



185 Golden Grove Road

Public Hearing Presentation to Common Council

2019 March 11



Growth & Community Planning Team
Growth & Community Development Services



SAINT JOHN

Proposal

- Amend Municipal Plan Designations
 - Schedule A – City Structure
 - Schedule B – Generalized Future Land Use
- Rezone site
- Rescind Section 59 and 131 Conditions
- Permit a vehicle body and paint shop



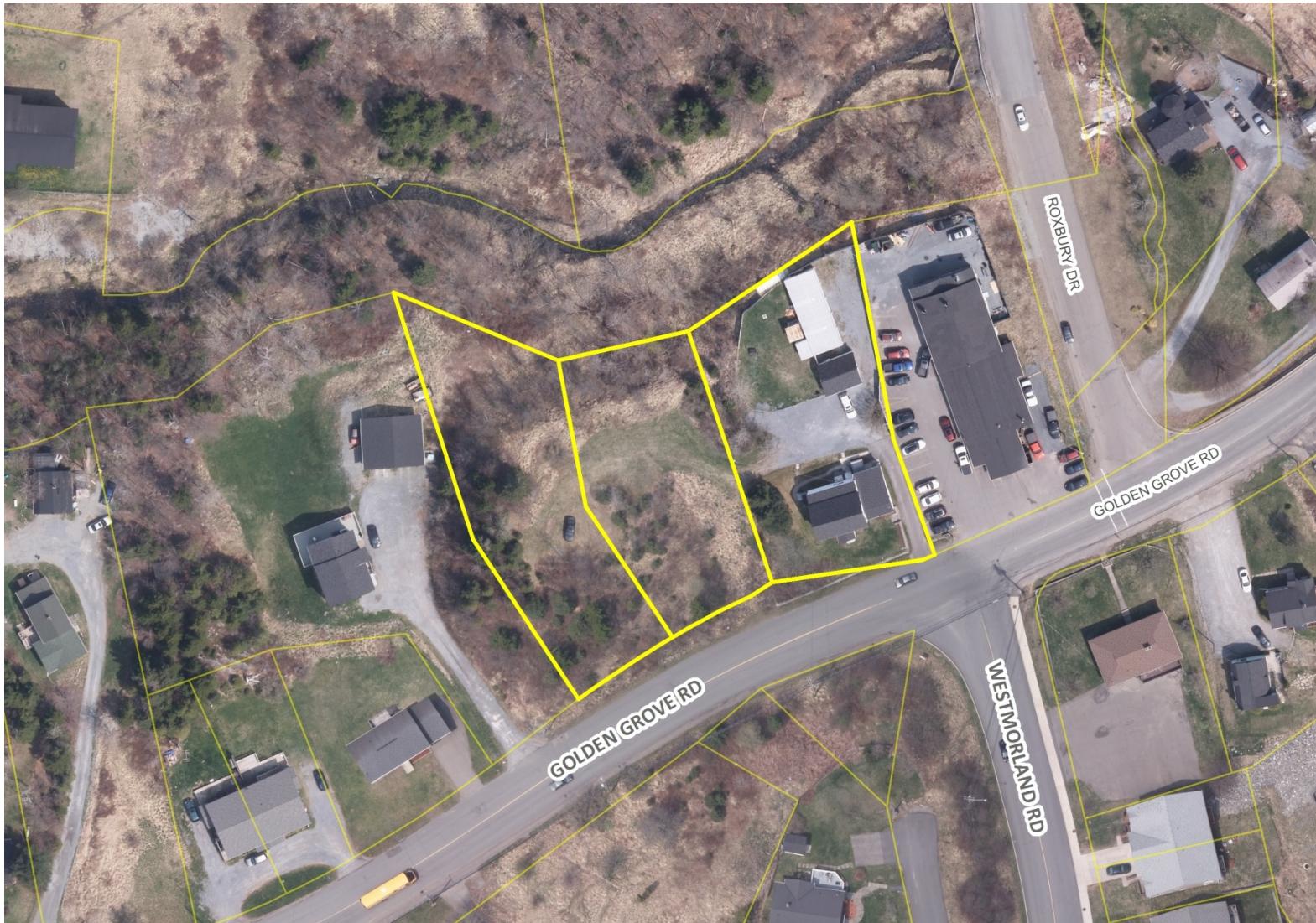
Site Location



Site Plan



Site Aerial



Site Photos



Site Photos



Site Photos



Site Photos



Site Photos

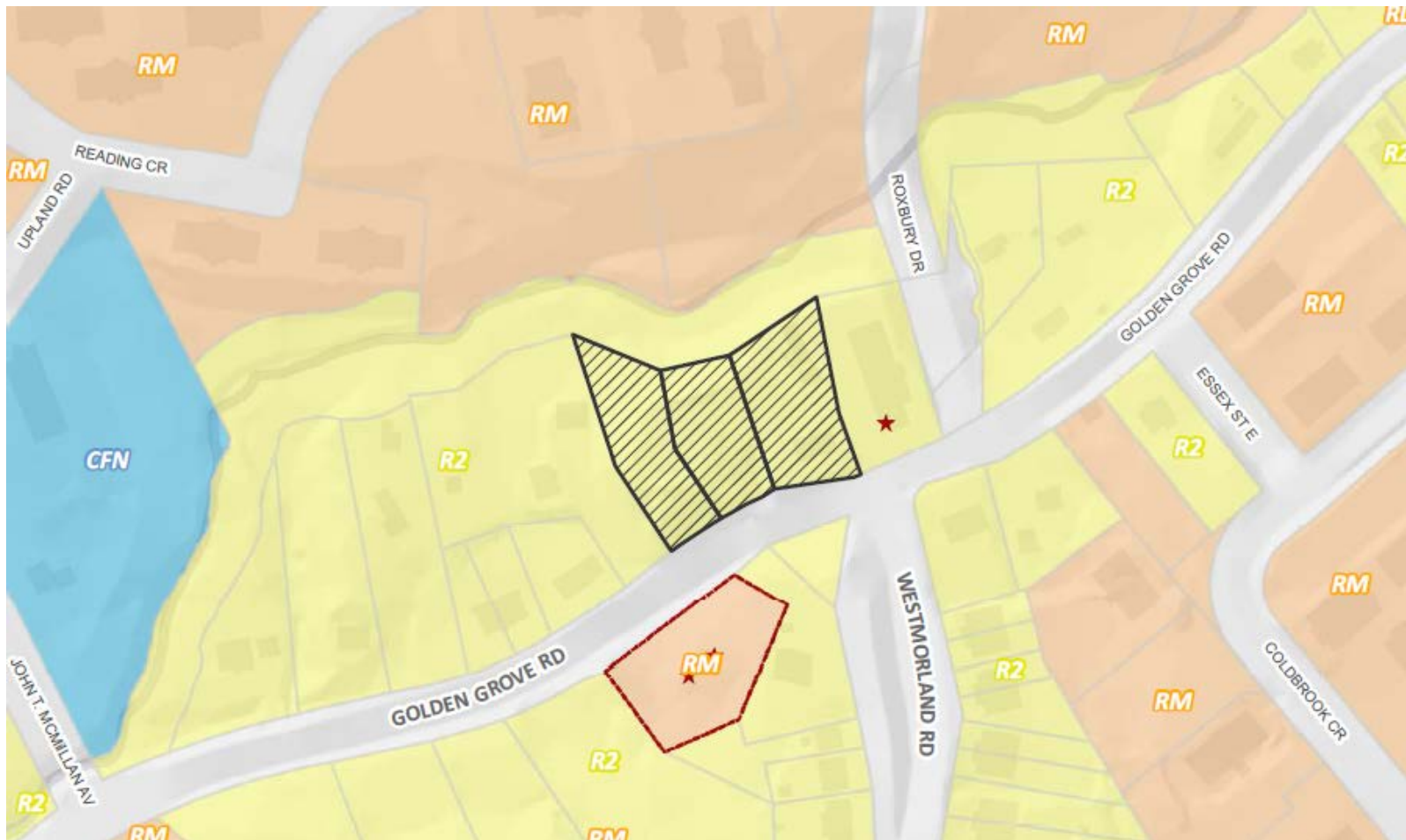


Future Land Use



- Meets intent of Policy LU-4 and LU-70
 - Expansion of existing use
 - Use permitted in select locations
 - Limit scope of commercial uses
 - Conditions related to site and building design
 - Serviced site on collector road

Zoning



- Special Zone
 - Based on Corridor Commercial Zone
 - Range of Commercial Uses
- Rescind existing Section 59 conditions
 - Signage, Outdoor Storage
- Discharge Section 101 (131) agreement
- Section 59 Conditions
 - Landscaping Plan
 - Building Plans
 - Access

Staff Recommendation

- Outlined on Pages 2 through 5 of Staff Report to PAC
- Municipal Plan
 - Schedule A - redesignate from Stable Area to Employment Area
 - Schedule B - redesignate from Stable Residential to Stable Commercial
- Zoning
 - Amend Zoning By-law to Adopt Special Zone 4
 - Rezone Site to Special Zone 4

Staff Recommendation

- Section 59 Conditions
 - Rescind conditions imposed PID No. 55201750 in 1976 and amended in 1979 and 1984
 - Impose conditions on rezoned site requiring detailed landscaping, building elevation and site access plans for City approval
- Section 131 (formerly 101) Agreement
 - Discharge March 19, 1997 agreement respecting PID No. 55201750

Public Engagement

- Website advertisement – December 21, 2018
- Letter to area landowners - January 4, 2019
- No letters received
- Applicant attended PAC Meeting – agreement with Staff Recommendation
- No other appearances at PAC meeting



PAC Recommendation

- PAC adopted an amended Staff recommendation – outlined in letter from PAC Chair
- Reduced scope of permitted uses in proposed Special Zone 4
- Recommended elimination of the following permitted uses from the proposed zone:
 - car wash,
 - light equipment sales and rental,
 - large recreational vehicle sales and service,
 - recycling bins,
 - redemption centre,
 - vehicle rental, and
 - vehicle sales and leasing



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: Municipal Plan Amendment, Rezoning and Section 59/131
Amendment
179-185 Golden Grove Road**

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.

Mr. Scott Trites and Ms. Jocelyn Adams, the applicants appeared before the Committee and indicated they were in agreement with the staff recommendation. The applicants noted they have operated the existing vehicle body and paint facility adjacent to the site since 2009 and currently employ 13 staff and the expansion, if approved, will result in the hiring of 10 to 15 additional staff.

