

PLANNING REPORT



PAC – November 17, 2021
File No.: Z-37-21, P.R. No. 80/21

To: Planning Advisory Committee
From: Fredrick Van Rooyen, Planner
Proposal: Rezoning from R-2 and R-5 to MR-2 to permit a phased multi-unit development
Property: **617-649 Brookside Drive**
(PID 01489137, 01487917, 01488469, 01488964, 01487990)

OWNER: Maritime Radon Control Ltd. c/o Andrew Colter
708 Douglas Ave
Fredericton, NB
E3A 5T1

APPLICANT: As above

SITE INFORMATION:

Location: West side of Brookside Drive across from Summerhill Row
Context: Primarily low-rise residential uses
Ward No: 2
Municipal Plan: Established Neighbourhood
Zoning: Residential Zone Two (R-2) and Residential Zone Five (R-5)
Existing Land Use: Existing single detached dwellings (to be demolished)
Previous Applications: None

EXECUTIVE SUMMARY:

Maritime Radon Control Ltd. is proposing to construct a phased multi-unit development that would consist of 232 units and 8 apartment buildings over four phases. To accommodate the proposed development, a rezoning has been requested to rezone the lands from R-2 and R-5 to MR-2, which would permit the proposed apartment buildings and more than one main residential building on a lot. The proposed development meets the intent of the Established Neighbourhood designation in the Municipal Plan and represents an opportunity to sensitively integrate multi-residential uses with a mix of building designs and forms.

With the majority of the 6.4 hectares of land being vacant and zoned R-5, substantial residential development is already contemplated for the subject lands. Staff have no objections to the overall proposal as a suitable increase in density and transition in residential built form, with two-storey low-rise apartment buildings along the Brookside Drive frontage and greater heights and densities moving towards the rear the site. The proposal incorporates separation and landscape buffering

measures to help mitigate impacts from the apartment buildings abutting the R-2 lands to the south along Brookside Drive. Staff support the application subject to terms and conditions.

APPLICATION:

Maritime Radon Control Ltd. has made an application to rezone the properties at 617-649 Brookside Drive from R-2 and R-5 to MR-2 to permit a phased multi-unit development that would consist of 232 units and 8 apartment buildings over four phases.

PLANNING COMMENTS:

Proposal:

- The subject lands are approximately 6.4 hectares (15.8 acres) in size and include five lots that would be consolidated. Two lots are currently zoned R-2, while the three largest lots are currently zoned R-5 (see Map I). The largest lot that expands west towards the townhouse development on James Street is currently vacant, while the other four lots currently contain single detached dwellings that would be demolished.
- The multi-unit phased development would include four phases with 232 units and 8 apartment buildings in total:
 - Phase I: 8-unit two storey apartment building and 16-unit two storey apartment building directly fronting onto Brookside Drive, as well as a 36-unit four storey building at the rear of Phase I (see Maps II & VI)
 - Phase II: 24-unit four storey apartment building and two 37-unit five storey apartment buildings (see Maps III & VII). The Phase II buildings would surround a central greenspace that would function as a key common amenity area for the proposed development.
 - Phases III & IV: located beyond the creek to the west, each phase would include one 37-unit five storey apartment building, similar to those in Phase II (see Maps IV, V & VII).
- Phase I would include a six (6) metre private access from Brookside Drive. As part of the ultimate build out, a new public street aligned with Summerhill Row would be constructed to access Phases II-IV. The public street would be subject to a future subdivision application. The Applicant has also indicated the intent to establish individual lots for each phase, which would be subject to a future subdivision application and zoning review of each lot.

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 that is compatible with the general character of these areas. However, in some instances, more significant intensification may be permitted at the edges of neighbourhoods and along arterial and collector roads. The subject lands are located at the edge of more established low-rise residential areas and along Brookside Drive, which is a major

collector road. Consequently, more significant intensification would be considered appropriate for the subject lands.

- The Established Neighbourhood designation looks to maintain the stability of residential neighbourhoods, while allowing for incremental change through sensitive new development and redevelopment. The proposal is in keeping with Section 2.2.1(21) as low-rise apartment buildings (two storeys) have been appropriately located abutting the existing R-2 lands along Brookside Drive with greater heights and densities moving further west with significant setbacks and landscape buffering to mitigate any potential impacts.
- In considering a rezoning application for new mid-rise residential uses in the Established Neighbourhood designation, Section 2.2.1(23) outlines that 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 urban form.*
- The proposal meets the intent of Section 2.2.1(23) as the subject lands have direct access to Brookside Drive (major collector road), the 36 and 37 unit buildings (approximately 80% of the units) would incorporate underground parking facilities, landscaping and buffering would be provided to establish an appropriate separation from any abutting low-rise residential uses, a central greenspace within Phase II would serve as a key common amenity area for the development, and bus route 12/13 is directly available at the Brookside Drive and Summerhill Row intersection.

Overall, the proposed multi-unit development meets the intent of the Established Neighbourhood designation by providing:

- Intensification along a major collector road that has transit services;
- A central greenspace that would function as a key common amenity area; and
- Appropriately located and scaled buildings that incorporate separation and landscape buffering measures to help mitigate impacts on abutting low-rise residential uses.

