

PLANNING REPORT



PAC – December 14, 2022
File No.: Z-26-22, V-24-22, P.R. No. 80/22

To: Planning Advisory Committee
From: Fredrick Van Rooyen, Planner
Proposal: Zone amendment and lot frontage variance to accommodate a three-unit dwelling
Property: 139 Saunders Street (PID 01437110)

OWNER: Mike & Yvette Phillips
262 George Street
Fredericton, NB
E3B 1J5

APPLICANT: As above

SITE INFORMATION:

Location: North side of Saunders Street between Smythe Street and Northumberland Street

Context: Primarily low-rise residential area in the Town Plat, New Brunswick Community College (NBCC) corporate office to the west at Saunders and Smythe Street, and further commercial uses to the southwest on Smythe Street

Ward No: 10

Municipal Plan: Established Neighbourhood

Zoning: Residential Town Plat Zone Four (TP-4)

Existing Land Use: Single detached dwelling

Previous Applications: None

EXECUTIVE SUMMARY:

The Applicant is proposing to maintain the existing single detached dwelling on the site and construct a new two storey, three-unit dwelling at 139 Saunders Street. The subject property is zoned Residential Town Plat Zone Four (TP-4), which permits the existing single detached dwelling as well as the proposed three-unit dwelling. The proposal requires a zone amendment to permit more than one main residential building on the lot and a 5.7 metre lot frontage variance to recognize the existing condition. With a lot area of 974 square metres, staff are of the opinion that the subject property can appropriately accommodate the existing single detached dwelling and proposed three-unit dwelling on the same lot. The proposed three-unit dwelling represents a modest infill development that is compatible with adjacent properties and positively contributes to the streetscape and urban form. Overall, staff support the application subject to terms and conditions.

APPLICATION:

Mike & Yvette Phillips have made an application on property located at 139 Saunders Street for a zone amendment to permit more than one main residential building on a lot in the TP-4 zone and a 5.7 metre lot frontage variance to accommodate a three-unit dwelling.

PLANNING COMMENTS:

Proposal:

- The subject property contains an existing single detached dwelling on the western side of the property that is in good condition and would remain on the site as a long-term rental unit. The Applicant is proposing to construct a second residential building on the eastern side of the property, being a three-unit dwelling (see Map II). Unit 3 located at the rear of the proposed building would be owner occupied, while Units 1 and 2 in the proposed building would be long-term rental units and stacked one unit over the other in the front of the building (see Map V). The owner occupied Unit 3 is a three-bedroom unit, and Units 1 and 2 are both two-bedroom units. A shared driveway in the middle of the site would be provided where there is an existing curb cut, leading to parking spaces behind the existing single detached dwelling as well as covered parking and an attached garage in the middle section of the proposed building (see Maps II, IV & V). Staff would note that the covered parking in the middle section of the proposed building is on the ground level and there is a second floor of living space that connects the front and back portions of the building.
- The Applicant has worked with staff through several iterations to the building location and design. One of the main aspects influencing the building location is the retention of three large trees in the rear yard behind the existing single detached dwelling. In order to maintain those trees, rather than proposing a rear addition to the existing building, a separate building on the opposite side of the property has been proposed. By having a separate building for the proposed three-unit dwelling, it protects the existing trees in the rear yard, creates a continuous street edge and the appearance of two single detached dwelling from the street (see Maps III & IV).
- With respect to the building design, the form and character of the proposed building is in keeping with existing development in the Town Plat and the scale, massing and exterior treatment is compatible with adjacent buildings. The proposed two storey, three-unit building is vertically orientated, includes a 1:1 pitch metal roof, a window/door pattern along the front façade that is similar to and compatible with the adjacent buildings in the area, and incorporates wood clapboard siding on the front façade facing Saunders Street. The Applicant has also noted that exterior upgrades (i.e., siding, roofing, doors, etc.) would be completed on the existing building to help create a cohesive design with the proposed building.
- The subject property has a lot frontage of 19.3 metres and the existing house is tight to the westerly side property line. This has enabled the Applicant to locate a proposed second building on the lot, while maintaining the existing street frontage pattern and a building design and location that is in keeping with the Town Plat. As the TP-4 zone only permits one main residential building on a lot, a zone amendment is required to permit the second main residential building and a 5.7 metre lot frontage variance is also required to recognize the existing condition.

