

PLANNING ADVISORY COMMITTEE



The City of Saint John

March 26, 2019

His Worship Mayor Don Darling and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Municipal Plan Amendment, Rezoning, and Section 59
Amendment
40 Mountain View Drive (Calabria Estates)**

On March 11, 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.

Rick Turner, of Hughes Surveys, was in attendance on behalf of the applicant. Mr. Turner was generally in agreement with the staff recommendation but noted opposition to Part 3(i) of the staff recommendation, regarding the provision of a connection from the development to Myles Drive, and requested that the Committee remove this condition. He noted that at a neighbourhood engagement meeting held by the proponent, adjacent landowners were unanimously opposed to the connection, although in support of the development as a whole.

There were approximately 16 residents in attendance respecting the application. Ms. Darlene Hersey, of Silverstone Drive, appeared before the Committee. Ms. Hersey noted she was not in opposition to the development but raised strong concern regarding staff's recommendation to Council regarding a connection to Myles Drive. She noted that the connection, albeit controlled and provided for emergency access only, may introduce additional vehicular traffic into the neighbourhood. Ms. Hersey referenced a prior development proposal and Council's decision in 2008 to impose a condition that restricted access for development exclusively to Mountain View Drive.

Mr. Larry Fournier requested clarification regarding details of sewage flow and site servicing, which staff noted would be worked out during the detailed design phase.

Following questions of clarification from the applicant and staff, the Committee considered the report and staff's recommendation. It was clarified from staff that the access connection was of additional benefit to public safety but not a requirement by law. The Committee voted to amend the staff recommendation, thereby removing condition 3(i) respecting Council imposing a condition that there be a controlled emergency access connecting the development to the Myles Drive neighbourhood to the south.

RECOMMENDATION:

1. That Common Council redesignate on Schedule B of the Municipal Development Plan, land with an area of approximately 3.25 hectares, located at 40 Mountain View Drive, also identified as PID Nos. 00313429 and 00426452, from *Low Density Residential* to *Low to Medium Density Residential*.
2. That Common Council rezone land with an area of approximately 3.25 hectares, located at 40 Mountain View Drive, also identified as PID Nos. 00313429 and 00426452, from High-Rise Residential (RH) and Two-Unit Residential (R2) to Integrated Development (ID).
3. That Common Council pursuant to the provisions of Section 59 of the *Community Planning Act* (SNB 2017, c. 19), hereby discharges the agreement dated the 21st day of January, 2010 between North Star Holdings Ltd., and the City of Saint John, respecting the property identified in the said agreement by PID numbers 00313429 and 00426452 and which agreement was made pursuant to the provisions of Section 39 of the *Community Planning Act* in effect at that time (Chapter C-12, *RSNB 1973*); and,

Further Be It Resolved that Common Council hereby imposes pursuant to the provisions of Section 59 of the *Community Planning Act* the following condition upon the Property having an area of approximately 3.25 hectares, located at 40 Mountain View Drive, also identified as PID numbers 00313429 and 00426452, the following conditions upon the development and use of the land:

- a. That any development of the site shall be limited to a maximum of 167 units and generally adhere to the Conceptual Layout, Context, Landscaping Plans, and Elevation Plans attached to this report.
- b. That any development of the site be in accordance with a detailed site plan to be prepared by the developer and subject to the approval of

the Development Officer, indicating the location of all buildings, structures, parking areas, driveways, loading areas, signs, exterior lighting, outdoor storage areas, amenity areas, pedestrian circulation elements and other site features. This final site plan is to be attached to the application for the building permit for the respective part or phase of the proposed development.

- c. That the permitted uses of the Integrated Development (ID) Zone be limited to those outlined in the High-Rise Residential (RH) Zone of the Zoning By-law.
 - d. That any development of the site shall be subject to Part 9 of the Zoning By-law regarding Uses Permitted in Other Zones.
 - e. That the owner, developer and/or successors shall maintain ownership of all proposed stormwater ponds and associated stormwater collection systems (sewer mains, manholes, catch basins, etc). All stormwater related infrastructure shall be considered private.
 - f. That an engineered site servicing plan and stormwater submission shall be submitted for the full build out of the development with the Building Permit for "Phase One" of the development, which consists of the six storey multiple unit dwelling. Phase One shall comprise the full inclusive build out of the underground infrastructure and street construction of the proposed Private Street "Via Calabria Street", and the proposed stormwater ponds.
 - g. That the owner, developer and/or successors shall enter into an agreement with the City to provide right-of-way access to the existing stormwater pond and Land for Public Purpose parcel adjacent to the development.
 - h. That any gated accesses shall provide a suitable entry mechanism for emergency vehicles and operational vehicles of the City.
4. That Common Council assent to one or more subdivision plans, in one or more phases, in general accordance with the Conceptual Layout attached for Calabria Estates Subdivision at 40 Mountain View Drive, and with respect to the vesting of any Local Government Services Easements to be determined during detailed design.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Rick Stephen", is written over the printed name.

Rick Stephen
Vice Chair

Attachments

- 1 – Staff Presentation
- 2 – Report to Planning Advisory Committee dated March 22, 2019