PLANNING ADVISORY COMMITTEE

September 18, 2024



The City of Saint John

Her Worship Mayor Donna Noade Reardon and Members of Common Council

Your Worship and Councillors:

<u>SUBJECT</u>: Proposed Municipal Plan Amendment and Rezoning – 0 Nason Road/Martha Avenue

On August 19, 2024, Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its September 17, 2024 meeting.

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

John Harrison, one of the proponents, appeared to speak in favour of the application and agreed with staff recommendation. When asked by the committee, they said they had went door-to-door and seen the playground area in the community.

Mitch Jackson, a neighbour at 558 Martha Ave, spoke in opposition of the project. He voiced concerns over the noise, construction timeline, traffic, and questioned whether an access onto Loch Lomond Road was an option.

Staff answered committee questions clarifying the Traffic Impact Statement results and explained that a access onto Loch Lomond Road would not be able to meet safety standards due to slope.

No other members of the public appeared to speak in favour or opposition and no letters were received regarding the application.

RECOMMENDATION:

1. That Common Council amend Schedule A of the Municipal Plan by changing the designation for the parcel of land having an area of 6.78

hectares, located at 0 Nason Road/Martha Avenue also identified as PID 55086227, from **Park and Natural Area** to **Stable Area**.

- 2. That Common Council amend Schedule B of the Municipal Plan by changing the designation for the parcel of land having an approximate area of 6.78 hectares, located at 0 Nason Road/Martha Avenue, also identified as PID 55086227, from Park and Natural Area to Stable Residential.
- 3. That Common Council rezone a parcel of land having an approximate area of 6.78 hectares, located at 0 Nason Road/Martha Avenue, also identified as PID 55086227, from **Future Development (FD)** to **High-Rise Residential (RH)**.
- 4. 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 6.78 Hectares square metres, located at 0 Nason Road/Martha Avenue, also identified as PID 55086227:
 - That the proposed development incorporates walkways connecting the multi-unit buildings with the public sidewalk located on Martha Avenue.
 - b. That the owner/developer's traffic consultant explore and recommend road safety improvements to be undertaken by the developer at the developer's expense. These improvements are subject to approval by the City. This review and identification of these improvements must be completed prior to the issuance of the building permit for the first building. Installation of these improvements by the developer must be completed prior to occupancy of the first building. These road safety improvements would include:
 - traffic calming elements on Martha Avenue that encourages greater diversion of traffic to other neighbourhood streets such as Bonita Avenue and Micheal Crescent.
 - ii. pedestrian crosswalks on Martha Avenue
 - c. That the developer provide a payment of \$1000 to the City towards the installation of upgrades at the Mark Drive / Martha Avenue crosswalk. This amount is payable to the City prior to the issuance of the building permit for the first building.

Respectfully submitted,

Brad Mitchell

Chair

Attachments



The City of Saint John

Date: September 12, 2024

To: Planning Advisory Committee

From: Growth & Community Services

Meeting: September 17, 2024

SUBJECT

Applicant: 742673 NB Inc.

Landowner: 742673 NB Inc.

Location: 0 Nason Road/Martha Avenue

PID: 55086227

Plan Designation: Park and Natural Area

Proposed Designation: Stable Residential

Existing Zoning: Future Development (FD)

Proposed Zoning: High-Rise Residential (RH)

Application Type: Municipal Plan Amendment and Rezoning

Jurisdiction: The Community Planning Act authorizes the Planning Advisory

Committee to give its views to Common Council concerning proposed amendments to the Municipal Plan and the Zoning By-

Law. Common Council will consider the Committee's

recommendation at a public hearing on Tuesday, October 1,

2024.

EXECUTIVE SUMMARY

The applicant is proposing the construction of two, 70-unit buildings. To facilitate this proposal, an application has been received to amend the City's Municipal Plan and Zoning By-Law. The Municipal Plan amendments will:

 Redesignate the property from Park and Natural Area to Stable Area on the City Structure Map.

September 12, 2024

 Redesignate the property from Park and Natural Area to Stable Residential on the Future Land Use Map.

The amendment to the Zoning By-Law would rezone the property from Future Development (FD) to High-Rise Residential (RH).

Staff are recommending approval of the proposed municipal plan amendment and rezoning to allow for the development of two multi-unit buildings.

RECOMMENDATION

- That Common Council amend Schedule A of the Municipal Plan by changing the designation for the parcel of land having an area of 6.78 hectares, located at 0 Nason Road/Martha Avenue also identified as PID 55086227, from Park and Natural Area to Stable Area.
- 2. That Common Council amend Schedule B of the Municipal Plan by changing the designation for the parcel of land having an approximate area of 6.78 hectares, located at 0 Nason Road/Martha Avenue, also identified as PID 55086227, from Park and Natural Area to Stable Residential.
- 3. That Common Council rezone a parcel of land having an approximate area of 6.78 hectares, located at 0 Nason Road/Martha Avenue, also identified as PID 55086227, from Future Development (FD) to High-Rise Residential (RH).
- 4. 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 6.78 Hectares square metres, located at 0 Nason Road/Martha Avenue, also identified as PID 55086227:
 - a. That the proposed development incorporates walkways connecting the multi-unit buildings with the public sidewalk located on Martha Avenue.
 - b. That the owner/developer's traffic consultant explore and recommend road safety improvements to be undertaken by the developer at the developer's expense. These improvements are subject to approval by the City. This review and identification of these improvements must be completed prior to the issuance of the building permit for the first building. Installation of these improvements by the developer must be completed prior to occupancy of the first building. These road safety improvements would include:
 - i. traffic calming elements on Martha Avenue that encourages greater diversion of traffic to other neighbourhood streets such as Bonita Avenue and Micheal Crescent.
 - ii. pedestrian crosswalks on Martha Avenue

September 12, 2024

c. That the developer provide a payment of \$1000 to the City towards the installation of upgrades at the Mark Drive / Martha Avenue crosswalk. This amount is payable to the City prior to the issuance of the building permit for the first building.