Committee members questioned the range of permitted land uses in the proposed Special Zone 4, with the applicants noting they were just requesting a vehicle body and paint shop. Staff responded that current practice is to provide for a range of appropriate land uses, based on the surrounding community context and appropriate zoning. This provides for a range of appropriate land uses allowing for the reuse of the site in the future, without the need for additional planning approvals.

The applicants noted that some vehicles were temporarily being stored off site and that the larger facility, if approved, would provide more on-site parking for vehicles undergoing work at the facility at the rear of the new building.

Committee members discussed the permitted uses within the proposed Special Zone, noting they did not have an issue with the proposed new vehicle body and paint shop given the existing shop adjacent to the site. The Committee proposed

a revision to the list of permitted uses in Special Zone 4 with the elimination of the following uses: car wash, light equipment sales and rental, large recreational vehicle sales and service, recycling bins, redemption centre, vehicle rental and vehicle sales and leasing.

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 an amended the staff recommendation regarding the application with the amendment being the elimination of some of the permitted uses in the proposed Special Zone 4.

RECOMMENDATION:

1. That Common Council redesignate, on Schedule A of the Municipal Development Plan, parcels of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750, from Stable Area to Employment Area.
2. That Common Council redesignate, on Schedule B of the Municipal Development Plan, parcels of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750, from Stable Residential to Stable Commercial.
3. That Common Council amend The City of Saint John Zoning By-law by:
 - a. Adding the following to the list of Other zones in Section 2.2:
"Special Zone No. 4 SZ-4"
 - b. Adding the following as Section 14.9:
"14.9 Special Zone No. 4 (SZ-4)

14.9(1) Permitted Uses
Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following, which may include outdoor storage as an accessory or secondary use, subject to paragraph 14.9(2)(a):
 - Accommodation;
 - Auction House;
 - Bakery;

- Banquet Hall;
- Business Office, subject to paragraph 14.9(2)(b);
- Business Support Service;
- Catering Service;
- Commercial Entertainment;
- Commercial Group;
- Communication Facility;
- Contractor Services, Household;
- Day Care Centre;
- Emergency Services Facility;
- Financial Service;
- Fleet Service;
- Funeral Service;
- Grocery Store;
- Health and Fitness Facility;
- Health Services Laboratory;
- Medical Clinic;
- Personal Service;
- Pet Grooming;
- Recreational Vehicle Sales and Service, Small;
- Restaurant;
- Retail General;
- Sales Centre, Model Home;
- Self-Storage Facility;
- Service and Repair, Household;
- Technical or Vocational School;
- Transit Terminal;
- Vehicle Body and Paint Shop;
- Veterinary Clinic.

