

# 97-99 Exmouth Street

Presentation to Common Council March 11, 2019



**Growth & Community Planning Team** Growth & Community Development Services





- To rezone property from Urban Centre Residential (RC) Zone to General Commercial (GC) Zone.
- Proposal will facilitate a general commercial use: business office providing assistance with family development and family services.

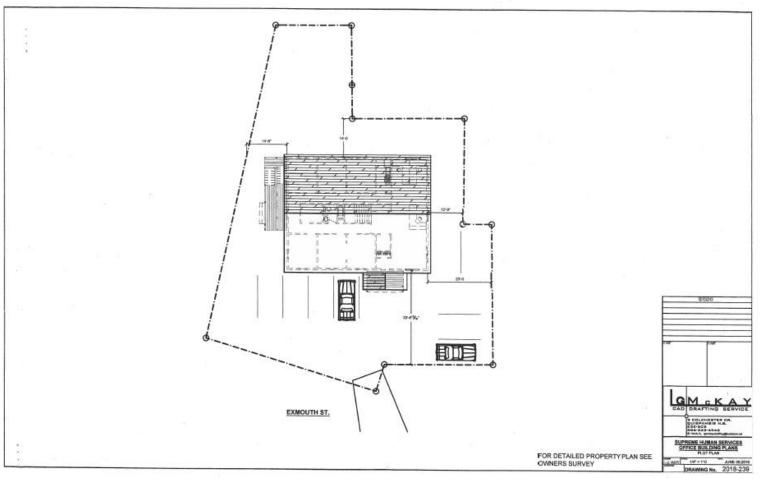


## **Site Location**



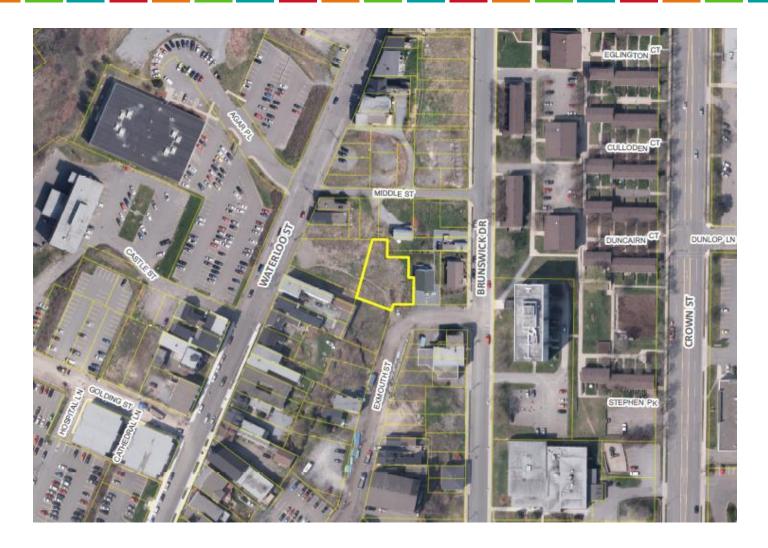


## **Site Plan**





## **Site Aerial**







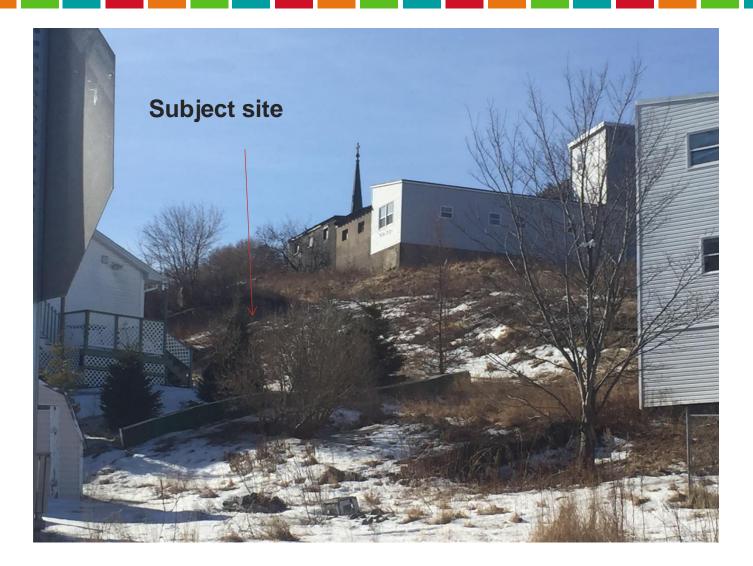














# Future Land Use Plans







- Site falls into the Medium to High Density Residential designation.
- Policy LU-45 "...Other compatible uses may be permitted in the Medium to High Density designation without amendment to the Municipal Plan including, but not limited to convenience stores, home occupations, neighbourhood retail uses, parks and community facilities".





- Community facilities not defined in the MP broad planning definition uses which provide services or facilities to community residents – social, medical, support or recreational functions – which also includes administrative or office functions of these uses.
- Proposal provides family development an assistance related to children services (and administrative functions for such services). No MP plan amendment required.





- General fits within the direction of the proposed Central Peninsula Neighbourhood Plan (CPNP) – although this plan is still in draft phase (not legally in place).
- Plan generally calls for Waterloo Village area to be a mix of uses at various intensities.











- Proposed rezoning would take the parcel from Urban Centre Residential (RC) Zoning to General Commercial (CG) Zone.
- Review of other commercial zones noted on page 4 of the report – CG is the most appropriate given proposal and context of the area.





### **Proposed Section 59 Condition**

- Some uses in the CG Zone do not fit with the Pedestrian oriented nature of Waterloo Village under the Municipal Plan or the proposed CPNP.
- Section 59 condition to remove "auto-oriented" type uses (service station, car dealerships etc) to ensure conformance with MP and vision for the neighbourhood.



## **Staff Recommendation**

Staff recommends that the Planning Advisory Committee recommend to Common Council that:

- Common Council rezone an approximately 862 square metre parcel of land at 97-99 Exmouth Street (PID 00015834) from Urban Centre Residential (RC) Zone to General Commercial (CG) Zone.
- 2. That Common Council imposes, pursuant to Section 59 of the *Community Planning Act (SNB 2017, C19)* the proposed condition contained on Page 2 of the Staff report with this rezoning.



## **Community Engagement**

- Applicant presented in support of proposal and accepted proposed conditions.
- Letters distributed to neighbours within 100m on February 8, 2019.
- Advertised on City website on February 12, 2019 no letters received and no members of the pubic attending the Planning Advisory Committee (PAC) meeting. A number of phone inquiries received leading up to PAC meeting.



Planning Advisory Committee recommends:

- Common Council rezone an approximately 862 square metre parcel of land at 97-99 Exmouth Street (PID 00015834) from Urban Centre Residential (RC) Zone to General Commercial (CG) Zone; and
- 2. That Common Council imposes, pursuant to Section 59 of the *Community Planning Act (SNB 2017, C19)* the proposed condition contained on Page 2 of the Staff report with this rezoning.



### PLANNING ADVISORY COMMITTEE



The City of Saint John

February 22, 2019

His Worship Mayor Don Darling and Members of Common Council

Your Worship and Councillors:

#### SUBJECT: Rezoning 97-99 Exmouth Street

On January 28, 2019 Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its February 20, 2019 meeting.

Krystal Kindred and Gail Doucette the applicants and Wayne Doucette, project manager for the construction, appeared before the Committee and indicated they were in agreement with the staff recommendation. The applicants noted they provide services for the Provincial Department of Social Development and noted that while their company has a staff of 28, the majority work off-site with approximately 6 staff on-site at any given time.

Committee members questioned the proposed floor plans, noting the building layout appeared to be residential in nature with rooms that could be used as bedrooms and two full bathrooms. The applicants noted they provide family support services which include working with young parents and instruction in independent living skills.

In a response to Committee members regarding the cladding material of the proposed building, Mr. Doucette noted they are proposing to use metal siding in lieu of vinyl siding given the exposure of the site to prevailing winds.