Growth Strategy:

- Within established neighbourhoods, the Growth Strategy recognizes the potential for modest forms of intensification and redevelopment. Changes to areas of stability should respect and reinforce the existing pattern, scale, and character of the neighbourhood. Staff are of the opinion that the site represents an opportunity for modest intensification and that the proposal meets the intent of the Growth Strategy given the design considerations incorporated.

Municipal Plan:

- The site is designated Established Neighbourhood in the Municipal Plan, which permits a full range of residential dwelling types. Lands within the Established Neighbourhood designation are expected to evolve slowly over time, accommodating new development primarily through complementary and compatible development on vacant lots and minor infill development.
- Subsection 2.2.1(21) specifies that *“to maintain the stability of residential neighbourhoods, while allowing for incremental change through sensitive new development and redevelopment, new development will respect and reinforce the existing pattern, scale, and character of the Established Neighbourhoods, by ensuring that:*
 - *i. Any new lots are consistent with the lot pattern in the neighbourhood;*
 - *ii. Building design is compatible with the surrounding area and contributes positively to the neighbourhood;*
 - *iii. Adequate servicing, road infrastructure, and other municipal services be readily and efficiently provided; and,*
 - *iv. Healthy, mature trees are protected whenever feasible”.*
- Subsection 2.2.1(22) of the Municipal Plan also outlines that *“infill development should be appropriately scaled and oriented with the primary entrance facing the public street”.*

Residential Town Plat Secondary Municipal Plan:

- Subsection 2.2.1(12) of the Municipal Plan outlines that *“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”.* The subject property is designated Residential in Schedule 1 of the Residential Town Plat Secondary Municipal Plan. The Residential Area is intended to *“provide a range of housing types without compromising the architectural integrity of the existing 19th century and early 20th century housing stock and the predominant residential land use in each neighbourhood”.*
- Policy 3(2) of the Residential Area outlines that *“Council shall recognize that the 19th and early 20th century housing in the Plan Area is unique and the various lot standards and building setbacks should be adjusted to reflect this pattern”.*

Overall, the proposed development meets the intent of the Municipal Plan and Residential Town Plat Secondary Municipal Plan by providing:

- Modest intensification within the Town Plat that is appropriately scaled and oriented with the primary entrance facing the public street;
- A building design and location that is compatible with adjacent buildings in the area and positively contributes to the streetscape and urban form; and,
- The protection of healthy, mature trees at the rear of the property.

Zoning By-law:

The proposal complies with the standards of the TP-4 zone as follows:

Standard	Required	Provided
Density/Lot Area (min)	640m ² (3-unit dwelling) 720m ² (4-unit dwelling)	974m ²
Lot Frontage (min)	25m (3- or 4-unit dwelling)	19.3m *
Lot Coverage (max)	35% of the lot area (340.9m ²)	34.7% (338m ²)
Building Setbacks (min)		
Front (Saunders St)	min 1.2m/ max 3m	1.2m
Side (east)	1.2m	1.2m
Rear	7.5m	12.72m
Building Height (max)	9m	7.62m
Landscaped Area (min)	45m ² /dwelling unit (180m ²)	125m ² /unit (500m ²)
Parking (min)	Area 1 (Inside Town Plat): 3-unit dwelling: 1 sp/2+ bedroom unit Single detached dwelling: 1sp Total required = 4 spaces	4 spaces

* Variance required

Zone Amendment

- As the TP-4 zone only permits one main residential building on a lot, a zone amendment is required to permit the second main residential building. As the proposed development complies with the minimum lot area, lot coverage, landscaped area, and setback requirements, staff are of the opinion that the subject property can appropriately accommodate the existing single detached dwelling and three-unit dwelling on the same lot. Staff would note that while this property can appropriately accommodate two main residential buildings, a zone amendment of this nature may not be suitable for other properties in the Town Plat. Staff would also note that given the limited lot frontage, subdivision of the lot would not be feasible.