14.9(2) Conditions of Use

- (a) Outdoor Storage as an accessory or secondary use to a main use permitted in subsection 14.9(1) shall be subject to the following:
 - (i) The yard shall not occupy any required front or flankage yard or any area required for parking;
 - (ii) The yard shall be completely enclosed by a solid board-on-board fence or a chain-link fence entirely covered by filler strips woven into the mesh or a walled structure or a berm, or any combination thereof, having a minimum height of 2 metres and

- including any gate constructed in the same manner and height as the enclosure;
 - (iii) Notwithstanding the above, the yard may instead be screened in accordance with paragraph 6.1(k), or by any combination of permitted structures, berms and landscaping; and
 - (iv) When the yard is developed within 15 metres of an abutting lot in a Residential zone, the yard shall also be in accordance with section 5.5.
- (b) A Business Office permitted in subsection 14.9(1) shall not exceed 3,000 square metres in gross floor area.

14.9(3) Zone Standards

Standards for development in Special Zone 4 shall be as set out in subsection 11.5(4), and Parts 4 to 9 where this zone shall be considered a Corridor Commercial (CC) zone.

4. That Common Council rezone parcels of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750, from Two-Unit Residential (R2) to Special Zone 4 (SZ-4).
5. That Common Council rescind the Section 39 conditions imposed on the November 8, 1976 rezoning of the property and located at 185 Golden Grove Road, also identified as PID No. 55201750, and modified February 15, 1979 and June 11, 1984.
- 6.. That Common Council hereby imposes pursuant to the provisions of Section 59 of the Community Planning Act (SNB 2017, c.19) the following conditions upon the development and use of the parcels of land having a combined area of approximately 0.55 hectares, located at located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750:
 - a) All areas of the site not occupied by buildings, driveways, walkways, parking, storage or loading areas must be landscaped by the developer, in accordance with a detailed landscaping plan, subject to the approval of the Development Officer prior to the issuance of a Building Permit. This landscaping plan is to be prepared by the developer or their consultant and submitted for approval with the Building Permit application.

- b) The building elevations be submitted to the Development Officer for review and approval prior to issuance of a Building Permit.
 - c) A plan showing access to the site and adjacent facility must be prepared by the developer and submitted to Infrastructure Development and the Development Officer for approval prior to issuance of a Building Permit.
7. That Common Council discharge all covenants and conditions of the agreement, made pursuant to the provisions of Section 101 of the Community Planning Act in effect at that time between Douglas and Gloria Mitton as developer, and the City of Saint John, dated March 19, 1997 respecting the property located at 185 Golden Grove Road, also identified as PID No. 55201750.

Respectfully submitted,



Eric Falkjar
Chair

Attachments



The City of Saint John

Date: February 15, 2019

To: Planning Advisory Committee

From: Growth & Community Planning
Growth & Community Development Services

For: **Meeting of Wednesday, February 20, 2019**

SUBJECT

Applicant: Scott's Auto Body & Collision Ltd.

Owner: Douglas E. and Gloria M. Mitton

Location: 179-185 Golden Grove Road

PID: 55201750, 55057855 and 55087848

Existing Plan Designation: Stable Residential

Proposed Plan Designation: Stable Commercial

Existing Zoning: Two-Unit Residential (R2)

Proposed Zoning: Special Zone 4 (SZ-4)

Application Type: Municipal Plan Amendment and Rezoning, Section 59
Amendment and discharge of the conditions of an existing
Section 131 Agreement

Jurisdiction: The *Community Planning Act* authorizes the Planning
Advisory Committee to give its views to Common Council
concerning proposed amendments to the Municipal
Development Plan and Zoning By-law and proposed
amendments to Section 59 conditions. The Committee

recommendation will be considered by Common Council at a public hearing on **Monday, March 11, 2019**.

SUMMARY

The applicant has applied to amend the Municipal Plan Designation of the site and rezone the site to allow for the construction of a vehicle body and paint shop to be used in conjunction with an existing facility located to the east of the subject site.

Approval of the application is recommended with Section 59 conditions relating to access, landscaping and Development Officer approval of the proposed building elevations.

RECOMMENDATION

1. That Common Council redesignate, on Schedule A of the Municipal Development Plan, parcels of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750, from Stable Area to Employment Area.
2. That Common Council redesignate, on Schedule B of the Municipal Development Plan, parcels of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750, from Stable Residential to Stable Commercial.
3. That Common Council amend The City of Saint John Zoning By-law by:
 - a. Adding the following to the list of Other zones in Section 2.2:
"Special Zone No. 4 SZ-4"
 - b. Adding the following as Section 14.9:

"14.9 Special Zone No. 4 (SZ-4)

14.9(1) Permitted Uses

Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following, which may include outdoor storage as an accessory or secondary use, subject to paragraph 14.9(2)(a):

- Accommodation;
- Auction House;
- Bakery;
- Banquet Hall;
- Business Office, subject to paragraph 14.9(2)(b);

- Business Support Service;
- Car Wash;
- Catering Service;
- Commercial Entertainment;
- Commercial Group;
- Communication Facility;
- Contractor Services, Household;
- Day Care Centre;
- Emergency Services Facility;
- Equipment Sales and Rental, Light;
- Financial Service;
- Fleet Service;
- Funeral Service;
- Grocery Store;
- Health and Fitness Facility;
- Health Services Laboratory;
- Medical Clinic;
- Personal Service;
- Pet Grooming;
- Recreational Vehicle Sales and Service, Large;
- Recreational Vehicle Sales and Service, Small;
- Recycling Bins;
- Redemption Centre, subject to paragraph 14.9(2)(c);
- Restaurant;
- Retail General;
- Sales Centre, Model Home;
- Self-Storage Facility;
- Service and Repair, Household;
- Technical or Vocational School;
- Transit Terminal;
- Vehicle Body and Paint Shop;
- Vehicle Rental;
- Vehicle Sales and Leasing;
- Veterinary Clinic.