DECISION AND PROPERTY HISTORY

The site was previously zoned "RM-1" Three Storey Multiple Residential in conformity with the surrounding area. When Plan SJ was adopted in 2012, the site was designated Future Development (FD).

ANALYSIS

Proposal

The proposed municipal plan amendment and rezoning would enable the development of two 70-unit buildings on the north-eastern portion of the property, to be accessed off Martha Avenue. Due to topographic challenges and the presence of wetlands, site development is limited to the development area proposed.

Site and Neighbourhood

The subject site is located on Nason Road and at the end of Martha Avenue, in the Silver Falls Park Subdivision on the east side of the City. This community includes a playground and a basketball court. Lands adjacent to the proposed development contain apartment buildings zoned Mid-Rise Residential (RM). Further north, the neighbourhood transitions into single family and two-unit dwellings zoned Two-Unit Residential (R2).

The wider area contains a mixture of zones including Neighbourhood Community Facility (CFN), Business Park Commercial (CBP), and General Commercial (CG). The area located on the south side of Loch Lomond Road is zoned Heavy Industrial (IH).

The subject site is accessible by a variety of transportation options. The area is served by Saint John Transit Route 30 with transit stops directly on the corner of Martha Avenue and Nason Road. This route provides connections to New Brunswick Community College and the McAllister shopping area. Pedestrian movement is facilitated by sidewalks on the east side of Martha Avenue.

Municipal Plan Amendment

The existing property is located within the Park and Natural Area designation. The applicant is proposing that the Municipal Plan be amended to change the designation to Stable Residential.

The vacant land to the west of the subject site and the land containing St. Joseph's Cemetery are designated Park and Natural Area. The Silver Falls Park neighbourhood is designated as Stable Residential. The broader area includes the Regional Retail Centre designation to the east, and lands south of Loch Lomond Road designated as Heavy Industrial.

The Stable Residential is a Land Use Designation in Plan SJ that includes a number of existing neighbourhoods in the City which are generally built-out but have the potential to accommodate additional development, at a scale and density consistent with the surrounding context. The existing neighbourhood is diverse, with a wide variety of housing typologies ranging from single family dwellings to apartment buildings.

The proposed Municipal Plan amendment seeks to extend the Stable Residential Area to encompass the subject site. The proposed amendments to Plan SJ would support the southern expansion of an existing residential neighbourhood, allowing for the development of a serviced lot. The site was likely designated as Park and Natura Area during the Municipal Plan due to wetland mapping available at the time PlanSJ was prepared. The applicant retained the Boreal Environmental company to complete a delineation report on the present wetland. The report confirms the proposed development avoids the delineated wetland in the northwestern portion of the site adjacent to Michael Crescent and Nason Road.

From the analysis of the proposed development under the Stable Residential designation, the proposed development conforms to the policies established within the Municipal Plan, which supports the diversification of housing typologies within established neighbourhoods.

Statements of Public Interest

The Province of New Brunswick adopted Statements of Public Interest which are general standards that direct and shape growth and development within the province. Staff undertook a review of the proposal regarding its alignment with these Statements, which can be found in the attached review document. The proposed development aligns with the intent of these policy statements.

Zoning

The High-Rise Residential (RH) Zone accommodates a range of residential uses ranging from a single-detached dwelling to multiple multi-unit buildings. The existing development pattern represents an incremental increase in density and scale, with the placement of the RH zone continuing this development pattern. The proposed development aligns with the regulations established for the RH zone within the City's Zoning By-Law including parking, amenity space and landscaping. A Development Officer Variance is required to increase the maximum front yard setback.

Infrastructure and Traffic

The City's Infrastructure Development and Fire and Emergency Management Service Areas also reviewed the proposal, and no major concerns were raised.

Traffic provided comments based on the applicants Traffic Impact Study:

 The Transportation Association of Canada (TAC) provides a general guideline that a residential street can accommodate 1000 vehicles per day. As a result of this development, approximately 350 to 450 vehicles per day above this threshold is predicted in the Silver Falls neighbourhood. The City's Transportation Engineer suggests this projected increase is reasonable with existing and proposed transportation infrastructure. In cases such as this, it is justified to explore improving the safety aspects as well as volume reduction strategies to compensate for such reasonable increases above the threshold.