Lot Frontage Variance

- The TP-4 zone requires a minimum lot frontage of 25 metres for three or four-unit dwellings. With an existing lot frontage of 19.3 metres, the frontage is deficient, which is not uncommon for lots within the Town Plat. Within the existing frontage, the Applicant has been able to design a layout where adequate access and parking can be provided through a central driveway. Additionally, while having two main residential buildings on the same lot is a unique arrangement, the limited frontage has influenced the proportions of the proposed three-unit dwelling, being a narrow and long footprint that gives the appearance of a single detached dwelling from the street, which respects and reinforces the character of the Town Plat.

Density

- The TP-4 zone requires a minimum lot area of 640 square metres for three-unit dwellings and 720 square metres for four-unit dwellings. While there is no minimum density requirement for the existing single detached dwelling, given that there would be four units on the property as part of this proposal, staff would utilize the density requirement of 720 square metres applicable to four-unit dwellings to determine the appropriateness of the site for the proposed density. With a lot area of 974 square metres, the property well exceeds the minimum lot area for a four-unit dwelling and in staff's opinion is an appropriate size for the proposed density as all other zoning standards are being met.

Landscaped Area

- The TP-4 zone requires a minimum 45 square metres per dwelling unit of landscaped area at grade. With a total of four units proposed on the site, a minimum landscaped area of 180 square metres would be required. With 500 square metres of landscaped area proposed, primarily in the rear yard, the proposal well exceeds the minimum landscaped area requirement. Additionally, the Applicant has made a conscious effort in their building layout to protect and retain three mature trees, including their root structure, which are located in the rear yard towards the westerly side property line (see Map II). By retaining these mature trees, it provides natural screening for the site and creates a substantial landscaped area in the rear yard. Staff are recommending that a final landscape plan be provided prior to the issuance of a building permit to ensure that adequate landscaping and vegetation be provided, including the retention of healthy, mature trees that are currently existing on the site.

Parking

- The proposed parking complies with Section 5 of the Zoning By-law. With all three units in the proposed building having two or more bedrooms, one parking space is required for each unit. With one space also required for the existing single detached dwelling, a total of four parking spaces are required on the site. The Applicant has provided one parking space behind the single detached dwelling, and three spaces within the proposed building, two being in a covered parking area (spaces for Units 1 & 2) and one within an attached garage (space for Unit 3) located in the middle portion of the proposed building. While this is a unique parking configuration, neither the parking spaces or attached garage would be visible from the street and screening is being shown for the covered parking area towards the side yard. As part of a detailed landscape and parking plan, staff will work with the Applicant to ensure that adequate screening is provided along the side property lines

adjacent to the proposed parking. The Applicant has also indicated that bicycle parking could be provided on the site adjacent to the parking area.

Building Design

- The TP-4 zone establishes the following building design requirements for new buildings:
 - *(i) At least 1 main entrance shall face the public street;*
 - *(ii) Front attached garages facing a public street are not permitted on lots that have less than 18 metres of frontage;*
 - *(iii) The building's massing and proportion shall be vertically-oriented;*
 - *(iv) The pattern of window/door openings and solid wall in a façade facing a public street shall be similar to adjacent buildings in the area;*
 - *(v) Incorporate finish materials found on existing buildings in the area;*
 - *(vi) Upper storey window location and configuration shall minimize overlooking into adjacent rear yards.*
- Staff are of the opinion that the proposal complies with the building design requirements of the TP-4 zone. The proposal provides a pedestrian oriented building along Saunders Street that positively contributes to the streetscape and urban form. The front façade facing Saunders Street incorporate wood clapboard siding, being a material found on existing buildings in the area and incorporates a window/door pattern that is similar to and compatible with adjacent buildings in the Town Plat. The proposed building's massing and proportions are vertically oriented which helps establish a consistent building form along Saunders Street. While providing two main residential buildings on the same lot is a unique arrangement, the Applicant has designed the proposed building in a manner that maintains the appearance of two single detached dwellings from the street and ultimately respects and reinforces the character of the Town Plat.

