
PLANNING ADVISORY COMMITTEE



The City of Saint John

January 18, 2024

Her Worship Mayor Donna Noade Reardon and
Members of Common Council

Your Worship and Councillors:

**SUBJECT: Proposed Rezoning and Section 59 Amendment
172 City Line**

On December 11, 2023, 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 16, 2024 meeting.

Yeva Mattson, Planner with Growth and Community Services, appeared before the Committee and provided an overview of the proposed Rezoning.

No members of the public appeared to speak in favor or opposition.

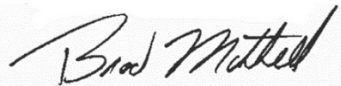
The committee voiced disappointment that the applicant was not present for the meeting. Councillor Sullivan noted that questions for the applicant could be put in the recommendation letter to enable Council to ask them to the applicant. Questions regarding timeline of the project were raised as the applicant had two large projects before PAC during the same meeting.

RECOMMENDATION:

1. That Common Council rezone a parcel of land having an area of approximately 6174 square metres, located at 172 City Line, also identified as PIDs 00365247, 00364877, 55087175, 55087183, and 55087191, from Integrated Development (ID) to Mid-Rise Residential (RM).
2. That Common Council, rescind the conditions imposed on May 3, 2016, rezoning of the property located at 172 City Line, also identified as PID Numbers 00365247, 00364877, 55087175, 55087183, and 55087191.

3. That Common Council, pursuant to the provisions of Section 59 of the Community Planning Act, impose the following conditions on the parcel of land having an area of approximately 6174 square metres, located at 172 City Line, also identified as PID Numbers 00365247, 00364877, 55087175, 55087183, and 55087191:
 - a. Any development of the site shall be in accordance with a detailed landscaping plan, to be prepared by the proponent and subject to the approval of the Development Officer. This detailed landscaping plan must include the following:
 - i. Landscaping along the City Line frontage including the retention of the existing mature tree if possible;
 1. Landscaping along City Line Frontage shall include the planting of one tree or shrub for every 45 square metres of required yard provided at least 50 percent of the required plants are trees.
 - ii. Landscaping and/or alternative screening along the boundaries of the site, including along boundaries abutting residential properties.

Respectfully submitted,



Brad Mitchel

Chair

Attachments



The City of Saint John

Date: January 11, 2024
To: Planning Advisory Committee
From: Growth & Community Services
Meeting: January 16, 2024

SUBJECT

Applicant: Erik de Jong
Landowner: City Line Holdings Ltd.
Location: 172 City Line
PID: 00365247, 00364877, 55087175, 55087183, 55087191
Plan Designation: Stable Residential
Existing Zoning: Integrated Development (ID)
Proposed Zoning: Mid-Rise Residential (RM)
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 and amendments to the Section 59 conditions of the subject property. Common Council will consider the Committee's recommendation at a public hearing on **Monday, February 5, 2024.**

EXECUTIVE SUMMARY

The applicant is applying to rezone the site at 172 City Line from Integrated Development (ID) to Mid-Rise Residential (RM) to allow for the adaptive reuse of a former school building as a multi-unit residential building. In addition, this proposal would also support the future development of townhouses along the Lancaster Street frontage. The overall redevelopment of the property would also involve site improvements including new parking, landscaping, and fencing in order to not only bring the site into compliance with the RM zoning standards but also to transition the site from an institutional to a residential property. Additionally, the application includes rescinding the existing Section 59 Conditions which limit the use of the site to a specific proposal from a previous rezoning. Approval of the application is recommended.

