

To: Planning Advisory Committee
From: Tony Dakiv, Senior Planner
Proposal: Rezoning to allow construction of a 24-unit apartment building
Property: 219 - 231 Smythe Street (PID's 01437391, 01437409, 01437417)

OWNER: 046912 NB Ltd.
PO Box 1180, Fredericton, NB, E3B 5C8

APPLICANT: Gardiner Properties Ltd.
As above

SITE INFORMATION:

Location: West side of Smythe Street north of Charlotte Street.
Context: Variety of multi-residential buildings to the north, single, two-unit and converted dwellings to the south, east and west.
Ward No: 10
Municipal Plan: South Core
Existing Land Use: Four-unit converted dwelling, two-unit dwelling and single detached dwelling
Previous Applications: PR 85/04

EXECUTIVE SUMMARY:

The proposal is to construct a 24-unit apartment building requiring a rezoning from TP-3 to MR-4. The proposed building would be 5 storeys in height and would comply with all requirements of the MR-4 zone.

The proposal is consistent with infill development policies within the South Core designation of the Municipal Plan and is in keeping with Growth Strategy objectives which target the major north-south streets in proximity to the downtown (including Smythe Street) as appropriate areas for infill development and higher densities. The proposal is also consistent with the Residential Town Plat Secondary Municipal Plan and the City Centre Built Form Design Guidelines.

Given the site's mid-block location along a streetscape composed mainly of smaller buildings, the design intent was to respect this context. Staff feel the proposed building should not overwhelm the streetscape due to its location on the lot and its overall design. The proposal provides very large side yard setbacks resulting in significant separation and buffering particularly from the adjacent property to the south. The upper floors are stepped back reducing the perceived height of the building. The facades are well articulated helping to reduce its horizontal massing, add visual interest and emulate the rhythm of development along the street. The proposal represents a quality infill development which will contribute positively to the City's urban form. Staff support this application subject to terms and conditions.

APPLICATION:

Gardiner Properties Ltd. has made application to rezone property from TP-3 to MR-4 in order to construct a 24-unit apartment building located at 219 – 231 Smythe Street.

PLANNING COMMENTS:

Proposal:

- The site is comprised of three lots containing older converted residential buildings (a four-unit, a two-unit and a single detached dwelling) which will be demolished. The adjacent lots to the north are zoned MR-2 and directly to the north is an 8-unit multi-residential building. The proposal is to consolidate the lots and construct a new 24-unit, 5-storey apartment building. The building will contain 2 three-bedroom units, 14 two-bedroom units and 8 one-bedroom units.
- The three existing buildings on the subject property do not have any significant heritage value. The adjacent single detached dwelling to the south has some heritage value, ranked as “yellow” (character contributing) but it does not meet the City’s threshold for heritage designation and protection.
- The proposed building will sit relatively central along the site frontage providing a large side yard setback on both sides. The setback to the adjacent house to the south is 9m and there will be a 12m setback on the north side to accommodate the driveway accessing surface parking and self storage units as well as the ramp to underground parking behind the building as shown on Map II.
- Given the site’s mid-block location, it is important that the streetscape context inform the building design from a siting, scale and massing perspective. The streetscape is composed of individual smaller buildings on separate lots, and although the proposal involves consolidation of three lots for a larger scaled building, staff feel the overall design should not overwhelm the streetscape.
- The building’s siting, scale/massing and façade articulation all combine to help integrate the project into the existing streetscape context.

The siting of the building provides a large side yard setback and separation particularly from the adjacent house to the south which is a two and a half storey building. A screen fence and landscaping will provide additional buffer within this large side yard.

The top floor is stepped back significantly on all sides to help reduce the perceived height and massing of the building. The step back also brings the overall height below the 45 degree height plane which is required when new development is proposed adjacent to low rise residential buildings. The fourth storey also has a smaller stepped back portion along the front façade resulting in a three-storey podium look facing the street.

The façade is well articulated with insets, step backs and varying planes. Visual interest is further enhanced through quality finish material (masonry, with horizontal and vertical metal or composite wood cladding) and color change. The vertical inset above the main entrance helps to reduce the horizontal massing emulating the appearance of narrower buildings, in an effort to recognize and relate to the rhythm of smaller development along the street.