Access and Servicing:

- Engineering and Operations have no concerns with the application. Access, municipal servicing, and lot grading are to be to the satisfaction of the Director of Engineering & Operations at the time of building permit application. A backflow preventer will also be required. Water meter and cleanout are to be at the front of Unit 1. Staff note that the property is located in Wellfield Zone B and all plans shall conform to the NB Wellfield Protected Area Designation Order.

RECOMMENDATION:

It is recommended that the application submitted by Mike & Yvette Phillips on property located at 139 Saunders Street for a zone amendment to permit more than one main residential building on a lot in the TP-4 zone and a 5.7 metre lot frontage variance to accommodate a three-unit dwelling, be approved subject to the following terms and conditions:

- a) The site be developed generally in accordance with Map II attached to P.R. 80/22 to the satisfaction of the Development Officer;
- b) Final building design be generally in accordance with Maps III, IV, and V attached to P.R. 80/22 to the satisfaction of the Development Officer;

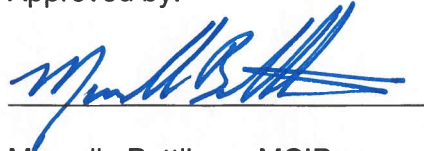
- c) A final landscape and parking plan be provided to the satisfaction of the Development Officer prior to the issuance of a building permit, including the retention of healthy, mature trees that are currently existing on the site;
- d) Access, municipal servicing, and lot grading be provided to the satisfaction of the Director of Engineering & Operations prior to the issuance of a building; and,
- e) All plans shall conform to the NB Wellfield Protected Area Designation Order as the property is located in Wellfield Zone B.

Prepared by:

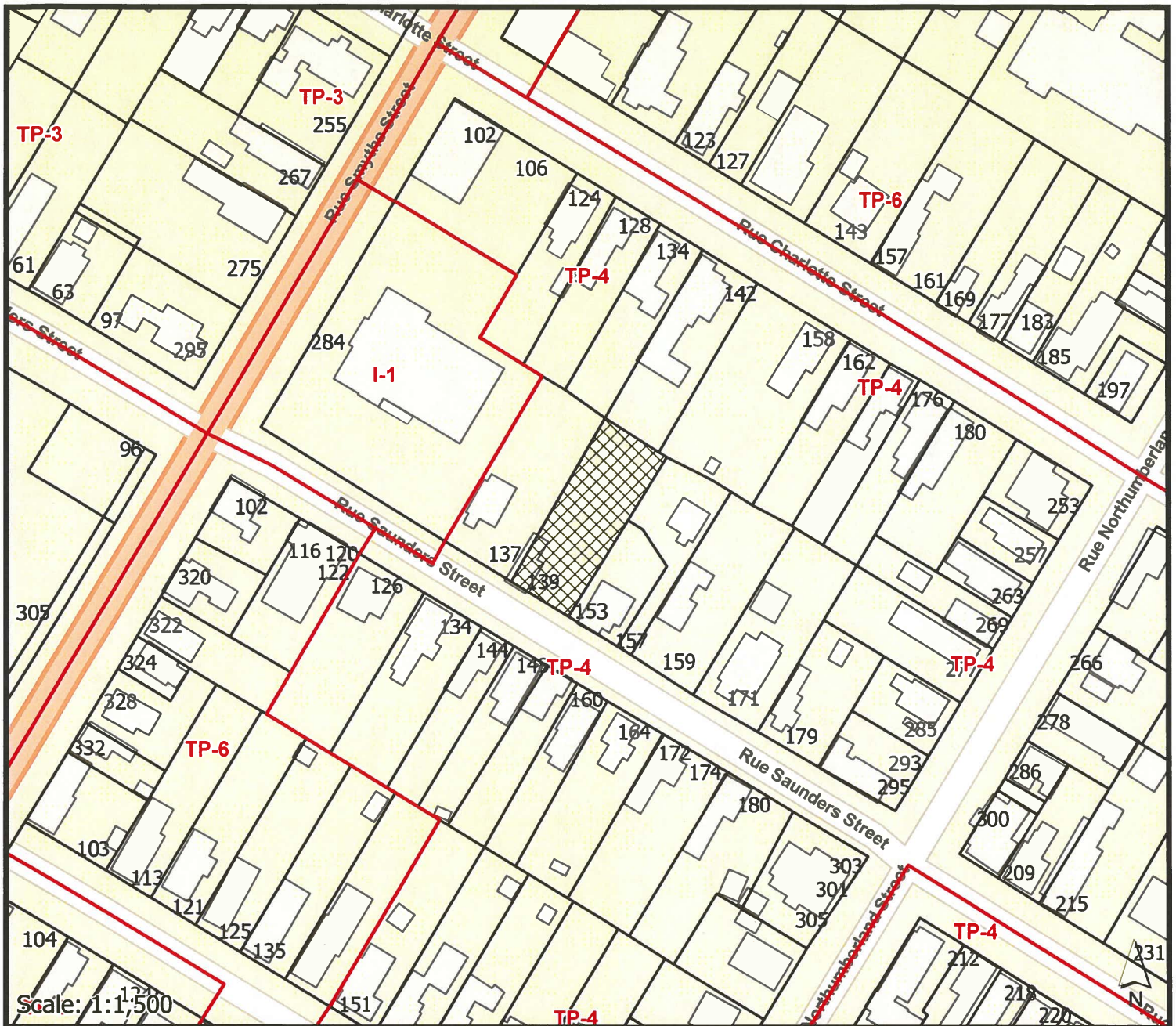


Fredrick Van Rooyen, RPP, MCIP
Planner, Community Planning

Approved by:



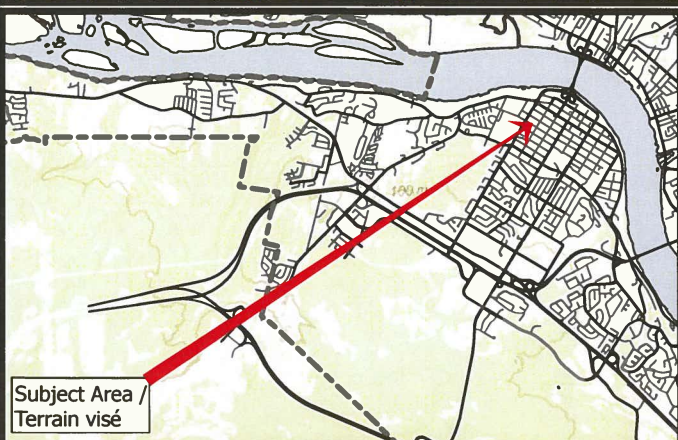
Marcello Battilana, MCIP
Assistant Director, Planning & Development



Subject Area / Point d'intérêt

Application for a Zone Amendment to permit more than one main residential building on a lot in the TP-4 zone and a 5.7m lot frontage variance to accommodate a three-unit dwelling.

Demande de modification de zone pour permettre plus d'un bâtiment résidentiel principal sur un lot dans la zone TP-4 et un écart de 5,7 m de la façade du lot pour accommoder un logement de trois unités.