- It is important to acknowledge that both Martha Avenue and Nason Road have continuous sidewalks on one side of the street with streetlights which offset some of the expected increase in traffic volumes.
- Although City staff did not conduct a speed survey on Martha Avenue, a recent speed survey was conducted on Bonita Street where the average speed of vehicles was found to be 45 KM/H. Although results from one street cannot be necessary assumed to be similar to another, average speeds on Bonita Avenue are below the 50 KM/H speed limit and below the threshold warranting traffic calming according to the City's policy. With this limited data in mind, there is no current evidence of excessive speeding in the Silver Falls neighbourhood. With that in mind, road safety improvements are still recommended.

The Service Areas are in general support of the proposal with some conditions:

- That the owner/developer's traffic consultant explore and recommend road safety improvements to be undertaken by the developer at the developer's expense. These improvements are subject to approval by the City. Thie review and identification of these improvements must be completed prior to the issuance of the building permit for the first building. Installation of these improvements by the developer must be completed prior to occupancy of the first building. These road safety improvements would include:
 - traffic calming elements on Martha Avenue that encourages greater diversion of traffic to other neighbourhood streets such as Bonita Avenue and Micheal Crescent.
 - o pedestrian crosswalks on Martha Avenue
- The installation of a crosswalk crossing Mark Drive at Martha Avenue should be included as part of the development approval process with the developer contributing \$1000 towards crosswalk installation. Pedestrian connectivity to the east side retail area from this neighbourhood is important, even more-so with this new development.
- An extension of fire hydrant service will be required as per the National Building Code of Canada 2015. The placement of the new hydrant(s) and the location of each building's Fire Department Connections (FDC) be such that the distance between the new hydrant and the FDC location be within 45 metres of the hydrant (measured as a charged hose line bends around obstructions and corners)".

Section 59 Conditions

Community Planning staff are recommending a few Section 59 conditions for this project. The first condition relates to connectivity with the wider pedestrian network. Pedestrian connectivity to the east side retail area from this neighbourhood is important and this condition will provide general guidance on connecting the development to the sidewalks in the area.

The additional Section 59 condition are associated with the service area comments. For support of the project, some requirements regarding wider traffic improvements are required. These conditions will help ensure the functionality of the site and help it better conform to the neighbourhood.

Conclusion

The proposed municipal plan amendment and rezoning of the subject site is supported by the Municipal Plan and represents an expansion of an established mixed density neighbourhood. Approval of the application is recommended subject to Section 59 Conditions.

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 September 3, 2024. The public hearing notice will be posted on the City of Saint John website on September 9, 2024.

APPROVALS AND CONTACT

Manager	Director	Commissioner
Jennifer Kirchner, MCIP, RPP	Pankaj Nalavde, RPP,	Amy Poffenroth,
	MCIP	P.Eng., MBA

Contact: Yeva Mattson **Telephone:** (506) 721-8453

Email: yeva.mattson@saintjohn.ca

Application: 23-0129

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

Aerial Photograph - 0 Nason Road/Martha Avenue

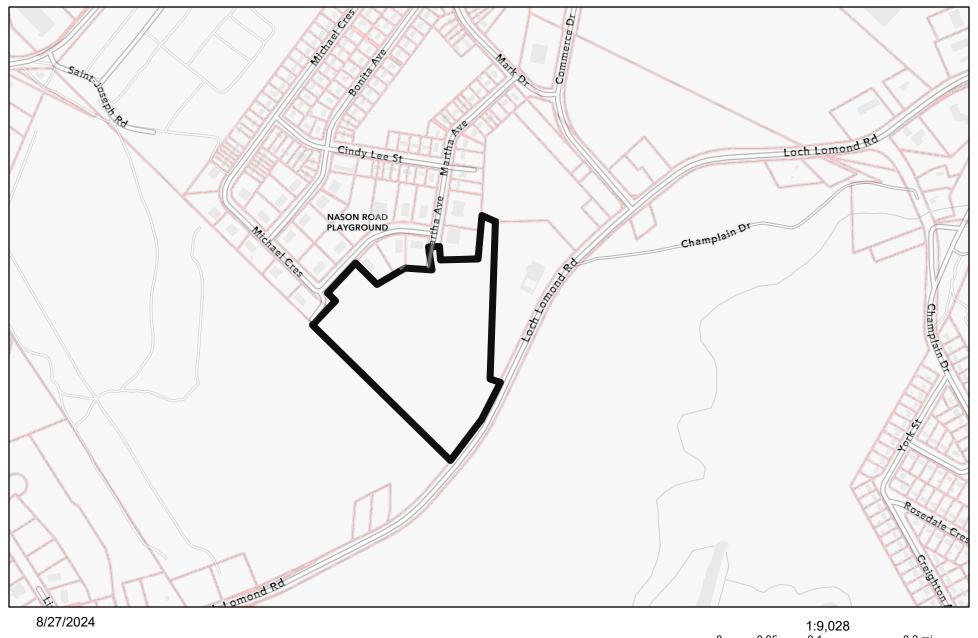


Property Parcels 0.04 0.09 0.17 km Subject Site Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