Growth Strategy:

- The subject property is located within the South Core which recognizes the potential for infill intensification along the main north-south streets in the Town Plat which includes Smythe Street. Achieving significant intensification in the South Core, a short walk away, will be critical to maximizing downtown vitality.
- The intent is that *“development should contribute to a strong urban character and inviting pedestrian realm. To this end, buildings will be located close to the street, parking will be located at the rear of buildings or underground, and street trees will be required everywhere.”* The proposal is consistent with the direction outlined in the Growth Strategy for the South Core area.

Municipal Plan:

- The subject property is located within the South Core land use designation. The proposal is generally consistent with the following South Core development policies in Section 2.2.1:
 - (11) New development within the South Core Designation will contribute to a strong urban character and inviting pedestrian realm. To this end, buildings will be located close to the street, parking will be located at the rear of buildings or underground.*
 - (12) Prior to the adoption of a new South Core Secondary Municipal Plan, new development or redevelopment within the Town Plat area of the South Core shall occur in accordance with the Town Plat Secondary Municipal Plan.*
 - (13) Prior to adoption of a new South Core Secondary Municipal Plan, mid- or high-rise building design should comply with the City Centre Built Form Design Guidelines.*
 - (16) Compatible residential infill will be encouraged along Smythe Street, York Street, and Regent Street, in low- to mid-rise buildings to achieve residential intensification.*

City Centre Built Form Design Guidelines:

- With regard to policy (13) above, the Built Form Design Guidelines are meant to help direct and shape ongoing development and provide a reference for design discussion. They are not meant to be a strictly adhered to “checklist” as each case is unique with it’s own set of circumstances and it is the architect’s role to interpret and respond to the guidelines. The architect has provided a summary of how the proposal addresses the Guidelines as part of the letter of intent submission which is attached to this report. Staff concur with the architect’s assessment and feel the proposal complies with the following built form guidelines:
 - *Street Wall and Podium - Buildings should be placed at or close to the street with no setback and be continuous along their frontages. Buildings over four storeys in height should have a podium that defines the street wall. Podiums should be three to four storeys in height. Above the podium, taller portions of the building should step back a minimum of 2 metres.*
 - *Angular Planes - The use of angular planes is intended to ensure there is an appropriate transition from tall buildings to sensitive existing uses and built form, particularly heritage buildings and house form buildings.*
 - *Façade Articulation – Buildings should have a clearly defined base, middle and top. Within the first three storeys the base should positively contribute to the quality of pedestrian environment in the level of animation, transparency, articulation and material quality.*
 - *Entrances – Entrances should address the primary street and should be clearly articulated and expressed. Entrances should be weather protected through the use of canopies or recesses and barrier free.*

- Materials and Finishes – *Building materials recommended for new construction include brick, stone, wood, concrete and glass. Plastic, plywood, concrete block, tinted and mirrored glass are discouraged.*
 - Parking - *Parking should generally be located away from public view. No parking is permitted between buildings and the street edge. Parking is best located underground, or to the rear of buildings in small surface lots.*
 - Private Landscaping - *Design of the space between the building edge and the sidewalk has an important role to play in reinforcing high quality streetscapes, as well as providing amenity for pedestrians and building occupants.*
- Section 2.2.1(23) outlines the criteria for residential infill development requiring rezoning as follows:

Where a rezoning or zoning by-law amendment is required for a new mid- or high-rise residential use in an Established Neighbourhood, proposals shall:

- i. Locate at the periphery of neighbourhoods and along arterial and collector roads;*
- ii. Have direct access to an arterial or collector road. If direct access to one of these road types is not possible, the development may gain access to an arterial or collector road from a local road;*
- iii. Incorporate underground parking facilities, where appropriate;*
- iv. Provide for adequate on-site landscaping, buffering, amenity space, parking, and garbage pickup and recycling services;*
- v. Be adjacent to or in close proximity to, an existing or planned public transit route;*
- vi. Be adjacent to, or in close proximity to, parks, open spaces and/ or other community facilities, services and amenities, and employment zones; and,*
- vi Provide high-quality building design that contributes positively to the City's urban form.*

Staff feel the proposal is consistent with all of the above Municipal Plan policy criteria for new infill development. The site is located on an arterial road (Smythe Street) that includes transit and incorporates underground parking. There is ample landscaped area provided on site with buffering from new and existing trees and screen fence. The site is located close to downtown amenities and Wilmot Park and as outlined in this report, the proposal provides a high-quality building design.

