

To: Planning Advisory Committee

From: Tony Dakiv, Senior Planner

Proposal: Rezoning and variances to permit construction of a 25-unit apartment building.

Property: 128 – 132 Forest Hill Road (PID 01467638)

OWNER: Chrystalla Wilde
102 Collins Street, Lincoln, NB, E3B 9Z6

APPLICANT: Same as above

SITE INFORMATION:

Location: East side of Forest Hill Road north of Turnbull Court.

Context: Mix of older low and medium density housing to the west, apartment buildings to the north, single and two-unit dwellings to the south and east.

Ward No: 8

Municipal Plan: Established Neighbourhood

Zoning: R-4

Existing Land Use: Older four-unit dwelling.

Previous Applications: PR 61/09

EXECUTIVE SUMMARY:

The proposal is a 25-unit apartment building requiring a rezoning and variances for lot area, one parking space, parking location and height plane encroachment. The proposal is consistent with the criteria for mid-and high-rise residential development in the Municipal Plan.

The proposal represents a good opportunity for higher density residential infill development given the context of the area and location in close proximity to the city centre, universities and at the edge established neighbourhoods. The site has redevelopment potential as it is located adjacent to two new apartment building developments and is the last remaining property on the east side of Forest Hill Road north of Turnbull Court. The proposal incorporates a quality design and the building is sited close to the street helping to mitigate impacts on the adjacent house to the south on Turnbull Court. The proposed variances are considered to be reasonable and should not adversely impact neighbouring properties. Based on this staff feel the proposal achieves an

Growth Strategy:

- The Areas of Stability and Minor Change section outlines that “modest forms of intensification may be permitted at the edges of neighbourhoods, along main roads, e.g., townhouse developments and low-rise apartment buildings.” Furthermore, “all such changes, however, will respect the existing pattern, scale and character of the neighbourhood.” The proposal is generally consistent with this intent as the site represents the last one with frontage on the east side of Forest Hill Road along the edge of more established neighbourhoods (Turnbull Court, Poet’s Hill and Skyline Acres) and adjacent to new higher density residential infill development.

Municipal Plan:

- The subject property is designated as Established Neighbourhood in the Municipal Plan which contains criteria for higher density residential infill development 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,*
 - vii. Provide high-quality building design that contributes positively to the City’s urban form.*
- Staff feel the proposal is generally consistent with the above criteria. The site is located along an arterial road and on the periphery of more established low-rise neighbourhoods including Turnbull Court, Poet’s Hill and Skyline Acres. Parking is located behind the building which results in a better street frontage condition as well as reducing over-looking impacts from the building on the neighbouring property. The site is located on a transit route and also benefits directly from having the walking trail along its east boundary. The site is within walking distance of the UNB and STU campuses and the downtown, both major employment and economic nodes. The proposal represents a quality and well-articulated building design that will contribute positively to the City’s urban form.

Zoning By-law:

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

Standard	Required	Provided
Density	2500m ²	2291m ² *
Building Setbacks (front)	3m min.	3m
(south side)	3m min.	3m
(north side)	3m min.	8m (approx.)
(rear)	7.5m min.	68m (approx.)
Building Height	18m max.	13m*
Lot Coverage	45% of lot area max.	15%
Landscaped Area	35% of lot area min.	46%
Parking (min.spaces)	24 spaces	23 spaces*
Parking location	2m to side property line	1m* (partially)

* Variance required

- The 209m² lot area variance equates to an additional 2 units which is considered to be minor and reasonable in this case given the context of the site. The site is located on a collector street in close proximity to the city centre and universities and the proposed lot area variance should not adversely impact neighbouring properties.
- The variance for 1 parking space is minor as the site has frontage on a transit route and again is within walking distance to major employment and schools/universities therefore staff feel the parking variance is reasonable in this case and should not adversely impact neighbouring properties.
- The parking location variance is due to the site width getting narrower towards east. The majority of the parking lot meets the 2m setback to the side property lines and the variance applies only to the rear portion of the parking area that gets “pinched” as the site narrows. A 2m high screening fence will be provided along the sides of the parking lot. Staff feel this variance is reasonable and should not adversely impact neighbouring properties.
- Although the overall building height is well below the 18m maximum, there is a small encroachment into the 45-degree height plane as shown on Map VII. The encroachment is considered to be minor as it only applies to the upper rear corner of the building due to the grade of the site sloping down towards the rear. Furthermore, the location of the proposed building is along the street frontage and separated from the adjacent house such that the encroachment should not have any impact on the adjacent property.