Zoning By-law:

- The subject lands are currently zoned R-2 and R-5. The proposed rezoning to the MR-2 zone would accommodate multi-residential development in a variety of building forms including apartment buildings, townhouses, and stacked townhouses. The MR-2 zone provides for both low and mid-rise building height and allows more than 1 main residential building on a lot. The proposal complies with the standards of the MR-2 zone as follows (based on each phase being an individual lot):

Phase I: 8-unit two storey apartment building and 16-unit two storey apartment building directly fronting onto Brookside Drive, as well as a 36-unit four storey building at the rear of Phase I (see Maps II & VI)

Standard	Required	Provided
Density (Lot Area per Dwelling Unit, max)	71 dwelling units/ha* (min 140m ² /dwelling unit) 0.93ha = 66 dwelling units	60 dwelling units (155m ² /dwelling unit)
Lot Frontage (min)	34m	110.86m
Lot Depth (min)	30m	78.55m
Lot Coverage (max)	35% of the lot area 3,263.05m ² maximum	31.4% (2925.19m ²)
Landscaped Area (min)	35% of the lot area 3,263.05m ² required	48.7% (4541m ²)
Building Setbacks (min)		
Front (Brookside Dr)	6m	8.19m
Flankage (Future Street)	6m	6.02m
Side (south)	4m	7.50m
Rear	4m	5.00m
Parking (min)	1-BR unit: 1 sp 2-BR unit: 1.5 sp 3+ BR unit: 1.75 sp 8-unit building: 2-BR units (12sp) 16-unit building: 2-BR units (24sp) 36-unit building: 1x1-BR unit + 35x2-BR unit (53.5sp) 81 spaces required**	86 spaces***
<p>* Density Rate is based on density bonus where at least 50% of the required parking is provided underground (Section 9.3(4)(b)(i)).</p> <p>** Required parking for a residential use located within 150m of a street where transit service operates measured to the nearest property line may be reduced by 10% (Section 5.2(12)(g)(ii)).</p> <p>*** In addition to the surface parking shown on Map II, the Applicant has indicated that there would be 37 underground parking spaces below the 36-unit building.</p>		

- As referenced above, the parking for Phase I complies with the Zoning By-law as 81 parking spaces are required and 86 parking spaces are being provided.
- The proposed 8 and 16-unit buildings have been located to address both Brookside Drive and the future public street and would include walkways to the Brookside Drive public sidewalk where public transit services are located.
- Interestingly, once the future public street is established and should the Applicant create individual lots for each phase, the building setbacks for Phase I change as the frontage of the future public street would be the shorter of property lines given it would be a corner lot. Accordingly, the current side yard to the south abutting the low-rise residential zone (R-2) would become a rear yard, which requires a greater 7.5m setback (Section 9.3(4)(2)(b)(ii)(A)). The Applicant has recognized this condition and has provided a 7.5m setback abutting the R-2 zone to the south, which allows for a more appropriate transition.

Phase II: 24-unit four storey apartment building and two 37-unit five storey apartment buildings (see Maps III & VII)

Standard	Required	Provided
Density (Lot Area per Dwelling Unit, max)	71 dwelling units/ha* (min 140m ² /dwelling unit) 1.4ha = 99 dwelling units	98 dwelling units (143m ² /dwelling unit)
Lot Frontage (min)	34m	85.08m
Lot Depth (min)	30m	126.05m
Lot Coverage (max)	35% of the lot area 4,907.7m ² maximum	26% (3649.66m ²)
Landscaped Area (min)	35% of the lot area 4,907.7m ² required	55.8% (7826m ²)
Building Setbacks (min)		
Front (Future Street)	6m	7.50m
Side (east)	6m	17.94m
Side (west)	4m	9.39m
Rear	4m	8.87m
Parking (min)	1-BR unit: 1 sp 2-BR unit: 1.5 sp 3+ BR unit: 1.75 sp 24-unit building: 20x2-BR unit + 4x3-BR unit (37sp) 37-unit buildings(2): 4x1-BR unit + 32x2BR-unit + 1x3-BR unit (53.75sp/building) 131 spaces required**	146 spaces***
<p>* Density Rate is based on density bonus where at least 50% of the required parking is provided underground (Section 9.3(4)(b)(i)).</p> <p>** Required parking for a residential use located within 150m of a street where transit service operates measured to the nearest property line may be reduced by 10% (Section 5.2(12)(g)(ii)).</p> <p>*** In addition to the surface parking shown on Map III, the Applicant has indicated that there would be 37 underground parking spaces below each of the 37-unit buildings.</p>		

- As referenced above, the parking for Phase II complies with the Zoning By-law as 131 parking spaces are required and 146 parking spaces are being provided.
- Phase II of the proposed development would gain access from the future public street. The three buildings would be centred around a shared greenspace that would function as a common amenity area and provide a focal point for the development. The stormwater pond proposed in the central greenspace would serve both functional and aesthetic purposes.
- Staff would note that the majority of Phase II would abut MR-2 lands to the south, which would permit the same level of intensification and multi-residential uses as proposed.

Phases III: one 37-unit five storey apartment building (see Maps IV & VII)

Standard	Required	Provided
Density (Lot Area per Dwelling Unit, max)	71 dwelling units/ha* (min 140m ² /dwelling unit) 1.52ha = 108 dwelling units	37 dwelling units (412m ² /dwelling unit)
Lot Frontage (min)	34m	147.44m
Lot Depth (min)	30m	125.82m
Lot Coverage (max)	35% of the lot area 5,342.75m ² maximum	8.45% (1,290.21m ²)
Landscaped Area (min)	35% of the lot area 5,342.75m ² required	87.57% (13,367m ²)
Building Setbacks (min)		
Front (Future Street)	6m	7.50m
Side (east)	6m	63.80m
Side (west)	4m	24.42m
Rear	4m	61.67m
Parking (min)	1-BR unit: 1 sp 2-BR unit: 1.5 sp 3+ BR unit: 1.75 sp 37-unit building: 4x1-BR unit + 32x2BR-unit + 1x3-BR unit (53.75sp/building) 54 spaces required	57 spaces**
* Density Rate is based on density bonus where at least 50% of the required parking is provided underground (Section 9.3(4)(b)(i)).		
** In addition to the surface parking shown on Map III, the Applicant has indicated that there would be 37 underground parking spaces below each of the 37-unit buildings.		