Subject Area /
Terrain visé

Fredericton

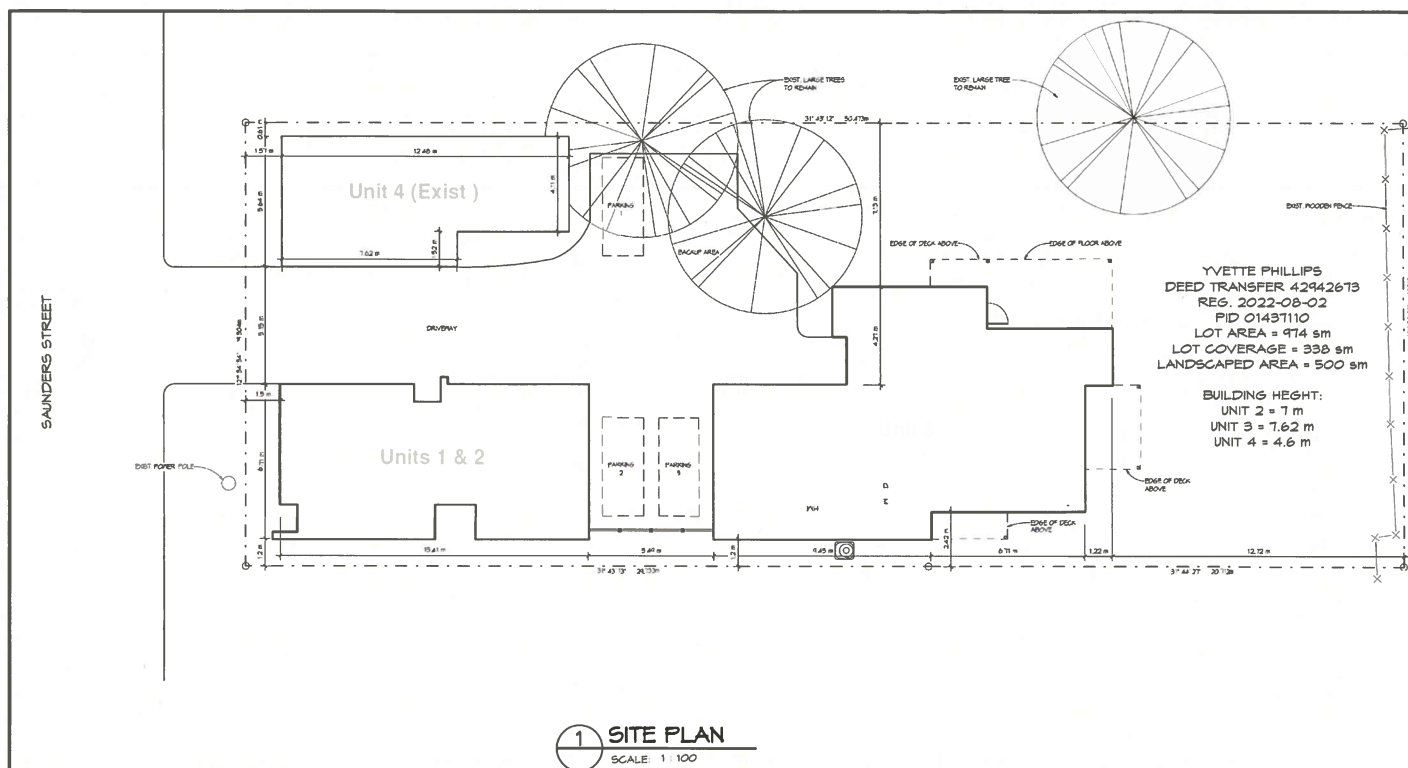
Community Planning
Planification urbaine

Map \ carte # I

File \ fiche: PR-80-2022

Date \ date: decembre \ Dec. 14, 2022

Subject \ sujet: rue 139 Saunders Street
Mike & Yvette Phillips



Application for a Zone Amendment to permit more than one main residential building on a lot in the TP-4 zone and a 5.7m lot frontage variance to accommodate a three-unit dwelling.

Demande de modification de zone pour permettre plus d'un bâtiment résidentiel principal sur un lot dans la zone TP-4 et un écart de 5,7 m de la façade du lot pour accommoder un logement de trois unités.