Building Design

- The proposed building has a compact building footprint and incorporates a number of steps or jogs particularly along the angled street frontage resulting a visually interesting façade. The building's overall form and massing with the varied wall planes, roof form and varied

exterior finish treatment gives the building a contemporary feel. Quality exterior finish materials are utilized comprising a combination of vertical and horizontal metal cladding and composite wood siding as shown on Map IV. The proposal also meets the minimum building design requirements of the MR-4 zone.

Servicing

- A water and sewer servicing site plan and lot grading plan will be required to the satisfaction of the Director of Engineering & Operations and submitted at time of building permit application. Before a permit is approved, the applicant will also be required to provide a Storm Water Management Plan (SWMP) for the property. The purpose of the SWMP is to ensure that surface water is managed appropriately to minimize any adverse impacts on the property, the City storm system, and adjacent properties. Stormwater must be managed during all phases of construction so it does not adversely affect adjacent properties. Any attenuated stormwater that is to be directed to Lincoln Road will require special attention in the SWMP, because there is no storm system on Lincoln Road.
- The property is encumbered by a Municipal Services Easement which contains a sanitary sewer line, as shown approximately as indicated on Map III. This sanitary pipe serves 150 and 160 Turnbull Court. The applicant had discussions with Engineering & Operations staff and has agreed to relocate the sanitary pipe away from the proposed building foundation at the applicant's cost. This will provide proper clearance between the pipe and the building for maintenance. City Water & Sewer Division staff will work with the applicant on the relocation of the pipe. The City will acquire a revised easement to reflect the new location of the pipe.

Transportation

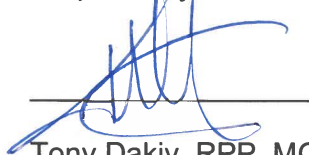
- Forest Hill Road is classified as a minor arterial street, which experiences high traffic volumes, especially during peak travel periods. As this section of the street continues to develop, the City will evaluate how and when the roadway could be upgraded to facilitate a left turn lane to be shared by all developments, helping to minimize impacts to the through-traffic along this busy corridor.
- There is a sidewalk on the west side of the street but not on the east side. The City will construct a new sidewalk on the east side in the future. The initial sidewalk connection will be south to Turnbull Court and a future sidewalk connection will be north to connect to the Lincoln Trail. It is recommended that a pedestrian walkway be built connecting the front entrance to the future sidewalk on the east side of the street.
- To accommodate a future left-hand turn lane and sidewalk, the applicant will be required to negotiate in good faith for the transfer of a 1-metre wide parcel to the City to be added to the right of way. The applicant will be responsible for the cost of the future sidewalk construction along the lot frontage.

RECOMMENDATION:

It is recommended the application submitted by Chystallla Wilde to rezone land from R-4 to MR-4 and for variances for lot area (209m²), 1 parking space, parking location (1m) and height plane encroachment, to permit the construction of a 25-unit apartment building on land located at 128 – 132 Forest Hill Road. be approved subject to the following terms and conditions:

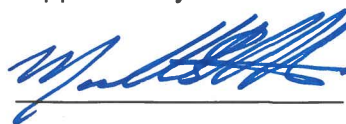
- a) The site be developed generally in accordance with Map II attached to P.R.8/23 and include a pedestrian walkway connecting the front entrance to the future sidewalk to the satisfaction of the Development Office;
- b) Final building design be substantially in accordance with Maps IV and V attached to P.R.8/23 to the satisfaction of the Development Officer;
- c) A final landscape plan be provided showing tree planting detail including any existing trees to be retained and garbage enclosure screening details to the satisfaction of the Development Officer prior to issuance of the building permit;
- d) The land owner negotiate in good faith to sell a strip of land 1 metre wide along the frontage of the site to be added to the Forest Hill Road right-of-way to the satisfaction of the Director of Engineering & Operations;
- e) Water and sewer site servicing plan, lot grading plan, and storm water management plan are to be to the satisfaction of the Director of Engineering & Operations.
- f) Property is located in Wellfield Zone B; all plans must conform to the NB Wellfield Protected Area Designation Order. Refer inquiries to the City Senior Water and Sewer Engineer;
- g) The Applicant is responsible for the costs of any applicable driveway curb cuts and curb re-instatement;
- h) The applicant will be responsible for the cost of the future sidewalk construction along their frontage to the satisfaction of the Director of Engineering & Operations;
- i) The applicant is responsible for the relocation of a portion of the sanitary sewer system currently located on the subject property to facilitate the new building location to the satisfaction of the Director of Engineering & Operations, including design, construction, record drawings and new Local Government Services Easement;
- j) Backflow preventer and storm oil-grit separator are required. Shut off at main fees are required for water service lines that are to be abandoned.

Prepared by:

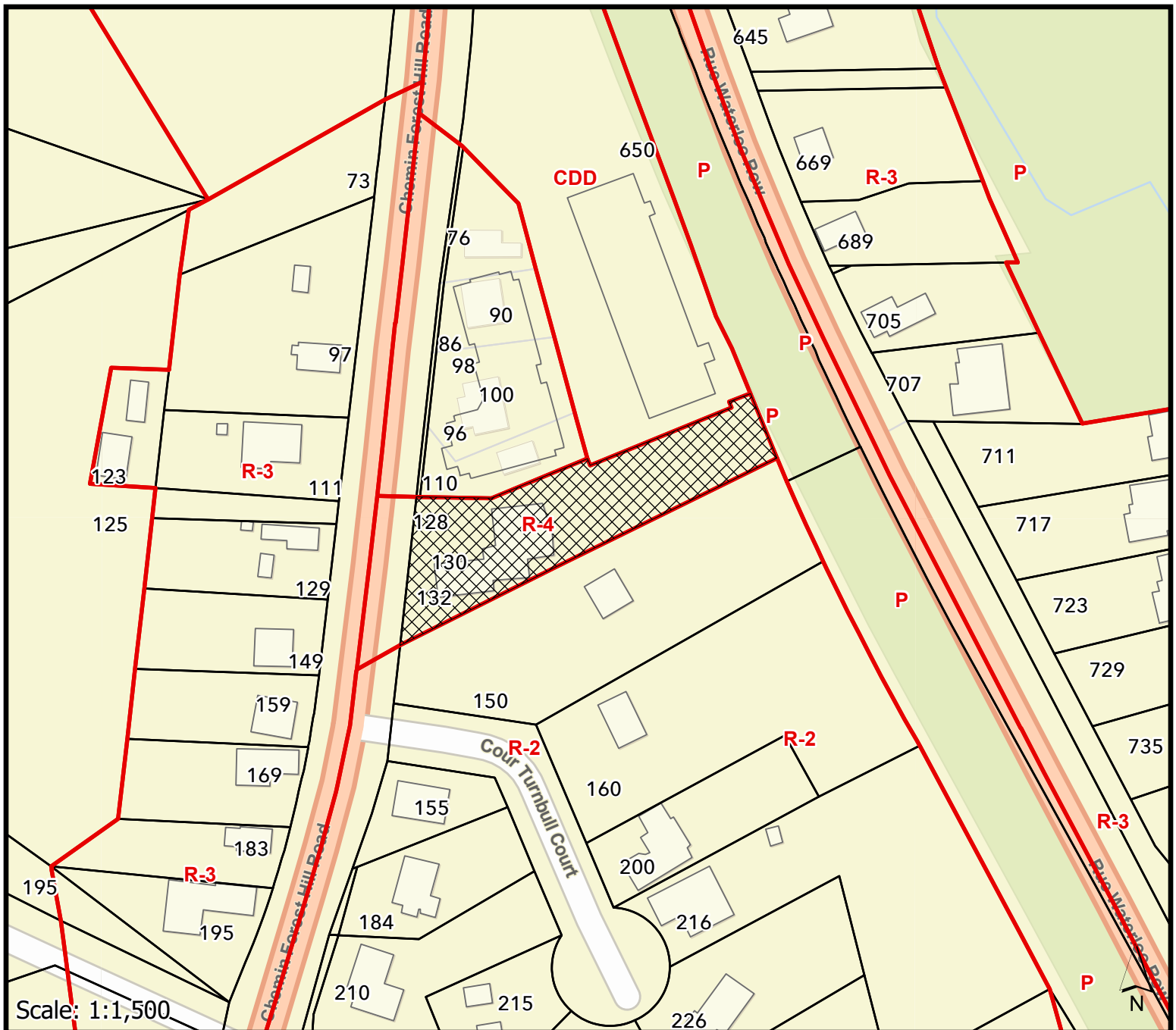



Tony Dakiv, RPP, MCIP
Senior Planner, Community Planning

Approved by:



Marcello Battilana, RPP, MCIP
Assistant Director, Community Planning



 Subject Property / Propriete Visé