14.9(2) Conditions of Use

(a) Outdoor Storage as an accessory or secondary use to a main use permitted in subsection 14.9(1) shall be subject to the following:

- (i) The yard shall not occupy any required front or flankage yard or any area required for parking;

- (ii) The yard shall be completely enclosed by a solid board-on-board fence or a chain-link fence entirely covered by filler strips woven into the mesh or a walled structure or a berm, or any combination thereof, having a minimum height of 2 metres and including any gate constructed in the same manner and height as the enclosure;
- (iii) Notwithstanding the above, the yard may instead be screened in accordance with paragraph 6.1(k), or by any combination of permitted structures, berms and landscaping; and
- (iv) When the yard is developed within 15 metres of an abutting lot in a Residential zone, the yard shall also be in accordance with section 5.5.

(b) A Business Office permitted in subsection 14.9(1) shall not exceed 3,000 square metres in gross floor area.

(c) A Redemption Centre permitted in subsection 14.9(1) shall be wholly contained within a building and not have any outdoor storage.

14.9(3) Zone Standards

Standards for development in Special Zone 4 shall be as set out in subsection 11.5(4), and Parts 4 to 9 where this zone shall be considered a Corridor Commercial (CC) zone.

- 4. That Common Council rezone parcels of land with an area of approximately 0.55 hectares, located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750, from Two-Unit Residential (R2) to Special Zone 4 (SZ-4).
- 5. That Common Council rescind the Section 39 conditions imposed on the November 8, 1976 rezoning of the property and located at 185 Golden Grove Road, also identified as PID No. 55201750, and modified February 15, 1979 and June 11, 1984.
- 6.. That Common Council hereby imposes pursuant to the provisions of Section 59 of the Community Planning Act (SNB 2017, c.19) the following conditions upon the development and use of the parcels of land having a combined area of approximately 0.55 hectares, located at located at 179-185 Golden Grove Road, also identified as PID Nos. 55057848, 55057855 and 55201750:
 - a) All areas of the site not occupied by buildings, driveways, walkways, parking, storage or loading areas must be landscaped by the developer, in accordance with a detailed landscaping plan, subject to the approval of the Development Officer prior to the issuance of a Building Permit. This landscaping plan is to be prepared by the developer or their consultant and submitted for approval with the Building Permit application.

- b) The building elevations be submitted to the Development Officer for review and approval prior to issuance of a Building Permit.
 - c) A plan showing access to the site and adjacent facility must be prepared by the developer and submitted to Infrastructure Development and the Development Officer for approval prior to issuance of a Building Permit.
7. That Common Council discharge all covenants and conditions of the agreement, made pursuant to the provisions of Section 101 of the Community Planning Act in effect at that time between Douglas and Gloria Mitton as developer, and the City of Saint John, dated March 19, 1997 respecting the property located at 185 Golden Grove Road, also identified as PID No. 55201750.

DECISION HISTORY

On November 8 1976, Common Council amended the Municipal Plan and rezoned the entire property at 185-187 Golden Grove Road (PIDs 55201750 and 55201768) from "RS-2" One and Two Family Suburban Residential to "I-1" Light Industrial to permit the operation of a vehicle body and paint shop. The rezoning was subject to Section 39 conditions relating to the operation of the shop and the development of the site. Common Council approved a Section 39 amendment to permit an expansion of the vehicle body and paint shop on February 18, 1979.

In January of 1981, Common Council amended the Municipal Plan designation and zoning for the property at 185 Golden Grove Road (PID 55201750) from Light Industrial back to Low Density Residential and from "I-1" Light Industrial to "RS-2" One and Two Family Suburban Residential in order to permit an addition to the existing dwelling at 185 Golden Grove Road. From a review of the file and associated Council Resolution, it appears the Section 39 conditions imposed in 1976 were never rescinded on the portion of the property rezoned to residential in 1981.

In June of 1984, Common Council amended the Section 39 conditions to permit a three square metre fascia sign to be placed on the vehicle body and paint shop at 187 Golden Grove Road and advised the previous owner to remove an existing freestanding sign from the property.

On November 21, 1995, the Planning Advisory Committee granted a variance to increase the total maximum ground floor area for accessory buildings from 108 square metres to approximately 143 square metres to permit the existing five-bay garage to remain on the subject site at 185 Golden Grove Road. At the meeting of July 23, 1996, the Committee recommended that Council authorize the execution of a Section 101 Agreement requiring that the five-bay garage be used only in conjunction with the residential use of the property. This agreement was executed and registered on March 26, 1997 as a condition of the Planning Advisory Committee's approval of a variance for the garage.

On May 20, 2009, the Planning Advisory Committee approved an amended subdivision plan that allowed for the sale of the vehicle body and paint shop at 187 Golden Grove Road which

was zoned "I-1" Light Industrial under the former Zoning By-law, and ownership of the adjacent residential dwelling at 185 Golden Grove Road to be maintained by the current owner. However, the Committee and Common Council denied the applicant's request for a Municipal Plan amendment and rezoning, which were made in effort to include the five-bay garage that is located on the property at Civic 185 Golden Grove Road as part of the sale of the vehicle body and paint shop. A fence separating the two properties to ensure that the garage would not be used as a part of the operations of the vehicle body and paint shop was added as a condition by the Committee to the approval of the subdivision of the property.

In December 7, 2009 Common amended the Section 39 conditions relating to the existing vehicle body and paint shop at 187 Golden Grove Road (PID 55201768) to permit the construction of an addition to the facility.

ANALYSIS

Proposal

The applicant is proposing to develop a new vehicle body and paint shop on three parcels of land (PIDs 55201750, 55057855 and 55087848) located immediately west of the existing vehicle body and paint shop at the 187 Golden Grove Road (PID 55201768). The new facility will be used in conjunction with the existing facility and will be approximately 1330 square metres in floor area and with an outdoor area to the rear of the building for the storage of vehicles undergoing repair. Access to Golden Grove Road would be from a shared driveway with the existing facility.

Site and Neighbourhood

The subject site is located on the north side of Golden Grove Road west of the intersection with Roxbury Drive and Westmorland Road and has an area of approximately 0.55 hectares. It currently contains a 3-unit dwelling (converted dwelling) and two accessory buildings in the eastern portion of the property with the western two-thirds of the site being largely open space. The site is currently zoned Two-Unit Residential (R2).

The surrounding area contains a mix of Mid-Rise Residential (RM) and Two-Unit Residential (R2) zoning.

Municipal Plan and Rezoning

Municipal Plan

The amendment to the Municipal Plan that has been requested by the applicant seeks the following changes to allow for the construction of a vehicle body and paint shop:

- redesignate the 0.55 hectare site (PIDs 55201750, 55057855 and 55087848) from Stable Area to Employment Area on Schedule A – City Structure of the Municipal Plan and

- redesignate the site from Stable Residential to Stable Commercial on Schedule B – Future Land Use of the Municipal Plan.

