redevelopment of the "On the Vine" market. The market has expanded incrementally over the years. The most recent proposal is to partially demolish the existing structure and rebuild. With

the redevelopment of the site, the applicant is seeking to remove existing conditions related to curbing, provision of sidewalks, and access limitations on Bruce Lane. While there is no rationale to remove conditions on curbing, staff are supportive of eliminating the sidewalk requirement on Bruce Lane because the street is a dead end and is not anticipated to be well used by pedestrians. In addition, two driveways off Bruce Lane are acceptable provided appropriate signage is implemented showing the second driveway to be used for loading/unloading only. Further amendments to the conditions are recommended to reflect Growth and Community Development's current practice.

RECOMMENDATION

That Common Council amend the Section 39 conditions imposed on the March 1, 2004 rezoning of the property situated at 1350 Hickey Road, also identified as PID 00313072 by rescinding the existing conditions and imposing the following:

- a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
- b) Adequate site drainage systems must be provided by the developer, in accordance with an engineered storm drainage submission, and subject to the approval of the Chief City Engineer or designate, and the approved drainage submission must be attached to any application for building permit for the development.
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
- e) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, and a maximum of one driveway from Bruce Lane for loading and unloading for deliveries all with appropriate signage. No access is permitted on Loch Lomond Road. The exact location of any permitted driveway is subject to the approval of the Chief City Engineer or designate;
- f) The developer must extend concrete curb to City specifications, along the north side of Bruce Lane to the second driveway; and
- g) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas,

driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development.

- h) All Storm Drainage Systems require As-Built Drawings confirming the installation of the required stormwater drainage system must be submitted and accepted by the City prior to the issuance of an Occupancy Permit;

DECISION HISTORY

On April 9, 1990, Common Council resolved to withhold third reading on a Municipal Plan amendment and rezoning for a six-bay car wash until a Section 39 agreement including paving, curbing, and landscaping for the subject property was executed. Third reading was not given because the applicant decided not to proceed with the proposal.

On March 1, 2004, Common Council gave third reading to rezone the subject property from RS-2 to B-2 and pursuant to Section 39 of the *Community Planning Act*, imposed conditions on the property related to paving, drainage, landscaping, and access to develop a “country market,” which included a garden centre, bakery, delicatessen and produce store (the 2004 conditions are attached).

On November 20, 2006, Common Council held a public hearing for an application to amend Section 39 conditions on the subject property for the purposes of constructing a food distribution centre and related training facility. Subsequent to the application being circulated, the applicant decided not to proceed with the distribution centre; however, the section 39 application proceeded. At the public hearing, the applicant opposed the Committee’s recommendation and Council resolved that the proposed amendments be referred to staff for further discussion to reach a more agreeable settlement. An alternative agreement was not reached and the matter has remained largely unresolved.

ANALYSIS

Proposal

The applicant is proposing to amend existing Section 39 conditions related to site improvements, curbing, sidewalks, and accesses. A number of conditions have been dealt with over the years by previous owners and the current owner; however, curbing and site improvements around Bruce Lane have remained outstanding. Concurrent with this application, a phase one building permit has been sought to enable the foundation of the building to be poured. A permit for phase two of the development, which will involve construction of the building and site improvements, will be contingent on the outcome of this application. A phase two permit will not be issued unless the required conditions are met.

Site and Neighbourhood

The subject property is located at the intersection of Loch Lomond Road, Hickey Road, and Bruce Lane. The property current contains the On the Vine country market. The property is designated Stable Commercial and zoned General Commercial (CG). There are several other businesses located at this commercial node, including a large hardware store, a restaurant, two auto repair garages, and a self-storage facility.

The market and parking area has incrementally expanded since the site was first developed in 2004. Around 2006, a second driveway was added off Bruce Lane for loading and unloading. No curbing improvements have been made to the parking area over the years such that landscaping around the site, in particular the south side around Bruce Lane has become washed out with gravel. In addition, the driveway widths have not been properly delineated with curbs.

Overview of Conditions

Existing Section 39 conditions are outlined below, with the applicant's proposed amendments marked in bold. Comments have also been provided to detail the rationale behind staff's recommendation.

