

PLANNING REPORT



PAC – November 17, 2021
File No.: Z-39-2021/ P.R. No. 84/21

To: Planning Advisory Committee
From: Alicia Brown, Planner
Proposal: Zone Amendment to the CCI zone to permit seven dwelling units
Property: **115 Church Street (PID 01456342)**

OWNER: Bella Properties
105-343 Argyle Street
Fredericton, NB
E3B 1V1

APPLICANT: As above

SITE INFORMATION:

Location: West side of Church Street, between Brunswick Street and King Street
Context: Eastern gateway to the downtown, commercial, institutional, and residential area, within historical preservation area
Ward No: 11
Municipal Plan: City Center Plan – Cathedral District
Zoning: City Centre Institutional (CCI)
Existing Land Use: Single Detached Dwelling/Office
Previous Applications: P.R. 49/85

EXECUTIVE SUMMARY:

The Applicant is proposing to amend the CCI Zone as it relates to the above-noted property to allow seven (7) dwelling units on the property. The Applicant purchased the property a year ago, it includes a main building along with a carriage house. The intent is to renovate the exterior façade of the buildings and to convert the main structure into a 6-unit apartment building with a seventh unit above the carriage house. The property is located within the St. Anne's Point Heritage Preservation Area and any exterior work to the building will need to be reviewed by the Community Heritage Officer.

Staff have reviewed the proposal and are reluctant to support the request to create an additional dwelling unit above the carriage house. However, Staff feel that the conversion of the main building on the lot to accommodate six dwelling units meets the intent of the Municipal Plan as it provides an appropriate infill development for this area and Staff would be comfortable supporting this portion of the application subject to terms and conditions.

APPLICATION:

Bella Properties has made application to amend the City Centre Institutional Zone (CCI) to permit seven (7) dwelling units on property at 115 Church Street.

PLANNING COMMENTS:

Proposal:

- The Applicant is proposing to convert the main building on the property to a 6-unit dwelling. Additionally, the proposal includes the creation of an apartment unit in the upper level of the existing carriage house on the property.
- Staff would note that the subject property is in the St. Anne's Heritage Point Preservation Area and that a Certificate of Appropriateness is required for any changes made to the exterior of the main building or the carriage house. The Applicant is aware of this requirement and has been in contact with the Department of Heritage and Urban Design with respect to obtaining the necessary approvals.

Municipal Plan:

- The subject property is within the Cathedral district of the City Centre Plan which contains the following objectives:
 - Preserve the existing built form and heritage of the Cathedral District by protecting the existing visual prominence, scale, and character of the district's buildings.
 - Preserve the complete integrity of the green space surrounding Christ Church Cathedral.
 - Permit infill that respects the prominence and scale of existing buildings but is architecturally distinct from established buildings.
 - Encourage the conversion of largescale residential properties to either apartments of smaller scale office uses;
 - Preserve and add to the District's tree canopy.
- The proposal is consistent with the relevant policies of the City Centre Plan. The proposal allows for additional residential units in the City Centre. This is in line with one of the key characteristics of the Cathedral district of as well as the Urban Growth Strategy which encourages infill and adds more residential units within a walkable distance to the City Centre.

Zoning By-law:

- The property is located within the CCI zone, Section 11.15(2) of *Zoning By-law Z-5* permits dwelling units in the CCI Zone that have been in existence as of March 1995. The CCI Zone accommodates primarily institutional development in the form of community and cultural facilities and government services in the city's downtown core.
- The land surrounding the subject property is zoned for various uses. The property backs on to properties with existing permitted dwelling units in the CCIL Zone. The CCIL Zone permits both three and four dwelling units. Further, this property is adjacent to 103 Church

Street which received a zone amendment earlier this year to allow a total of 3 dwelling units above a retail store.

- In assessing the suitability of the site for the proposal, a review of the property was made in accordance with the standards for converted dwelling in the Residential Zone Four Zone (R-4). The R-4 Zone allows for conversion of older housing stock for additional dwelling units to a maximum of 6 dwelling units. R-4 Zoning is in peripheral areas to the city centre and close proximity to low residential development. As shown on Map I, this property is directly adjacent to a an R-4 area to the east of the property.

