

## PLANNING REPORT



PAC – November 16, 2022  
File No.: Z-21-22, V-21-22, P.R. No. 72/22

**To:** Planning Advisory Committee  
**From:** Fredrick Van Rooyen, Planner  
**Proposal:** Zone Amendment and Temporary Use Variance to permit the continued use of an emergency shelter within the Small Craft Aquatic Centre  
**Property:** **63 Brunswick Street (PID 75025445)**

---

**OWNER:** City of Fredericton  
397 Queen Street  
Fredericton, NB  
E3B 1B5

**APPLICANT:** Fredericton Homeless Shelters Inc. c/o Warren Maddox  
65 Brunswick Street  
Fredericton, NB  
E3B 1G5

### **SITE INFORMATION:**

**Location:** Located along the Wolastoq (Saint John) River, accessed from Woodstock Road via the parking area of the Victoria Health Centre

**Context:** The property is bounded to the north by the Wolastoq (Saint John) River, to the east and west by the riverbank, and to the south by the Victoria Health Centre

**Ward No:** 10

**Municipal Plan:** Parks and Open Space

**Zoning:** Environment & Open Space (EOS) Zone

**Existing Land Use:** Small Craft Aquatic Centre

**Previous Applications:** P.R. 96/21

### **EXECUTIVE SUMMARY:**

In 2021, Fredericton Homeless Shelters Inc. received a one-year temporary use variance to operate an emergency shelter in the Small Craft Aquatic Centre located at 63 Brunswick Street. While there have been significant developments in permanent housing, there is currently still demand for an emergency shelter. Accordingly, the Applicant is seeking a second temporary use variance to continue the use for another year.

The *Community Planning Act* does allow for a second temporary use variance to be applied for, however, an application to amend the zoning by-law is required. As such, the Applicant has also applied for a zone amendment to permit an emergency shelter in the Environment and Open Space (EOS) Zone.

Over the past year, staff have not received any complaints regarding the use of the emergency shelter on the property and believe that the Applicant has demonstrated the ability to operate without negative impacts on the surrounding properties. The continued use of the emergency shelter will provide additional time to evaluate the community needs and prepare for potential access to other supportive housing. Consequently, Staff support the application subject to terms and conditions.

### **APPLICATION:**

Fredericton Homeless Shelters Inc. has made an application on property located at 63 Brunswick Street (Small Craft Aquatic Centre) for a one-year temporary use variance to permit the continued use of an emergency shelter and a zone amendment to permit an emergency shelter in the Environment & Open Space (EOS) Zone.

### **PLANNING COMMENTS:**

Background:

- The Applicant is applying for both a temporary use variance and a zone amendment at this time, to continue the emergency shelter use in the Small Craft Aquatic Centre, which received a first temporary use variance in 2021. In accordance with the *Community Planning Act*, subsection 52(3)(i)(ii) outlines that to authorize an additional one-year temporary use variance, an application to amend the zoning by-law is also required.
- The Applicant notes that there have been significant developments in permanent housing over the last couple of years to increase capacity to house the homeless population through various projects. While the capacity has expanded, the demand has outpaced the supply of housing options and they are seeing an increasing influx of people into homelessness. At present, there is capacity for 120 individuals of varying degrees of complexity. There is still currently a need for a small, controlled shelter space that has minimal barriers. This type of emergency shelter serves two main purposes: the first being to prevent serious weather-related injuries and death and the second is to continue to work on getting the most challenging individuals to connect in a meaningful way with services and supports that will bring them closer to the goal of having them in permanent housing.

Proposal:

- The overnight emergency shelter would continue to operate in the same manner that it did last year, by serving a maximum of 10 occupants per night, on a first come first serve basis. Doors would open nightly at 8:00pm and occupants would be out by 7:30am. There would be no occupants during the day. There would be two paid staff on hand overnight who will be trained and supported by Fredericton Homeless Shelters Inc.
- The emergency shelter is a “low barrier” shelter, meaning there would not be a sobriety requirement. However, the site will enforce a strict security policy; access will be controlled, and guests will not be able to let others into the shelter. Once guests arrive,

they must place their belonging in locked storage in a secure location. If they retrieve their items during the night, they must leave the premises for the evening.

- Guests will enter at the rear of the building facing the Victoria Health Centre (see Map III). The parking lot, St. John House, The Victoria Health Centre, and the Small Craft Aquatic Centre will provide complete video surveillance of key locations. Daily patrols around the Small Craft Aquatic Centre will be made by the appropriate staff. A defined smoking area will also be provided by the proponent 9 metres from the entrance to the shelter.