Tentative plan of subdivision / Plan provisoire de subdivision

Fredericton

Community Planning
Planification urbaine

Map \ carte # II

File \ fiche: PR-80-2022

Date \ date: decembre \ Dec. 14, 2022

Subject \sujet: rue 139 Saunders Street
Mike & Yvette Phillips



South (facing Saunders St.) / Sud (face à la rue Saunders)



North (rear) / Nord (arrière)

Conceptual / Conceptuel

Fredericton

Community Planning
Planification urbaine

Map \ carte # III

File \ fiche: PR-80-2022

Date \ date: decembre \ Dec. 14, 2022

Subject \sujet: rue 139 Saunders Street
Mike & Yvette Phillips

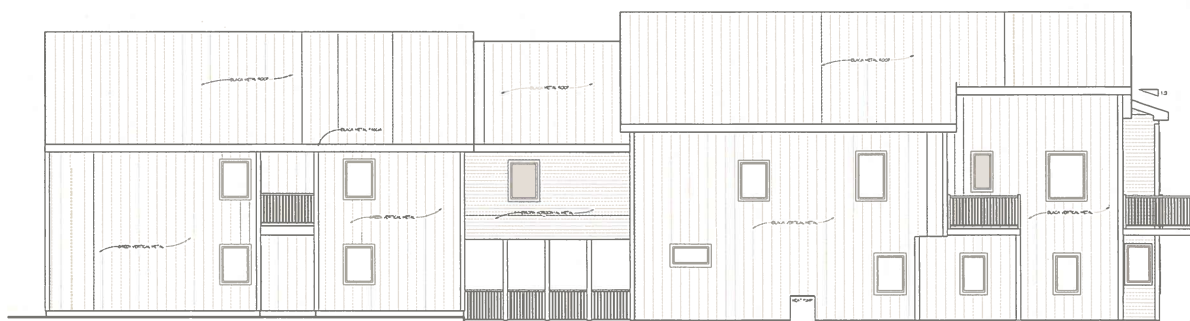


West / Ouest



South (facing Saunders St.) /
Sud (face à la rue Saunders)

North (rear) / Nord (arrière)



East / Est

Elevations / Élévations

Fredericton

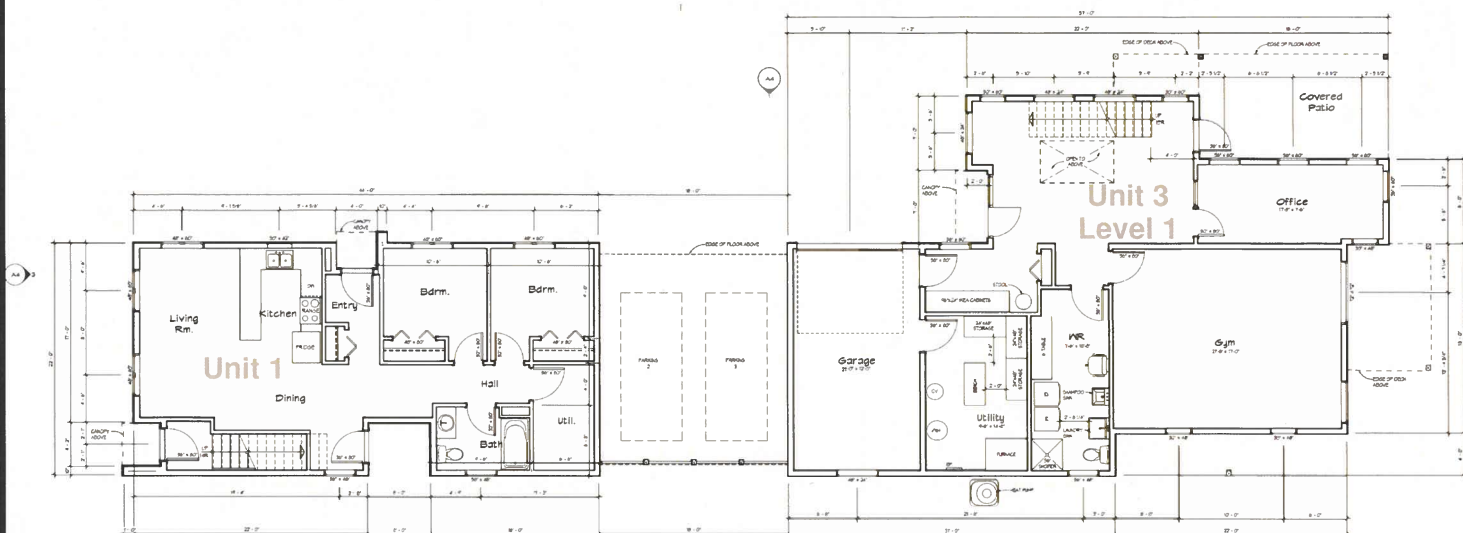
Community Planning
Planification urbaine

