

PLANNING REPORT



PAC – September 21st, 2022
File No.: S/10/2022 P.R. No. 63/22

To: Planning Advisory Committee
From: Matthew Robinson, Planner
Proposal: Tentative plan of subdivision to create one new R-2/EOS lot
Property: **907 Woodstock Road (PID 75359414)**

OWNER: Frank and Patricia Humphrey
907 Woodstock Road
Fredericton, NB, E3B 7R7

APPLICANT: Same

SITE INFORMATION:

Location: The property is located on the northside of Woodstock Road, alongside the Saint John River

Context: Low density residential with a mixture of commercial uses.

Ward No: 12

Municipal Plan: Residential

Zoning: Residential Zone Two (R-2) and Environment Open Space (EOS)

Existing Land Use: Single Detached Dwelling

Previous Applications: P.R. 37/78 (S/D) Council April 10/78; P.R. 54/19

EXECUTIVE SUMMARY:

The proposed tentative plan of subdivision will subdivide an existing lot, creating a new R-2/EOS lot and leaving a remnant R-2/EOS lot with the existing single detached dwelling. Due to the nature of this application, a previously deferred cash contribution in lieu of public land dedication is now eligible for collection. The proposed subdivision complies with the requirements of the *Zoning By-law* and staff is supportive of this application, subject to terms and conditions.

APPLICATION:

Frank and Patricia Humphrey have made application for approval of a tentative plan of subdivision to create one new R-2/EOS zoned lot, on property located at 907 Woodstock Road.

PLANNING COMMENTS:

Background:

- The subject property is located on the north side of Woodstock Road, along the St. John River, and is within two different zones as is common for lands in this area. A portion of the property is zoned R-2, and a portion is within the limited development zone, EOS.
- It is noted from a Planning Advisory Committee meeting dated April 5th, 1978 (P.R. 37/78) in a request for subdivision of a lot concerning 907 Woodstock Road, the Committee recommended approval “subject to a deferred public cash contribution until the whole property is further developed and that the subdivision plan show the City easement between lots number 7 and 1.” This recommendation was adopted at Council on April 10th, 1978. However, the plan was never registered, and the 8% cash-in-lieu needs to be satisfied, requiring a subdivision process.
- The applicants had previously commissioned a survey of their property and a proposed adjustment to the R-2/EOS boundary was heard on October 19th, 2019 (P.R. 54/19). The intent of the adjustment was to ensure all land below 9m geodetic elevation is zoned EOS, while land above 9m geodetic elevation is zoned R-2. It was acknowledged in the respective planning report that the applicants wanted to address the zoning boundaries prior to applying for a subdivision to create a building lot. These new boundaries were approved and are shown on Map I and II.

Municipal Plan:

- The Property includes lands designated as Parks and Open Space. Lands within the Parks and Open Space designation are intended for public enjoyment, to support active living, and for the conservation of significant natural features. The Municipal Plan contains the following policies for Parks and Open Space.
 - Section 2.2.1 (50) Council shall require, as a condition of subdivision approval pursuant to the Subdivision By-law, the conveyance of either land or an equivalent amount of cash-in-lieu of land to the City for the purposes prescribed in the *Community Planning Act*.
 - Section 2.2.1 (51) Council shall consider the following when evaluating subdivision proposals for public land dedication or cash-in-lieu:
 - i. Likely impact on maintenance cost and property tax;
 - ii. Existence of other nearby facilities;
 - iii. Quantity and nature of local recreation demand;
 - iv. Physical suitability for intended purpose;
 - v. Accessibility from all areas of the subdivision;
 - vi. Site frontage along roadways;
 - vii. Potential for integration with existing parkland and trail system;
 - viii. Compatibility with existing and proposed adjacent land uses;
 - ix. Potential traffic generation and distribution; and,
 - x. Need for parking.

The policies of the Municipal Plan for Parks and Open Spaces provide guidance for evaluating subdivision proposals for public land dedication or cash-in-lieu. Typically, land adjacent to river systems would be viable for conveyance of public land dedication. In this case, due to the previous PAC recommendation for a deferred public cash contribution as well as the lack of integration with any existing parkland and trail system, staff feels incumbent the approach in this instance is for cash-in-lieu.

