

PLANNING REPORT



PAC – November 20, 2024
File No.: S-12-2024 V-24-2024 P.R. No. 67/24

To: Planning Advisory Committee
From: Melisa Tang Choy, Planner
Proposal: Tentative plan of subdivision, 2.76 m lot frontage variance and 71 m² lot area variance to create a new R-2 lot
Property: 43 Floral Avenue (PID 01400183)

OWNER: Barry Reilly & Marilyn Pelletier
43 Floral Avenue
Fredericton, NB E3A 1K8

APPLICANT: Same as above

SITE INFORMATION:

Location: Internal lot on the east side of Floral Avenue
Context: Low-rise residential neighbourhood, with the Nashwaaksis River to the east
Ward No: 1
Municipal Plan: Established Neighbourhoods
Zoning: Residential Zone Two (R-2)
Existing Land Use: Single-detached dwelling
Previous Applications: S-30-2004 PR 116/04

EXECUTIVE SUMMARY:

The Applicant is proposing to subdivide the subject property to create one new Residential Zone Two (R-2) lot. While the remnant lot would meet the standards of the R-2 zone, the new lot would require variances for the lot frontage and the lot area. The Applicant has demonstrated that a single-detached dwelling would meet the required setbacks of the R-2 zone (see Map II). The proposal is in keeping with the existing development pattern in the area and no negative impacts are anticipated. Staff support this application subject to terms and conditions.

APPLICATION:

Barry Reilly & Marilyn Pelletier have made application for a tentative plan of subdivision, as well as a 2.76 m lot frontage variance and a 71 m² lot area variance, to create a new R-2 lot from property located at 43 Floral Avenue.

PLANNING COMMENTS:

Proposal:

- The Applicant is proposing to subdivide the subject property in order to create a new R-2 lot (Lot 2024-187). The Applicant has expressed their wish to build a home for their retirement years on the new lot and has demonstrated that the new proposed building would meet the requirements of the R-2 zone (see Map II). The remnant lot would contain the existing house, which the Applicant intends to sell at a later date.

Municipal Plan:

- The proposal is consistent with the Established Neighbourhood Land Use Designation of the Municipal Plan. The proposal is in keeping with Section 2.2.1(18)(vii) with respect to the requirement that infill development be compatible with adjacent properties and Section 2.2.1(21)(i) which states that any new lots created are consistent with the lot pattern of the neighbourhood. Floral Avenue is mainly composed of single detached dwellings, and the Applicant intends to build a new single-detached dwelling on the new lot. The new lot would require a variance respecting lot frontage and area. However, lots along Floral Avenue vary in lot frontage, with double lots being more common on the eastern side of Floral Avenue, and lot frontages becoming narrower towards Sunset Drive and on Burpee Street.

Zoning By-law:

The proposal complies with the standards of the R-2 zone as follows:

Standard	Required	Provided	Variance
Lot 24-187			
Lot Area (min.)	540 m ²	469 m ²	71 m²
Lot Frontage (min.)	18 m	15.24 m	2.76 m
Lot Depth (min.)	30 m	30.78 m	n/a
Remnant Lot			
Lot Area (min.)	540 m ²	469 m ²	n/a
Lot Frontage (min.)	18 m	15.24 m	n/a
Lot Depth (min.)	30 m	30.78 m	n/a

- In order to accommodate the existing house with the required setback distances, the proposed subdivision would result in lot frontage and lot area deficiencies for the new lot. As shown on Map II, the Applicant has demonstrated that a single-detached dwelling would fit on the lot and the required setback distances would be met. By way of comparison, the new lot would exceed the lot frontage and lot area requirements for the R-1 N zone, which contains the minimum lot dimensions where a single-detached dwelling could be accommodated.
- Staff are working towards enabling greater zoning flexibility for infill development as part of the initiatives under the Housing Accelerator Fund agreement that the City signed with the federal government in 2023. The proposal is in line with future changes to the Zoning By-law. Staff do not anticipate any negative impacts, as the single-detached dwelling that the Applicant intends to build would meet the setback requirements of the R-2 zone, and support the application subject to terms and conditions.
- The proposed subdivision would not result in lot dimension deficiencies for the remnant lot and thus would not require any variances.

Public land dedication

- The 8% public land dedication is required for the new lot (Lot 24-187). Staff recommend this be taken in the form of cash.

Engineering & Operations

- Engineering and Operations have no issues with the proposal.

RECOMMENDATION:


1. It is recommended that the application submitted by Barry Reilly and Marilyn Pelletier for a 2.76 m lot frontage variance and a 71 m² lot area variance for property located at 43 Floral Avenue be approved.
2. It is further recommended that the tentative plan of subdivision to create a new R-2 lot be forwarded to Council with a recommendation that the public land dedication be taken in the form of cash-in-lieu.

Additional Information

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

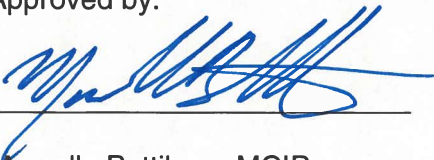
- a) The final plan of subdivision be submitted substantially in accordance with Map II attached to P.R. 67/24 to the satisfaction of the Development Officer; and,
- b) Servicing and lot grading plans are to be provided to the satisfaction of the Director of Engineering & Operations at time of building permit application.