Requested Amendments by Applicant	Staff support	Staff Comments
a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;	×	Not supported. Curbing of the site has been outstanding for 15 years. It is a standard of the Zoning By-law for this area of the city and typical of surrounding commercial developments. Staff recommends retaining this condition to ensure proper demarcation of driveways, parking areas, and landscaped areas. There is no planning rationale for removing this standard.
b) Adequate site drainage facilities must be provided by the developer, including catch basins where necessary, in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate, and the approved drainage plan must be attached to any application for building permit for the development;	No Amendment	Staff is in agreement that this condition remain. The condition has been updated to reflect current practice related to the regulation of storm drainage plans. This is now required by the City's Drainage By-law.
c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;	No Amendment	Staff is in agreement that this condition remain. There should be no gravel in parking or landscaped areas as a result of curbing clearly defining these boundaries.

d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;	No Amendment	This condition has been met. The landscaping along the front yard (Hickey Road) is to standard.
e) The developer must install all telephone and electrical wires underground from the existing overhead facilities on the street to any building on the site;	No Amendment	Staff are recommended that this condition be removed given the context of the area.
f) Vehicular access to the site shall consist of one driveway on Hickey Road used as an entry only , a maximum of one driveway on Bruce Lane used as an exit only, a driveway from Bruce Lane for loading and unloading , and no access on Loch Lomond Road, and the exact location of any permitted driveway is subject to the approval of the Chief City Engineer or his designate;	<input checked="" type="checkbox"/>	Fully supported by staff. A new driveway was added around 2006 to support loading and unloading for the expanded market. The driveways are adequately spaced. Signage should indicate the second driveway is to be used for service deliveries only.
g) The developer must extend concrete curb and sidewalk, to City specifications, along Bruce Lane to any driveway;	<input checked="" type="checkbox"/>	Partially supported. Given the property owner's ongoing use of Bruce Lane, staff recommend curbing improvements be implemented along Bruce Lane to the second driveway. From the perspective of providing a sidewalk for connectivity, Bruce Lane is a dead end street and there is no destination with which to connect.
h) Prior to commencing the development of the site, the owner of the land shall grant to the City of Saint John any necessary easements that, in the opinion of the Chief City Engineer, are required to protect the existing municipal water transmission lines that traverse the site, with all documentation to be prepared by the City and executed at no cost to the owner;	<input checked="" type="checkbox"/>	Fully supported by staff. The easement has been granted and this condition may be removed.
i) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs,	x	Removal of this condition is not supported by staff. A site plan is a standard requirement and an important measure to ensure the site is developed in accordance with an approved plan. It is important that the site plan show appropriate signage for types of access include that the second driveway off Bruce Lane is limited to service deliveries only.

exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development;		
j) All site improvements as shown on the approved site plan and drainage plan must be completed within one year of building permit approval;	<input checked="" type="checkbox"/>	It is a standard requirement for site improvements to be complete within two years of the issuance of a building permit and therefore this condition is redundant.

An additional condition is also recommended requiring storm drainage submission and approval of as-built drawings prior to the issuance of an occupancy permit for the new building.

Variances

Should the applicant be successful in removing condition (a) with respect to curbing, a variance would be required from part 4.2(5) a of the Zoning By-law, which requires cast-in-place curbing. The variance may be considered by the Development Officer but not until such time as Council renders a decision on the application.

Conclusion

The proposed expansion of the market is a welcome addition to this site and the surrounding neighbourhood. On balance, the proposal is largely supported by staff. Recommendations include modifications to the existing conditions that apply to the site to ensure appropriate redevelopment of the site. Staff is not recommending relaxation of the curbing requirement as requested by the applicant; there is an established standard for commercial development in the City's Zoning Bylaw with respect to curbing to protect the landscaped areas and to facilitate proper drainage, and there continues to be no planning rationale to support relaxing requirement for this particular site.

ALTERNATIVES AND OTHER CONSIDERATIONS

The Committee may propose modifications to staff's recommendation regarding individual or the collection of conditions.

ENGAGEMENT

Public

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 January 4, 2019. The public hearing for the rezoning was advertised on the City website on December 21st, 2018.