- As referenced above and below, the parking for Phases III and IV comply with the Zoning By-law. Phase III requires 54 parking spaces and 57 parking spaces are being provided, while Phase IV also requires 54 parking spaces and 55 parking spaces are being provided.
- Given the watercourse location surrounding Phases III & IV, it provides a natural buffer to the low-rise residential areas to the south. Staff would note that given the need to extend the future public street beyond the existing watercourse to access the future phases, Phases III & IV would be considered long-term and would be dependent on the future approval of a watercourse and wetland alteration permit by the Department of Environment and Local Government.

Phases IV: one 37-unit five storey apartment building (see Maps V & VII)

Standard	Required	Provided
Density (Lot Area per Dwelling Unit, max)	71 dwelling units/ha* (min 140m ² /dwelling unit) 2.30ha = 163 dwelling units	37 dwelling units (621.30m ² /dwelling unit)
Lot Frontage (min)	34m	196.65m
Lot Depth (min)	30m	125.82m
Lot Coverage (max)	35% of the lot area 8,045.8m ² maximum	5.61% (1,290.21m ²)
Landscaped Area (min)	35% of the lot area 8,045.8m ² required	91.74% (21,090m ²)
Building Setbacks (min)		
Front (Future Street)	6m	7.50m
Side (east)	6m	25.58m
Side (west)	4m	123.04m
Rear	4m	87.82m
Parking (min)	1-BR unit: 1 sp 2-BR unit: 1.5 sp 3+ BR unit: 1.75 sp 37-unit building: 4x1-BR unit + 32x2BR-unit + 1x3-BR unit (53.75sp/building) 54 spaces required	55 spaces**
* Density Rate is based on density bonus where at least 50% of the required parking is provided underground (Section 9.3(4)(b)(i)).		
** In addition to the surface parking shown on Map IV, the Applicant has indicated that there would be 37 underground parking spaces below each of the 37-unit buildings.		

Building Height & Design

- The proposed development includes a mix of low and mid-rise residential buildings. With the two-storey apartment buildings facing Brookside Drive in Phase I it provides an appropriate transition from the surrounding low-rise residential uses. As the development continues west, proposed heights increase to 4 and 5 storey buildings, notably the 5 storey buildings feature a flat roof with a penthouse and rooftop garden/patio space.
- Currently, the Applicant has indicated the following with respect to building material (see Maps VI & VII):
 - 8-unit & 16-unit buildings: grey stone along the building entrances with dark grey vinyl siding wrapping around.
 - 24-unit building: grey stone along the entrance, primarily light grey vinyl siding with dark grey vinyl siding along the edges.
 - 36-unit building: dark stone along the entrance, primarily dark grey vinyl siding with tan vinyl siding along the pilasters.

- 37-unit buildings: two variations have been presented
 - Building A: dark stone along the entrance, primarily light grey vinyl siding with dark grey vinyl siding along the pilasters and brown wood lap/composite along the balconies.
 - Building B: grey stone along the entrance, primarily dark grey vinyl siding with light grey vinyl siding along the pilasters and brown wood lap/composite along the balconies.
- The MR-2 zone establishes a maximum building height of 14 metres and includes several building design standards including:
 - *i. An apartment building wall shall not exceed 40 metres in length unless that wall is segmented into portions no greater than 18 metres in length and offset by a minimum depth of 0.6 metres;*
 - *ii. The main public entrance to an apartment building shall be accentuated by one or more of the following design features: arcades, arches, awnings, pitched or raised roof forms, recesses or porticoes or similar design features;*
 - *iii. A building façade that faces a public street shall incorporate at least two different exterior building finish materials;*
 - *iv. Where there are multiple buildings on a lot, no more than two buildings shall appear the same with regard to overall design, architectural features, exterior building finish materials and colours; and*
 - *v. Where the end wall of a building faces a public street, the design and finish of that wall shall be similar to the wall containing the main entrance(s).*
- Staff would note that the building height and design of the proposed buildings are subject to further zoning review at the time of building permit application. Staff will work with the Applicant in refining the building design to ensure compliance with the above noted building design standards of the MR-2 zone.

Landscaping & Central Greenspace

- Recognizing that the proposed development represents significant intensification and abuts low-rise residential uses, incorporating separation and landscape buffering measures will be important to help mitigate any potential impacts. In Phase I, the proposed 8-unit two storey apartment building has been appropriately setback 7.5m from the southerly property line, with greater height and density in the 36-unit four storey building being setback much further at 35.52m. In addition to these setbacks, staff are recommending that a minimum 3-metre-wide landscape strip, consisting of coniferous and deciduous trees, shrubs or hedges being a minimum 1.5 metres in height at the time of planting and spaced no greater than 5 metres apart, be provide abutting lands within a low-rise residential zone. Staff would note that in accordance with the Municipal Plan, any healthy, mature trees that currently exist on site should be protected whenever feasible.
- In Phase II, a central greenspace surrounding a stormwater pond is proposed and would function as a key common amenity area and focal point for the proposed development. Staff are recommending that specific details surrounding the central greenspace, including walkways, vegetation, seating areas, and other amenities be provided as part of a detailed landscape plan. Staff will work with the Applicant to ensure that the central greenspace is a prominent feature of the proposed development.