Rezoning from R-4 to MR-4 to allow construction of a 25 unit apartment building.

Rezoner la propriété de R-4 à MR-4 pour permettre la construction d'un immeuble résidentiel de 25 appartements.

Fredericton

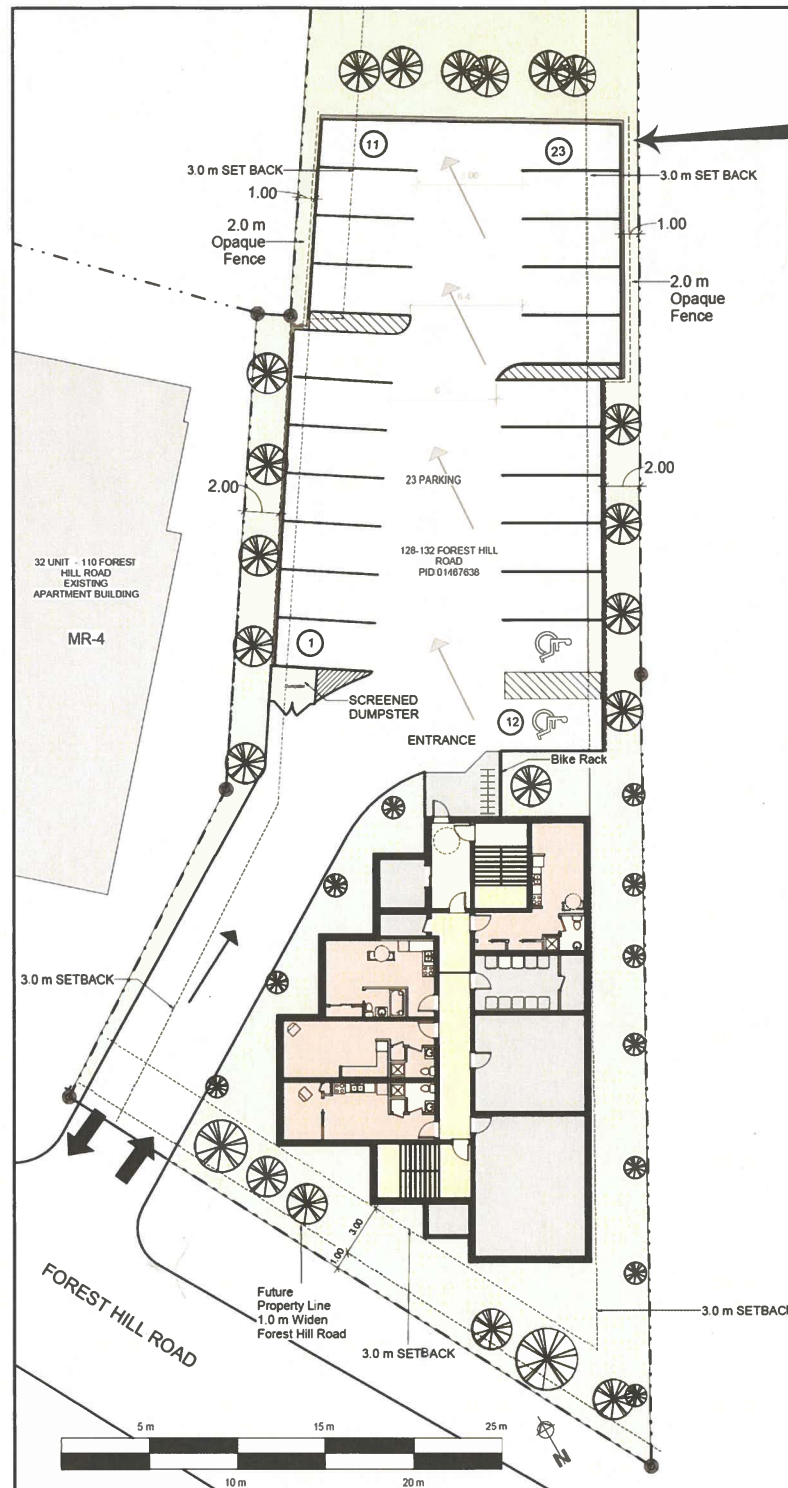
Community Planning
Planification urbaine