Prepared by:

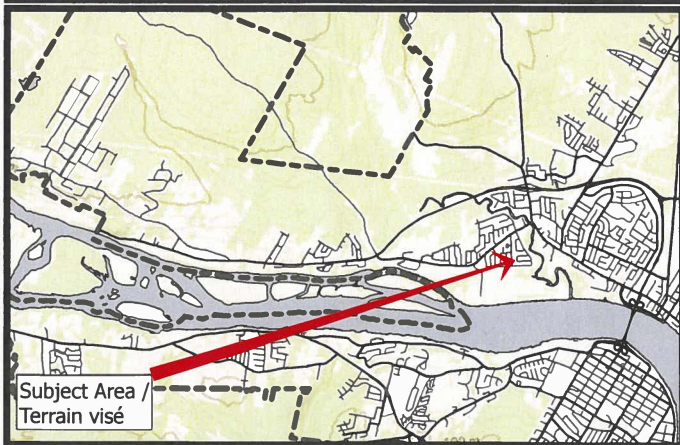
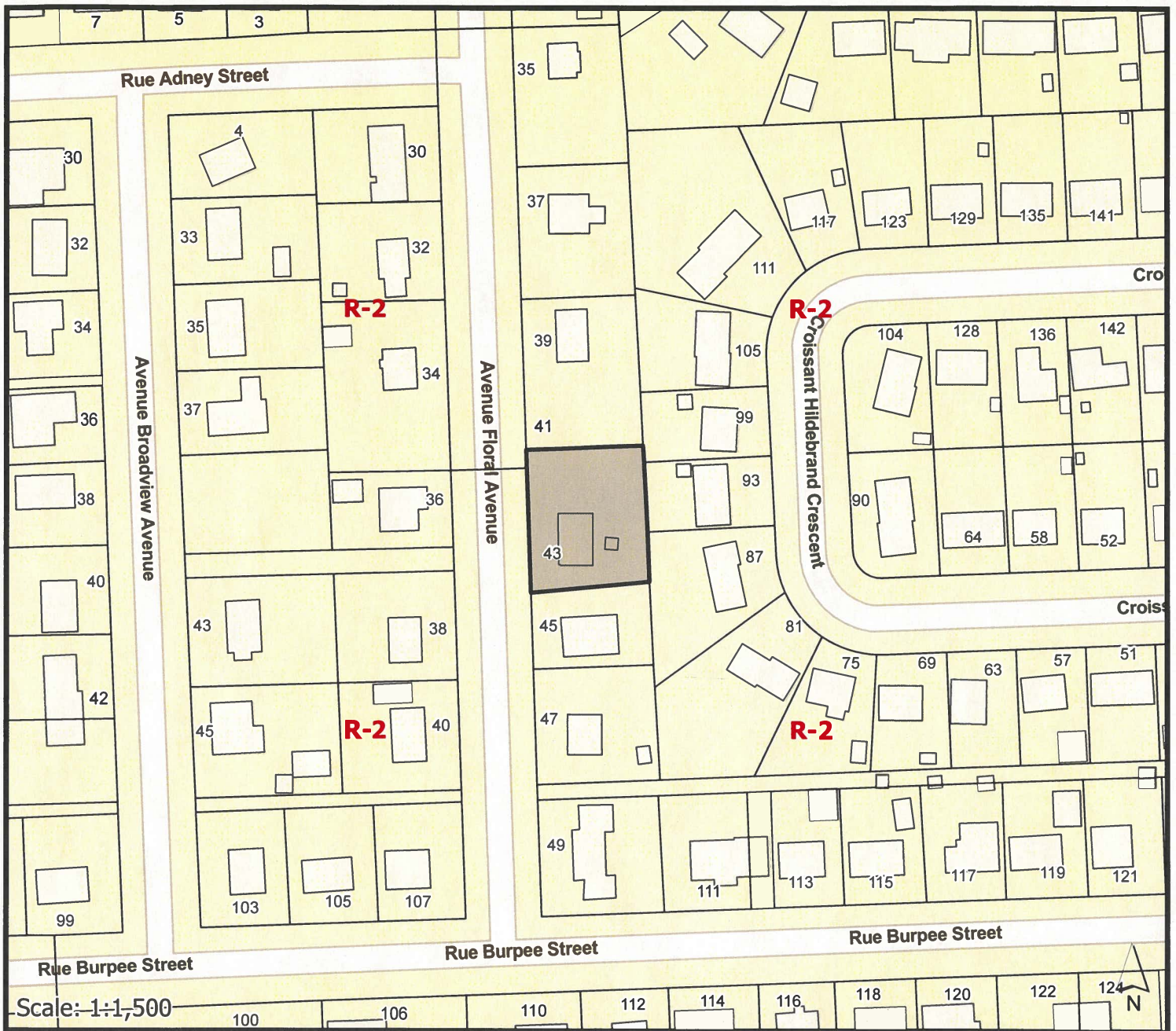