Zoning By-law:

- The following is a comparison of the proposal to the standards of the R-2 zone:

Standard	Required	Provided
Proposed Lot 22-94		
Lot Area	540m ² minimum	4769 m ²
Lot Frontage	18m minimum	79.4 m
Lot Depth	30m	69.7 m approx.
Remnant Lot 98-36		
Lot Area	540m ² minimum	1539m ²
Lot Frontage	18m minimum	53.9 m approx.
Lot Depth	30m	50.8 m approx.

- The proposed subdivision will not result in any deficiencies to the subject property with respect to the requirements of the current Zoning By-law.

Access and Servicing

- Municipal water and sewer services for Woodstock Road are not located along the frontage of the new lot. Services are located on the south side of Woodstock Road, specifically within the municipal trail property. While it will be possible to tie into municipal services on the new lot, there will be significant challenges and costs in doing so.
- A servicing, access and lot grading plan prepared by a Professional Engineer is to be provided to the satisfaction of the Director of Engineering & Operations with any building permit application for proposed lot 22-94.
- The existing 12 foot / 3.66 metre wide easement on the east side of remnant lot 98-36 (as created by registered plan 5840) is to be shown on the subdivision plan creating lot 22-94 (Map II).

RECOMMENDATION:

It is recommended that the application submitted by Frank and Patricia Humphrey for a tentative plan of subdivision to create one new R-2/EOS lot on property located at 907 Woodstock Road be forwarded to City Council with a recommendation that the public land dedication be taken in the form of cash on lot 22-94 pursuant to By-law No. Z-4, A Subdivision By-law.

Additional Information:

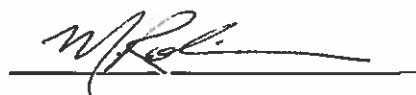
Pursuant to Section 77(1) of the Community Planning Act, the following terms and conditions will be imposed upon the subdivision by the Development Officer:

- a) A final plan of subdivision be submitted substantially in accordance with Map II attached to P.R. 63/22, to the satisfaction of the Development Officer;
- b) The existing 12 foot / 3.66 metre wide easement on the east side of remnant lot 98-36 (as created by registered plan 5840) be provided gratuitously, to be shown on the final plan of subdivision;
- c) A servicing, access and lot grading plan prepared by a Professional Engineer is to be provided to the satisfaction of the Director of Engineering & Operations with any building permit application for proposed lot 22-94; and
- d) If required, the applicant obtain a Wetland and Watercourse alteration (WAWA) permit from the Department of the Environment.

It is further recommended that City Council adopt the following resolution:

BE IT RESOLVED THAT the final plan of subdivision prepared by SurTek GROUP LTD. SUBDIVISION PLAN SHOWING LOT 22-94 AND REMNANT OF LOT 98-36 CITY OF FREDERICTON COUNTY OF YORK PROVINCE OF NEW BRUNSWICK *receive the Assent of Council pursuant to 88(4) of the Community Planning Act.*

Prepared by:

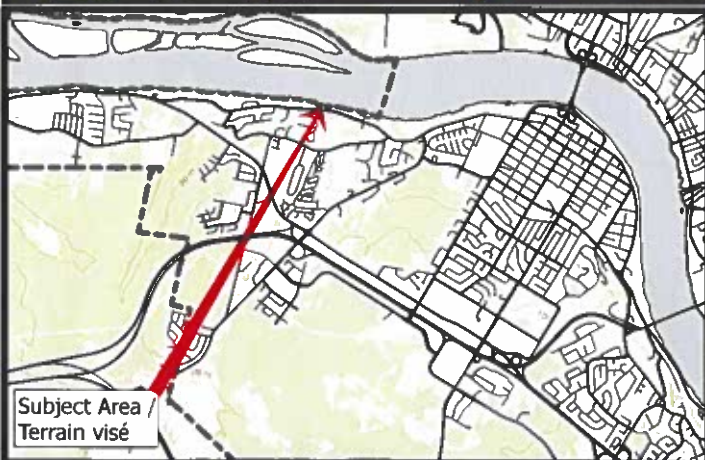
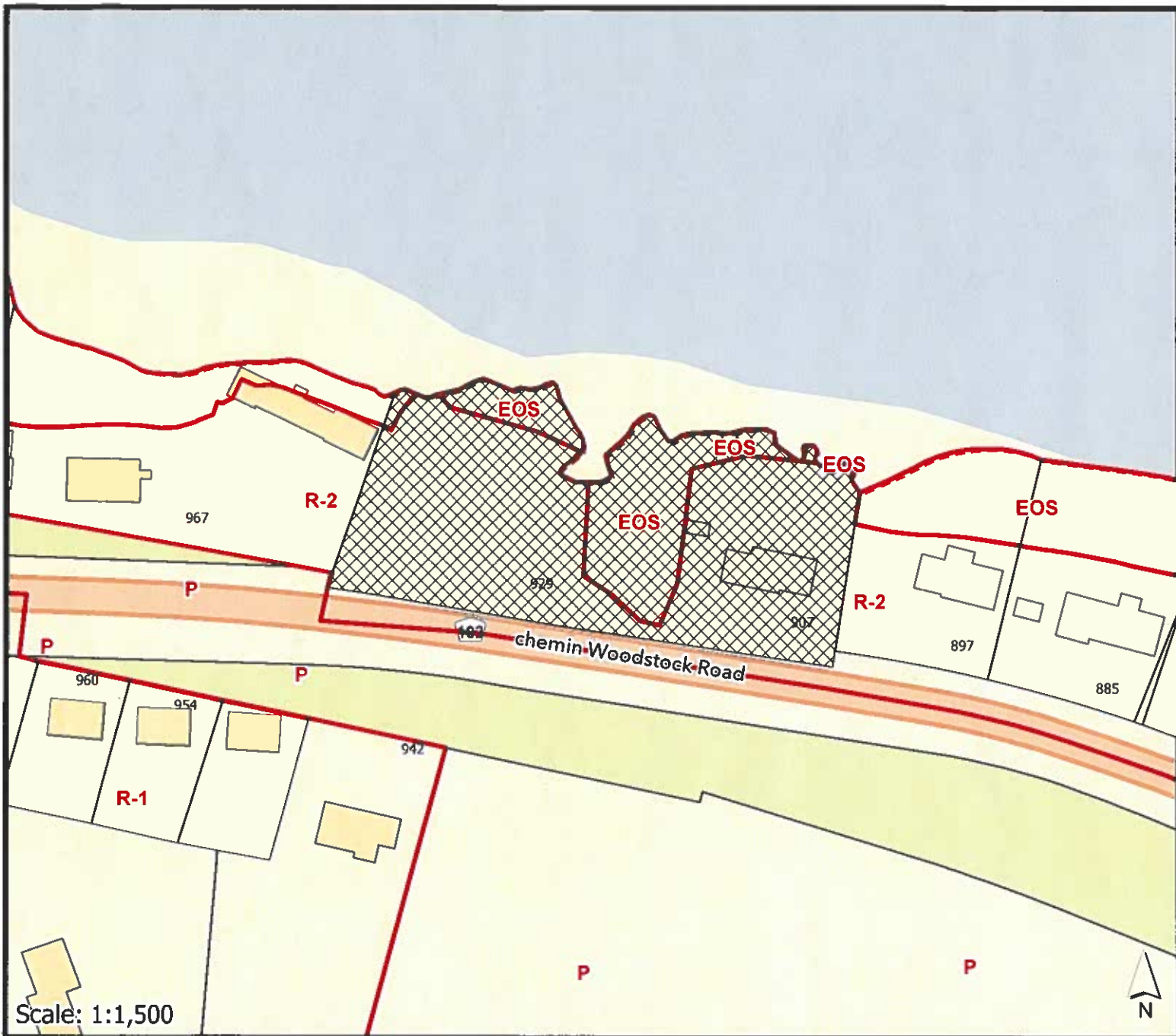
A handwritten signature in black ink, appearing to read 'M. Robinson', written over a horizontal line.


Matthew Robinson, MCP, MCIP, RPP
Planner, Community Planning

Approved by:

A handwritten signature in blue ink, appearing to read 'Marcello Battilana', written over a horizontal line.

Marcello Battilana, MCIP
Manager, Community Planning



 Subject Area / Point d'intérêt

Tentative plan of subdivision to create one new R-2/ EOS zoned lot.

Plan provisoire de lotissement à créer un nouveau lot zoné R-2/EOS.

