



# 86-88 Regent Street

Public Hearing Presentation to Common Council

2019 April 8



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



SAINT JOHN

# Proposal

- Rezone site from Neighbourhood Community Facility (CFN) to Two-Unit Residential (R2)
  - Convert existing building to dwelling unit
- Rescind Section 59 Conditions



# Site Location





# Site Aerial





# Site Photos





# Site Photos

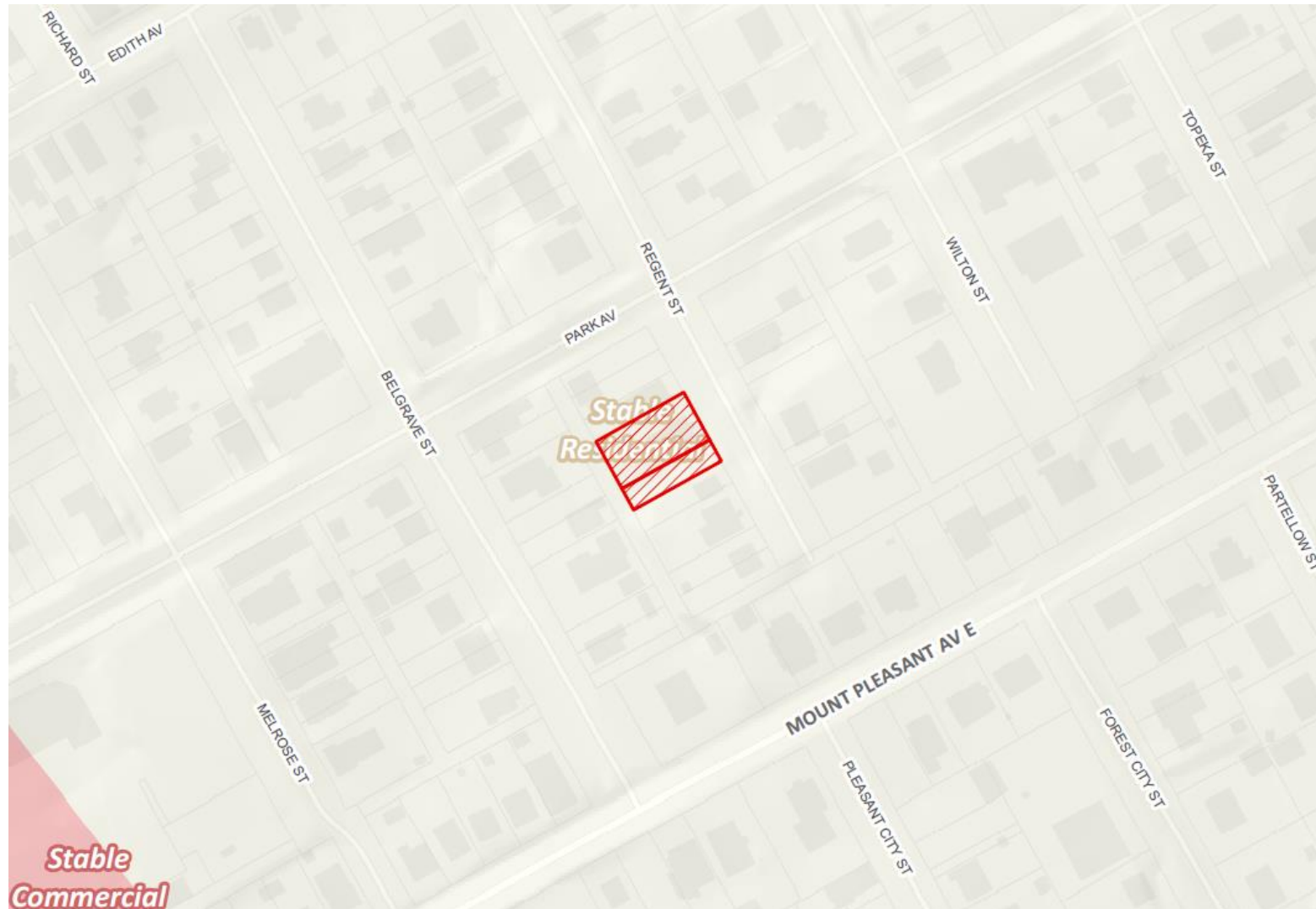




# Site Photos



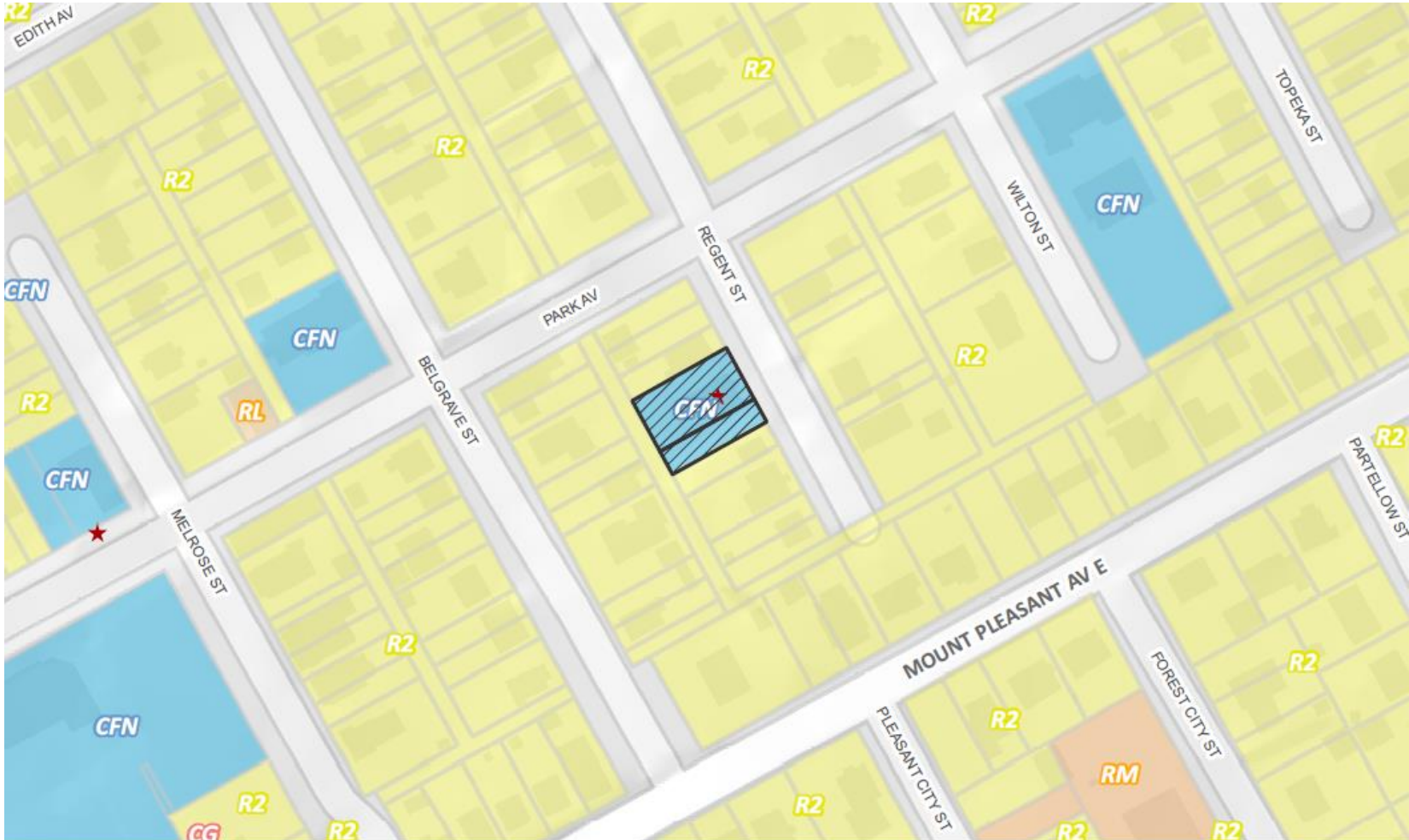
# Future Land Use





- Stable Residential designation
- Meets intent of Policy LU-88
  - Reuse of institutional building
  - Additional residential use in neighbourhood
  - Serviced site
  - Elements of building design relate to surrounding context
- Conforms to Municipal Plan criteria for land use designation

# Zoning





- Rezone from Neighbourhood Community Facility (CFN) to Two-Unit Residential (R2)
  - Establish dwelling unit
- Rescind existing Section 59 conditions
  - Limits use of site