RECOMMENDATION

1. That Common Council rezone a parcel of land having an area of approximately 6174 square metres, located at 172 City Line, also identified as PIDs 00365247, 00364877, 55087175, 55087183, and 55087191, from **Integrated Development (ID) to Mid-Rise Residential (RM)**.
2. That Common Council, rescind the conditions imposed on May 3, 2016, rezoning of the property located at 172 City Line, also identified as PID Numbers 00365247, 00364877, 55087175, 55087183, and 55087191.
3. That Common Council, pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the following conditions on the parcel of land having an area of approximately 6174 square metres, located at 172 City Line, also identified as PID Numbers 00365247, 00364877, 55087175, 55087183, and 55087191:
 - a. Any development of the site shall be in accordance with a detailed landscaping plan, to be prepared by the proponent and subject to the approval of the Development Officer. This detailed landscaping plan must include the following:
 - i. Landscaping along the City Line frontage including the retention of the existing mature tree if possible;
 1. Landscaping along City Line Frontage shall include the planting of one tree or shrub for every 45 square metres of required yard provided at least 50 percent of the required plants are trees.
 - ii. Landscaping and/or alternative screening along the boundaries of the site, including along boundaries abutting residential properties.

DECISION HISTORY

The subject site was rezoned in April 2016 from Neighbourhood Community Facility (CFN) to Integrated Development (ID) and Section 39 Conditions were established. The building was previously a privately owned building and operated as a public school by the Anglophone School District South until 2014 and was rezoned in 2016 to accommodate a mixed commercial and residential development. The Integrated Development Zone is a specialty zone consisting of combinations of uses of land contained in a specific proposal through attached Section 39

conditions. The previous conditions restricted the use of the site to the former applicant's specific proposal during the 2016 rezoning and that any permitted modifications to the site would align with the standards found in the General Commercial (CG) zone. The previous applicant and owner of the site did not proceed with the development.

ANALYSIS

Proposal

The applicant is proposing to rezone the subject site to Mid-Rise Residential (RM) to allow for the redevelopment of the site as residential. This proposal would include the development of approximately 37 residential units in the existing vacant building and, in a future phase, the development of townhouse units along Lancaster Street. The proposal would include the development of parking, landscaping, and fencing that would meet the zoning standards. Any future phases of the project, including townhouses, would also have to be developed to the standards of the RM zone including parking and landscaping. Additionally, the proposal includes the rescinding of the existing Section 59 conditions and incorporating new Section 59 Conditions associated with site improvements that will transition the property to residential use.

Site and Neighbourhood

The subject site is located on the Saint John West Side just west of the Lower West area. The immediate residential neighbourhood incorporates a variety of residential zoning ranging from Two-Unit Residential (R2) to Mid-Rise Residential (RM). These zones support a range of housing densities including multi-unit residential development such as townhouses. This is a well-established neighbourhood, with buildings built as early as the 1800's.

The broader surrounding area is characterized by having a mixture of land uses that supports a diverse range of housing typologies with varying densities, commercial uses, community facilities and park uses, and industrial uses. The majority of the area is zoned for residential uses, including Two-Unit Residential (R2), Low-Rise Residential (RL) and Mid-Rise Residential (RM).

The nearby commercial sites are largely General Commercial (CG) and Local Commercial (CL) and includes a variety of convenience stores, local daycares, and bed-and-breakfasts. Community uses, including Beaconsfield Middle School, Seaside Elementary, Martello Tower, and a variety of churches also are present in the wider neighbourhood. Queen Square West sits in very close proximity to the site and serves as a large neighborhood park that allows active and passive recreation for residents.

The playground on site will be demolished, but while some children in the neighborhood may use it, it is decommissioned and not a public playground. The next available playground is 500 metres away on City Line behind the Hilton Belyea Arena. Seaside Elementary to the North and Carleton Community Centre to the South also contain large playgrounds and outdoor recreation amenities.

The subject site is accessible by a variety of transportation options. The area is served by Saint John Transit Route 15, with transit stops located adjacent to the subject site. Route 15 is the main route for the west side and provides a connection to the major commercial node on Fairville Boulevard as well as directly to Uptown. Pedestrian movement is facilitated by sidewalks on nearly every surrounding street. While there are no dedicated bike lanes, the main roads are wide enough to accommodate shared uses.

Municipal Plan and Rezoning

Municipal Plan

The site is designated as Stable Residential in the Municipal Plan. An analysis of the proposal with respect to the relevant policies of the Municipal Plan is provided in Attachment 2. The proposal conforms to the policies established within the Municipal Plan, which supports the diversification of housing typologies within established neighbourhoods.