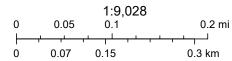
0.03

0.11 mi

0 Nason Road/Martha Avenue (PID 55086227)

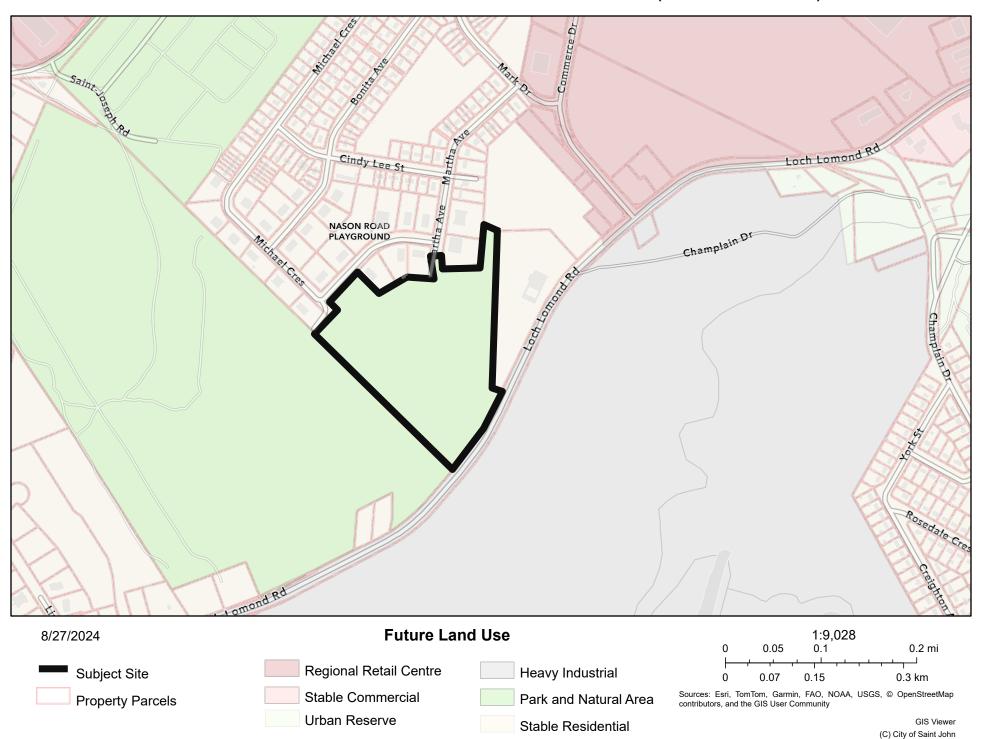


Subject Site
Property Parcels

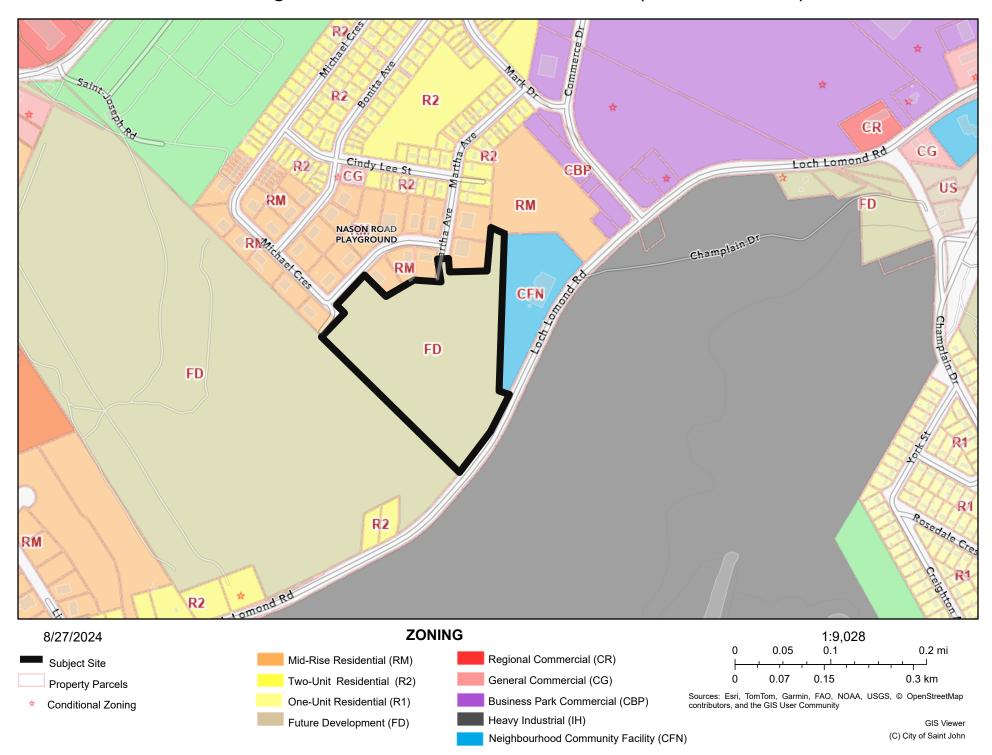


Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Future Land Use - 0 Nason Road/Martha Avenue (PID 55086227)



Zoning - 0 Nason Road/Martha Avenue (PID 55086227)





Subject Site viewed from entrance on Martha Avenue (Parking to the right belongs to adjacent apartment)



Martha Avenue viewed from subject site



Subject Site viewed from Nason Road – this area is confirmed wetland and cannot be developed

Attachment 2: Municipal Plan and Statements of Public Interest – 0 Nason Road/Martha Avenue