Melisa Tang Choy
Planner, Community Planning

Approved by:

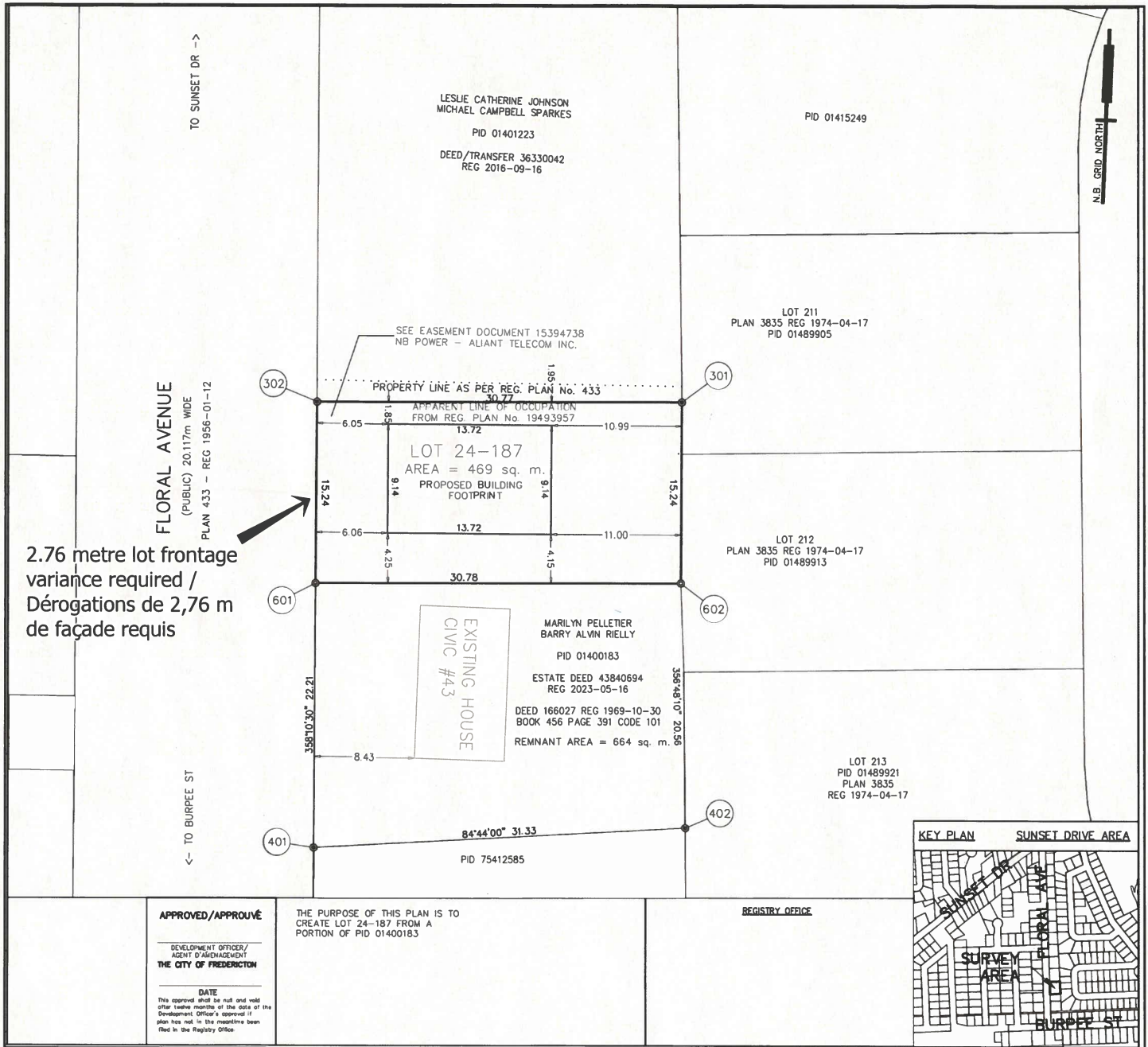


Marcello Battilana, MCIP
Assistant Director, Planning & Development



Subject Property / Propriete Visé
 Tentative plan of subdivision to create one R-2 lot and 2.76 metre lot frontage and 71 m² lot area variances for the new lot.

 Plan de lotissement provisoire visant à créer un lot R-2. Dérégations de 2,76 m de façade et de 71 m² de superficie pour le nouveau lot.



2.76 metre lot frontage
variance required /
Dégagements de 2,76 m
de façade requis

Tentative plan of subdivision to create one R-2 lot and a 71 m² lot area variances for the new lot.
Plan de lotissement provisoire visant à créer un lot R-2 et de 71 m² de superficie pour le nouveau lot.

Tentative Plan of Subdivision / Plans provisoires de lotissement

Fredericton
Community Planning
Planification urbaine

Map \ carte # II
File \ fiche: PR-67-2024
Date \ date: novembre \ November 20, 2024
Subject \ sujet: avenue 43 Floral Avenue
Barry Reilly & Marilyn Pelletier