Map \ carte # IV

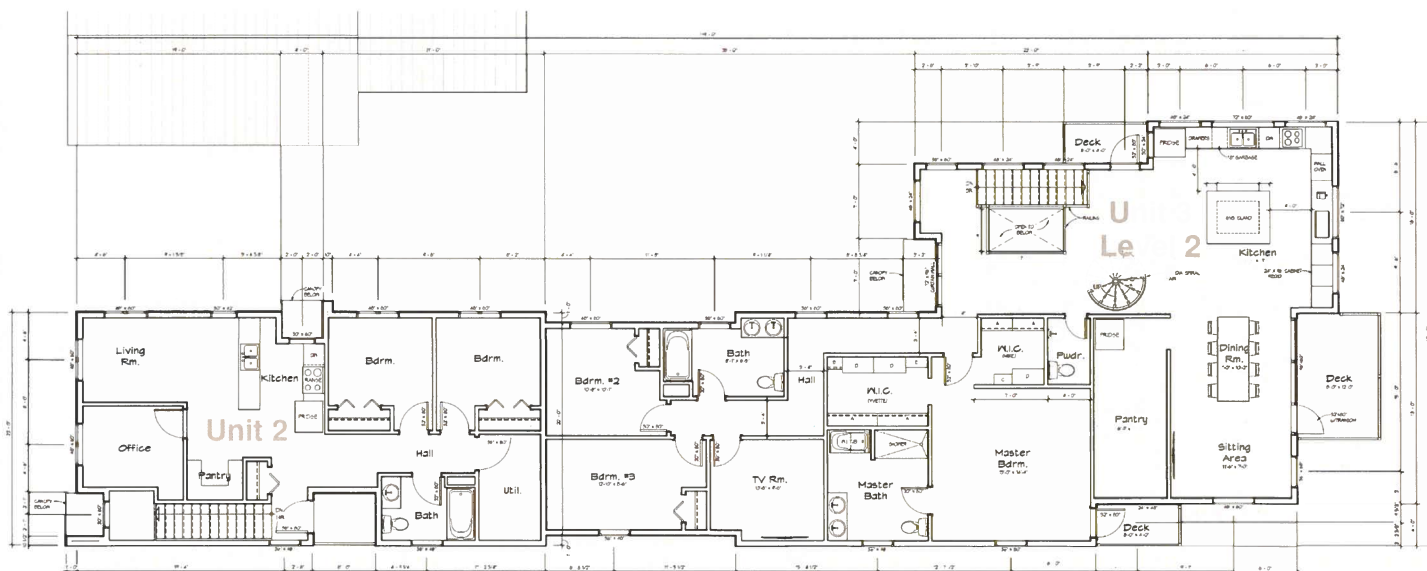
File \ fiche: PR-80-2022

Date \ date: decembre \ Dec. 14, 2022

Subject \sujet: rue 139 Saunders Street
Mike & Yvette Phillips



Main Level Floor Plan / Plan du rez-de-chaussée



Upper Level Floor Plan / Plan du niveau supérieur

Floorplans / Plans d'étage

Fredericton

Community Planning
Planification urbaine

Map \ carte # V

File \ fiche: PR-80-2022

Date \ date: decembre \ Dec. 14, 2022

Subject \sujet: rue 139 Saunders Street
Mike & Yvette Phillips