Watercourse

- As the proposed development extends beyond Phase II, the existing watercourse plays an important role in shaping future phases. The 24-unit building in Phase II and the 37-unit in Phase III have been appropriately located outside of the 30 metre buffer from the watercourse. As part of this development, there is an opportunity for residents to enjoy the natural assets on site while they are preserved.
- As noted, while the watercourse location provides a natural buffer for Phases III & IV, it also creates a challenge for future phases given the need to extend the future public street, which would be dependent on the future approval of a watercourse and wetland alteration permit by the Department of Environment and Local Government along with the adjacent property owner. Staff will note that the Applicant made previous alterations to the existing watercourse in 2019, including the construction of a new channel northwest of the existing channel, which did receive the appropriate permitting from the Department of Environment and Local Government.

Access and Servicing

- Water and sanitary service to Phase I can be obtained directly from the frontage on Brookside Drive or from the future public street. Servicing for Phase II and subsequently phases is to be provided via the future public street. The stormwater management plan (SWMP) may be in two phases reflecting that Phase I and II are on the southeast side of the watercourse. The SWMP, to be prepared by a qualified professional engineer, must incorporate surface flow and attenuation from the new public street.
- Engineering & Operations request that the Applicant/Property Owner enter into a Section 59 Agreement with the City to address concerns regarding access and the future public street. The Development Agreement would address, but not limited to, the following:
 - Access to Phase I will be permitted via a new driveway on Brookside Drive (shown as being approximately 78 metres from Summerhill Row). No upgrades such as a left-hand turn lane will be required on Brookside Drive for this first phase.
 - Phase II cannot proceed until a street opposite Summerhill Row is built to City specifications and vested to the City as public. The end of the street must accommodate a bulb or temporary turn around on the Applicant's property or, with permission, partially on the adjacent property.
 - No residential occupation of any portion of Phase II may take place until the street is vested as public. When vested, the temporary driveway from Brookside Drive to Phase I is to be closed with the curb and sidewalk reinstated, and residents will be required to access the property using the public street.
 - The proposed public street to Phases III and IV cannot be built until approval of the adjacent owner is obtained, and a WAWA permit is applied for and received.

RECOMMENDATION:

It is recommended that the application submitted by Maritime Radon Control Ltd. to rezone the properties at 617-649 Brookside Drive from R-2 and R-5 to MR-2 to permit a phased multi-unit

development that would consist of 232 units and 8 apartment buildings over four phases be approved subject to the following terms and conditions:

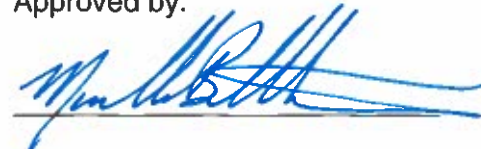
- a) The site be developed generally in accordance with Maps II, III, IV and V attached to P.R. 80/21 to the satisfaction of the Development Officer;
- b) Final building design be generally in accordance with Maps VI and VII attached to P.R. 80/21 to the satisfaction of the Development Officer;
- c) A minimum 3-metre-wide landscape strip consisting of coniferous and deciduous trees, shrubs or hedges being a minimum 1.5 metres in height at the time of planting and spaced no greater than 5 metres apart, be provided abutting lands within a low-rise residential zone to the satisfaction of the Development Officer;
- d) The central greenspace within Phase II be utilized and designed as a common outdoor amenity space to the satisfaction of the Development Officer;
- e) Healthy, mature trees that are currently existing on site be protected whenever feasible;
- f) A final landscape and parking plan be provided showing tree and shrub planting details, common outdoor amenity areas, parking lot paving/curbing and bicycle parking to the satisfaction of the Development Officer prior to the issuance of a building permit;
- g) Servicing, lot grading plan and storm water management plans (SWMP) are to be provided to the satisfaction of the Director of Engineering & Operations at time of the first building permit application;
- h) Local Government Service Easements, Public Utility Easements, Drainage Easements and any public stormwater ponds are to be located and designated to the satisfaction of the Director of Engineering & Operations;
- i) Local Government Service Easements, streets and public stormwater pond lots are to be granted gratuitously to the City of Fredericton;
- j) Storm oil-grit separators and backflow preventors are required;
- k) Record drawings be prepared by a Professional Engineering and required at completion of each phase of the development; and
- l) The Applicant/Property Owner enter into a Section 59 Development Agreement with the City to address access and the future public street.

Prepared by:

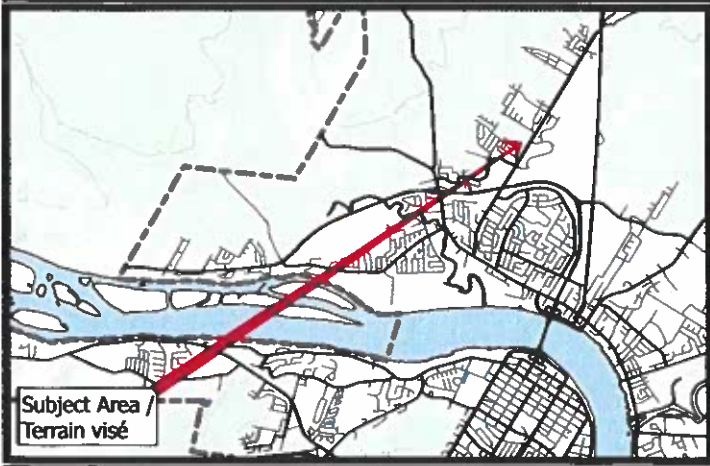
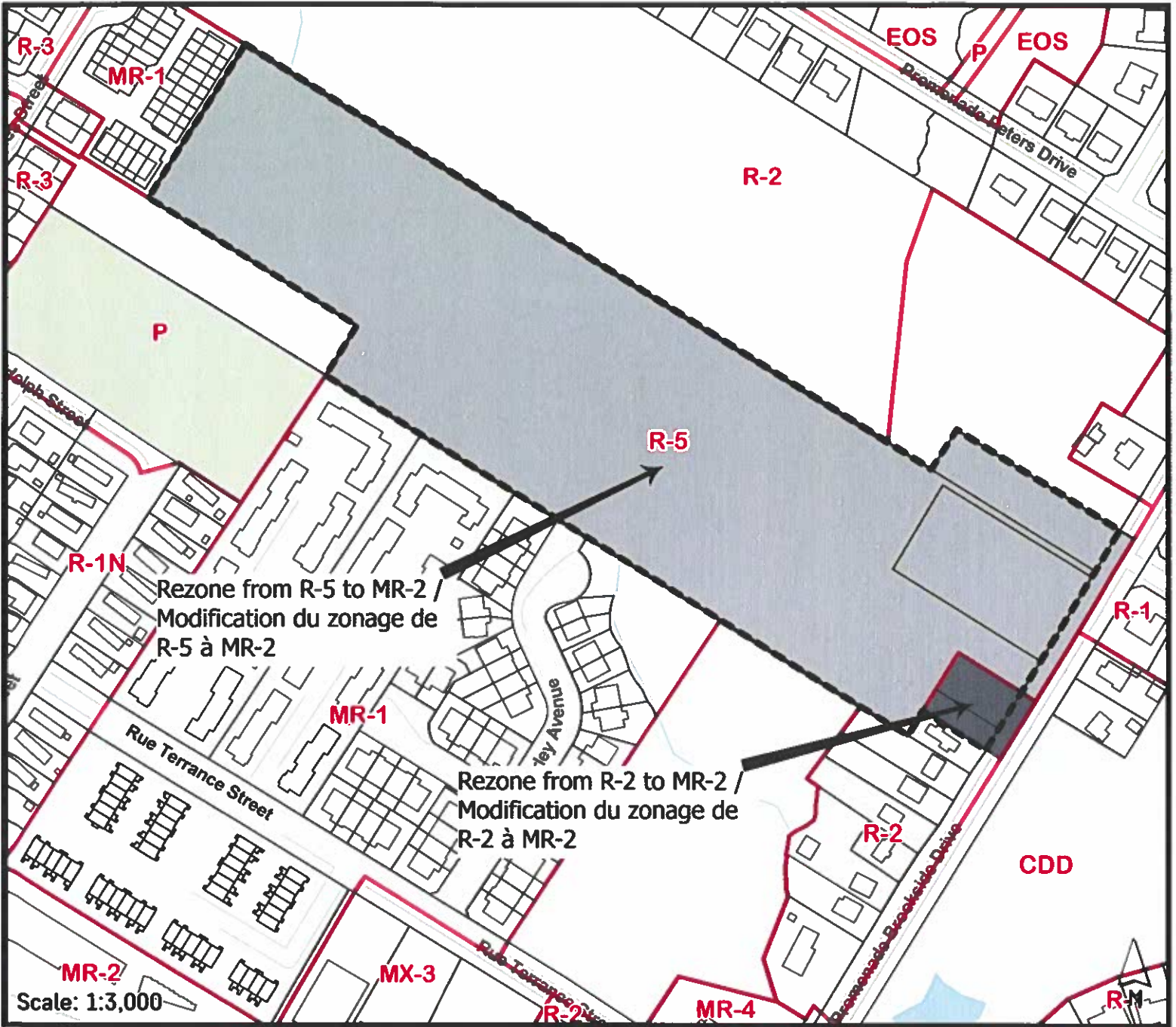


Fredrick Van Rooyen, MCIP, RPP
Planner, Community Planning

Approved by:



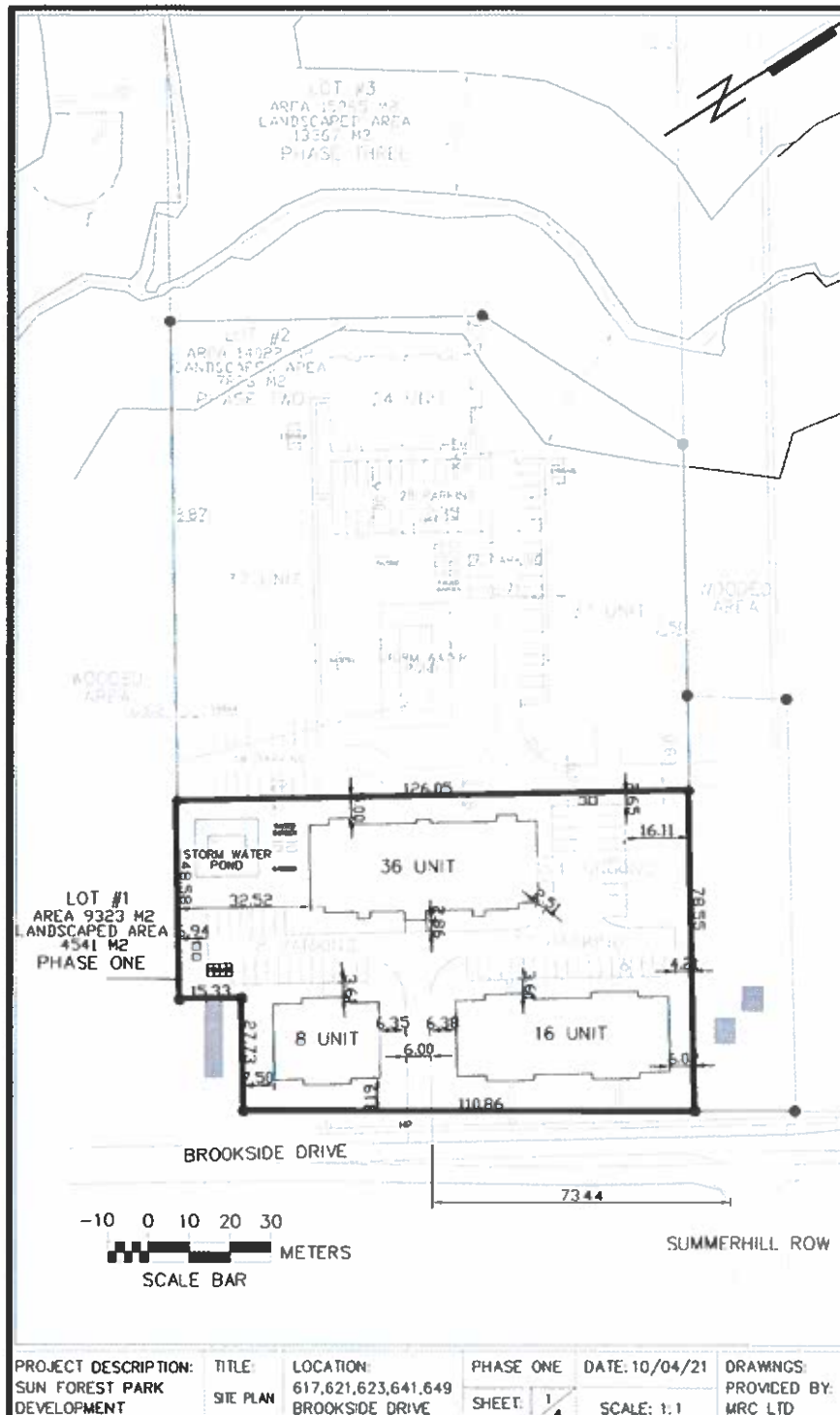
Marcello Battilana, MCIP
Manager, Community Planning



Subject Properties / Propriétés Visé

Rezone the properties at 617-649 Brookside Drive from R-2 and R-5 to MR-2 to permit a phased multi-unit development consisting of 232 units and 8 apartment buildings.

Rezoner les propriétés au 617-649 Brookside Drive de R-2 et R-5 à MR-2 afin de permettre un développement progressif de plusieurs unités comprenant 232 unités et 8 immeubles d'habitation.



Rezone the properties at 617-649 Brookside Drive from R-2 and R-5 to MR-2 to permit a phased multi-unit development consisting of 232 units and 8 apartment buildings.

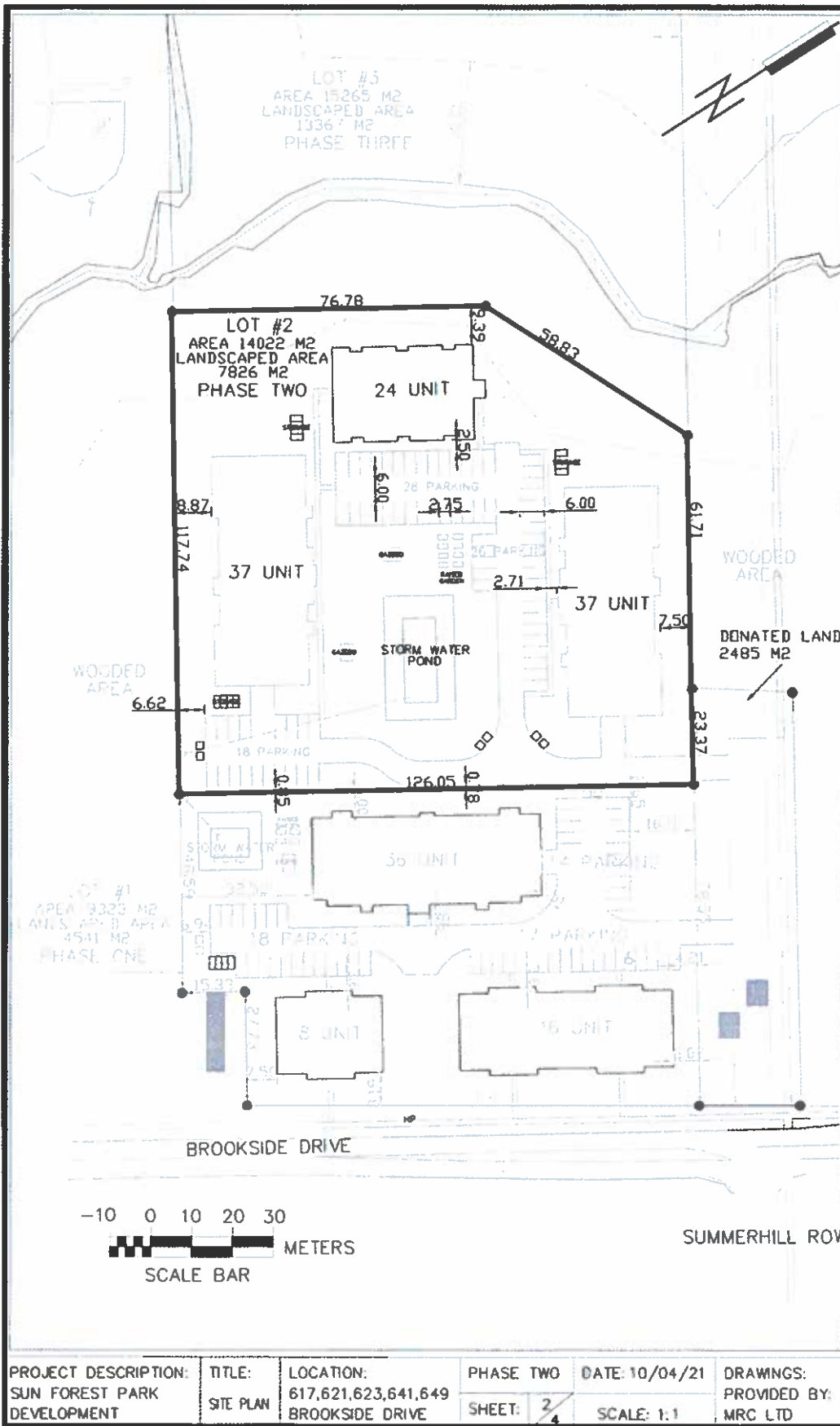
Rezoner les propriétés au 617-649 Brookside Drive de R-2 et R-5 à MR-2 afin de permettre un développement progressif de plusieurs unités comprenant 232 unités et 8 immeubles d'habitation.