SIGNATURES AND CONTACT

Prepared:



Andrew Reid , MCIP, RPP
Planner

Reviewed:



Mark Reade, P.Eng., MCIP, RPP
Senior Planner

Approved:



Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Andrew Reid
Phone: (506) 658-4447
E-mail: andy.reid@saintjohn.ca
Project: 18-255

APPENDIX

Map 1: **Site Location**

Map 2: **Municipal Plan**

Map 3: **Zoning**

Map 4: **Aerial Photography**

Map 5: **Site Photography**

Attachment 1: **2004 Conditions**

Submission 1: **Requested Amendments by Applicant**

Submission 2: **Site Plan**

Submission 3: **Renderings**

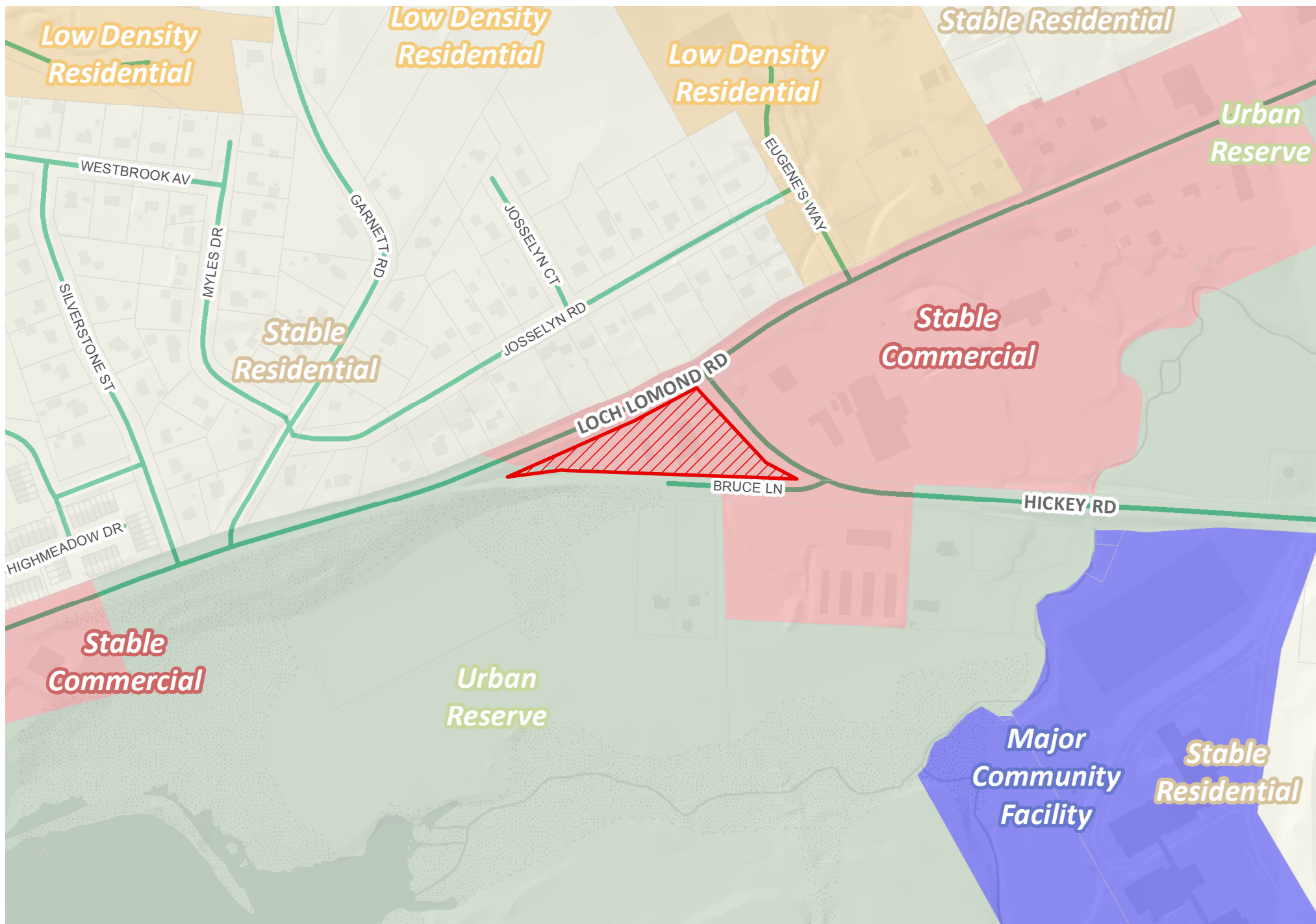


Map 1 - Site Location

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road

The City of Saint John
Date: December-17-1





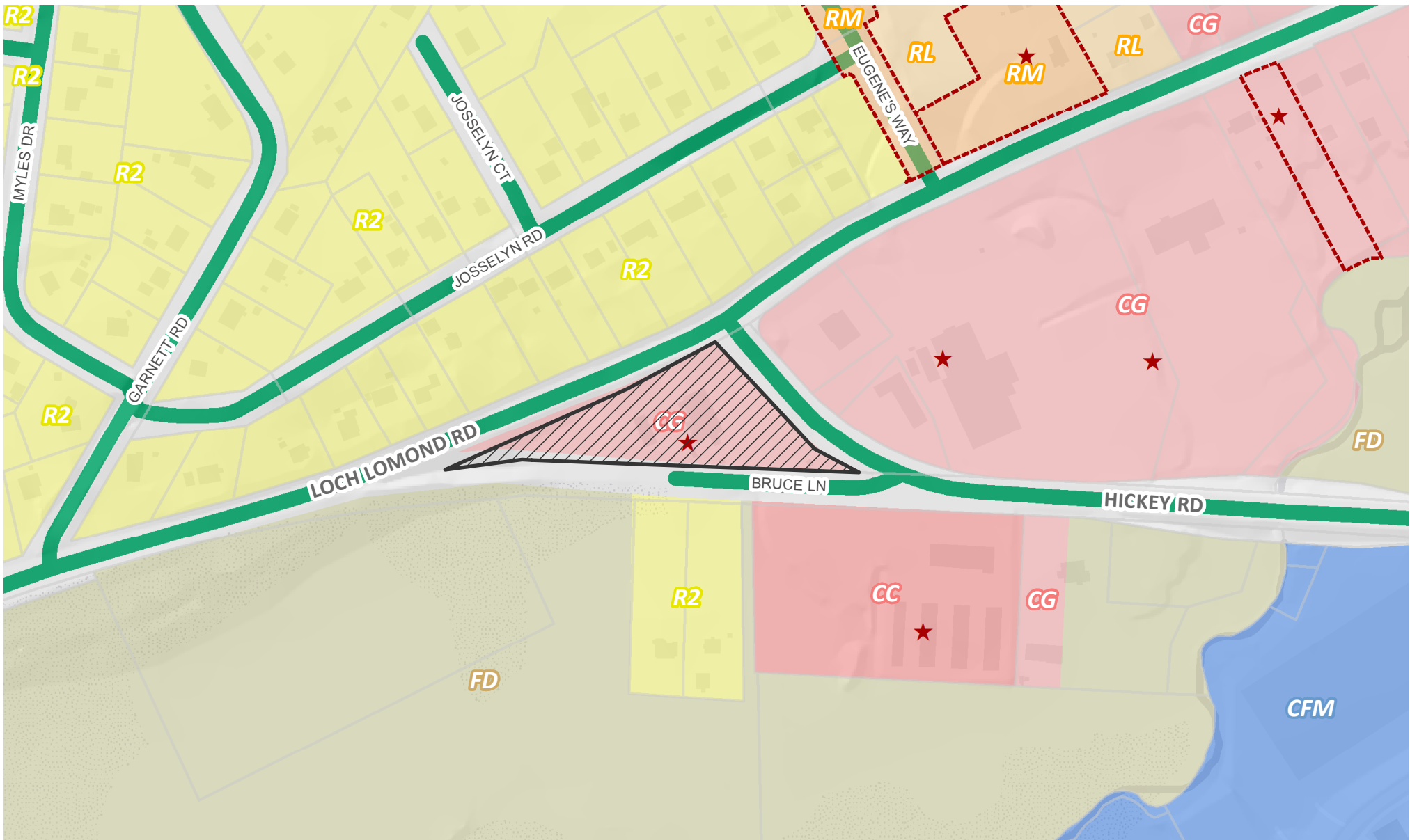
Map 2 - Future Land Use

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road

The City of Saint John
Date: December-04-1

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- (CC) Corridor Commercial
- (CFM) Major Community Facility
- (CG) General Commercial
- (FD) Future Development
- (R2) Two-Unit Residential
- (RL) Low-Rise Residential
- (RM) Mid-Rise Residential