While a density target is not provided for Stable Residential areas, housing of almost every form and density may be found. Development proposals located within existing neighbourhoods should take into account the existing neighbourhood context and should reinforce the predominant community character and make a positive contribution to the existing neighbourhood. The rezoning application provides for the adaptive reuse of a vacant former school, which has served as a landmark in the area since its construction in the 1920s. The additional structures proposed for the property are townhouse units which represent an existing building typology found in the near vicinity of the property.

The proposed development is compatible with the vision established within the Municipal Plan, as the proposed development:

- Provides densification in an area with existing municipal services.
- Is compatible with surrounding land uses given that the project involves the adaptive reuse of a nearly 100-year-old structure and the addition of new dwelling units which will align with the established building typologies found within the neighbourhood.

The proposal represents an opportunity to support additional density in a suburban context while retaining the community character through the adaptive reuse of a landmark building. The future phase, which is proposed to include new townhouses, would align with the general character of the area which includes a number of townhouse developments.

Due to the alignment of the proposal with the Municipal Plan Policies (Attachment 2), staff are of the opinion that the proposed development achieves the intent of the Municipal Plan based on the proposed use.

Zoning

The Mid-Rise Residential (RM) Zone accommodates a range of medium-density residential uses ranging from a single-detached dwelling to multi-unit buildings. The RM zone is compatible with the surrounding development pattern, which includes multi-unit building typologies. The proposed multi-unit and multi-building development aligns with the regulations established for

the RM zone within the City's Zoning By-Law. This includes the provision of the required onsite parking spaces to support the dwelling units, amenity space, and landscaping.

A variance may be required for the setback for the proposed northeast parking area abutting 269 St John Street, but the rest of the proposal meets the standards of the RM zone. Parking is proposed in numbers that meet the zoning standards and includes two accessible stalls. The new access onto St John Street also meets the standards of the RM zone and will create an easier path of travel for vehicles and pedestrians than the previous single access onto City Line.

The landscaping requirements for the site, as dictated by the Zoning By-Law, will see screening established between the parking and the abutting residential neighbours to create a physical and visual buffer that helps separate the lower density use from the proposed development. Where landscaped screening will not be viable, due to limited setbacks, a privacy fence will be erected on the boundary to provide physical screening for adjacent lower density residential. The playground on site will be demolished, as it is decommissioned and not a public playground, to make space for the required parking and landscaping.

Some variances will be required for the rear setbacks from Lancaster Street as the parking infringes on the required setback. Any such variances can be granted by the Development Officer and will be reviewed upon submission of site and landscaping plans as part of the building permit application process. Due to the large amount of hard surfacing of the site when it was an institutional use, landscaping will be a main focus of the section 59 conditions. While the Zoning By-Law has landscaping standards that must be adhered to, Section 59 conditions requiring detailed landscaping plans to be approved by the Development Officer are recommended to ensure higher quality landscaping than generally required for the RM zone and to help ensure the site successful transitions from a long-standing institutional use to a residential use.

Section 59 Conditions and The Affordable Housing Action Plan

Common practice in the City of Saint John has been to include a Section 59 condition that limits proposed rezonings to a maximum number of dwelling units. The unit number caps have always been tied to the specific proposal presented as part of the rezoning process and have been used to tie a rezoning to a very specific development proposal. This trend has resulted in an increased number of Section 59 amendment applications being submitted to allow increases to the unit count within existing developments and occasionally in advance of new construction projects. These increases are often minimal in nature and are typically the result of design changes to the size of proposed dwelling units as opposed to expansion of the existing or proposed building footprint. With the adoption of the City's Affordable Housing Action Plan, staff are looking at amending previous practices to "permit/encourage various innovative housing models to help expand the supply of housing".

