

## PLANNING REPORT



PAC – December 8, 2021  
File No.: S-21-21, Z-40-21, P.R. No. 86/21

**To:** Planning Advisory Committee

**From:** Fredrick Van Rooyen, Planner

**Proposal:** Rezoning to accommodate a school development; zone amendment to permit more than 1 main building on a lot; and tentative plan of subdivision for the extension of Cuffman Street, three new lots, land for public purposes, and a local government services easement

**Property:** 125 Cuffman Street (PID 75478792)

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**OWNER:** D.P. Developments Ltd.  
73 Theresa Street  
Fredericton, NB, E3A 0G1

**APPLICANT:** Department of Transportation and Infrastructure  
P.O. Box/C.P. 6000  
Fredericton, NB, E3B 5H1

### **SITE INFORMATION:**

**Location:** North side of Cuffman Street between Cliffe Street and Murray Avenue

**Context:** Assisted living facility to the west, low-rise residential uses to the east, vacant residential land to the north and south

**Ward No:** 4 & 5

**Municipal Plan:** New Neighbourhoods

**Zoning:** R-1N, R-2(H), R-3, R-5(H), MR-2

**Existing Land Use:** Vacant land

**Previous Applications:** P.R. 136/06, 65/13

### **EXECUTIVE SUMMARY:**

The Applicant is in the process of securing a site for a new elementary school on Fredericton's Northside. To accommodate the school development, the proposal involves three components. The first is to rezone a portion of the land to Institutional Zone One (I-1) for the school site and another portion to Environment and Open Space Zone (EOS) to recognize the existing watercourse location and land that would be taken for public purposes. The second component is a zone amendment to permit more than one (1) main building on a lot in the I-1 zone. The school site is considered oversized and permitting more than one (1) main building would allow for future development should the need arise. The third component is a tentative plan of subdivision for the extension of Cuffman Street, the creation of three new lots, land for public purposes, and a local government services easement.

The site is located within the Northeast future residential growth area, one of four growth areas identified in the Growth Strategy that will accommodate three quarters of the City's future residential growth. The site is also designated New Neighbourhoods in the Municipal Plan. With the existing and planned residential uses in the Northeast neighbourhood, staff are of the opinion that the proposed school will contribute to the creation of a complete community. Overall, the proposal complies with the zone standards in the I-1 Zone and meets the intent of the Growth Strategy and Municipal Plan. Staff support this application subject to terms and conditions.

### **APPLICATION:**

The Department of Transportation and Infrastructure has made an application on property located off an extension of Cuffman Street for the following:

- Rezone portions of PID 75478792 from R-1N to I-1, R-3 to I-1, R-5(H) to I-1, R-2(H) to EOS, R-5(H) to EOS, and MR-2 to EOS;
- Zone amendment to permit more than one (1) main building on a lot in the I-1 zone; and
- Tentative plan of subdivision for the extension of Cuffman Street, three new lots, land for public purposes, and a local government services easement.

### **PLANNING COMMENTS:**

Background:

- In 2006, a tentative plan of subdivision was approved for an extension of Murray Avenue (P.R. 136/06). While part of the extension was constructed, a portion running north-south was never built given the location of a watercourse. Consequently, a further extension of Murray Avenue in this location is not feasible and consolidating it with the lands being requested to be rezoned EOS is part of this application.
- In 2013, a rezoning and tentative plan of subdivision were applied for along an extension of Cuffman Street that included two R-1N lots, nine R-3 lots and six MR-2 lots (P.R. 65/13). While the rezoning was approved and changed the zoning boundaries based on a future extension of Cuffman Street, the subdivision was never registered and the extension was not constructed. This has resulted in outdated zoning boundaries that need to be adjusted for the proposed school site.

Proposal:

- The Applicant is proposing to construct a new elementary (K-5) school on the north side of Cuffman Street (see Map II). The planned school would be two storeys in height, 7,671 square metres (83,000 square feet) in size with classrooms, library, cafeteria, and gymnasiums. Design enrollment would be 500 students, with approximately 50 full-time employees. The site would include 105 parking spaces, including 20 parent drop-off spaces, a separate bus loop, playfield, bicycle parking and other typical school amenities. To accommodate the proposed school development, the proposal includes the following three components:
  - 1. Rezoning: The proposed rezoning serves two purposes, one to rezone of a portion of the land to Institutional Zone One (I-1) for the school site and two to recognize the existing watercourse location and land that would be taken for public purposes (see Map I). Given the zoning boundaries being based on an extension of Cuffman Street that was never constructed, the school site would need to be rezoned from R-1N, R-3

and R-5(H) to I-1. To recognize the existing watercourse location and land for public purposes, the lands would need to be rezoned from R-2(H), R-5(H) and MR-2 to EOS.

- 2. Zone Amendment: While the I-1 zone is appropriate for the proposed elementary school, this zone is used for other elementary and middle schools across the city, the school site is considered oversized and permitting more than one (1) main building would allow for future development should the need arise.
- 3. Tentative Plan of Subdivision: The proposed tentative plan of subdivision involves the extension of Cuffman Street, the creation of three new lots, land for public purposes, and a local government services easement. In order to connect the future school to the surrounding neighbourhood, an extension of Cuffman Street is required. The three new lots would include the school site (Lot 21-69) along with two lots for future residential development (Lots 21-70 & 21-71) on the east side of the land for public purposes (see Map III). Given the proposed location of the Cuffman Street extension, a local government services easement is also required as the location of the existing sanitary and storm services would encroach onto the proposed school site.