# Staff Recommendation

- Rezone site from CFN to R2
- Rescind Section 59 condition





# Public Engagement

- Website advertisement – March 18, 2019
- Letter to area landowners - March 15, 2019
- No letters received
- Applicant's Agent spoke at PAC Meeting – agreement with recommendation



# PAC Recommendation

- PAC adopted Staff recommendation
  - Rezone from Neighbourhood Community Facility (CFN) to Two-Unit Residential (R2)
  - Rescind existing Section 59 conditions



# PLANNING ADVISORY COMMITTEE

March 27, 2019

His Worship Mayor Don Darling and  
Members of Common Council



The City of Saint John

Your Worship and Councillors:

**SUBJECT:     Proposed Rezoning and Section 59 Amendment  
                     86-88 Regent Street**

On February 25, 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 March 26, 2019 meeting.

Mr. John Bujold, agent for the property owners Fabian Duguay and Stephen and Linda Jarvis appeared before the Committee and was in agreement with the Staff Recommendation contained in the report. No other persons appeared before the Committee and no letters were received regarding the application.

Upon considering the Staff report and comments by the applicants' agent the Committee adopted the Staff Recommendation.

**RECOMMENDATION:**

1.     That Common Council rezone a parcel of land having an area of approximately 727 square metres, located at 86 and 88 Regent Street, also identified as PID Nos. 00343178 and 55233597 from Neighbourhood Community Facility (CFN) to Two-Unit Residential (R2).
2.     That Common Council rescind the Section 39 (now Section 59) conditions imposed on the January 4, 1993 rezoning of the property located at 86 and 88 Regent Street, also identified as PID Nos. 00343178 and 55233597.

Respectfully submitted,



Rick Stephen

Vice Chair

Attachments



The City of Saint John

**Date:** March 22, 2019

**To:** Planning Advisory Committee

**From:** Growth & Community Planning  
Growth & Community Development Services

**For:** **Meeting of Tuesday, March 26, 2019**

**SUBJECT**

**Applicant:** Fabian Duguay and John Bujold on behalf of Stephen and Linda Jarvis

**Owner:** Fabian Duguay and Stephen and Linda Jarvis

**Location:** 86-88 Regent Street

**PID:** 00343178 and 55233597

**Plan Designation:** Stable Residential

**Existing Zoning:** Neighbourhood Community Facility (CFN)

**Proposed Zoning:** **Two-Unit Residential (R2)**

**Application Type:** Rezoning and Section 59 Amendment

**Jurisdiction:** The *Community Planning Act* authorizes the Planning Advisory Committee to give its views to Common Council concerning proposed amendments to the Zoning By-law. Common Council will consider the Committee recommendation at a public hearing on **Monday, April 8, 2019**.



**SUMMARY**

The application seeks to allow for the conversion of the existing lodge/community centre building into a residential use and allow for other uses permitted in the Two-Unit Residential zone.

**RECOMMENDATION**

1. That Common Council rezone a parcel of land having an area of approximately 727 square metres, located at 86 and 88 Regent Street, also identified as PID Nos. 00343178 and 55233597 from Neighbourhood Community Facility (CFN) to Two-Unit Residential (R2).
2. That Common Council rescind the Section 39 (now Section 59) conditions imposed on the January 4, 1993 rezoning of the property located at 86 and 88 Regent Street, also identified as PID Nos. 00343178 and 55233597.

**DECISION HISTORY**

During the rezoning of properties containing institutional uses in 1981 and in conjunction with the development of the institutional zoning this property was omitted. As a result of a building permit application to conduct significant repair to the building in 1993, the City initiated a rezoning application to rezone the site to IL-1 Neighbourhood Institutional (the precursor to the current Neighbourhood Community Facility (CFN) zone) from Two-Unit Residential (R2). This City-initiated rezoning was approved by Common Council on January 4, 1993 and eliminated the non-conforming status of the property.

**ANALYSIS****Proposal**

The applicant, Fabian Duguay is proposing to convert the existing building, which formerly contained a lodge, into a residential dwelling. As the Neighbourhood Community Facility (CFN) zone does not permit a dwelling, a rezoning is required. The adjacent site (PID 55233597) is also zoned Neighbourhood Community Facility (CFN) and is included in the application to rectify the institutional zoning of an adjacent residential property. A separate subdivision application for an associated boundary adjustment is being processed by the Development Officer.