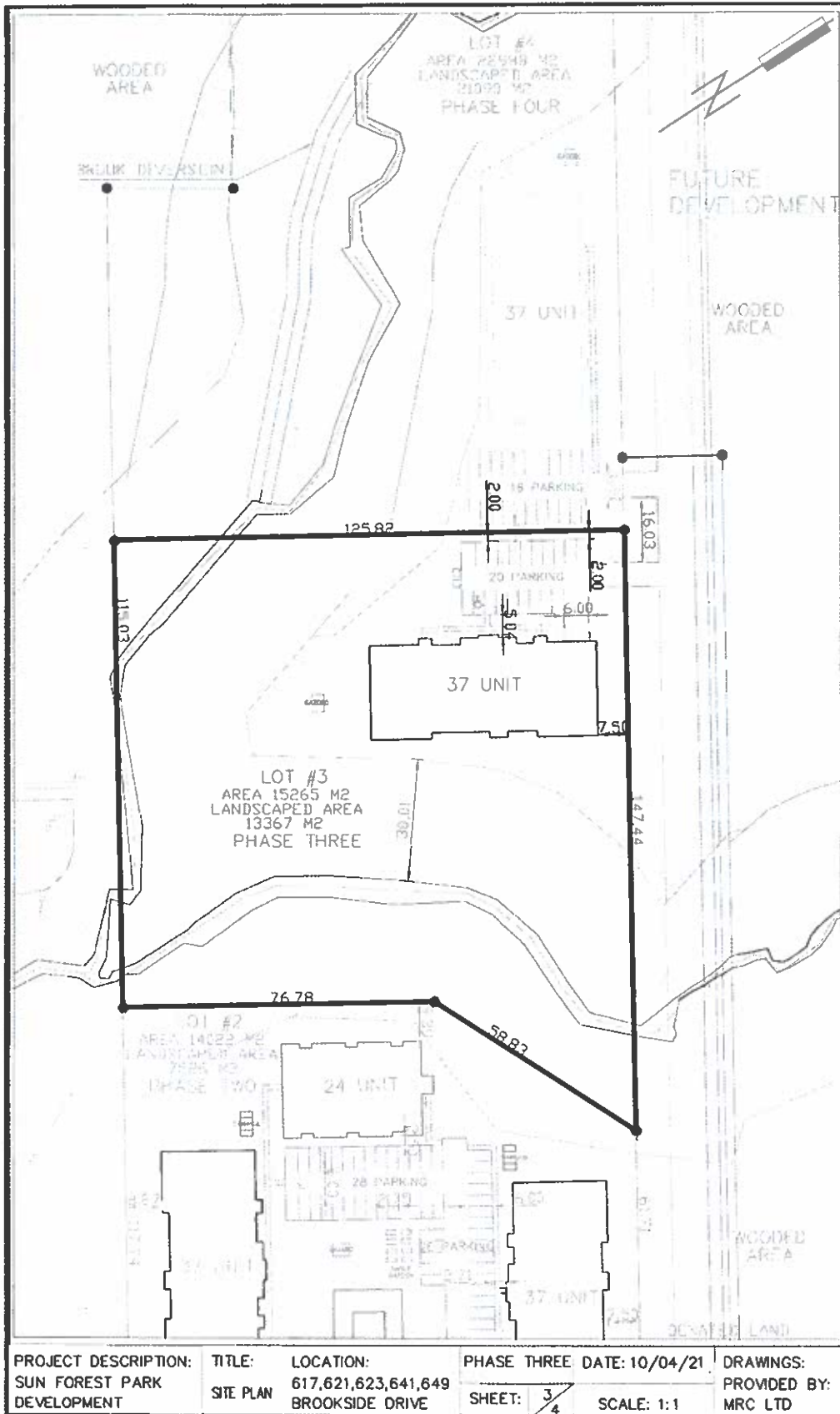
Site Plan - Phase 1 / Plan du site - Phase 1



Community Planning
Planification urbaine

Map \ carte # II
File \ fiche: PR-80-2021
Date \ date: novembre \ November 17, 2021
Subject \ sujet: prom 617-649 Brookside Dr.
Maritime Radon Control (MRC) Ltd.
c/o Andrew Colter