While the applicant has proposed to rezone to Mid-Rise Residential to accommodate approximately 44 dwelling units between two phases, staff undertook an assessment of the existing building and property to determine if there would be existing capacity for a possible unit

increase in the future. If a proposal were to be brought forward to increase the unit count above the proposed number of units, it would be subject to the standards established in the RM zoning, as well as being required to meet the requirements of the National Building Code of Canada. The owner would also be required to apply for a Change of use Permit which will allow Building to review floor plans and conduct an inspection of fire separation and safety.

The existing building has a large footprint and lot size, which based on the standards of the RM zone means it could accommodate a higher number of units if they are of smaller size. The site does have limited capacity for parking and amenity space and will largely be working within the existing building. In the future, any large expansion of residential use would likely require variance applications that require a staff review which acts as mechanism to ensure that proposed development is suitable for the size of the property. Staff recommend not requiring any Section 59 conditions related to the number of units allowable as the requirements of the Zoning Bylaw and the Building Code act as structures to limit the development of the site for future use.

Section 59 conditions regarding landscaping are recommended to help improve the character of the site and to acknowledge the transition of the site from an institutional property into a residential use. Since a large portion of the required landscaping areas abuts neighbouring residential properties, requiring a landscaping plan to be approved by the Development Officer is recommended as part of the Section 59 conditions to make sure adequate landscaping and screening is provided. Due to the size of the development, more intensive landscaping for the frontage, generally seen in commercial zones across the city, is recommended. These frontage landscaping conditions would encourage the planting of more shrubs and trees than is required by the general residential landscaping standards. Tree retention is also recommended as part of the conditions but should there be unavoidable loss of the existing tree, the strict landscaping requirements for the front yard would see the introduction of new trees and shrubs regardless.

Conclusion

The proposed rezoning to redevelop the existing building into multi-unit residential with a future phase for townhouse development, aligns with the policies established in the City's Municipal Plan and conforms to the City's Zoning By-Law. The proposed rezoning and Section 59 amendment will facilitate the use of the property as a multi-unit and multi-building residential development while also seeing site improvements associated with parking, landscaping, and fencing. Staff are recommending approval of the rezoning and section 59 amendment.

ALTERNATIVES AND OTHER CONSIDERATIONS

No alternatives were considered.

ENGAGEMENT

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 December 18, 2023. The public hearing notice was posted on the City of Saint John website on or before January 11, 2023.

APPROVALS AND CONTACT

Manager	Director	Commissioner
Jennifer Kirchner, RPP, MCIP	David Dobbelsteyn	Amy Poffenroth

Contact: Yeva Mattson
Telephone: (506) 721-8453
Email: yeva.mattson@saintjohn.ca
Application: 23-0246




APPENDIX

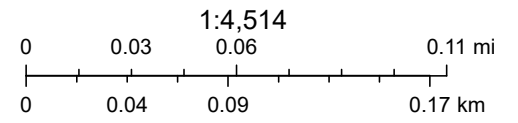
Map 1: **Aerial Photography**
Map 2: **Future Land Use**
Map 3: **Zoning**
Attachment 1: **Site Photography**
Attachment 2: **Municipal Plan Policy Review**
Submission 1: **Site Plan**

City of Saint John



12/13/2023, 8:57:05 AM

-  Override 1
-  Property Parcels
-  Property Assessment





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



City of Saint John

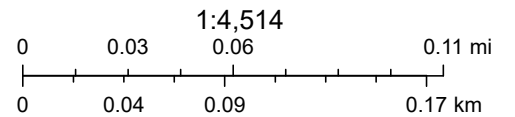


12/13/2023

Future Land Use

-  Subject Site
-  Property Parcels

-  Low to Medium Density Residential
-  Stable Residential



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

City of Saint John

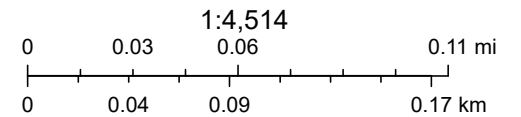


12/13/2023

Zoning

- ▬ Subject Site
- Property Parcels

- | | |
|--|--|
| One-Unit Residential (R1) | Local Commercial (CL) |
| Two-Unit Residential (R2) | General Commercial (CG) |
| Low-Rise Residential (RL) | Community Neighborhood Facility (CFN) |
| Mid-Rise Residential (RM) | Park (P) |
| Integrated Development | |



