

PLANNING REPORT



PAC – April 15, 2026

File No.: S-8-2026, V-9-2026 P.R. No. 22/26

To: Planning Advisory Committee
From: Melisa Tang Choy, Planner
Proposal: Tentative plan of subdivision to create a new R-1 lot and 7.93 metre lot depth variance for the new lot
Property: **11 Charles Avenue (PID 01560911)**

OWNER: Daniel Charles Watters
11 Charles Avenue
Fredericton, NB E3A 3S3

APPLICANT: Green Canary Group (c/o Krista Downey)
2295 Woodstock Road
Fredericton, NB E3C 1P6

SITE INFORMATION:

Location: Corner lot at the intersection of Charles Avenue and McKay Drive
Context: Low-rise residential neighbourhood with multi-unit development and Charles Avenue Park to the south
Ward No: 6
Municipal Plan: Established Neighbourhoods
Zoning: Residential Zone One (R-1)
Existing Land Use: Single-detached dwelling
Previous Applications: N/A

EXECUTIVE SUMMARY:

The Applicant is proposing to subdivide the subject property in order to create one new Residential Zone One (R-1) lot. Due to the configuration of the existing lot, the new lot fronting on McKay Drive would be deficient in the lot depth, requiring a 7.93 metre lot depth variance. However, the proposed lot would otherwise meet the R-1 zone standards, and the Applicant has demonstrated that a single-detached dwelling would meet the required setbacks and lot coverage of the R-1 zone (see Map II). Staff are of the opinion that the overall proposal is consistent with policies in the Municipal Plan and is in keeping with the existing development pattern in the area. Staff support this application subject to terms and conditions.

APPLICATIION:

Krista Downey, on behalf of Green Canary Group, has made application for the following on property located at 11 Charles Avenue:

- Tentative plan of subdivision to create one new R-1 lot; and,
- 7.93 metre lot depth variance for the new lot.

PLANNING COMMENTS:

Proposal:

- The Applicant is proposing to subdivide the subject property to create a new R-1 lot (Lot 26-52 shown on Map II). The new lot would be created from the rear portion of the subject property and would be fronting on McKay Drive. Due to the orientation of the current lot, the new lot would be deficient in the lot depth by 7.93 metres, which requires a variance.
- The existing single-detached dwelling on the remnant lot would be maintained, and the shed would be removed, as shown on Map II. The property owner intends to continue to live in the existing house on the remnant lot, and the new lot would be for a family member to build a new single-detached dwelling with a detached garage.
- Staff would note that the property is within 30 metres of a provincially-significant wetland. Staff have received confirmation from the NB Department of Environment and Local Government (DELG) that the current wetland mapping is being updated, and will not be delineated until later in the year. DELG have provided Staff with the approximate updated buffers. As seen on Map III, a portion of the remnant lot would fall within the wetland buffer. The Applicant has already met with DELG, and is aware that a Wetland and Watercourse Alteration (WAWA) permit might be required for any development within 30 metres of a wetland or watercourse.

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.
- The subject property is located on the eastern side of Charles Avenue, which is generally composed of single-detached dwellings located on narrow deep lots (approximately 65 metres in depth). This lot pattern changes on the southern portion of Charles Avenue where it intersects with Greenwood Drive, with the lot depths reducing to approximately 35 metres. Lots on the western side of Charles Avenue vary significantly in lot depth, from approximately 85 metres to 18 metres, in order to accommodate the Gibson Trail. Thus, the proposal would be generally consistent with the lot pattern of the neighbourhood, and the development would be compatible with adjacent properties

Zoning By-law:

The proposal complies with the standards of the R-1 zone as follows:

Standard	Required	Provided	Variance
<i>New lot</i>			
Lot frontage	18 m	33.79 m	n/a
Lot depth	30 m	22.07 m	7.93 m
Lot area	540 m ²	774 m ²	n/a
<i>Remnant lot</i>			
Lot frontage	18 m	25.77 m	n/a
Lot depth	30 m	30.50 m	n/a
Lot area	540 m ²	759 m ²	n/a

- As seen on the table above, the new lot would meet all the R-1 standards, except for the lot depth. The deficiency in the lot depth is a product of the orientation and configuration of existing lot fronting on Charles Avenue. The new lot would still be able to meet all other lot standards, and as shown on Map II, the Applicant has demonstrated that a single-detached dwelling with a detached garage would meet all required setbacks.
- The remnant lot would meet all the standards of the R-1 zone, and no changes are being proposed to the existing house with this application. As shown on Map II, the Applicant is proposing a barrier to prevent through-access for the existing driveway. While two driveways are permitted on corner lots, they cannot connect, as per section 5.2(7)(c)(i) of Zoning By-law Z-5.
- Staff would further note that the subject property is located at approximately 10 metres in geodetic elevation. As per Section 7.1(1) of Zoning By-law Z-5, no habitable space is to be located less than 9 metres in geodetic elevation.
- The proposal presents a good opportunity for infill development. Staff do not anticipate any negative impacts

Public land dedication

- The 8% public land dedication is required for the new lot (Lot 26-52). Staff recommend this be taken in the form of cash.