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

After considering the report and the comments made by the applicant, the Committee adopted the staff recommendation contained in the report.

#### **RECOMMENDATION**:

- That Common Council rezone an approximately 862 square metre parcel of land located at 97-99 Exmouth Street, also identified as PID No. 00015834, from Urban Centre Residential (RC) Zone to General Commercial (CG) Zone.
- 2. That Common Council hereby imposes pursuant to the provisions of Section 59 of the Community Planning Act (SNB 2017, c.19) the following condition upon the development and use of the parcel of land having an area of approximately 862 square metres, located at 97-99 Exmouth Street, also identified as PID No. 00015834, be restricted to the following purposes identified in the General Commercial (CG) Zone of the City's Zoning By-law:
  - a. That the use of the lot be limited to the following uses as defined by the Zoning By-law:
    - Accommodation;
    - Artist or Craftperson Studio;
    - Bakery;
    - Banquet Hall;
    - Business office, subject to paragraph 11.7(3)(b);
    - Commercial Group;
    - Community Centre;
    - Community Policing Office;
    - Day Care Centre;
    - Dwelling Unit, subject to paragraph 11.7(3)(c);
    - Financial Service;
    - Funeral Service;
    - Garden Suite, subject to section 9.8;
    - Health and Fitness Facility;
    - Health Services Laboratory;
    - Home Occupation, subject to section 9.9;
    - Library;
    - Medical Clinic;
    - Personal Service;
    - Pet Grooming;
    - Place of Worship;
    - Private Club;
    - Restaurant;
    - Retail General;
    - Secondary Suite, subject to section 9.13;

- Service and Repair, Household;
- Supportive Housing, subject to section 9.14;
- Technical or Vocational School;
- Veterinary Clinic;
- The existing use described in Schedule E: Exceptions, of each lot respectively identified therein as being located in the CG zone.

Respectfully submitted,

and lot \_

Eric Falkjar Chair

Attachments



The City of Saint John

Date:	February 15, 2019
То:	Planning Advisory Committee
From:	Growth & Community Planning Growth & Community Development Services
For:	Meeting of Wednesday, February 20, 2019
<u>SUBJECT</u>	
Applicant:	Krystal Kindred
Owner:	Supreme Human Services Ltd.
Location:	97-99 Exmouth Street
PID:	00015834
Plan Designation:	Medium to High Density Residential
Existing Zoning:	Urban Centre Residential (RC)
Proposed Zoning:	General Commercial (CG)
Application Type:	Rezoning
Jurisdiction:	The <i>Community Planning Act</i> 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 recommendation at a public hearing

on Monday, March 11, 2019.

#### **SUMMARY**

Krystal Kindred (Applicant) has submitted an application on behalf of Supreme Human Services Ltd. (Owner), which is seeking to rezone the site (PID 00015834) located at 97-99 Exmouth Street from Urban Centre Residential (RC) Zone to General Commercial (CG) Zone. The applicant is proposing to construct a new building containing a business office (providing assistance with family development).

#### RECOMMENDATION

- That Common Council rezone an approximately 862 square metre parcel of land located at 97-99 Exmouth Street, also identified as PID No. 00015834, from Urban Centre Residential (RC) Zone to General Commercial (CG) Zone.
- 2. That Common Council hereby imposes pursuant to the provisions of Section 59 of the *Community Planning Act (SNB 2017, c. 19)* the following condition upon the development and use of the parcel of land having an area of approximately 862 square metres, located at 97-99 Exmouth Street, also identified as PID No. 00015834, be restricted to the following purposes identified in the General Commercial (CG) Zone of the City's Zoning By-law:
  - a. That the use of the lot be limited to the following uses as defined by the Zoning By-law:
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- Pet Grooming;
- Place of Worship;
- Private Club;
- Restaurant;
- Retail General;
- Secondary Suite, subject to section 9.13;
- Service and Repair, Household;
- Supportive Housing, subject to section 9.14;
- Technical or Vocational School;
- Veterinary Clinic;
- The *existing* use described in Schedule E: Exceptions, of each lot respectively identified therein as being located in the CG zone.