ATTACHMENT 1: SITE PHOTOGRAPHY



Subject Site from City Line looking East at the front entrance



Subject Site from City Line looking Northwest



Subject site from City Line looking at the Northwest side of the site which abuts with property at 290 Tower Street



Subject Site from corner of Lancaster Ave, St John Street, and City Line Park looking at the southeast side of the site which will become parking



Subject Site looking from Lancaster Street – area in far right of image would be the location of a future phase townhouse development

Attachment 2: Municipal Plan Policy Review

Municipal Plan Policy	172 City Line Assessment
<p>Policy LU-86 Within the Stable Residential designation, housing of almost every form and density may be found and both the existing neighbourhood context and compatibility with the Municipal Plan goals will determine suitability of new proposals. Other compatible uses that may be found in the Stable Residential designation include convenience stores, home occupations, parks, and community facilities which are permitted in the designation without amendment to the Municipal Plan.</p>	<p>This proposal aligns with the goal of integrating increased density and intensification into existing neighbourhoods as identified in the Municipal Plan. This proposal would introduce multi-unit residential to an existing building as a density increase within an existing neighbourhood. The proposal conforms with the existing neighbourhood context, as the proposed development is located within an existing structure and reflects density found in the wider neighborhood. Future phases involving townhouse would reflect surrounding densities and building typologies.</p>
<p>Policy LU-87 Intend that the areas designated Stable Residential will evolve over time from a land use and built-form perspective but that new and redeveloped land uses are to reinforce the predominant community character and make a positive contribution to the neighbourhood.</p>	<p>This development will require minimal changes to the exterior of the building, which will ensure the design of the building is compatible with the character of the area. The future phase that includes townhouses would be similar to adjacent building typologies.</p>
<p>Policy LU-88 Ensure that significant new development and redevelopment in areas designated Stable Residential shall generally be permitted only through a rezoning process where compliance is demonstrated with the following requirements:</p> <ol style="list-style-type: none"> a. The proposed land use is desirable and contributes positively to the neighbourhood; b. The proposal is compatible with surrounding land uses; c. 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; d. Site design features that address such matters as safe access, buffering and landscaping, site grading and stormwater management are incorporated; e. A high quality exterior building design is provided that is consistent with the Urban Design Principles in the Municipal Plan. 	<ol style="list-style-type: none"> a. The proposed land use would see the development of an existing building as multi-unit residential as well as future townhouses that match surrounding building typologies. b. The proposed rezoning of an existing building is sensitive to the established neighbourhood and aligns with the variety of established residential uses in the area. c. The property is serviced by existing infrastructure and government services. d. The development will largely be contained within the existing footprint of the building, with improvements to the existing landscaping, accesses, and parking. e. The development will see minimal changes to the exterior of the building. Future phased townhouses would be similar to surrounding building typologies.

<p>Policy I-2</p> <p>In considering amendments to the Zoning Bylaw or the imposition of terms and conditions, in addition to all other criteria set out in the various policies of the Municipal Plan, have regard for the following:</p> <ul style="list-style-type: none"> a. The proposal is in conformity with the goals, policies and intent of the Municipal Plan and the requirements of all City bylaws; b. The proposal is not premature or inappropriate by reason of: <ul style="list-style-type: none"> i. Financial inability of the City to absorb costs related to development and ensure efficient delivery of services, as determined through Policy I-7 and I-8; ii. The adequacy of central wastewater or water services and storm drainage measures; iii. Adequacy or proximity of school, recreation, or other community facilities; iv. Adequacy of road networks leading to or adjacent to the development; and v. Potential for negative impacts to designated heritage buildings or areas. c. Appropriate controls are placed on any proposed development where necessary to reduce any conflict with adjacent land uses by reason of: <ul style="list-style-type: none"> i. Type of use; ii. Height, bulk or appearance and lot coverage of any proposed building; iii. Traffic generation, vehicular, pedestrian, bicycle or transit access to and from the site; iv. Parking; v. Open storage; vi. Signs; and vii. Any other relevant matter of urban planning. d. The proposed site is suitable in terms of steepness of grade, soil and geological conditions, locations of watercourses, wetlands, and 	<ul style="list-style-type: none"> a. This proposal aligns with residential land use policies as established in the City's Municipal Plan and conforms to all relevant zoning standards. b. The proposal is located on an existing lot in an established residential neighbourhood. The development will utilize existing infrastructure and will not have a negative impact on service provision. c. There are minimal changes to the exterior of the site. The design and scale of the existing building will be retained. Improvements to existing landscaping and parking will be made to bring the site into compliance with the standards of the Zoning Bylaw d. The minimal alterations to the property include a new retaining wall to replace an older existing one.