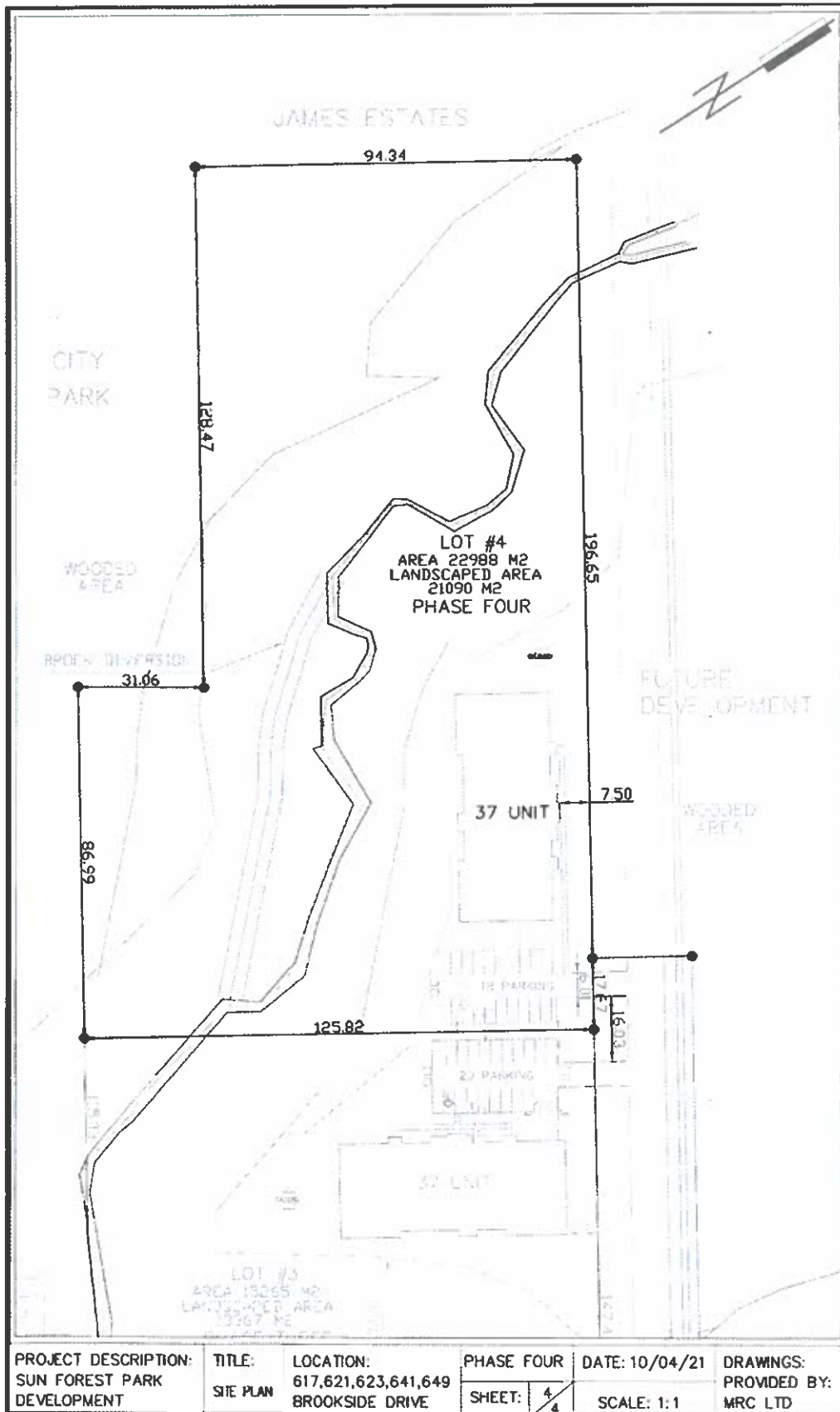


Site Plan - Phase 3 / Plan du site - Phase 3



Community Planning
Planification urbaine

Map \ carte # IV
File \ fiche: PR-80-2021
Date \ date: novembre \ November 17, 2021
Subject \ sujet: prom 617-649 Brookside Dr.
Maritime Radon Control (MRC) Ltd.
c/o Andrew Colter



Site Plan - Phase 4 / Plan du site - Phase 4



Community Planning
Planification urbaine

Map \ carte # V
File \ fiche: PR-80-2021
Date \ date: novembre \ November 17, 2021
Subject \ sujet: prom 617-649 Brookside Dr.
Maritime Radon Control (MRC) Ltd.
c/o Andrew Colter



8 Unit / 8 unités



16 Unit / 16 unités



36 Unit / 36 unités

Conceptual elevations - phase 1 / Élévations conceptuelles - phase 1



Community Planning
Planification urbaine

Map \ carte # VI

File \ fiche: PR-80-2021

Date \ date: novembre \ November 17, 2021

Subject \ sujet: prom 617-649 Brookside Dr.

Maritime Radon Control (MRC) Ltd.
c/o Andrew Colter



24 Unit Phase - 2 / 24 unités - Phase - 2



37 Unit - Phases 2 - 4 / 37 unités - Phases - 2 - 4



37 Unit - Phases - 2 - 4 / 37 unités - Phases - 2 - 4

Conceptual elevations - phase 2-4 / Élévations conceptuelles - phase 2-4



Community Planning
Planification urbaine

Map \ carte # VII

File \ fiche: PR-80-2021

Date \ date: novembre \ November 17, 2021

Subject \ sujet: prom 617-649 Brookside Dr.

Maritime Radon Control (MRC) Ltd.
c/o Andrew Colter