#### **DECISION HISTORY**

None.

#### **ANALYSIS**

#### Proposal

The applicant is seeking to rezone the subject property at 97-99 Exmouth Street from Urban Centre Residential (RC) Zone to General Commercial (CG) Zone to facilitate the construction of a new business office to facilitate family development and assistance with actions related to children services.

#### Site and Neighbourhood

The subject site is approximately 862 square metres and is currently vacant. The site is located in the Waterloo Village area of the Central Peninsula and is kitty corner to Romero House. The surrounding development is a mixture of single detached, multi-residential development and commercial uses (Phoenix Dinner Theatre). The site topography is heavily sloped downward towards Exmouth Street, which itself is sloped towards Brunswick Street.

#### Municipal Plan and Rezoning

The Municipal Plan future land use map indicates the site is designated Medium to High Density Residential and the site falls within the Primary Development Area (PDA). This designation permits a broad range of housing types with an emphasis on higher density forms such as multiresidential development and townhouses. Policy LU-45 of the plan provides the following comment (emphasis added):

"Within the Medium to High Density designation, permit a range of housing types with an emphasis on the provision of higher density housing forms such as apartment, condominium, and townhouse units. Nothing in this Municipal Plan, however, shall be interpreted to prohibit lower density forms of residential development in this designation, provided that minimum residential density targets have been met for the Intensification Area as a whole. <u>Other compatible uses may be permitted in the Medium to High Density designation without amendment to the Municipal Plan including, but not limited to convenience stores, home occupations, neighbourhood retail uses, parks and **community facilities**".<sup>1</sup></u>

The Municipal Plan does not provide a definition of a 'community facilities'. In planning terms, these would be any uses which would provide facilities for community residents, which can include recreational, social or medical facilities in various forms, including office and administrative functions for such uses. From this perspective, no Municipal Plan amendment is required to facilitate the subject rezoning and the Municipal Plan is deemed to be supportive of the proposal.

The subject site also falls into Central Peninsula Neighbourhood Plan Area – a policy document currently under development by the City of Saint John. It should be noted that the Plan is not currently adopted by Common Council and so policies contained in the draft have no legal standing at this time. The application is generally in keeping with the direction of the current draft of the Central Peninsula Neighbourhood Plan for the Waterloo Village area; which will generally encourage a mixed use higher density community.

#### **Zoning Review**

This proposal would allow the site to be rezoned to the General Commercial (CG) Zone. The purpose statement of CG Zone notes that it is intended for land "…inside of the Primary Development Area that is designated Local Centre, Low to Medium Density Residential, Mixed Use Centre or Stable Commercial", although it is noted that "However, land in other appropriate designations could be zoned CG".

Given the Municipal Plan encourages this neighbourhood to redevelopment into mixed use and at higher densities; the CG Zone provides a broad range of commercial uses which can help support this intent. The proposal is designed to serve a clientele beyond the immediate neighbourhood and the applicant has indicated that most services are provided offsite. That said, some office visits will occur. The site is not located on a traditional commercial corridor or in the Uptown Commercial area. The proposed building is a scale which is larger than those contained on local commercial sites. All of these reasons support the proposed rezoning to the General Commercial (CG) Zone.

<sup>&</sup>lt;sup>1</sup> Policy LU-45 – Municipal Plan

The proposed building design (see submissions 1 and 2) provides the applicant the ability to grow their services. No dwelling units are proposed and no one will reside on the site. However, in examining the design of the building it has been noted that the proposed layout could facilitate adaptive reuse in the future. The maximum size of a Business Office is limited to no more than 3,000 square metres (paragraph 11.7 (3) (b) of the Zoning By-law). The proposed building is well below this requirement (approximately 373 square metres).

In reviewing the CG Zone; a number of auto-oriented uses which would not facilitate the Municipal Plan vision of a mixed use, higher density neighbourhood. In order to help facilitate this goal, a condition limiting the uses on the site has been proposed.

#### **Parking and Loading**

The Zoning By-law provides regulations for parking and loading requirements for various uses. The subject proposal will also require one barrier free parking stall and a loading zone, which will be dealt with at the permitting stage.