The proposal complies with the converted dwelling provisions for allowing 6-units in the R-4 zone as follows:

Standard	Required	Provided
Lot Area	1,080 m ²	1,136 m ²
Lot Frontage	23 m	25.4 m
Parking	6 spaces (max)	6 spaces

- The proposal is compatible with the variety of housing forms in the neighbourhood and the proposed use should not result in any adverse impacts on adjacent properties or the surrounding area. Staff feel that the proposal represents a good opportunity for a residential infill development given the context of the area. The addition of the six new units is reasonable and should not negatively affect the neighbouring properties. Staff would view the addition of dwelling units to this property as a positive transition between zones.
- While staff are supportive of the conversion of the home to 6 units, Staff do have a concern with the portion of the application to create an additional dwelling unit on the second level of the carriage house. Staff have continuously maintained that the intent of an accessory structure on a property is to be clearly secondary in nature. Allowing dwelling units to operate out of accessory buildings, in essence creates a second dwelling unit on the property. This has the potential to result in too much density on one residential lot and in turn negatively impacting the surrounding neighbourhood. At the risk of setting a precedent, Staff are not comfortable supporting the additional dwelling unit in the carriage house.

Parking

- With respect to parking, the property is located within the Central Business District (CBD). The CBD requires at maximum, 1 space per dwelling unit. The Applicant is able to provide 6 spaces on the site, this includes 2 spaces within the garage.

Access and Servicing

- The Applicant is responsible for verifying the capacity and condition of water and sanitary sewer services to the building for the intended use. Any changes to services to the main house, are to be to the satisfaction of the Director of Engineering & Operations. Backflow devices will be required

RECOMMENDATION:

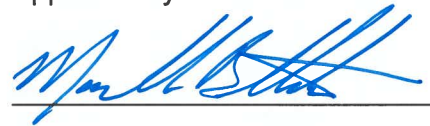
- 1) It is recommended that the application submitted by Bella Properties to amend the City Centre Institutional Zone (CCI) to permit seven (7) dwelling units on property at 115 Church Street be denied.
- 2) It is further recommended that the application submitted by Bella Properties to amend the City Centre Institutional Zone (CCI) to permit seven (7) dwelling units on property at 115 Church Street be amended to allow for six (6) dwelling units to be created in the main building on the property and subject to the following terms and conditions:
 - a) Final exterior plans and detailing are subject to the satisfaction of the Community Heritage Officer;
 - b) The Applicant is responsible for verifying the capacity and condition of water and sanitary sewer services to the building for the intended use. Backflow devices are required;
 - c) No more than 6 dwelling units be permitted on the property, all dwelling units must be created within the main building on the property.

Prepared by:

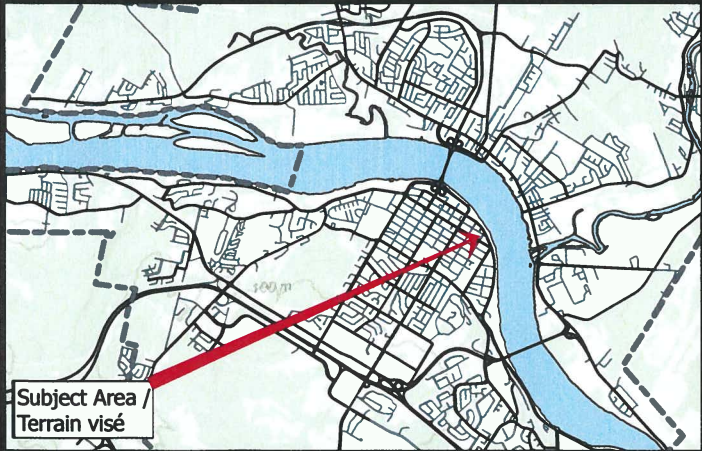
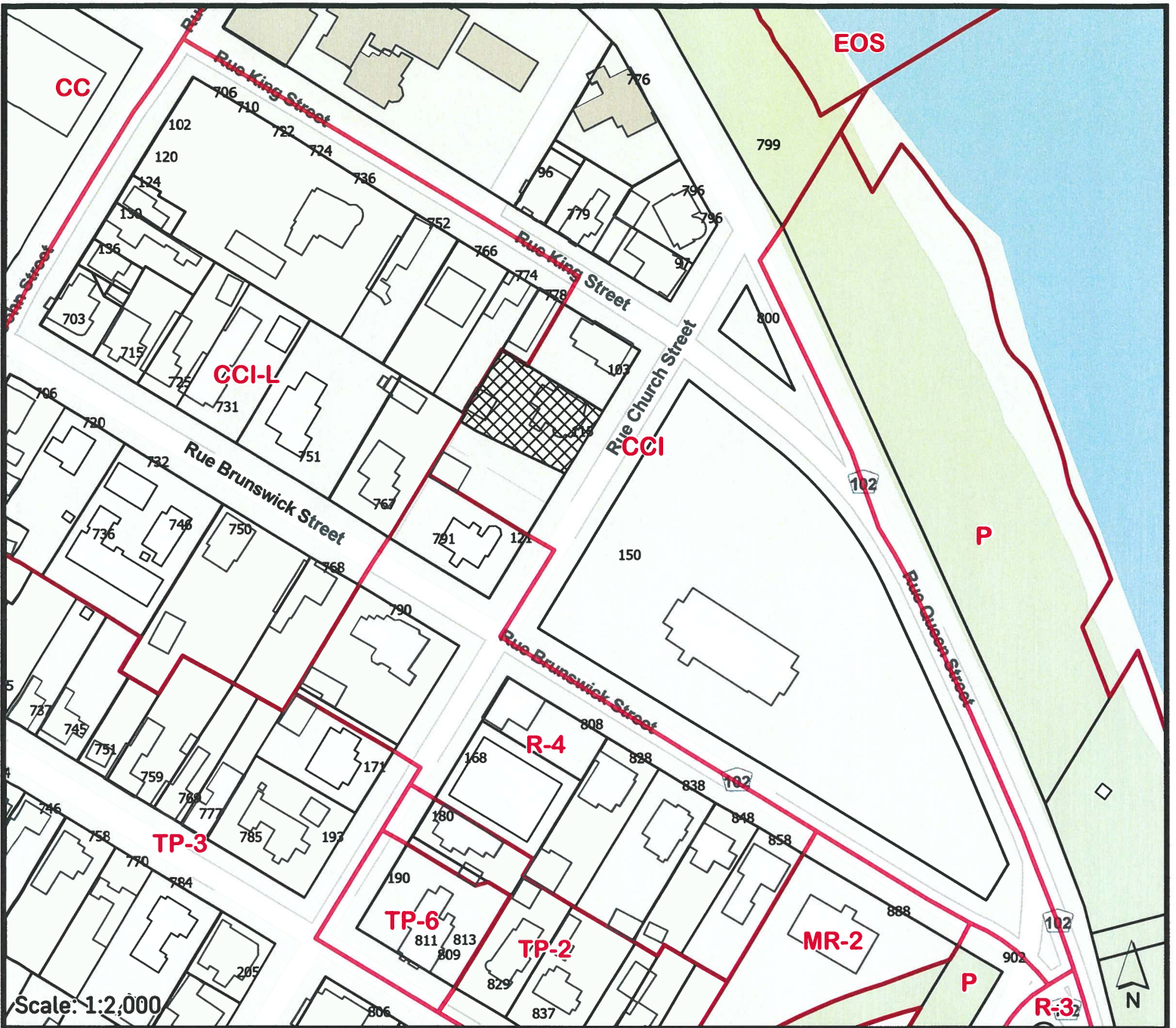


Alicia Brown, RPP, MCIP
Planner, Community Planning

Approved by:



Marcello Battilana, RPP, MCIP
Manager, Community Planning



Subject Properties / Propriétés Visé

Amend the City Centre Institutional Zone (CCI) to allow for 7 dwelling units on the property.