Municipal Plan Policy	0 Nason Road/Martha Avenue Assessment
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.	The proposed rezoning facilitates the integration of new housing onto an existing site. The rezoning will provide increased density and intensification into an existing neighbourhood as identified in the Municipal Plan.
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.	The neighbourhood is noted for its variety of housing typologies which range from single-unit dwellings to apartment buildings. The proposed development would be of a similar typology to those found in the existing neighbourhood and align with the existing built form.
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:	
a. The proposed land use is desirable and contributes positively to the neighbourhood;	a. The proposed land use would increase density in an undeveloped portion of the neighbourhood adjacent to an existing area of multiple unit development.
b. The proposal is compatible with surrounding land uses;	b. The proposed rezoning aligns with the variety of established residential uses in the neighbourhood.
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;	c. The property is serviced by existing infrastructure, transit, and is close to parks and recreation facilities.
d. Site design features that address such matters as safe access, buffering and landscaping, site grading and stormwater management are incorporated;	d. The proposed site plan addresses access, grading, and landscaping. A storm water management plan will be required as part of the building permit phase.
e. A high quality exterior building design is provided that is consistent with the Urban Design Principles in the Municipal Plan.	e. The development will be of similar design to multi-unit buildings across the city.

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. The permitting process requires detailed site plans be submitted to and	
reviewed by the Development Officer before any permit approvals to	
ensure high quality site design.	
d. While the property has topographical challenges and the presence of	
wetlands, due to the size of the site the project can be developed in a suitable	
location to avoid the wetland.	
a. The proposed development will have appropriate setbacks, landscaping,	
and massing for its location.	

- ii. In the Primary Centre and Neighbourhood Intensification Areas, as identified on the City Structure map (Schedule A), new development will be located and organized to frame and support the surrounding public realm and massed to fit harmoniously into the surrounding environment, including appropriate transitions in height and massing to areas of lower intensity development, as set out in Policy UD-11;
- b. Locating building entrances facing the public street;
- c. Designing sites to incorporate existing natural features and topography;
- d. Designing sites to protect, create and/or enhance important view corridors to the water or landmark sites or buildings;
- e. Incorporating innovations in built form, aesthetics and building function to encourage high quality contemporary design that will form the next generation of heritage;
- f. Where appropriate and desirable, encouraging active pedestrian-oriented uses and a high level of transparency at grade to reinforce and help animate the public realm;
- g. Designing sites, buildings and adjacent public spaces as complete concepts with integrated functions;
- h. Using quality, durable building materials and a consistent level of design and detail for all elements of the building;
- i. Designing for visual interest by incorporating well-articulated building façades, landscaping, local history, public art and/or culture into sites and buildings;
- j. Directing high-rise buildings to appropriate areas and ensuring their design is sensitive to the neighbourhood and/or heritage context;

- b. Due to setbacks and site layout, the entrances cannot face a public street but will be orientated to face the private access.
- c. The proposal will retain much of the original vegetation and tree coverage on the lot and be located on the property to work with topographical challenges.
- d. This development will not obstruct any view corridors.
- e./h./i. The development will use high quality cladding and contemporary architecture, with articulated facades.
- f. A Section 59 Condition will ensure connection to the wider pedestrian network.
- g. n/a

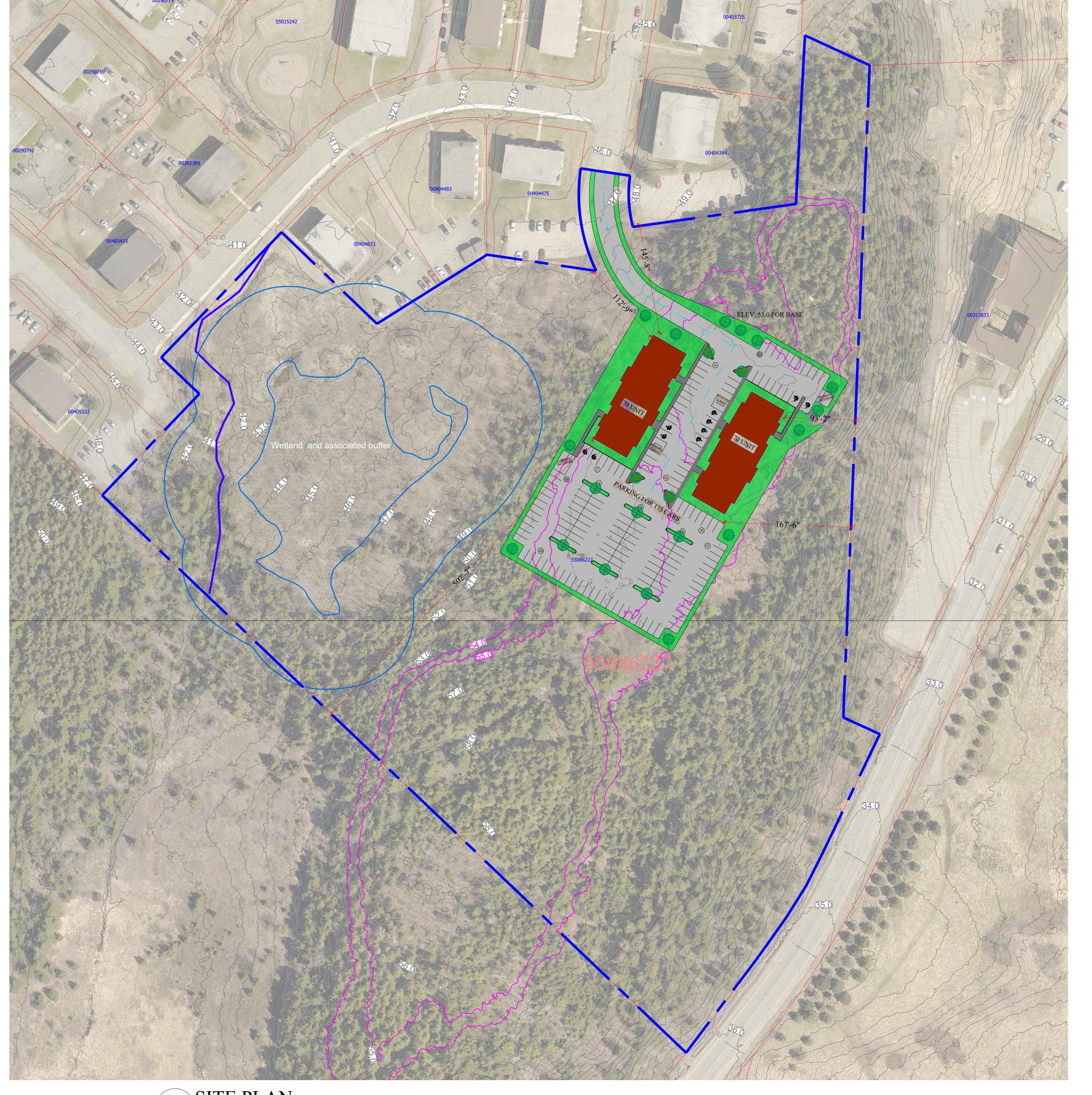
j. The proposal is appropriate for the neighbourhood as a transition from midrise to high-rise.