The subject site falls into the Waterloo Village intensification area as outlined in Schedule D of the Zoning By-law, which would allow parking requirements of up to 80 per cent of that required – due to proximity to Public Transit and the pedestrian oriented nature of area. As a business office use the parking count is compliant based upon the floor area of the building. The applicant may seek variances to parking requirements; which will be reviewed at the permitting stage and may have some merit from Staff's perspective.

#### Lot Grading and Drainage

As per the City's Drainage Bylaw, a Lot Grading plan and storm drainage plan will be required at the permitting stage to ensure proper drainage from the property into the storm sewer system.

#### Conclusion

The proposed rezoning can be supported as it meets the intent of policies contained in the Municipal Plan and the purpose of the CG Zone. The proposal falls in a designated intensification area, where new development is encouraged and parking requirements are reduced. The proposed use provides a form of community facility focusing on family services which is a valuable service for the nearby and broader community.

#### ALTERNATIVES AND OTHER CONSIDERATIONS

#### Alternatives

No alternatives considered.

#### **Other Considerations**

As part of the 2016-2022 term of Common Council, four key priorities have been identified:

- 1. Growth & Prosperity;
- 2. Vibrant and Safe City;
- 3. Valued Service Delivery; and
- 4. Fiscal Responsibility.

These priorities, although not Planning Policies, are goals for Common Council. This application would help fulfill Council's priority of Growth & Prosperity by allowing development in the Central Peninsula that would be an investment in the rejuvenation of the Waterloo Village neighbourhood and creation of job opportunities in Saint John.

#### **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 February 8, 2019. The public hearing for the rezoning was advertised on the City's website beginning on February 12, 2019.

#### SIGNATURES AND CONTACT

**Prepared:** 

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**Reviewed:** 

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

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Project:	19-0001

Approved:

Jacqueline Hamilton, MURP, MCIP, RPP Commissioner

#### **APPENDIX**

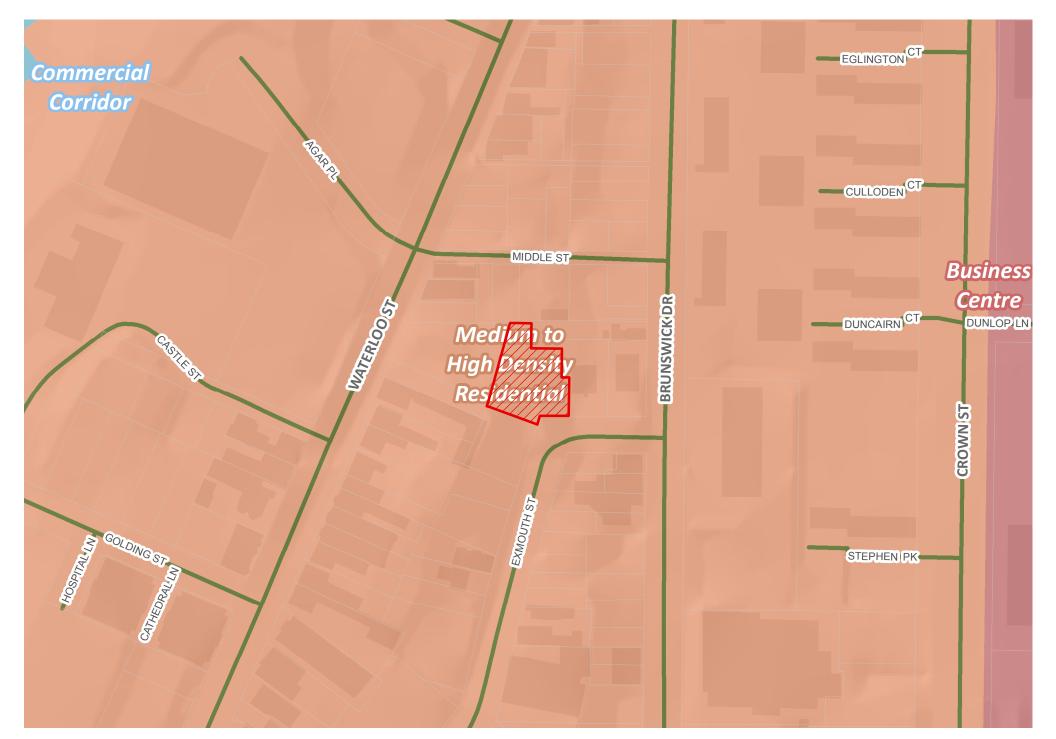
Map 1: Site Location Map 2: Municipal Plan Map 3: Zoning Map 4: Aerial Photography Map 5: Site Photography Submission 1: Site Plan Submission 2: Floor Plan Submission 3: Rendering