With respect to Schedule B of the Municipal Plan, areas designated as Stable Residential are existing neighbourhoods which are generally built-out and not anticipated to receive major change over the horizon of the plan. Within these areas, commercial development is envisioned at a limited scale, focused on the day-to-day needs of surrounding residents and households. Stable Commercial areas are lands which contain a mix of existing neighbourhood commercial areas that are generally built out but have the potential for greater mixed-use development during the planning period.

In assessing the Municipal Plan Amendment there are two key policies that must be considered:

- Policy LU-4 of the Municipal Plan which provides criteria to assess a requested change in the Municipal Plan designation.
- Policy LU-70 of the Plan which provides criteria for significant new development and redevelopment in Stable Commercial areas requiring a rezoning process.

An evaluation of this application against these policies is provided below:

The proposal is consistent with the general intent of the Municipal Plan and further advances the City Structure.	The proposal represents an expansion and intensification of an existing use that was recognized through an exception in the Zoning By-law. Staff note that while the change from Residential to Commercial could be seen as a major departure, the existing vehicle body shop is a long standing use that has operated for some time without complaints from adjacent residents.
The proposal is necessary by virtue of a lack of supply of quality land already designated in the Municipal Plan to accommodate the development and does not detract from the City's intention to direct the majority of new commercial development to the Primary Centres, Regional Retail Centres, Business Centres, Commercial Corridors, Local Centres, and Mixed Use Centres.	<p>The use of a vehicle body and paint shop is only permitted in limited areas of the City (lands zoned Commercial Corridor and Medium Industrial (IM)). In this particular case, the new facility will be used in conjunction with the existing facility situated adjacent to the site and represents an expansion to an existing operation.</p> <p>Although not specifically located on a designated corridor, Golden Grove Road is identified as a collector street in the Municipal Plan and given its role as a collector street, a level of commercial development is considered appropriate along this road.</p>

The proposal efficiently uses available infrastructure.	Water and sanitary sewer servicing is available. An engineered storm water submission, plan and design report will be required prior to issuance of a building permit.
The proposal does not negatively impact the use and enjoyment of adjacent lands and neighbourhoods.	While the proposed use could be considered an intensive commercial use, Staff are proposing the scope of future commercial uses be limited through the permitted uses of the proposed Special Zone along with Section 59 conditions relating to site development standards such as landscaping and building design.
The proposal adequately addresses and mitigates any significant environmental impacts.	The proponent will be required by applicable Provincial legislation to procuring all necessary environmental approvals relating to items such as air quality, and water course alteration. The application was circulated to the Provincial Department of Environment and Local Government and no issues have been identified.
Site design features that address such matters as safe access, buffering and landscaping, site grading and stormwater management are incorporated.	Section 59 conditions are proposed related to landscaping, site design and building design.
A high quality exterior building design is provided that is consistent with the Urban Design Principles in the Municipal Plan.	Section 59 conditions are proposed related to landscaping, site design and building design.

In this particular case, the application essentially seeks the expansion of a legally permitted use further into an established residential area. Staff note from a review of enforcement complaints, no issues have been identified with the existing vehicle paint and body shop operation and note that on the more recent planning approvals no issues of concern were identified from area residents through the planning process. This provides an indication of the impact or apparent lack thereof, of the operation of the facility on the surrounding neighbourhood.

Largely, the amendment involves a change in designation to allow for the expansion of an existing commercial business from Stable Residential to Stable Commercial, both of which have some potential for future development and redevelopment over the horizon of the Plan. Impacts on the adjacent neighbourhood will be minimized through a defined set of specific land uses within the proposed Special Zone and Section 59 conditions which address site design features

such as landscaping and building design. Based on the above assessment, the proposal conforms to the criteria outlined in both Policy LU-4 and LU 70 of the Municipal Plan.

Zoning

The property is currently zoned Two-Unit Residential (R2) which does not permit a vehicle body and paint shop. The existing facility located east of the subject site was recognized as an exception during the preparation and adoption of the current zoning by-law which gives it legal standing from a land use perspective and allows for its expansion on the parcel of land it currently occupies. However, this does not provide for the expansion of the use to adjacent parcels of land.

A Vehicle Body and Paint Shop is a permitted use in three zones of the City's Zoning By-Law, the Corridor Commercial (CC), Light Industrial (IL) and Medium Industrial (IM) zones. Within the Corridor Commercial (CC) zone, the use is subject to the additional restriction that such a facility cannot be located adjacent to a residentially zoned lot. Given that the lands to the east, west and north are residentially zoned, the standards of the Corridor Commercial (CC) zone with respect to separation from residential uses cannot be met. This would require a rezoning to an industrial zone or a special, site specific zone that provides for a Vehicle Body and Paint Shop, and does not have the restriction related to the adjacency to a residential zone.

To accommodate the applicant's proposal, staff are recommending the site of the proposed new facility be rezoned to a special zone that would be based on the standards of the Corridor Commercial (CC) zone and provide for the Vehicle Body and Paint Shop to be located adjacent to a residentially zoned parcel. While this restriction does not exist with the two industrial zones, the intensity, type and scale of other permitted uses within the Light Industrial (IL) and Medium Industrial (IM) zones present additional compatibility uses with a residential area.

The proposed Special Zone would also provide for other appropriate commercial uses given the community context and employ the Corridor Commercial zoning standards (setbacks, landscaping, and parking requirements).

Permitted uses in the Corridor Commercial (CC) zone were reviewed based on their potential to result in minimal impacts on the surrounding neighbourhood while offering additional development potential for the site allowing for its potential reuse. Specifically, the following uses have been eliminated from the list of permitted uses on the site because these have the greatest potential to impact adjacent residential lands through noise, larger volumes of truck traffic or outdoor storage:

- Animal Shelter
- Bar, Lounge or Nightclub
- Distribution Facility
- Kennel
- Private Club
- Retail Warehouse
- Service Station
- Vehicle Repair Garage

- Landscape Material Supply
- Moving Services
- Warehouse Facility

In addition to the rezoning there are existing Section 59 conditions and a Section 131 (formerly Section 101) agreement that affect the easternmost parcel to be rezoned (PID 55201750) which contains the existing dwelling and residential garages. This parcel was originally part of the parcel where the existing vehicle paint and body shop is located but was rezoned and subdivided from the parent parcel in 1981 and 2009 respectively. The Section 59 conditions which relate to the operation of the existing facility were never rescinded from the 1981 rezoning. These conditions relate to outdoor storage and signage. Staff recommend the conditions pertaining to PID 55201750 be rescinded, for the new facility to be subject to the current provisions of the Zoning By-law.