★ Section 39 Conditions

Map 3 - Zoning

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road

The City of Saint John
Date: December-04-1

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Map 4 - Aerial Photography

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road

The City of Saint John
Date: December-04-1

0 25 m





Site Photography

Residential Contractors on behalf of 616813 NB Ltd. - 1350 Hickey Road

The City of Saint John
Date: December-12-1



Attachment 1: 2004 Conditions

1. That pursuant to the provisions of Section 39 of the *Community Planning Act*, the proposed development of a parcel of land with an area of approximately 7200 square metres (1.8 acres), located at 1350 Hickey Road, also identified as being PID 313072, for commercial purposes be subject to the following conditions:
 - a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and enclose them with cast-in-place concrete curbs to protect the landscaped areas and to facilitate proper drainage;
 - b) Adequate site drainage facilities must be provided by the developer, including catch basins where necessary, in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate, and the approved drainage plan must be attached to any application for building permit for the development;
 - c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;
 - d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by a permitted driveway;
 - e) The developer must install all telephone and electrical wires underground from the existing overhead facilities on the street to any building on the site;
 - f) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road, a maximum of one driveway on Bruce Lane, and no access on Loch Lomond Road, and the exact location of any permitted driveway is subject to the approval of the Chief City Engineer or his designate;
 - g) The developer must extend concrete curb and sidewalk, to City specifications, along Bruce Lane to any new driveway;
 - h) Prior to commencing the development of the site, the owner of the land shall grant to the City of Saint John any necessary easements that, in the opinion of the Chief City Engineer, are required to protect the existing municipal water transmission lines that traverse the site, with all documentation to be prepared by the City and executed at no cost to the owner;
 - i) The site shall not be developed except in accordance with a detailed site plan and detailed building elevation plans, prepared by the developer and subject to the approval of the Development Officer, indicating the location, design and exterior finish of all buildings, the location and treatment of parking areas, driveways, loading areas, signs, exterior lighting, landscaped areas and other site features, and the approved site plan and building elevation plans must be attached to any application for building permit for the development;
 - j) All site improvements as shown on the approved site plan and drainage plan must be completed within one year of building permit approval, with the exception of site paving, which must be completed within eighteen months of building permit approval;

and further that upon the rezoning the area, the land and any building or structure thereon must be developed and used in conformity with the proposal and conditions identified herein.

ADOPTED BY COMMON COUNCIL 1 MARCH 2004

Submission 1: Requested Amendments by Applicant

Proposal to Amend Section 39 Conditions under Section 59, 616813 N. B. Ltd. Property Operating as On the Vine, Hickey Road - PID #00313072

It is proposed the property be subject to the following conditions:

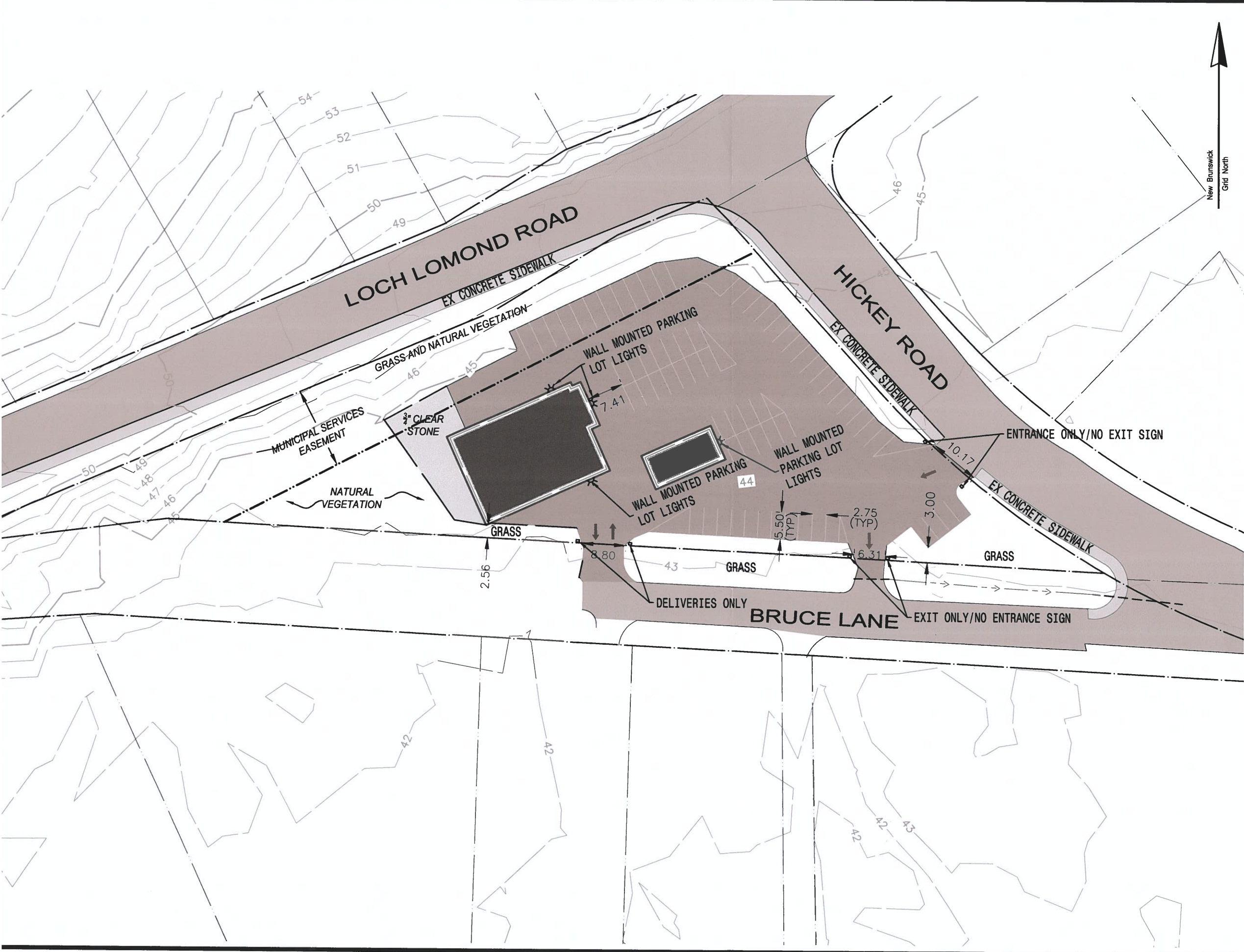
- a) The developer must pave all parking areas, vehicle manoeuvring areas and driveways with asphalt and facilitate proper drainage;*
- b) Adequate site drainage facilities must be provided by the developer, including catch basins where necessary, in accordance with a detailed drainage plan, prepared by the developer and subject to the approval of the Chief City Engineer or his designate, and the approved drainage plan must be attached to any application for building permit for the development;*
- c) The developer must landscape all disturbed areas of the site not occupied by buildings, driveways, walkways, parking or loading areas, including the City street right-of-way to the edge of the City sidewalk;*
- d) The landscaping along the front lot lines of the developed portion of the site must have a minimum width of 3 metres (10 feet), inside the front property line, except where interrupted by permitted driveways;*
- e) The developer must install all telephone and electrical wires underground from the existing overhead facilities on the street to any building on the site;*
- f) Vehicular access to the site shall consist of a maximum of one driveway on Hickey Road used as an entry only, a maximum of one driveway on Bruce Lane used as an exit only, a driveway from Bruce Lane for loading and unloading all with appropriate signage and no access on Loch Lomond Road, and the exact location of any permitted driveways is subject to the approval of the Chief City Engineer or his designate;*

The property owner has faced a number of challenges over the years they have been operating but now find they are in a position to do a much needed modernization and expansion of their business. The modernization and expansion of their business will provide an opportunity to create additional jobs and the larger, more modern premises will add to the property value thus producing an enhanced assessment.

Many of the previously imposed conditions have been met. For example an easement for municipal services was granted to The City of Saint John to protect existing municipal water transmission lines that traverse the site granted at no cost to the municipality.

Modifications to the site access have been adjusted to provide for a safer situation for customers, staff and deliveries to the site over the years and form part of this application. Site drainage is being addressed in accordance with the city's recently adopted by-law. We request the condition to add sidewalk and curbing along Bruce Lane be eliminated as it appears to add an unnecessary cost to the project.

The recently applied for building permit for modernization and expansion of their business addresses many of the conditions imposed in the March 2004. Conditions that are subject to approval of the Development Officer as authorized by Common Council at that time.



0	ISSUED FOR APPROVAL	28-NOV 2018	JLP
No.	Revisions	Date	By

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Project Title
PROPOSED DEVELOPMENT

ON THE VINE PROPERTY
1350 HICKEY ROAD

Drawing Title
SITE PLAN
PROPOSED CONDITIONS

CADD By JLP	Chk'd by RET	Scale HORZ. 1:750
Project No. Y18172-	Phase	Revision 0
		Sheet 2



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Project Title
PROPOSED DEVELOPMENT

ON THE VINE PROPERTY
1350 HICKEY ROAD

Drawing Title
SITE PLAN
EXISTING CONDITIONS

CADD By JLP	Chk'd by RET	Scale HORZ. 1:750	
Project No. Y18172-	Phase	Revision 0	Sheet 1