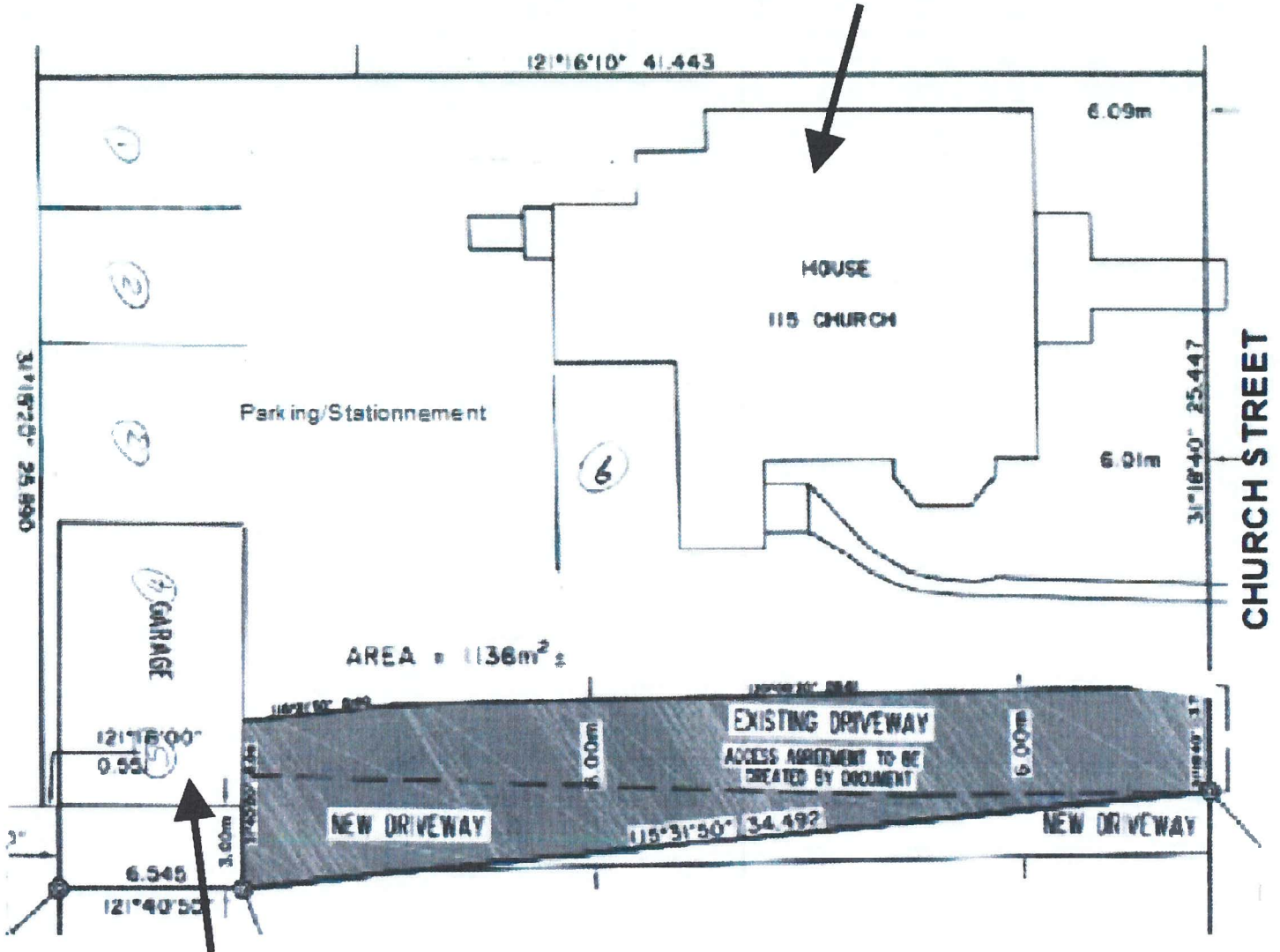
Modification de la zone CCI en vue de permettre sept logements sur la propriété



Community Planning
Planification urbaine

Map \ carte # I
File \ fiche: PR-84-2021
Date \ date: novembre \ November 17, 2021
Subject \ sujet: rue 115 Church Street
Bella Properties Inc

convert to 6 units



create 1 loft unit

Amend the City Centre Institutional Zone (CCI) to allow for 7 dwelling units on the property.

Modification de la zone CCI en vue de permettre sept logements sur la propriété.

Site Plan / Plan Du Site



Community Planning
Planification urbaine

Map \ carte # II
File \ fiche: PR-84-2021
Date \ date: novembre \ November 17, 2021
Subject \ sujet: rue 115 Church Street
Bella Properties Inc