Staff are also recommending the Section 131 (formerly Section 101) agreement that affects PID 55201750 be discharged. This agreement was entered into with the property owner relates to the five-bay garage in the rear portion of the property requiring that it only be used in conjunction with the existing dwelling on the property, as an accessory building to the dwelling.

Staff have reviewed the site plan provided with the application and finds that it generally meets the requirements of the Zoning By-Law and the proposed standards of the special zone. Refinements to the site plan will be required, through the addition of more detail to demonstrate compliance with other By-law requirements including paving of all outdoor storage and parking areas. Important considerations in the final site design to be submitted with the building permit application will be landscaping and buffering along the western and northern boundaries of the site. Staff note that site overlooking from adjacent parcels may be an issue. As a result, the final site design and associated landscaping must demonstrate how these views will be buffered, which may include berming and retention of existing trees. Staff propose three conditions, which will require Development Officer approval prior to obtaining a building permit: (1) that details of site landscaping required be provided in a landscape plan and as part of that plan not occupied by buildings parking or driveways be landscaped, (2) review of the elevations of the proposed building, and (3) a review of the site access.

Staff note a gravel parking area is shown on the plans submitted with the application and that the surfacing of the parking in the rear area of the site, and any associated variances, will be an item reviewed at the detailed design stage through the required stormwater management plan given the lack of municipal storm sewer on this section of Golden Grove Road.

Conclusion

The proposal meets the intent of the Municipal Plan and Zoning By-law, given the reasons outlined in the preceding sections of this report. Approval of the application is recommended subject to Section 59 conditions relating to preparation of building, site and landscaping plans, defined permitted uses for the site and provision of bicycle parking.

ALTERNATIVES AND OTHER CONSIDERATIONS

Alternatives

None.

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 supporting the retention of businesses that create job opportunities.

ENGAGEMENT

Proponent

The proponent has indicated they have informed area landowners and residents of the proposal.

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 presentation for the Municipal Plan amendment was advertised on the City's website beginning on December 7, 2018 with the public hearing advertised on the City's website beginning on February 12, 2019.

SIGNATURES AND CONTACT

Prepared by:



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

Approved by:



Jacqueline Hamilton, MURP, MCIP, RPP
Commissioner

Contact: Mark Reade
Phone: (506) 721-0736
E-mail: mark.reade@saintjohn.ca
Project: 18-182