Residential Town Plat Secondary Municipal Plan:

- The subject property is located within the Residential designation in the Residential Town Plat Area Map.
- Residential Land Use Policy 3(1) allows the Planning Advisory Committee to refer a project within the Town Plat to Design Review Committee for its consideration. It is standard practice for staff to review the design and recommend to PAC whether or not a project should be subject to Design Review Committee. This policy is considered to be outdated given that the more current Municipal Plan which has primacy over this older Secondary Municipal Plan. Since the Municipal Plan requires a review relative to the Built Form Design Guidelines as noted above, this essentially replaces and meets the intent of this older design review policy. Given the proposal's compliance with the Built Form Design Guidelines and the building design comments contained in this report, Staff are satisfied with the design and design review is not necessary.
- Residential Land Use Policy 3(7) allows Council to "*consider rezoning property to a higher density residential use in the Plan Area to replace an existing structure or structures whereby the proposed infill development is deemed to enhance the streetscape and satisfy the criteria outlined in Section 2.2.1(23).*" Staff feel the proposal satisfies this policy objective since it represents a

quality infill development which will enhance the streetscape, satisfy the policies for medium/high density housing and the rezoning process requires Council's review and approval.

Zoning By-law:

- The proposal compared to the standards of the MR-4 zone is as follows:

Standard	Required	Provided
Lot Area	1992m ²	2504.2m ²
Lot Frontage	30m min.	49.6m
Building Setbacks (front)	2m min.- 4m max.	4m
(north side)	3m min.	12m
(south side)	3m min.	9m
(rear)	7.5m min.	20m approx.
Building Height	18m max.	17.5m
Height Plane	45° height plane	complies
Lot Coverage	45% of lot area max.	30%
Landscaped Area	35% of lot area min.	35.9%
Parking	18 spaces min.	21 spaces (13 underground)

Building Location and Design

- The proposal complies with the following MR-4 zone building location and design requirements:
 - minimum of 60% of the façade length must be located within the required setback;
 - front entrance to face the street with architectural enhancement;
 - façade must incorporate at least two different finish materials;
 - rear of building footprint limited to 65% of lot depth when abutting a low rise residential zone;It should also be noted that the south side corner balconies that are located beyond the rear of the adjacent house requires visual screening to mitigate overlooking. This detail will be provided at the building permit stage.

Access and Servicing

- The Traffic Engineer has reviewed this application and has no concerns.
- Servicing, lot grading and storm water management plans (SWMPs) are to be to the satisfaction of the Director of Engineering & Operations. The applicant is encouraged to submit the SWMP and site plan in advance of applying for the building permit to allow time for review and any revisions necessary to suit the Director of Engineering & Operations. The down stream carrying capacity of sanitary sewer is to be confirmed - this can be discussed with Water & Sewer Division staff. The applicant is responsible for the costs of any applicable driveway curb cuts, curb re-instatement, and sidewalk replacement. Curb and sidewalk work is to be done by City of

Fredericton. Shut off at Mains (or fees for same) are required for the water services to the existing houses that are to be abandoned.

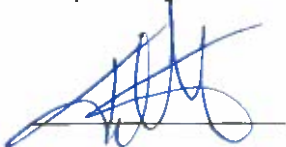
- Property is located in Wellfield Zone A; all plans, construction and heating sources must conform to the NB Wellfield Protected Area Designation Order. Construction procedures must conform to City of Fredericton General Specifications for Municipal Services, appendix 5.3 and 5.4. Refer inquiries to the City Senior Water & Sewer Engineer.