Fredericton

Community Planning
Planification urbaine

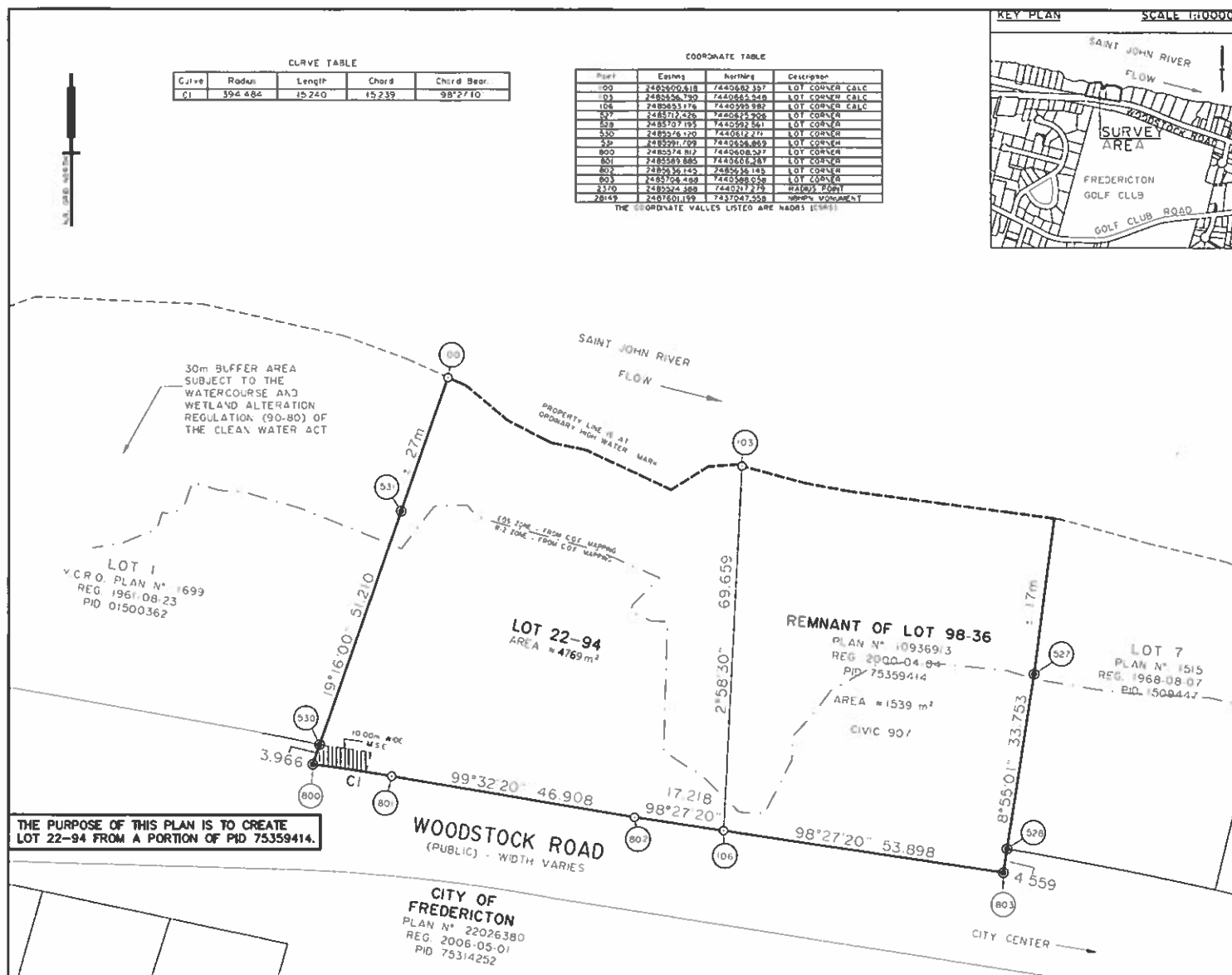
Map \ carte # I

File \ fiche: PR-63-2022

Date \ date: septembre \ Sept. 21, 2022

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Frank and Patricia Humphrey



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Plan provisoire de lotissement à créer un nouveau lot zoné R-2/EOS.

Tentative plan of subdivision / Plan provisoire de lotissement

Fredericton

Community Planning
Planification urbaine

Map \ carte # II

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