Map \ carte # I

File \ fiche: PR-8-2023

Date \ date: mars \ March 15, 2023

Subject \sujet: chemin 128-132 Forest Hill Road
Chrystalla Wilde



Parking location variance
Écart entre les emplacements .

Variances required for lot area (209m^2), height plane encroachment, one parking space and parking location (1m).

Nécessite aussi des dérogations pour la superficie du lot (209 m^2), la hauteur du plan incliné de l'empiètement, une place de stationnement et la localisation du stationnement (1 m).

Site Plan / Plan du site

Fredericton

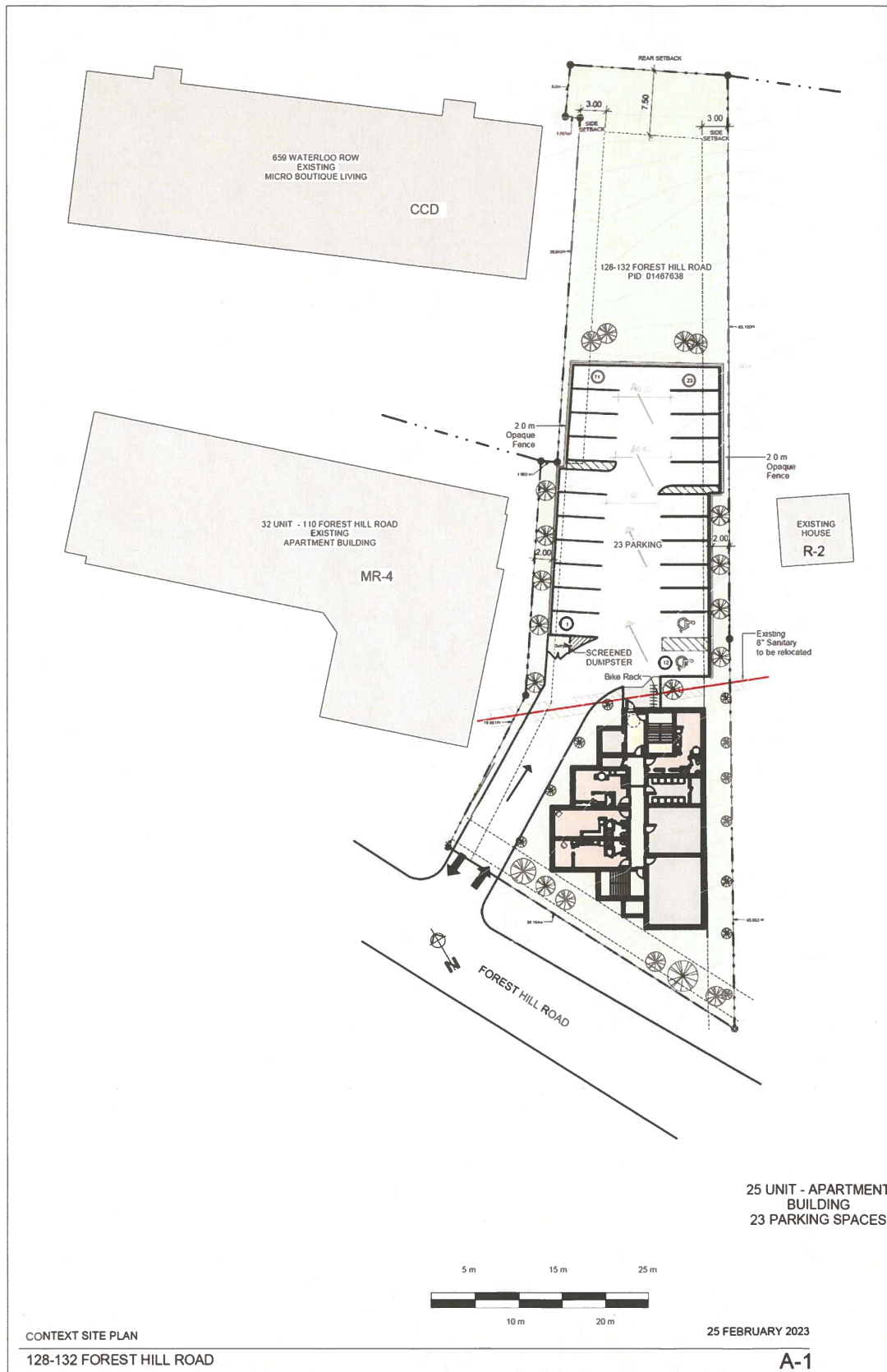
Community Planning
Planification urbaine