RECOMMENDATION:

It is recommended the application submitted by Gardiner Properties Ltd. to rezone property from TP-3 to MR-4 in order to construct a 24-unit apartment building located at 219 – 231 Smythe Street be approved subject to the following terms and conditions:

- a) The site be developed generally in accordance with Map II attached to P.R. 75/22 to the satisfaction of the Development Officer;
- b) Final building design be substantially in accordance with Map III attached to P.R. 75/22 including visual screening measures to address overlooking from the upper balconies at the south-west corner of the building to the satisfaction of the Development Officer;
- c) Consolidation of PID's PID's 01437391, 01437409, 01437417 to the satisfaction of the Development Officer prior to issuance of the building permit;
- d) A final parking and landscape plan be provided showing screen fence, tree and shrub planting and garbage screening details to the satisfaction of the Development Officer prior to issuance of the building permit;
- e) Servicing, lot grading and storm water management plans are to be to the satisfaction of the Director of Engineering & Operations;
- f) The Applicant is responsible for the costs of any applicable driveway curb cuts, curb reinstatements and sidewalk replacement;
- g) There are restrictions on drilling for geotechnical purposes. The developer's Geotechnical Engineer must contact City's Senior Water & Sewer Engineer for approval of all ground penetrations prior to conducting field work;
- h) Property is located in Wellfield Zone A; all plans must conform to the NB Wellfield Protected Area Designation Order. Refer inquiries to the City Wellfield Protection Officer.

Prepared by:

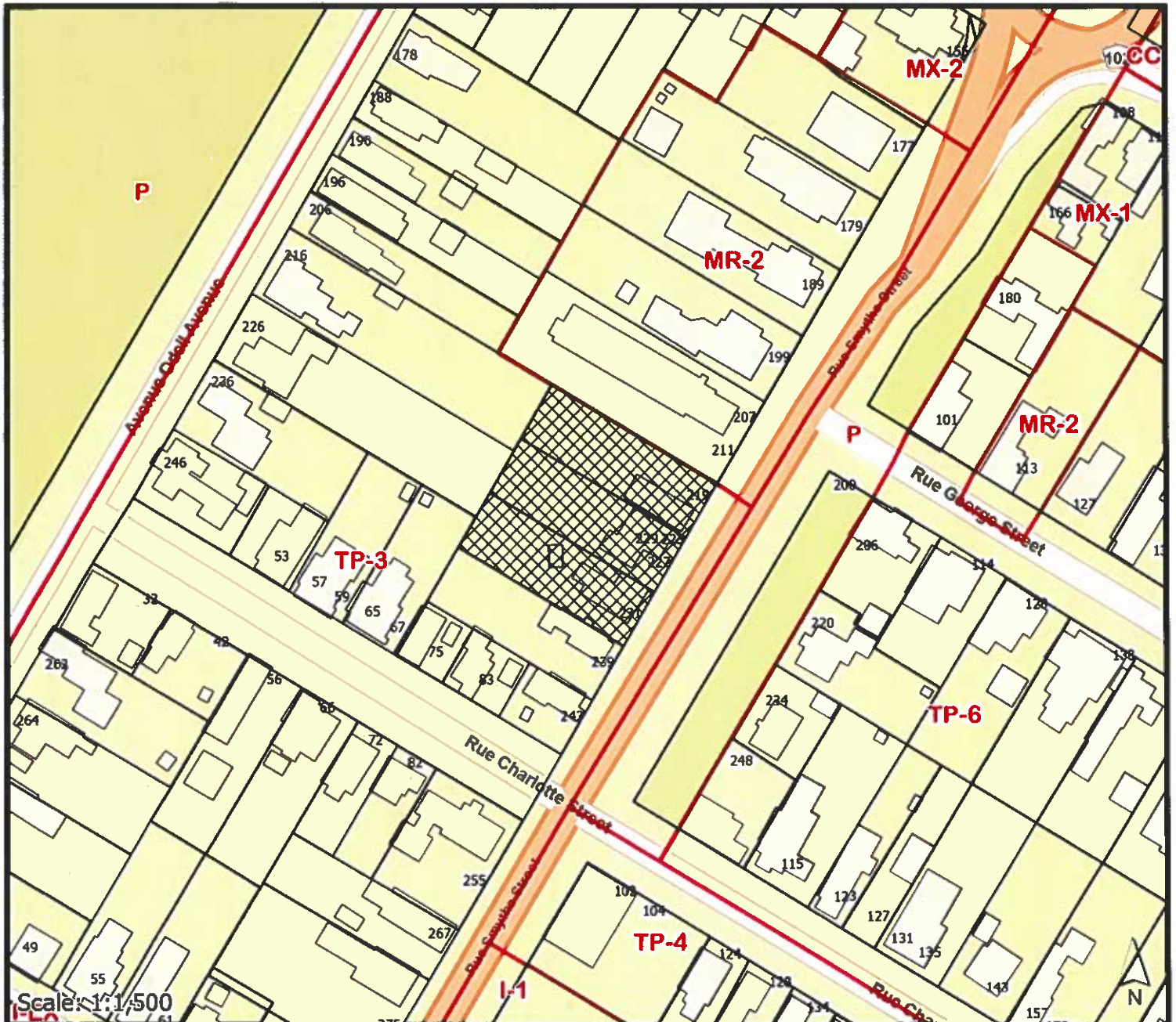


Tony Dakiv, MCIP
Senior Planner, Community Planning

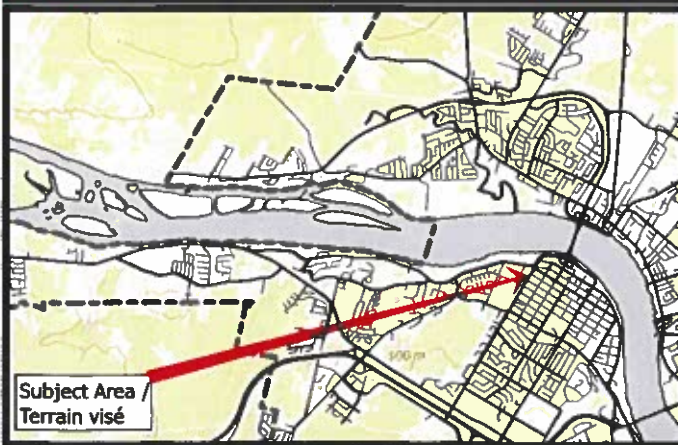
Approved by:




Marcello Battilana, MCIP
Manager, Community Planning



Scale: 1:1,500

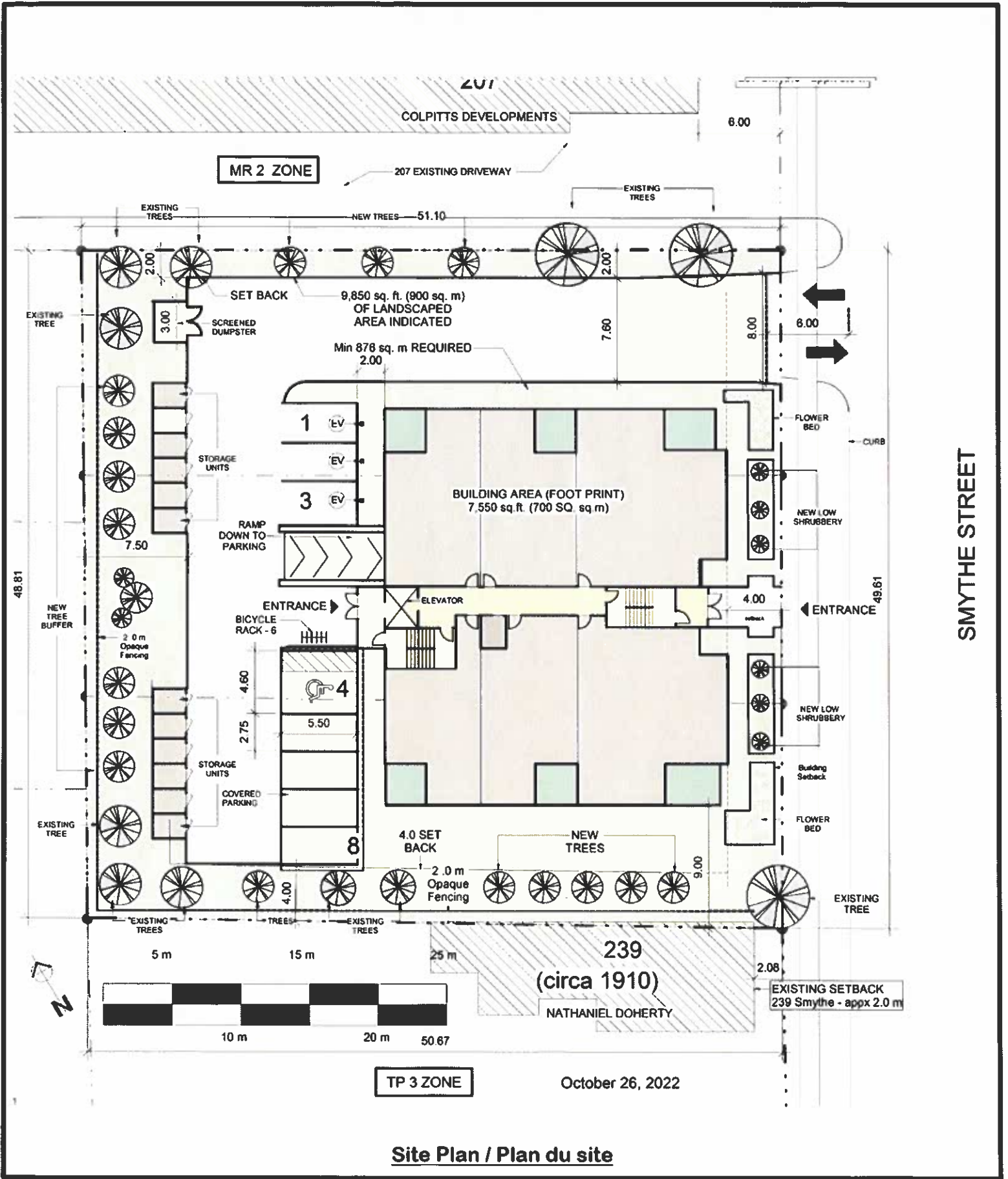


 Subject Area / Point d'intérêt
 Rezone to MR-4 to allow construction of a 24 unit apartment building.
 Rezonage à MR-4 pour permettre la construction d'un immeuble d'appartements de 24 logements.

Fredericton

Community Planning
Planification urbaine

Map \ carte # I
 File \ fiche: PR-75-2022
 Date \ date: novembre \ November 16, 2022
 Subject \ sujet: rue 219-231 Smythe Street
 Gardiner Properties
 Ben Thompson



Site Plan / Plan du site

Fredericton

Community Planning
Planification urbaine

Map \ carte # II
File \ fiche: PR-75-2022
Date \ date: novembre \ November 16, 2022
Subject \ sujet: rue 219-231 Smythe Street
Gardiner Properties
Ben Thompson



East (Smythe St) / Est (rue Smythe)



West (rear) / Ouest (arrière)

Elevations (Conceptual) / Élévations (Conceptuel)



Community Planning
Planification urbaine

Map \ carte # III
File \ fiche: PR-75-2022
Date \ date: novembre \ November 16, 2022
Subject \ sujet: rue 219-231 Smythe Street
Gardiner Properties
Ben Thompson