#### Municipal Plan:

- The Municipal Plan contains the following policies regarding Emergency/Homeless Shelters:
  - Subsection 3.1.1(5): Develop and maintain relationships with other levels of government, community organizations, the private sector, and others to build community capacity in support of:
    - ii. Housing for vulnerable populations, including emergency shelters, transitional housing, and group homes.
  - Subsection 3.1.1(9)(iv): Emergency/Homeless Shelters – Council will consider requests to locate emergency/homeless shelters provided that they are located in the Urban Core within close proximity to necessary services.
- Additionally, the site is designated as Parks and Open Space under the Municipal Plan given its proximity to the Wolastoq (Saint John) River. The proposal will not change the built form or open spaces that define the area.

Overall, the proposal is consistent with the Municipal Plan as the emergency shelter is located in the Urban Core and within close proximity to necessary services.

#### Zoning By-law:

- The subject property is zoned Environment & Open Space (EOS). As the EOS zone does not permit an emergency shelter, a zone amendment is required. Staff are of the opinion that this location is appropriate for the emergency shelter as it has operated for a year without negative impacts to the surrounding properties and is within close proximity to necessary services. Additionally, with the surrounding properties including the Victoria Health Centre and the St. John House, which currently provides shelter for 25 men, staff consider the emergency shelter use in the Small Craft Aquatic Centre compatible with its surroundings. There are no changes to the built form and staff are of the opinion that the emergency shelter is an effective use of the Small Craft Aquatic Centre during the winter season.
- Staff are recommending that a term and condition be included to establish a maximum five-year operational period of the emergency shelter use. Recognizing that operation of the emergency shelter is funding based, only operational years would count towards the five-year period permitted. This five-year operational period provides the Applicant with additional time to provide a critical service in the community without having to come back to through a planning process. While the emergency shelter use is currently needed, staff

hope that as Fredericton continues to address homelessness and capacity across the housing continuum, additional supportive housing options will become available that ultimately eliminate the need for an emergency shelter.

**Building Inspection and Public Safety Services:**

- The Small Craft Aquatic Centre received the necessary fit ups to ensure all requirements are met for fire and life safety. A building permit was issued in 2021 to replace 2 exterior doors, 5 interior doors and interconnected smoke alarms as per the Provincial Fire Marshall's Report. Additionally, City Police Services have been involved with the planning of the emergency shelter from the outset. The Applicant continues to have an ongoing dialogue with all public safety services to ensure the use and layout of the facility is code compliant.

**Engineering and Operations:**

- Engineering and Operations have no concerns with the application.

**RECOMMENDATION:**

It is recommended that the application submitted by Fredericton Homeless Shelters Inc. on property located at 63 Brunswick Street (Small Craft Aquatic Centre) for a one-year temporary use variance to permit the continued use of an emergency shelter, be approved subject to the following terms and conditions:

- a) The site be developed generally in accordance with Maps II and III attached to P.R. 72/22 to the satisfaction of the Development Officer;
- b) No more than 10 guests are permitted at a time;
- c) The hours of operation for the emergency shelter are 8:00pm to 7:30am, seven days a week, with no occupancy outside of those hours other than for maintenance and preparatory purposes;
- d) Proponents will do a daily inspection of the grounds and surrounding area and any litter or debris associated with the emergency shelter shall be promptly picked up; and,
- e) There shall be at least two appropriately trained staff on hands at all times.

It is further recommended that the application submitted by Fredericton Homeless Shelters Inc. on property located at 63 Brunswick Street (Small Craft Aquatic Centre) for a zone amendment to permit an emergency shelter in the Environmental & Open Space (EOS) Zone, be approved subject to the following terms and conditions:

- a) The use of the site as an emergency shelter shall be used for a maximum five-year operational period as needed.
- b) The site be developed generally in accordance with Maps II and III attached to P.R. 72/22 to the satisfaction of the Development Officer;
- c) No more than 10 guests are permitted at a time;

- d) The hours of operation for the emergency shelter are 8:00pm to 7:30am, seven days a week, with no occupancy outside of those hours other than for maintenance and preparatory purposes;
- e) Proponents will do a daily inspection of the grounds and surrounding area and any litter or debris associated with the emergency shelter shall be promptly picked up; and,
- f) There shall be at least two appropriately trained staff on hands at all times.