APPENDIX

Map 1: **Site Location**

Map 2: **Municipal Plan**

Map 3: **Zoning**

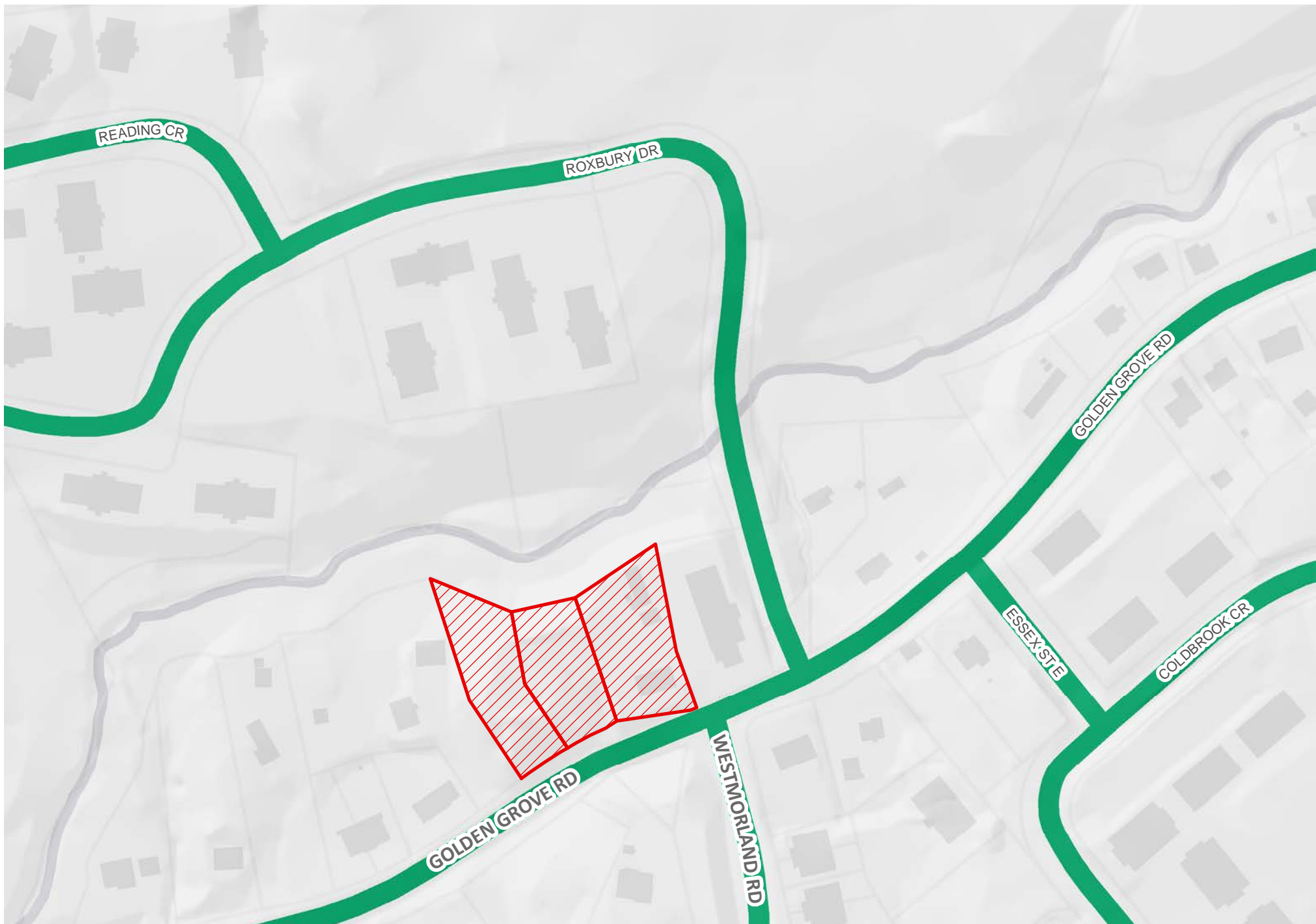
Map 4: **Aerial Photography**

Map 4A: **Aerial Photography**

Map 5: **Site Photography**

Submission 1: **Site Plan**

Submission 2: **Photos of Similar Facility**



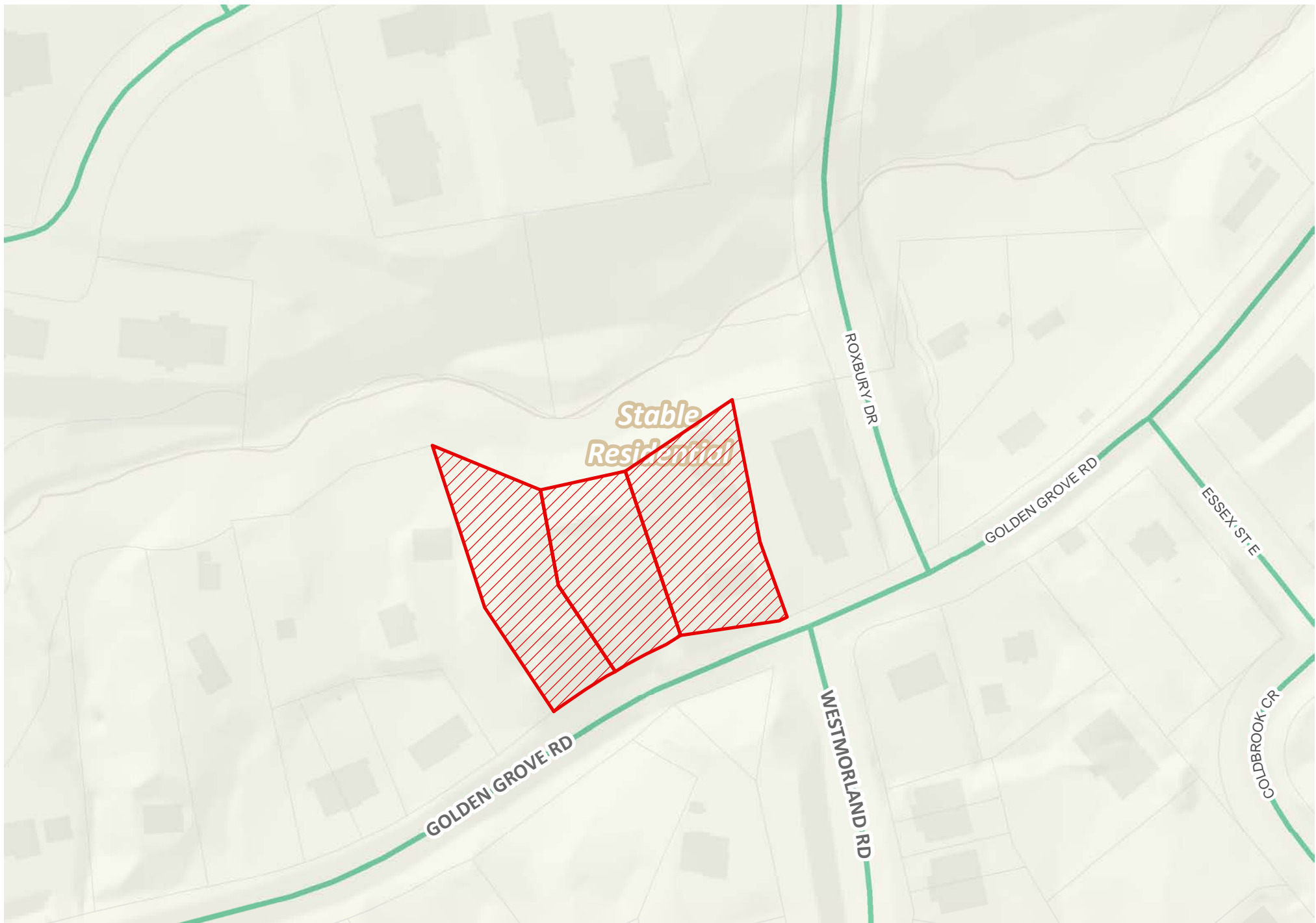
Map 1 - Site Location

Scott's Autobody & Collision Inc. - 185 Golden Grove Road

The City of Saint John
Date: December-17-18

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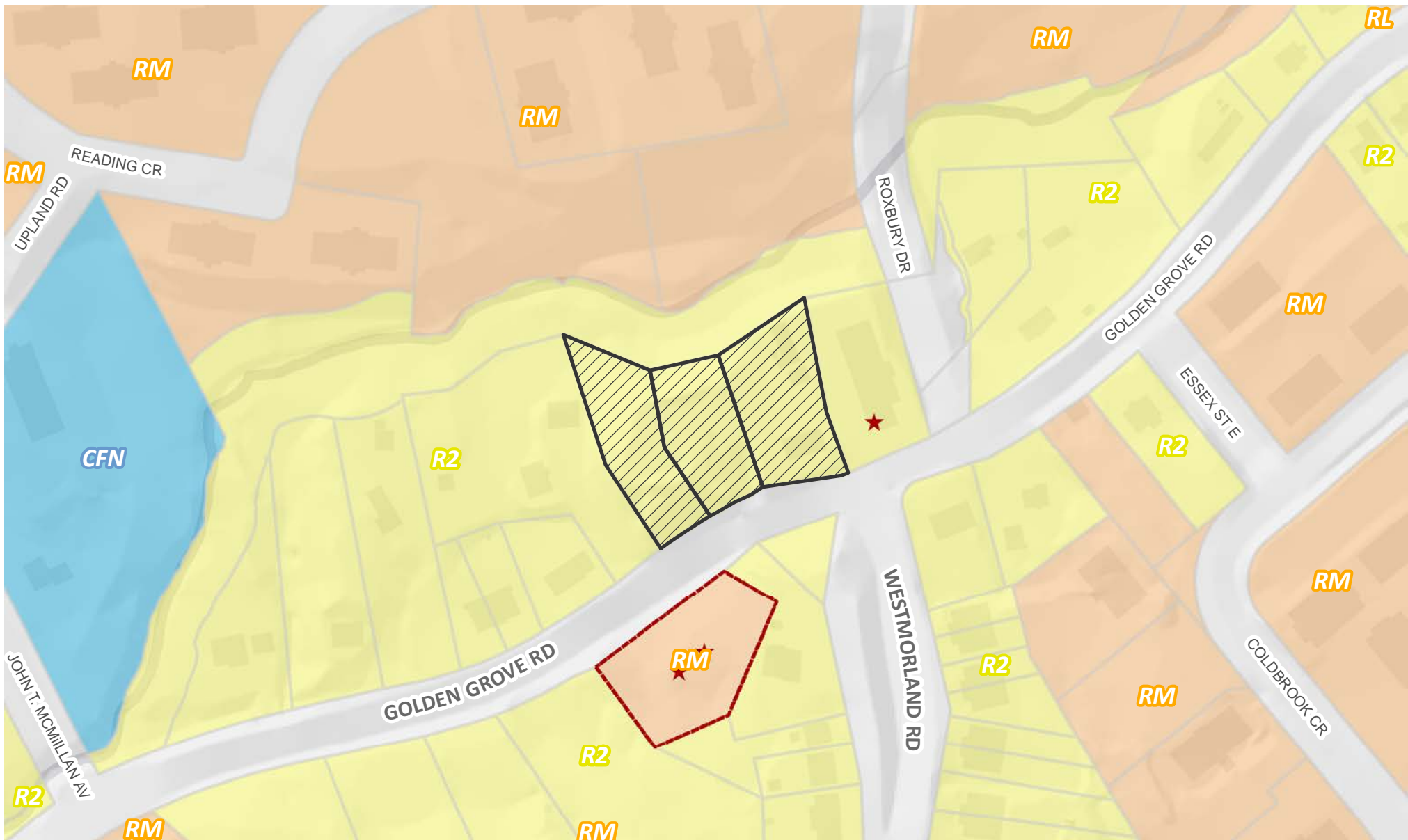