Northeast / Nord-est



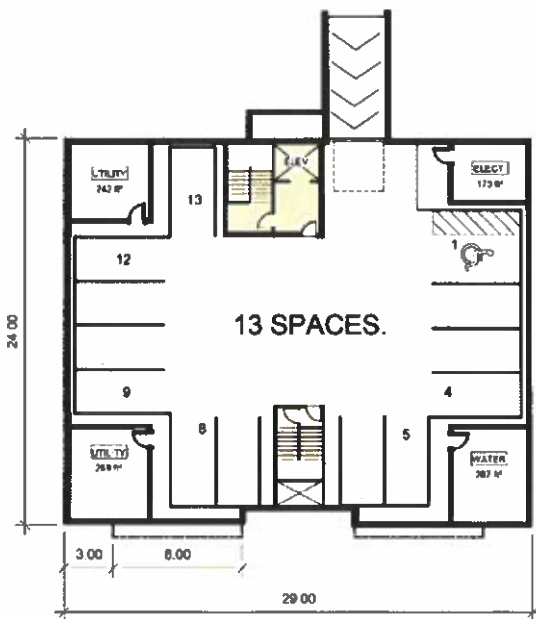
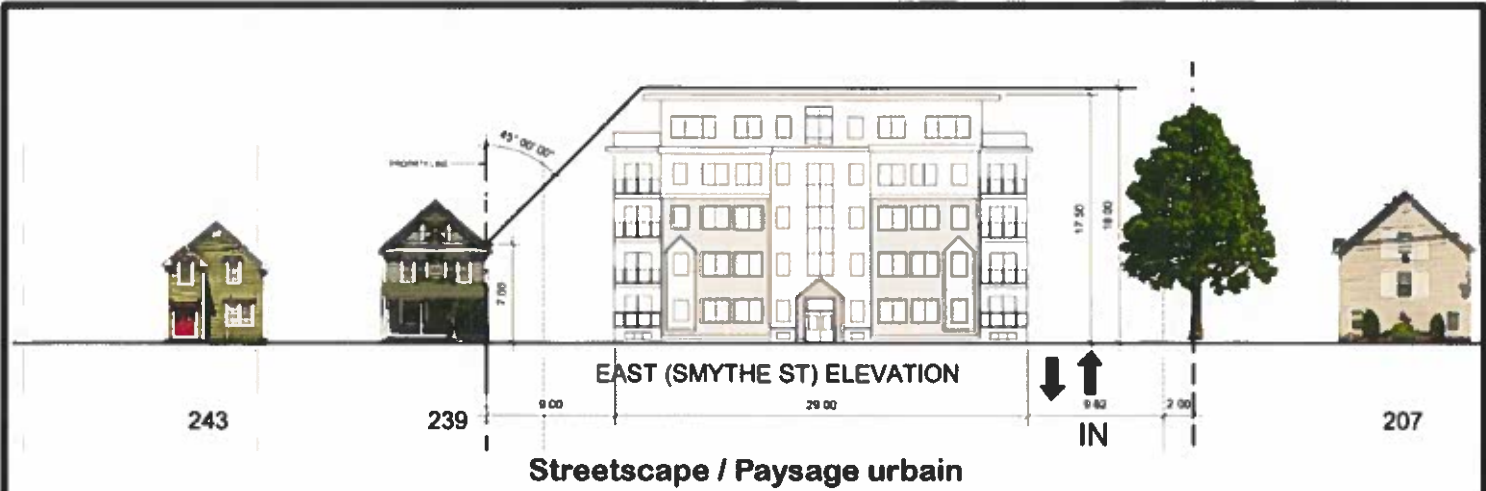
Southeast / Sud-est

Elevations (Conceptual) / Élévations (Conceptuel)

Fredericton

Community Planning
Planification urbaine

Map \ carte # IV
File \ fiche: PR-75-2022
Date \ date: novembre \ November 16, 2022
Subject \ sujet: rue 219-231 Smythe Street
Gardiner Properties
Ben Thompson