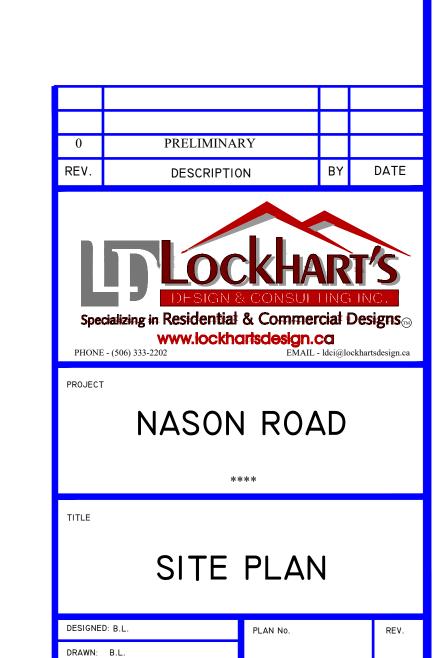
Statements of Public Interest Review for 0 Nason Road/Martha Avenue

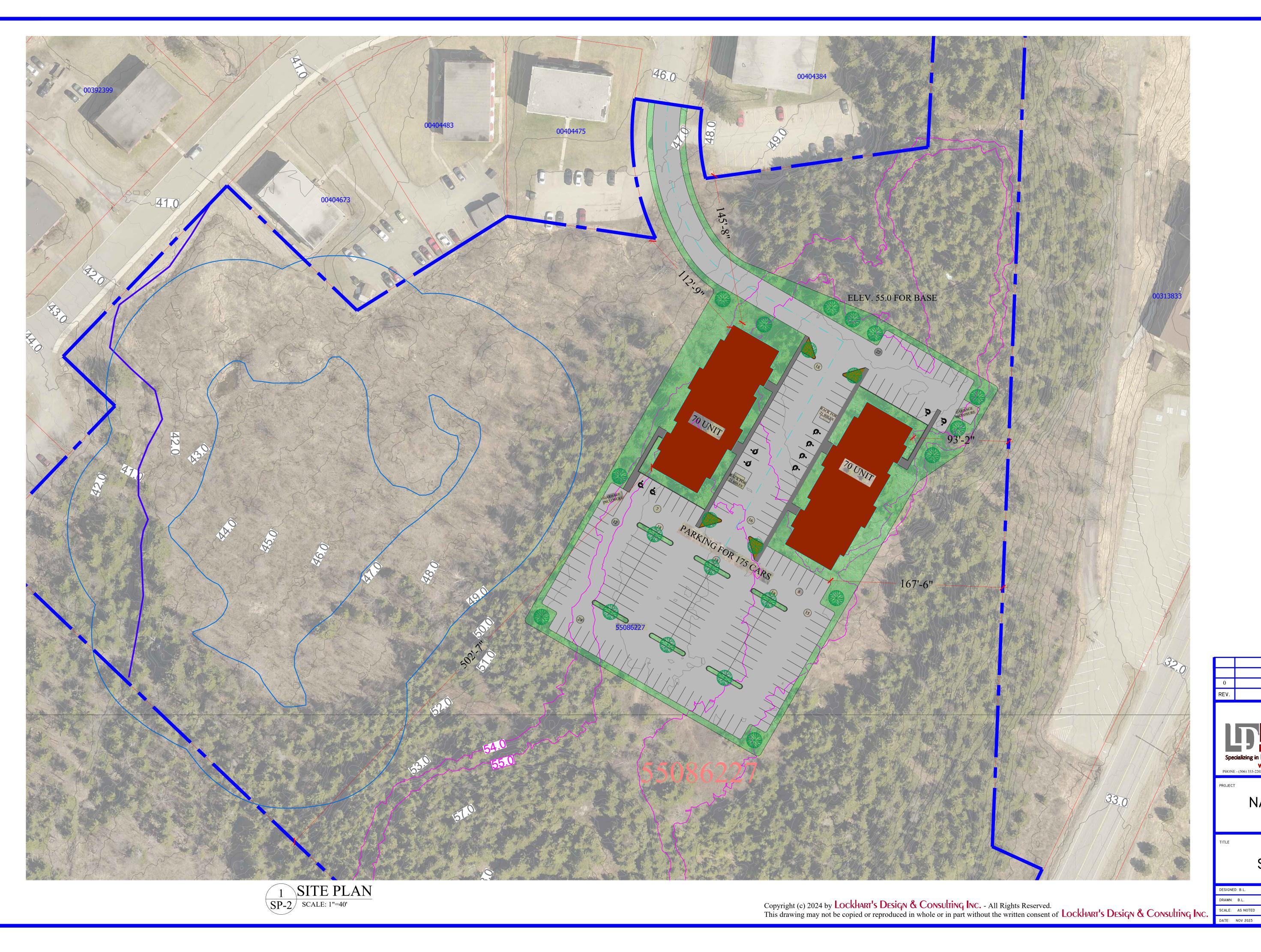
SPI	0 Nason Road/Martha Avenue			
Settlement Patterns				
SP.1 Promote efficient development and land use patterns that are in the best interests of the Province, local governments and residents of the Province in the long-term.	The proposed development is within the City's serviceable boundary (Primary Development Area (PDA) – as defined in the City's Municipal Plan) and is located on a site served by an existing access, transit routes, infrastructure, and City services. The proposed Municipal Plan Amendment and associated development represents an extension of an existing neighbourhood and an appropriate increase from mid-rise to high-rise development. Given these considerations it conforms to the criteria as it is an expansion of an existing land use which makes use of the City's existing infrastructure and services.			
SP.2 Promote a range of housing options such as size, type, density and design throughout communities.	This development represents an opportunity to increase housing options in an existing neighbourhood.			
SP.3 Support the provision of a range of affordable housing options throughout communities.	This policy is not applicableapplicable.			
SP.4 Avoid development and land use patterns that may cause environmental or health and safety issues.	The proposed development is outside of the regulated wetland and watercourse buffer.			
SP.5 With respect to development that occurs in a community with existing or planned public infrastructure and services, promote development in locations where the public infrastructure and services are or are planned to be available.	The proposed development is within the City's serviceable boundary (Primary Development Area (PDA) – as defined in the City's Municipal Plan) and is located on an existing roadway that is serviced by transit routes, infrastructure, and City services.			
SP.6 With respect to development that occurs in a community with no existing or planned public infrastructure or services, promote development in locations with previously constructed and actively maintained roads.	This policy is not applicable.			