susceptibility of flooding as well as any other relevant environmental consideration;

NOTES:

- 1. ALL DIMENSIONS ARE IN MILLIMETRES.
- 2. THE HORIZONTAL DATUM UTILIZED IS NAD83 (CSRS) NEW BRUNSWICK DOUBLE STEREOGRAPHIC PROJECTION.
- 3. ALL ELEVATIONS ARE IN GEODETIC METRES AND REFERENCED TO THE CANADIAN GEODETIC VERTICAL DATUM OF 1928 (CGVD28).
- 4. ALL CHAINAGES ARE IN METRES.
- 5. LOCATION OF EXISTING SERVICES, STRUCTURES AND BUILDINGS APPROXIMATE ONLY.
- 6. CONTRACTOR TO ENSURE THAT ALL MUNICIPAL INFRASTRUCTURE, PUBLIC UTILITIES, NATURAL GAS AND OTHER INFRASTRUCTURE ARE LOCATED IN THE FIELD PRIOR TO START OF EXCAVATION.
- 7. ALL FIELD SURVEY INFORMATION PROVIDED BY CBCL LIMITED.
- 8. TYPICAL TRENCH DETAIL, PIPE INSTALLATION, FITTINGS & STRUCTURES, ETC. REFER TO CITY, TOWN OR VILLAGE SPECIFICATIONS FOR DEVELOPERS.
- 9. SANITARY MANHOLES TO BE 1050# UNLESS OTHERWISE NOTED.
- 10. ALL CATCH BASINS, MANHOLES, GATE VALVE CHAMBERS AND AIR RELEASE CHAMBERS TO HAVE MINIMUM 100mm RISER BETWEEN FRAME & CONCRETE COVER. TOP RISER TO BE MADE OF RUBBER.
- 11. AT ALL PIPE CONNECTIONS TO EXISTING WATER MAINS, FUTURE EXTENSIONS AND FIRE LINES, PROVIDE A 25mm (1") MAN STOP AND SADDLE BOTH SIDES OF GATE VALVE TO FACILITATE TESTING AND CHLORINATION.
- 12. ALL WATER LINES LESS THAN 1.8m COVER TO BE INSULATED WITH 50mm THICK RIGID "STYROFOAM SM" BOARD.
- 13. ALL WATER, SANITARY AND STORM STUBS TO BE PLUGGED CAPPED & WATER MAIN FITTINGS TO BE RESTRAINED. LOCATION TO BE MARKED WITH A 38x89 STUD FROM INVERT OF PIPE TO 300mm BELOW FINISH GRADE.

LEGEND:

PROPOSED	EXISTING

NOT FOR CONSTRUCTION

No.	Description	Date	By
A	ISSUED FOR REVIEW	23/09/29	ERIK DE JONG

Revision or Issue

ERIK DE JONG
172 CITY LINE
CONCEPT PLAN
 CONCEPT
 CIVIL
SITE PLAN
 CONCEPT PLAN



CBCL No. 232894	Contract No. 00000
Date SEPT 23	Scale 1:250
Designed G.J.L.	Drawn G.J.L.
Checked M.B.K.	Approved E.M.E.

Sheet No
1 of 1

Drawing No
C01