Map 2 - Future Land Use

Scott's Autobody & Collision Inc. - 185 Golden Grove Road

The City of Saint John
Date: December-17-18



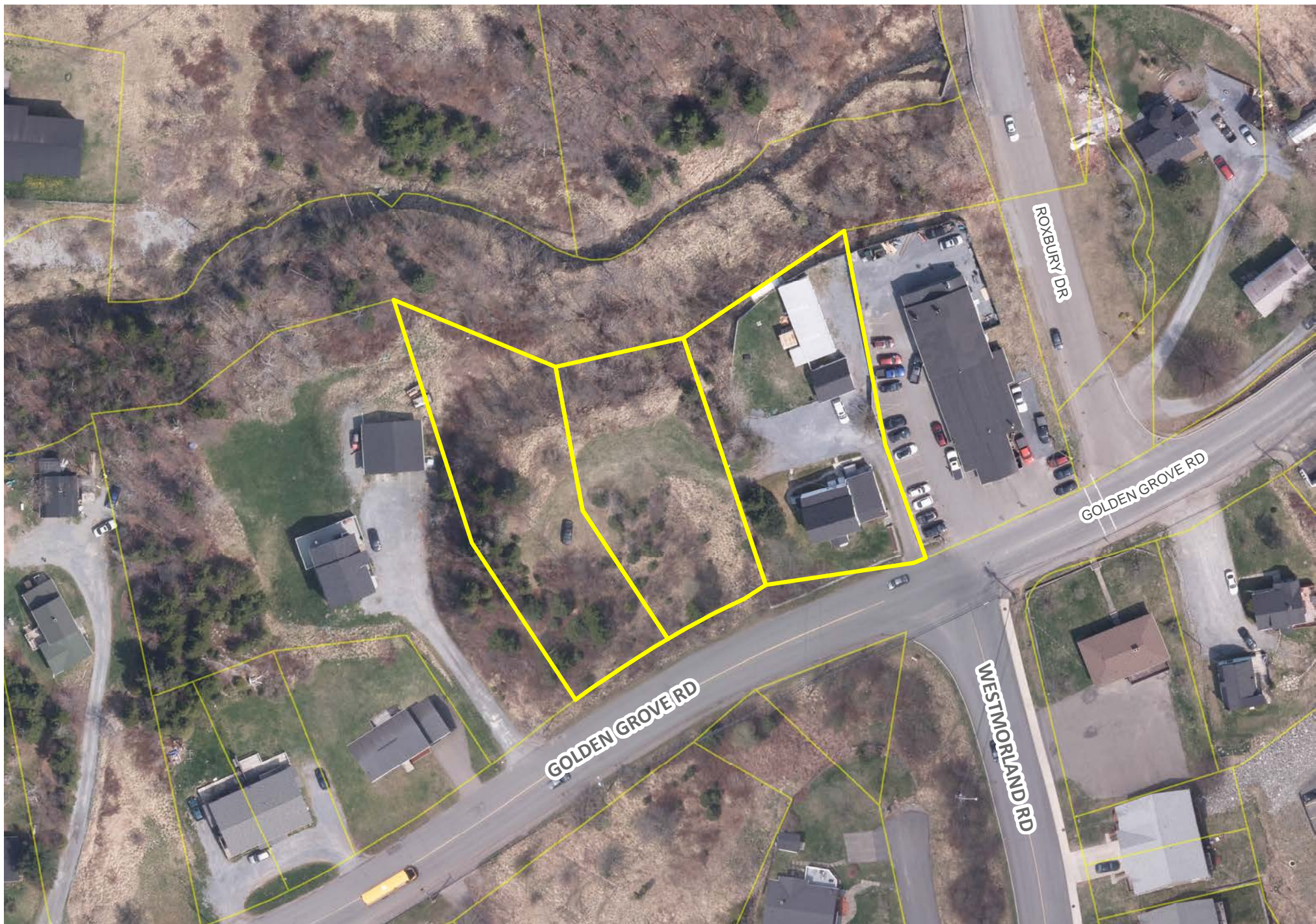


(CFN) Neighbourhood Community Facility
 (R2) Two-Unit Residential
 (RL) Low-Rise Residential
 (RM) Mid-Rise Residential

★ Section 39 Conditions

Map 3 - Zoning

Scott's Autobody & Collision Inc. - 185 Golden Grove Road



Map 4 - Aerial Photography

Scott's Autobody & Collision Inc. - 185 Golden Grove Road

The City of Saint John
Date: December-17-18

0 25 m





Map 4A - Aerial Photography

Scott's Autobody & Collision Inc. - 185 Golden Grove Road

The City of Saint John
Date: January-24-19

0 50 m





View of Site from Golden Grove Road frontage.



View from rear of site looking west



View from Roxbury Drive looking south towards site



View of existing facility

Map 5 - Site Photography

Scott's Auto Body & Collision Inc. 185-187 Golden Grove Road

Photos of Similar Facility