Map \ carte # II

File \ fiche: PR-8-2023

Date \ date: mars \ March 15, 2023

Subject \ sujet: chemin 128-132 Forest Hill Road
Chrystalla Wilde



Site Context / Contexte du site

Fredericton

Community Planning
Planification urbaine

Map \ carte # III

File \ fiche: PR-8-2023

Date \ date: mars \ March 15, 2023

Subject \ sujet: chemin 128-132 Forest Hill Road
Chrystalla Wilde



View From Forest Hill Road (South-west)
Vue du Chemin Forest Hill (sud-ouest)



View from Forest Hill Road (North-west)
Vue du Chemin Forest Hill (nord-ouest)

Horizontal Metal
Cladding

Elevations / Elévations

Fredericton

Community Planning
Planification urbaine

Map \ carte # IV
File \ fiche: PR-8-2023
Date \ date: mars \ March 15, 2023
Subject \ sujet: chemin 128-132 Forest Hill Road
Chrystalla Wilde



East / Est



South / Sud



North / Nord



Elevations

West / Ouest (chemin Forest Hill Road)

25 FEBRUARY 2023

Elevations / Elévations

Fredericton

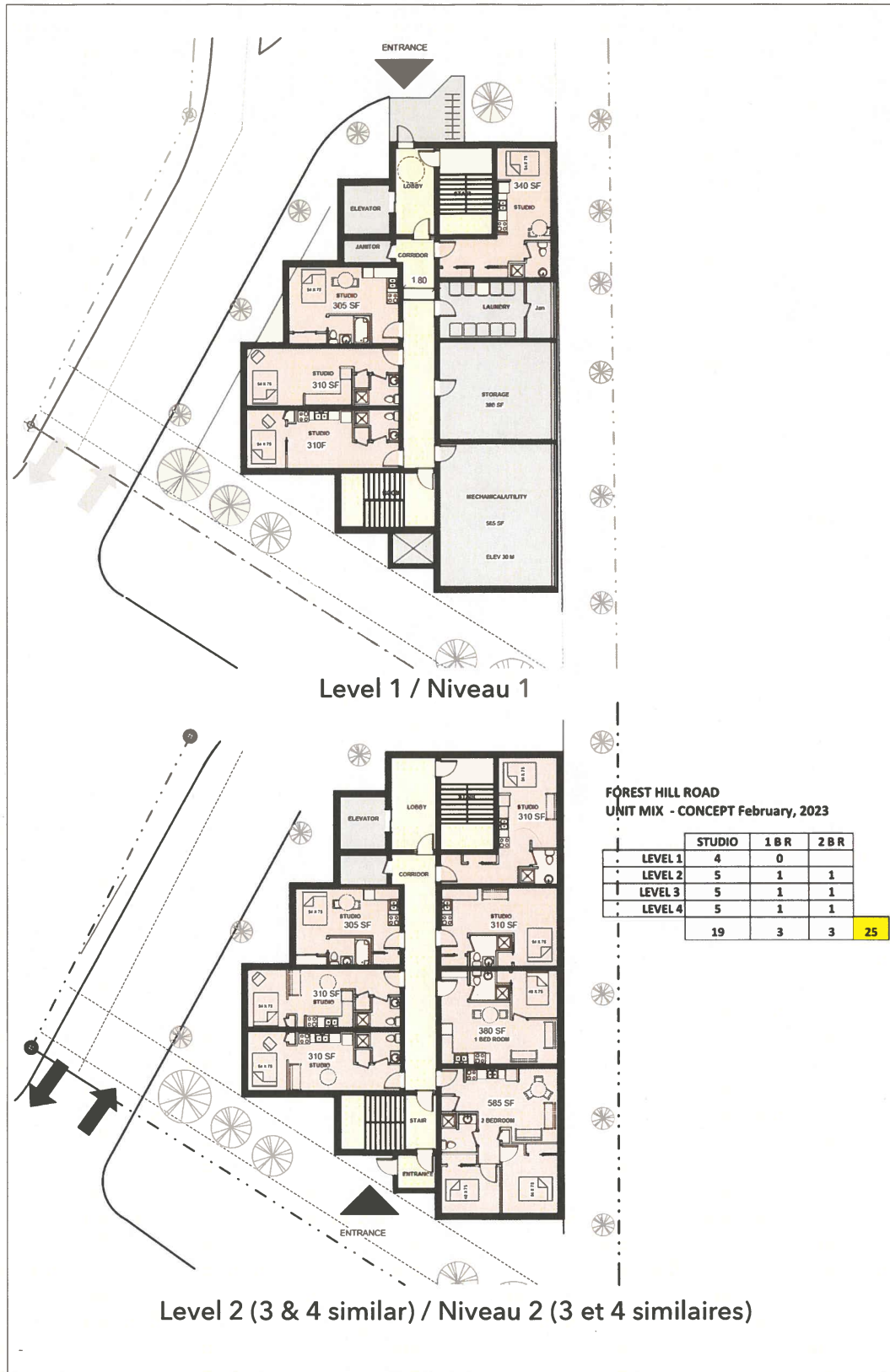
Community Planning
Planification urbaine