Engineering & Operations

- The proposed lot will have access to municipal water and sanitary systems; however, due to the nature and history of the neighborhood, there is no public storm sewer available for drain tile connection. The Applicant is required to manage any drainage required on their own property at their cost. Any solution for foundation drainage will need to be approved by the Building Inspections department, following the National Building Code.
- Lot grading and stormwater management are not to negatively impact adjacent properties. An engineered lot grading and site services plan is required.

- Due to the nature and history of the neighborhood, the public street will stay as is with no curb being added.
- McKay Drive is a dead-end street. The installation of services to the property must be completed in a manner that keeps the road open to one lane of through traffic at all times.
- Any trees within the City's right-of-way are to remain unless directed or approved by the City Forester. If it is necessary to remove or relocate trees, the work must be coordinated with the City of Fredericton. The Applicant is responsible for all associated costs.
- Following approval of this application, Engineering & Operations staff along with Planning staff, will meet with the applicant and their consultant to review access, lot grading, water and sanitary servicing to ensure that there are no issues as design progresses.

RECOMMENDATION:

1. It is recommended that the application submitted by Krista Downey, on behalf of Green Canary Group, for a 7.93 metre lot depth variance for the new lot for property located at 11 Charles Avenue be approved.
2. It is further recommended that the tentative plan of subdivision to create one new R-1 lot be forwarded to Council with a recommendation that the public land dedication be taken in the form of cash.

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 site be developed generally in accordance with Map II attached to P.R. 22/26 to the satisfaction of the Development Officer;
- b) The existing shed shown on Map II attached to PR 22/26 be removed prior to the final plan of subdivision;
- c) A no through-access barrier be placed on the existing driveway on the remnant lot as shown on Map II attached to PR 22/26 to the satisfaction of the Development Officer and prior to the final plan of subdivision;
- d) The top of the finished floor of any habitable space shall be located above 9 metres in geodetic elevation;
- e) Servicing, access and lot grading plans to be provided prior to building permit approval and to the satisfaction of the Director of Engineering & Operations;

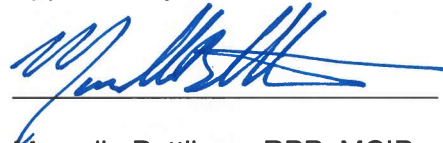
- f) Foundation drainage to be managed on-site and to mee National Building Code requirements;
- g) The installation of services to the property to be completed in a manner that keeps the road open to one lane of through traffic at all times;
- h) All municipal services design, construction, and inspection are to be in accordance with the City's General Specifications for Municipal Services. Record drawings, stamped by a Professional Engineer, are required at completion of the project;
- i) Any trees within the City's right-of-way are to remain unless directed or approved by the City Forester; and,
- j) If required, the Applicant is to obtain a Watercourse and Wetland Alteration Permit from the NB Department of Environment and Local Government.

Prepared by:

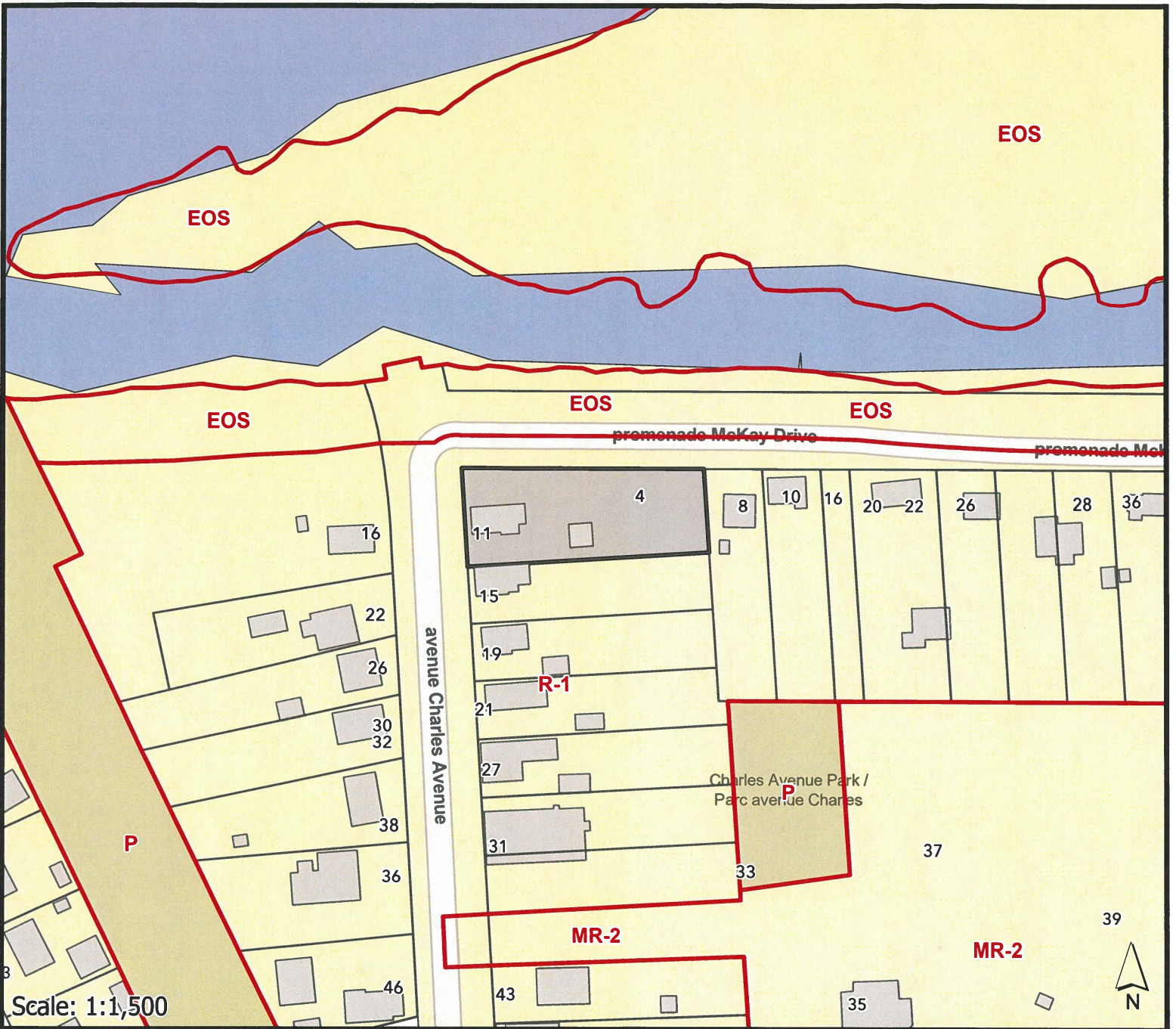


Melisa Tang Choy, RPP, MCIP
Planner, Community Planning

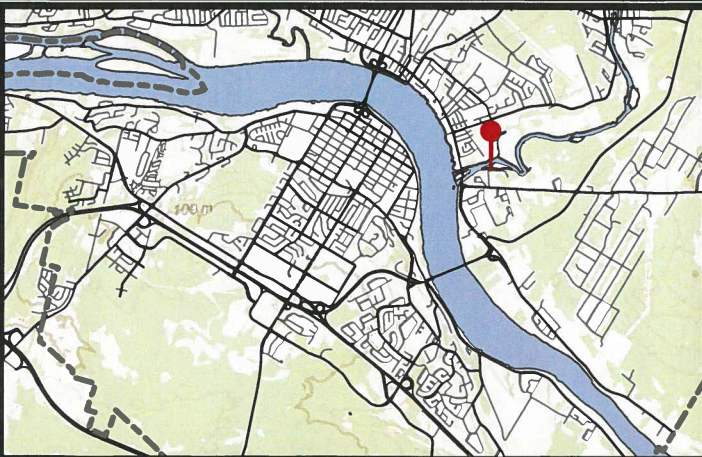
Approved by:



Marcello Battilana, RPP, MCIP
Assistant Director, Planning & Development



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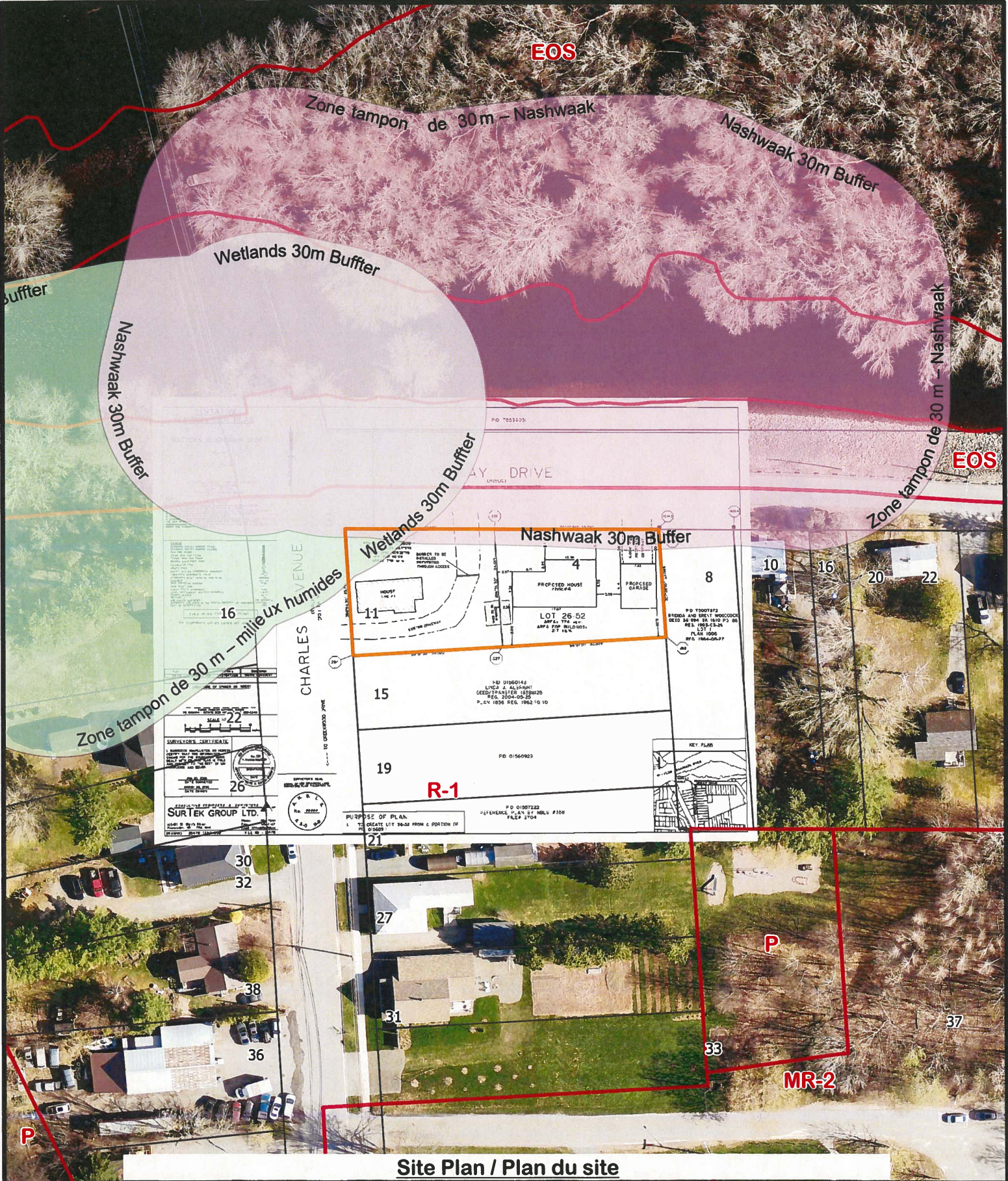


Subject Properties / Propriétés Visé
 Tentative plan of subdivision to create one R-1 lot and 7.93 metre lot depth variance for the new lot.
 Plan provisoire de lotissement visant la création d'un lot R-1, ainsi qu'une dérogation de 7,93 mètres à la profondeur du lot pour le nouveau lot.

Fredericton

Community Planning
 Planification urbaine

Map \ carte # I
 File \ fiche: PR-22-2026
 Date \ date: avril \ April 15, 2026
 Subject \ sujet: 11 avenue Charles Avenue
 Green Canary Group
 (c/o Krista Downey)



Site Plan / Plan du site



Community Planning
Planification urbaine

Map \ carte # III
 File \ fiche: PR-22-2026
 Date \ date: avril \ April 15, 2026
 Subject \ sujet: 11 avenue Charles Avenue
 Green Canary Group
 (c/o Krista Downey)