Prepared by:

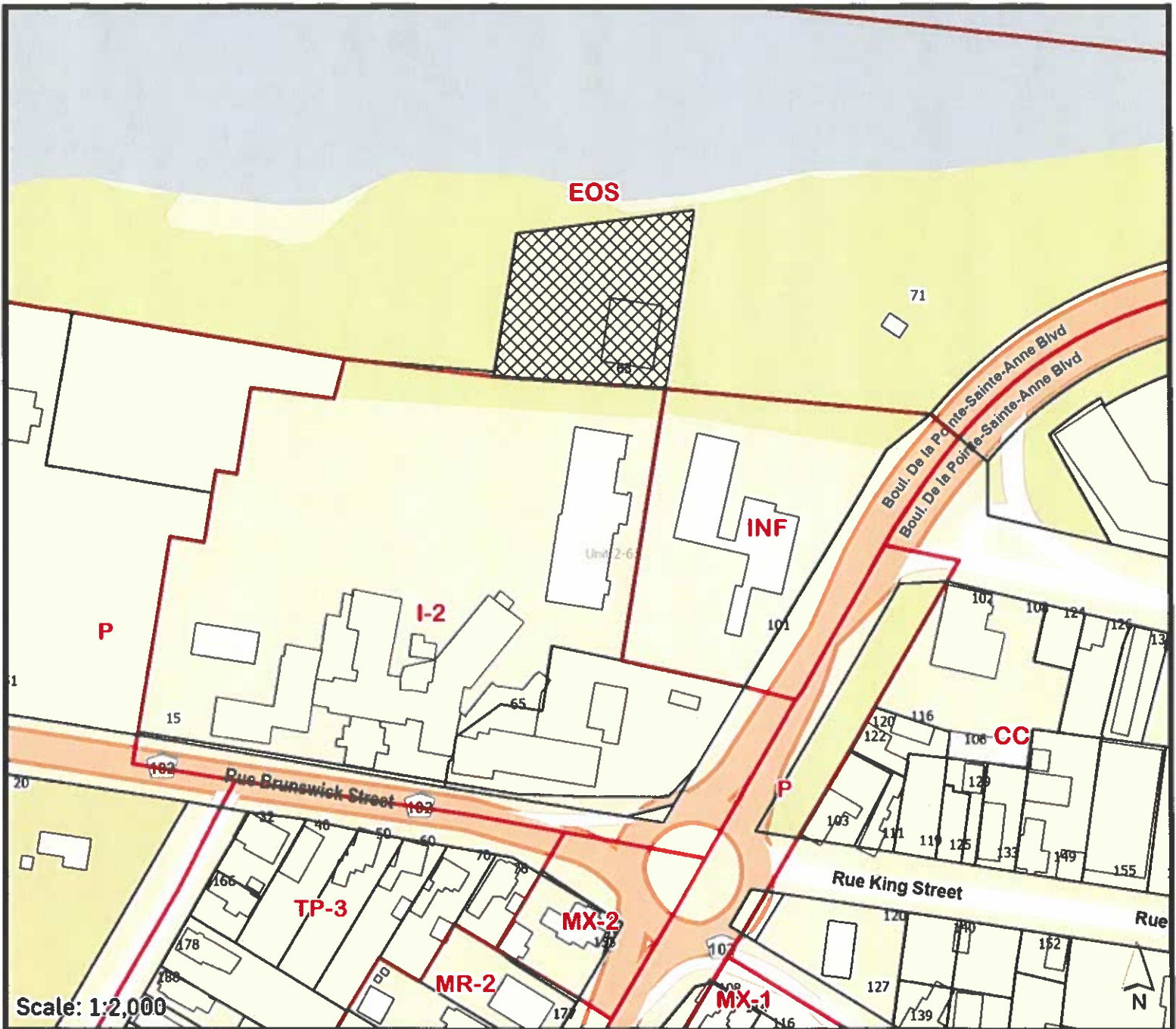



Fredrick Van Rooyen, MCIP, RPP  
Planner, Community Planning

Approved by:



Marcello Battilana, MCIP  
Assistant Director, Planning & Development



 **Subject Property / Propriété Visé**

Application for an additional temporary use variance to permit the continued use of an emergency shelter within the Small Craft Aquatic Centre and a zone amendment to permit an emergency shelter in the EOS zone.

Demande de modification supplémentaire de l'utilisation temporaire pour permettre l'utilisation continue d'un refuge d'urgence dans le Centre aquatique pour petits bateaux et modification de la zone pour permettre un refuge d'urgence dans la zone EOS.



Community Planning  
Planification urbaine

Map \ carte # I  
File \ fiche: PR-72-2022  
Date \ date: novembre \ November 16, 2022  
Subject \ sujet: rue 63 Brunswick Street  
Fredericton Homeless Shelters Inc.  
c/o Warren Maddox

Zone fumeurs  
Smoking Area

Exit/Entrance  
Sortie / entrée



Exit Only /  
Sortie uniquement

Application for an additional temporary use variance to permit the continued use of an emergency shelter within the Small Craft Aquatic Centre and a zone amendment to permit an emergency shelter in the EOS zone.

Demande de modification supplémentaire de l'utilisation temporaire pour permettre l'utilisation continue d'un refuge d'urgence dans le Centre aquatique pour petits bateaux et modification de la zone pour permettre un refuge d'urgence dans la zone EOS.