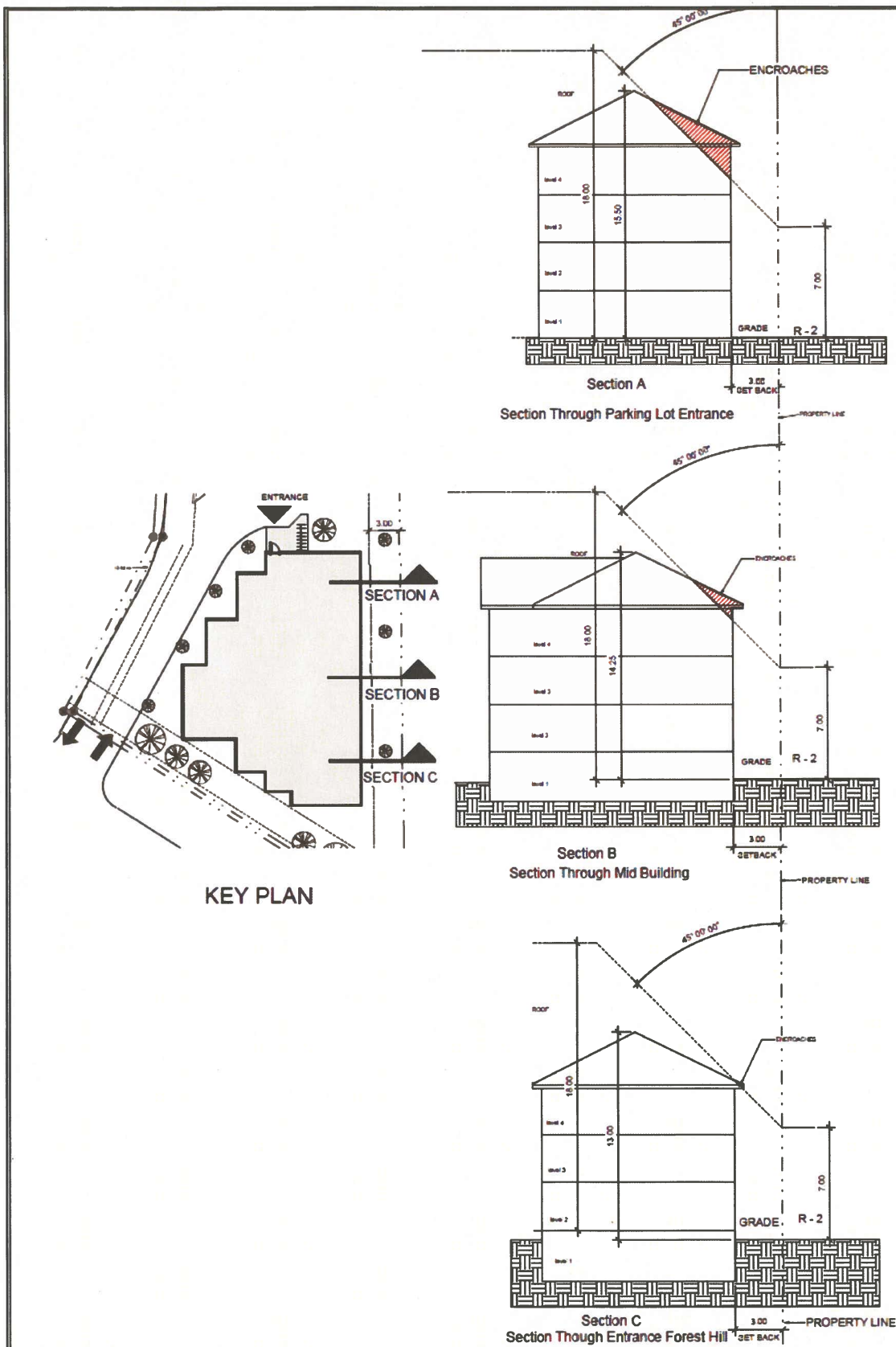
Map \ carte # V

File \ fiche: PR-8-2023

Date \ date: mars \ March 15, 2023

Subject \ sujet: chemin 128-132 Forest Hill Road
Chrystalla Wilde





Height plane encroachment / Empiètement du plan de hauteur

Fredericton

Community Planning
Planification urbaine

Map \ carte # VII

File \ fiche: PR-8-2023

Date \ date: mars \ March 15, 2023

Subject \ sujet: chemin 128-132 Forest Hill Road
Chrystalla Wilde

128-132 Forest Hill Road

Murray, Elizabeth

From: albertsn@nb.sympatico.ca
Sent: Tuesday, March 7, 2023 10:02 AM
To: PLANNING AND DEVELOPMENT
Subject: Development Proposal 128-132 Forest Hill Road

You don't often get email from albertsn@nb.sympatico.ca. [Learn why this is important](#)

External email:

Do not follow instructions, click links, open attachments, forward or respond to the email unless you recognize the sender and know the content is safe.

To whom it may concern,

We are concerned about safety on the road. Forest Hill is a major road linking the downtown and the Skyline acres and Forest Hill neighborhoods. The traffic volumes are significant. We feel there is a need for sidewalk on the side of the proposed new building, from the traffic lights at Forest Acres, down the hill to traffic intersection. Without a sidewalk on this side, walkers will have to cross a busy street to access the sidewalk on the opposite side of the road. Many UNB students use the footpath off of Forest Acres to gain access to the university. A sidewalk on both sides, allows walkers and joggers to safely approach Forest Acres and the campus, as well down the hill to the trails leading into the city and up the Lincoln Road. The space seems tight for a sidewalk but we feel it is essential for the safety of walkers.

Sincerely,

Albert and Wandlyn Snelgrove

21 Forest Acres Crt.

260-2077