Streetscape - Floor Plans / Paysage urbain - Plans d'étage

Fredericton

Community Planning
Planification urbaine

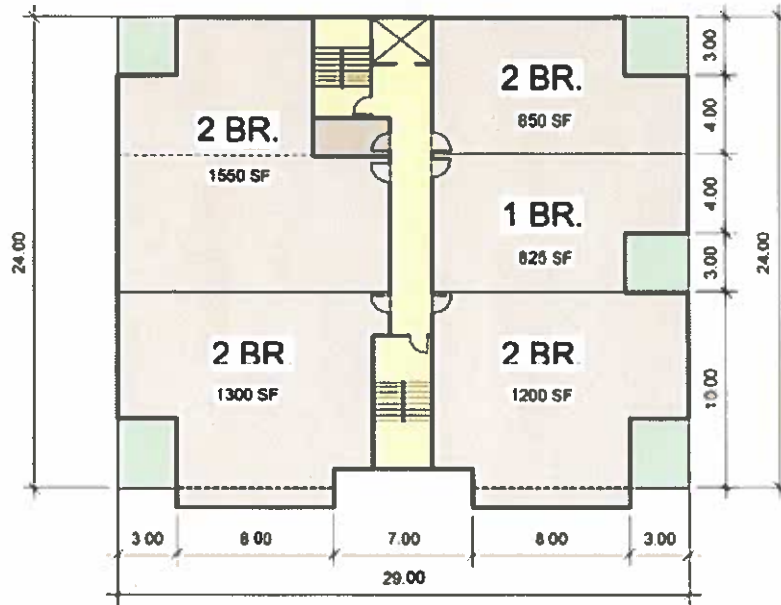
Map \ carte # V

File \ fiche: PR-75-2022

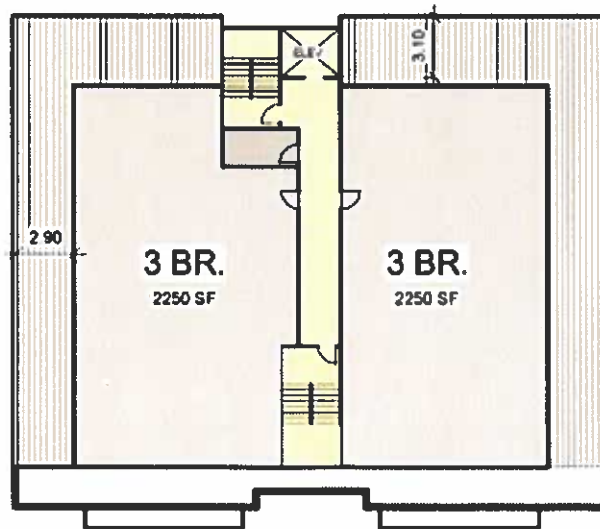
Date \ date: novembre \ November 16, 2022

Subject \ sujet: rue 219-231 Smythe Street

Gardiner Properties
Ben Thompson



3rd & 4th / 3e & 4e



Penthouse

Floor Plans / Plans d'étage



Community Planning
Planification urbaine

Map \ carte # VI
File \ fiche: PR-75-2022
Date \ date: novembre \ November 16, 2022
Subject \ sujet: rue 219-231 Smythe Street
Gardiner Properties
Ben Thompson

Proposed Development – City Centre Built Form Design Guidelines

2.1 Street Wall Orientation, Placement and Setback – The proposed building is oriented toward the street, with a clearly defined entry point. The setback is 4.0 m which is the average of the setback of the adjacent properties (2.0 m - 239 Smythe and 6.0 m 207 Smythe).

2.2 Podiums – The 5 storey building façade steps back from the street at the 4th level and again at the 5th level, with a goal of presenting a 3 storey portion of the building as a podium containing elements at both human scale and scale of existing buildings.

2.3 Angular Planes The building complies with the angular plane requirements of the MR-4 Zone (45 degree angle originating 7.0 m above property line). This assists in the height transition from existing sensitive properties such as the buildings at 239 and 243 Smythe St., and allows for these to have sunlight and privacy.

2.4 Façade Articulation Along with the vertical building step back described in Item 2.1, the design incorporates datum lines that express changes in façade material and setbacks. The façade also changes planes horizontally and uses material types and colours to reinforce this articulation. Windows and balconies are organized in regular horizontal and vertical patterns. The material use and articulation of building form is continuous on all facades of the building.

2.6 Entrances The building is accessible from Smythe Street and a secondary entrance at the rear of the building from the parking lot. The Smythe Street entrance has a vestibule and is located at street level. The rear building entrance is barrier free with direct access through a vestibule to an elevator.

2.7 Material and Finishes The building materials for the exterior finishes will be functional and durable. Masonry/Stone for the entrance and exit stair wall facades, and a combination of vertical and horizontal cladding that will be composite wood, or metal cladding with concealed fasteners. The materials will be true to their nature, not mimic other material. Colour selection will be conservative and complement colours of existing buildings in the area.

2.9 Parking 21 Parking spaces located at the rear of the building comprised of 13 Spaces underground and 8 spaces surface parking. There will be 2 barrier Free spaces and initially 3 spaces will have Electric Vehicle charging stations. Driveway access to the parking area is located at the north side of the property adjacent to the MR 2 Zone.

2.12 Private Landscaping The design intention is to incorporate private landscaping to address the street and provide a transition to the building. The landscape features will be in keeping with urban landscape treatment. The Developer intends to retain existing trees where possible and plant a number of new trees and shrubs with garden accents at the corners of the building along Smythe Street. Greenery will also be integrated on the front and the rear of the building's upper floors with large pots containing attractive trees and greenery which will be visible from Smythe Street.