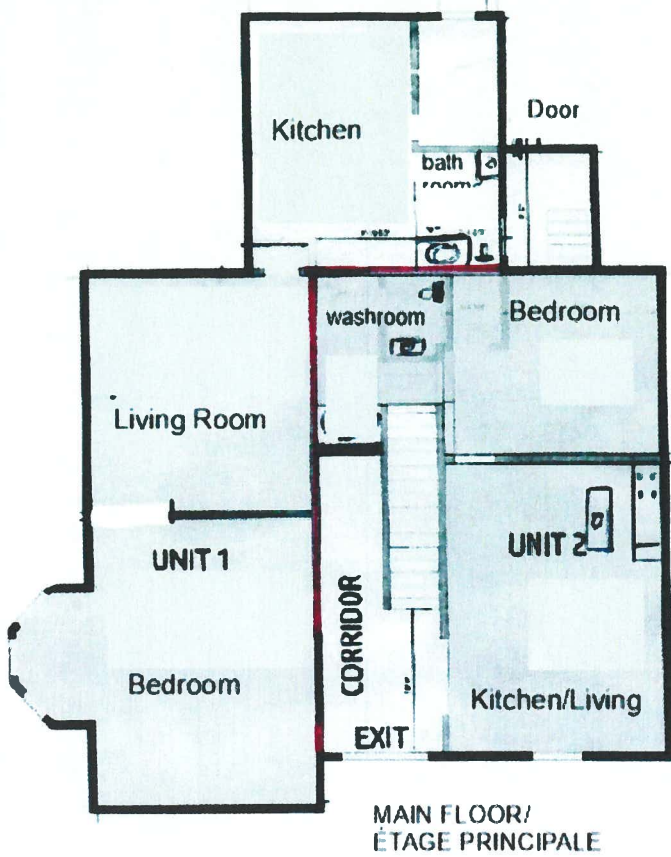


Elevation \ Élévation

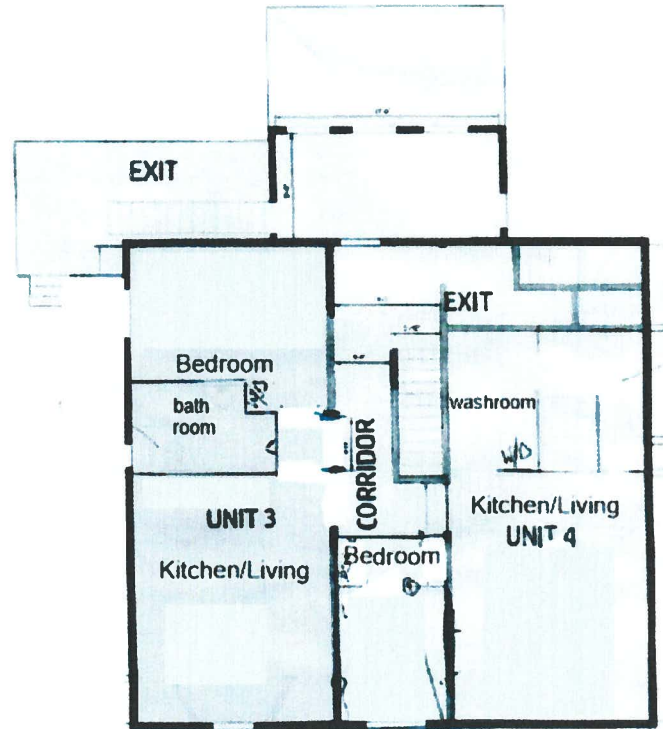
Fredericton

Community Planning
Planification urbaine

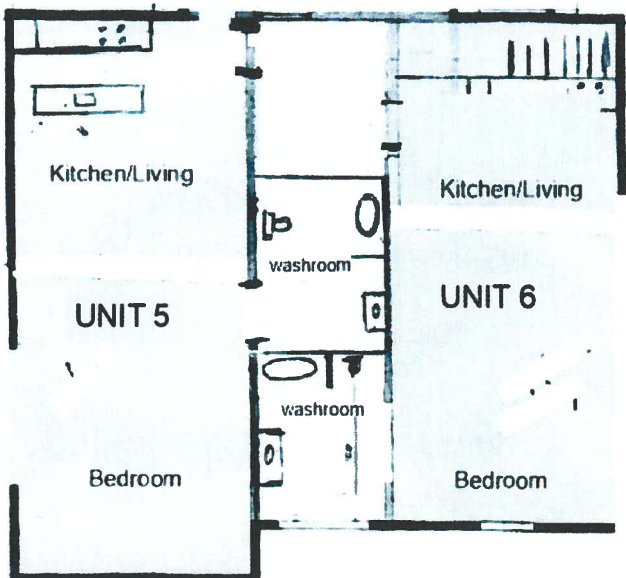
Map \ carte # III
File \ fiche: PR-84-2021
Date \ date: novembre \ November 17, 2021
Subject \ sujet: rue 115 Church Street
Bella Properties Inc



MAIN FLOOR/
ÉTAGE PRINCIPALE



SECOND FLOOR/
2^{eme} ÉTAGE



THIRD FLOOR/
3^{eme} ÉTAGE

Floor Plans / Plans d'étage