### Map 1 - Site Location Krystal Kindred - 97-99 Exmouth Street







## Map 2 - Future Land Use

Krystal Kindred - 97-99 Exmouth Street

The City of Saint John Date: January-22-19





- (CBP) Business Park Commercial
- (CC) Corridor Commercial
- (CFM) Major Community Facility
- (CFN) Neighbourhood Community Facility
- (CG) General Commercial

### Map 3 - Zoning Krystal Kindred - 97-99 Exmouth Street

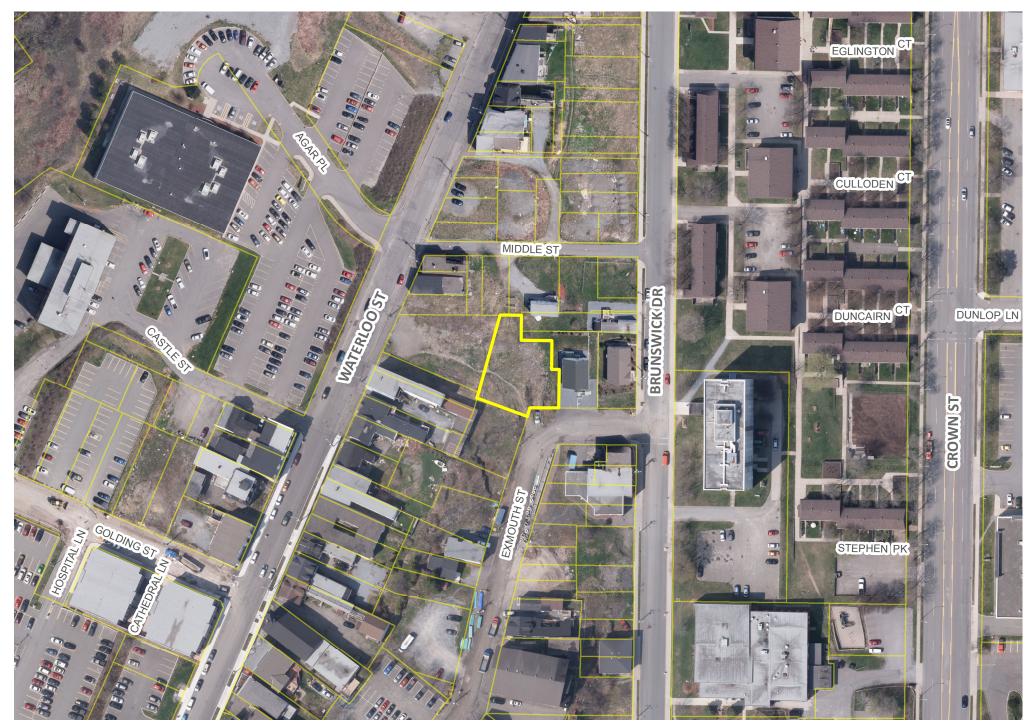
(RC) Urban Centre Residential

(RH) High-Rise Residential

Section 39 Conditions



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Map 4 - Aerial Photography Krystal Kindred - 97-99 Exmouth Street





Subject site from Exmouth Street



Site looking down Exmouth Street

### Map 5 - Site Photography Krystal Kindred - 97-99 Exmouth Street



Site from Exmouth/Brunswick St corner



Site from Middle Street