**Site and Neighbourhood**

The lodge is situated on a 502 square metre parcel (PID 00343178) with the adjacent 225 square metre parcel (PID 55233597) forming part of a residential property. The surrounding

neighbourhood is zoned Two-Unit Residential (R2) and contains a mix of single and two-unit dwellings.

### **Municipal Plan**

The subject site is designated Stable Residential in the Municipal Plan. The Stable Residential designation is typically applied to built-out neighbourhoods where limited change is anticipated. Municipal Plan Policy LU-88 stipulates any redevelopment in these areas generally be permitted only through a rezoning process where compliance with specific requirements is evident. An analysis of the proposal's adherence to the policy's criteria is summarized in the table below:

<b>Criteria</b>	<b>Staff Comments</b>
The proposed land use is desirable and contributes positively to the neighbourhood.	The proposal facilitates the habitation and reuse of an otherwise vacant building.
The proposal is compatible with surrounding land uses	The surrounding neighbourhood is residential. The proposal will increase uniformity of uses in a well-established residential neighbourhood.
The development is in a location where all necessary water and wastewater services, parks and recreation services, schools, public transit and other community facilities, and protective services can readily and adequately be provided	As the structure is existing, it is fully integrated into the surrounding neighbourhood. It is notable that the proposal does not detail changes to the structure or the site that would require changes to access or servicing. Should substantial changes be made to the site or structure, adherence to this policy must be maintained.
Site design features that address such matters as safe access, buffering and landscaping, site grading, and stormwater management are incorporated	As there are no proposed changes to the site, conformity to this requirement is assumed. Any future changes to the site must be in keeping with the Municipal Plan and appropriate bylaws.
A high quality exterior building design is provided that is consistent with the Urban Design Principles in the Municipal Plan	The massing, roofline and scale of the building relate well to the surrounding residential dwellings in the neighbourhood. Given this, it meets the intent of the Urban Design principles of the Municipal Plan.
The proposal is on a property identified as a Corridor on the City Structure map (Schedule A) or does not detract from the City's intention to direct	Although not located directly on the corridor, the re-use of the building for residential purposes contributes to the stability of the area thereby achieving the intent of the policy.

the majority of new residential development to the Primary Centres, Local Centres, and Intensification Areas	
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The proposed rezoning conforms to the applicable policies of the Municipal Plan.

### **Rezoning and Section 39 Amendment**

The subject site is zoned Community Neighbourhood Facility (CFN) consistent with fraternal lodges and community centres. The applicant is proposing to renovate the existing structure for residential purposes. Considering the neighbourhood character and adjacent zoning, it was determined the Two-Unit Residential (R2) zone would accommodate the immediate intent of the applicant to use the existing structure as a single dwelling while also accommodating possible future uses consistent with the community context.

At the time the property was rezoned to the IL-1 Neighbourhood Institutional Zone in 1993, Common Council imposed a Section 39 (now Section 59) condition limiting the use to a community centre (lodge). This condition was recommended by Staff as the smaller lot size was not considered appropriate for institutional uses that may require a larger lot such as an elementary school. Staff recommend that this condition be rescinded in conjunction with the proposed rezoning.

### **Conclusion**

Staff supports the proposed rezoning to facilitate the conversion of the lodge to a dwelling. The rezoning meets the intent of the Municipal Plan as it represents an adaptive re-use of an institutional building while maintaining the surrounding neighbourhood character. An approved rezoning is required prior to the applicant obtaining a Change of Use permit and appropriate building permits. An occupancy permit must be obtained prior the structure being used as a residence.

## **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 and reuse of an existing vacant building to a use which would create tax base growth.

### **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 March 15, 2019. The public hearing for the rezoning was advertised on the City's website beginning on March 18, 2019.

### **SIGNATURES AND CONTACT**

#### **Prepared:**



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

#### **Reviewed:**



Kenneth Melanson, BA, RPP, MCIP  
Manager, Community Planning

#### **Approved:**



Jacqueline Hamilton, MURP, MCIP, RPP  
Commissioner

**Contact:** Mark Reade  
**Phone:** (506)721-0736  
**E-mail:** mark.reade@saintjohn.ca  
**Project:** 19-9

### **APPENDIX**

Map 1: **Site Location**  
Map 2: **Municipal Plan**  
Map 3: **Zoning**  
Map 4: **Aerial Photography**  
Map 5: **Site Photography**