SP.7 Promote a range of transportation options, including public, regional and active transportation.	The development is located on an existing roadway (Matha Avenue), which has been developed with sidewalks on the west side of the road. The location is also served by one of the City's transit lines, which connects with key locations across the City.			

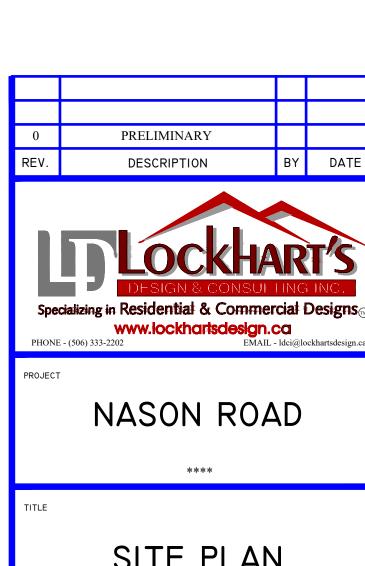
alated wetland and watercourse buffer and makes use of existing astructure. The required infrastructure installation for the service nections will conform to all required standards and guidelines. expansion of the existing site can be viewed as an infill development, as it creasing density on a lot that already exists within an established shbourhood. re policy is not applicable.				
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Climate Change				
proposed development is located within an established area within the				
and as such is considered an infill project. Proximity to existing transit				
es provide mode choice beyond the private automobile, serving as a				
gation measure with respect to reduced emissions for both climate change				
improved air quality. The site also benefits from active transportation				
astructure including sidewalks. Avoidance of the regulated watercourse				
er conforms to best practice with respect to climate change adaptation.				
required infrastructure installation for the new service connections will				
form to all required standards and guidelines.				
Flood and Natural Hazard Areas				
proposed development is outside of the regulated wetland and				
ercourse buffer.				

FH.2 Promote land use and development in areas other than flood and natural hazard areas.	The proposed development is outside of the regulated wetland and watercourse buffer.
FH.3 Promote land use and development that are not expected to increase the impacts on safety and costs associated with flooding and natural hazards.	The proposed development is outside of the regulated wetland and watercourse buffer.
FH.4 Promote land use and development that incorporate mitigation measures with respect to flooding and natural hazards or that are appropriate for areas subject to natural hazards.	The proposed development is outside of the regulated wetland and watercourse buffer.