Site Plan / Plan du site

**Fredericton**

Community Planning  
Planification urbaine

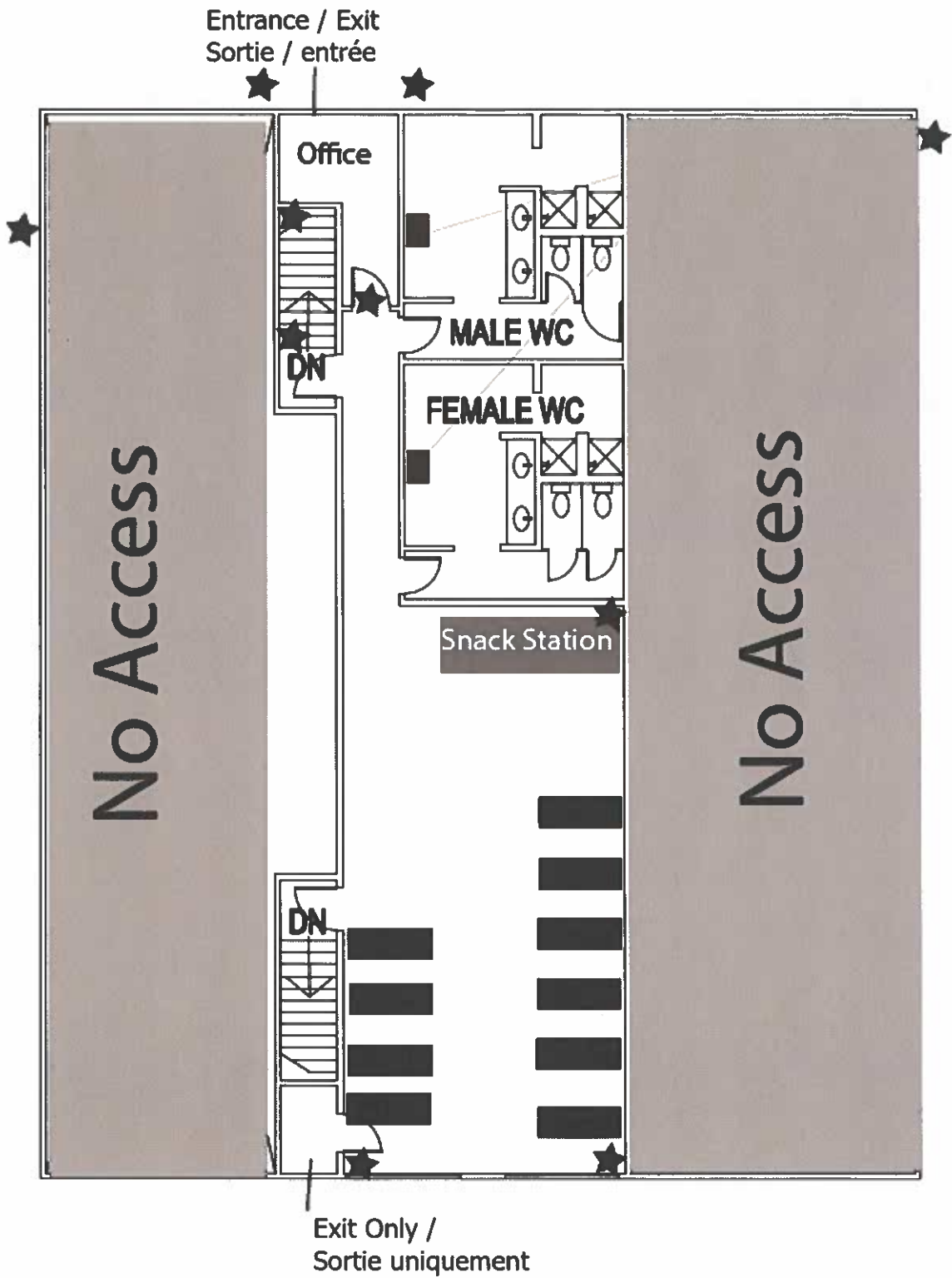
Map \ carte # II

File \ fiche: PR-72-2022

Date \ date: novembre \ November 16, 2022

Subject \ sujet: rue 63 Brunswick Street

Fredericton Homeless Shelters Inc.  
c/o Warren Maddox



★ Camera Locations 10 in total including exterior.  
 Emplacement des caméras 10 au total, y compris l'extérieur

**Floor Plan / Plan d'étage**

**Fredericton**

Community Planning  
 Planification urbaine

Map \ carte # III

File \ fiche: PR-72-2022

Date \ date: novembre \ November 16, 2022

Subject \ sujet: rue 63 Brunswick Street

Fredericton Homeless Shelters Inc.  
 c/o Warren Maddox