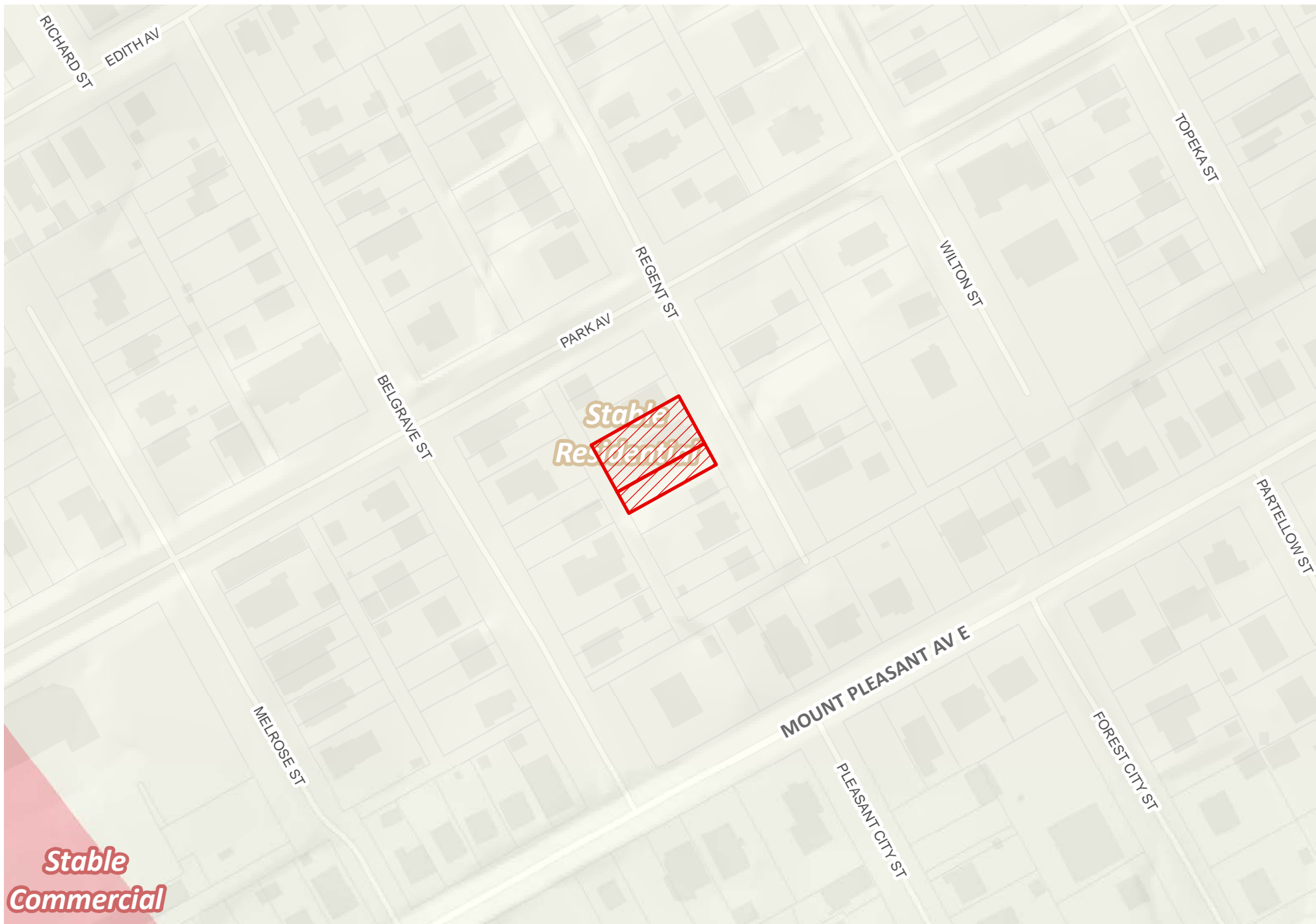
# Map 1 - Site Location

Fabien Duguay and Stephen and Linda Jarvis - 86-88 Regent Street

The City of Saint John  
Date: March-11-19

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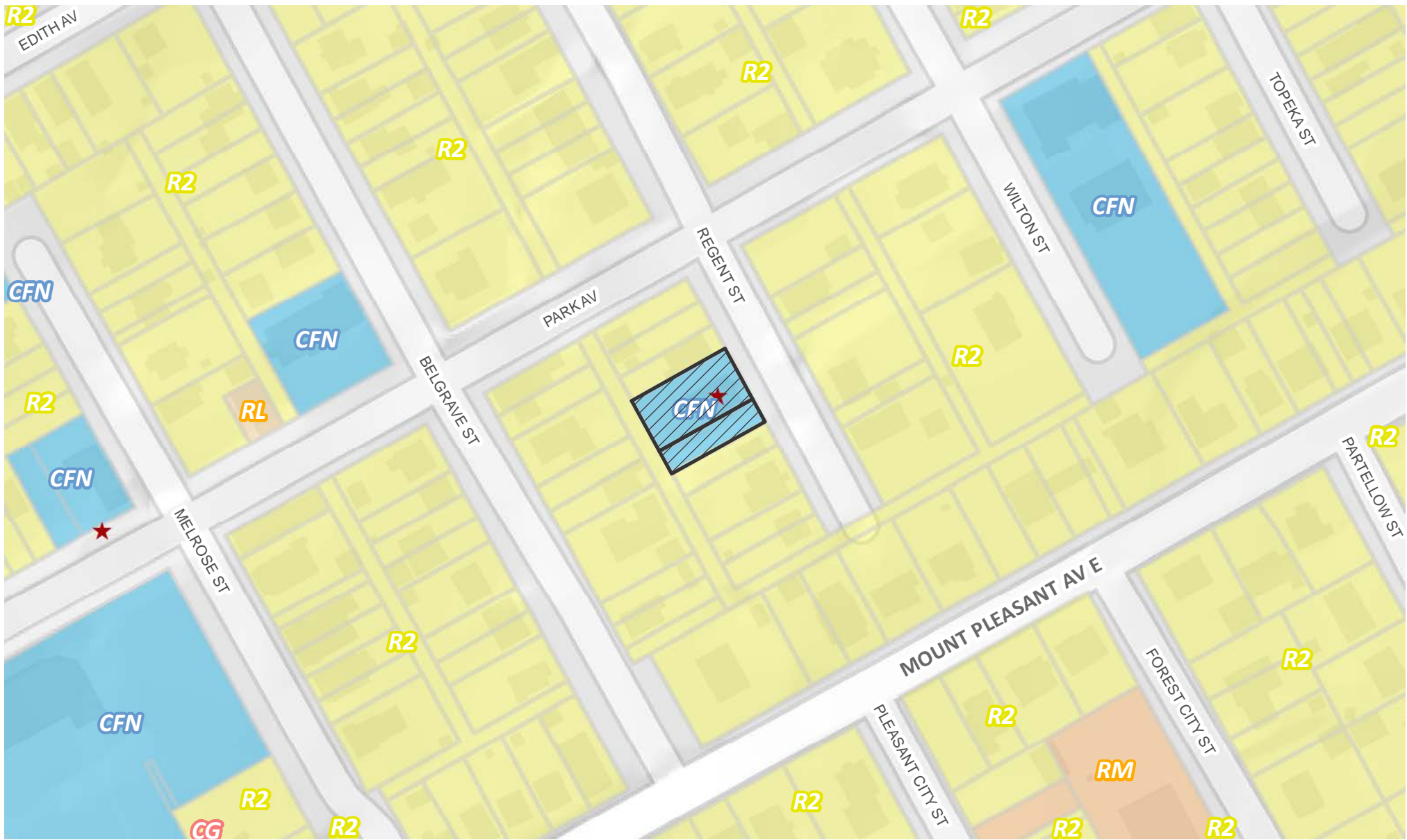
## Map 2 - Future Land Use

Fabien Duguay and Stephen and Linda Jarvis - 86-88 Regent Street

The City of Saint John  
Date: March-11-19







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

★ Section 59 Conditions

# Map 3 - Zoning

Fabien Duguay and Stephen and Linda Jarvis - 86-88 Regent Street

The City of Saint John  
Date: March-11-19







# Map 4- Aerial Photography

Fabien Duguay and Stephen and Linda Jarvis - 86-88 Regent Street

The City of Saint John  
Date: March-11-19

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## Map 4A - Aerial Photography

Fabien Duguay and Stephen and Linda Jarvis - 86-88 Regent Street

The City of Saint John  
Date: March-11-19







View of site from Regent Street



View of site showing property to south



View of site showing property to north



View along Regent Street looking south

## Map 5 - Site Photography

Fabien Duguay and Stephen and Linda Jarvis - 86-88 Regent Street

The City of Saint John  
Date: March-20-19