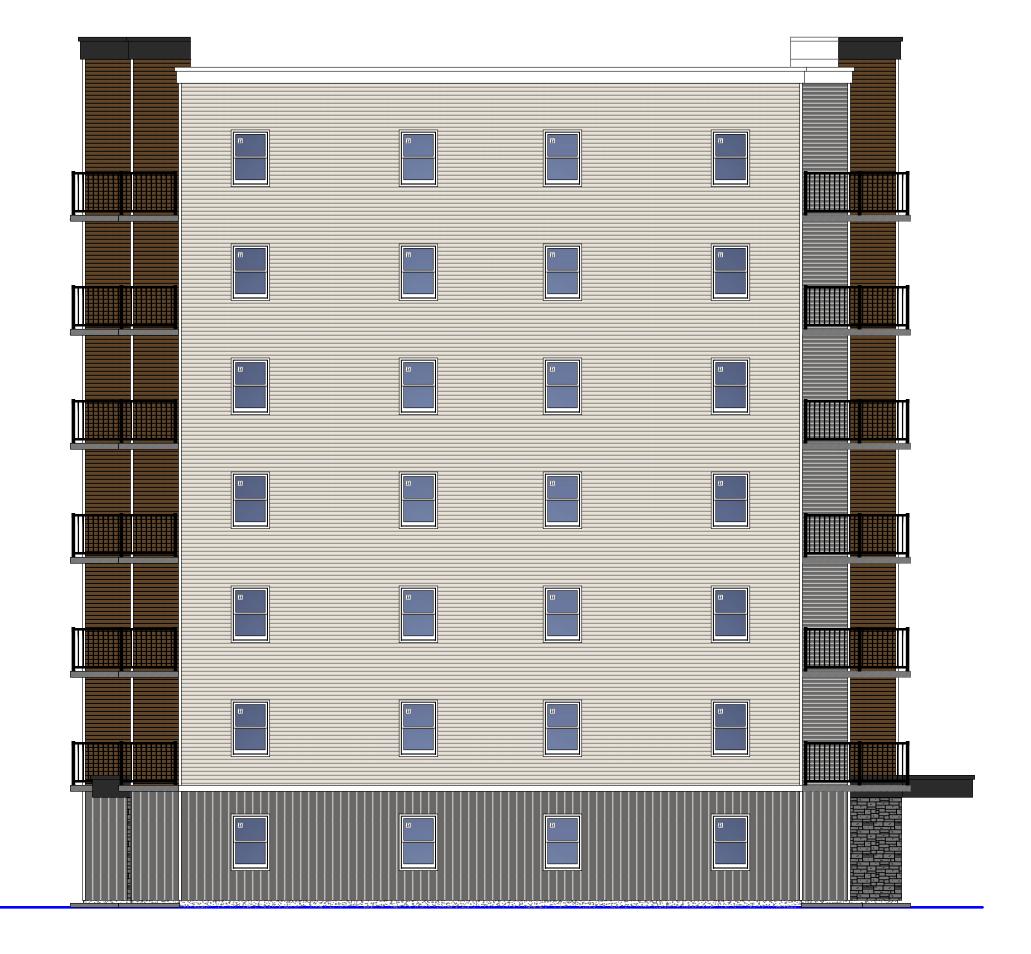


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DESIGNED: B.L.		PLAN No.

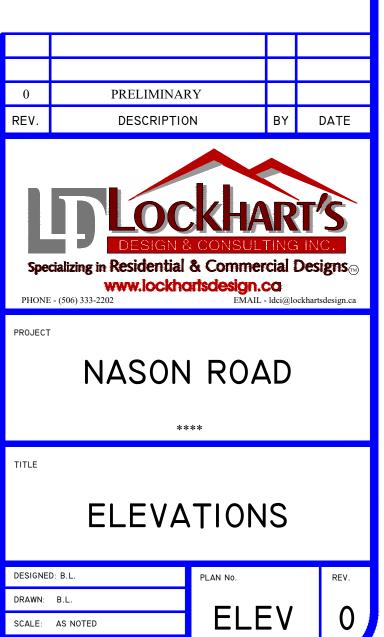








2 LEFT & RIGHT ELEVATION ELEV SCALE: 1/8"=1'-0"









From: kevin maher

Sent: September 6, 2024 12:20 PM **To:** OneStop < onestop@saintjohn.ca >

Subject: PID 55086227

I hope they have a seperate access road other than Martha Avenue as the traffic is already busy and way to fast with no one knowing what a STOP sign means. Police could make money in this area in fines.

Get Outlook for Android

558 marths and. Saint John N. B. E25 4A6 Sept 8/24 Planning advesory Committee To Eta of Saint John Services PO By 1971 Saint John, N. B. E12 461 To Whom It may concern: This letter is to inform Planning advisory Committee that I am against the application for Regoning I have built my home in this area in 1995, mainly because my home in this area in 1995, mainly because My somerno ore as followed: noise forge valueles (bull dayers, duny tracks Devaluation of my propert home. Fraffic - after (2) high rises get lit with To should to each building. The traffic would be reducedess. There is all a small sheldren living in this area now. Here is more, buildings and homes in this ords. It would be dongerous for the elither with this meriod of traffice. Senceral mutchel Justison

anthony Meterell Jackson