#### Growth Strategy:

- The site is located within the Northeast future residential growth area, one of four growth areas identified in the Growth Strategy that will accommodate three quarters of the City's future residential growth. These new neighbourhoods will contain or provide convenient, direct access to basic commercial amenities, parkland, and other community facilities, such as the proposed elementary school. With existing and planned residential uses in the Northeast neighbourhood, the proposed elementary school will contribute to the creation of a complete community.

#### Municipal Plan:

- The site is designated New Neighbourhoods in the Municipal Plan. This designation comprises areas of the city that are intended to accommodate substantial new residential growth in newly developed neighbourhoods, providing a range of housing types that meet a variety of needs. Growth within the Northeast community will bring a variety of new housing, multi-residential development combined with retail uses to create a Mixed-Use Node off Cliffe Street. Staff would note that as per section 2.2.1(26)(ii), schools are considered complementary and may be located in the New Neighbourhoods designation without a Municipal Plan Amendment.
- The proposal is consistent with the Municipal Plan's New Neighbourhood policy regarding neighbourhood design:

*2.2.1(24): Council shall seek to ensure that the design of New Neighbourhoods:*

*i. Fosters a sense of community and neighbourhood;*

*ii. Provides for the efficient use of land;*

*iii. Provides for the compatible mix of varied and innovative forms of housing and other uses;*

*iv. Provides for the efficient and economic extension and delivery of water and sewer services and utilities;*

*v. Provides for parks, schools and other community uses in central, convenient locations;*

- vi. *Minimizes the adverse effects of highways and other existing incompatible surrounding land uses;*
- vii. *Includes a hierarchy of streets that adequately and safely accommodates traffic flows and provides proper linkages to others areas of the city;*
- viii. *Promotes walking and cycling opportunities by providing trails; trail connections and interconnected street pattern designed to provide a variety of convenient walking routes;*
- ix. *Places particular emphasis on the needs of public transit;*
- x. *Minimizes adverse impacts on the environment; and*
- xi. *Includes a focal point or node, where appropriate.*

- The Municipal Plan also outlines policies specific to schools including:

*Section 3.2.1(2) Work with the provincial government in identifying appropriate locations for new schools, prioritizing locations that are central to the student population that they will serve over their lifespan to minimize the need for bussing, promote active transportation, and enable schools to function as multi-purpose facilities and community focal points.*

*Section 3.2.1(4) Facilitate the provision of new schools, as required, in all residential areas of the City.*

The application process has been collaborative between staff and the Province in identifying the subject site as an appropriate location to serve the existing and planned residential uses in the neighbourhood. As development along the future extension of Cuffman Street and the broader Northeast growth area progresses, there will be opportunities to establish clear and direct linkages to the school site, particularly for pedestrians and forms of active transportation.

This proposal is significant in terms of creating the conditions to maximize development of the Northeast growth area. More elementary school infrastructure is needed to support the anticipated growth in the area as there are already significant capacity issues in nearby schools. The central location of this site in relation to the growth area will allow the school to be the heart of the community. From a land use planning perspective, the Province should be commended for identifying a site that fully realizes the vision of the Municipal Plan.

**Zoning By-law:**

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

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Area (min)	900m <sup>2</sup>	105,800m <sup>2</sup> (10.58ha)
Lot Frontage (min)	30m	436m
Lot Depth (min)	30m	258m
<b>Building Setbacks (min)</b>		
Front (Cuffman St)	6m	22m
Side (west)	3m	15.5m
Side (east)	3m	76m
Rear	6m	139.9m
<b>Parking (min)</b>	1 space/employee + 5 spaces/100m <sup>2</sup> nfa (auditorium) 50 employees = 50 spaces 892m <sup>2</sup> auditorium = 44.6 spaces Total Required = 95 spaces	105 spaces

## Site Design:

- The I-1 zone is intended to accommodate institutional development at a scale that integrates sensitively with the surrounding residential neighbourhood. The school has been located as close to the street as possible but has been orientated to maximize the southern exposure. Accordingly, this is very much an urban school and has been designed to have a much more direct relationship with the street and neighbourhood. Unlike some other recent school developments, this build is much more pedestrian and bicycle friendly, and will help achieve broader environmental and health objectives.
- The I-1 zone includes site design standards related to walkway connections:
  - i) The main public entrance to each building shall be connected with a walkway to the public sidewalk or to the street where a future public sidewalk is to be constructed.*
  - ii) The connecting walkway:*
    - A) shall be hard landscaped surface*
    - B) shall be a minimum of 2 metres wide*
    - C) where it crosses a parking lot or driveway, shall incorporate a change in surface material, height or use of paint to distinguish the walkway from the parking lot or driveway surface.*
- As seen on Map II, two sidewalk connections are being shown to the Cuffman Street extension, one on the east side of the parking area and another on the west side between the parking area and the bus loop. Staff will work with the Applicant to ensure that once the Cuffman Street extension is constructed, walkway connections to the school site are appropriately integrated.
- With respect to parking, the site plan proposes 105 parking spaces, which includes 20 parent drop-off spaces. Based on the preliminary number of employees and the size of the gymnasiums, the parking for the school site would comply with the Zoning By-law. A final parking plan will be required at the building permit stage to ensure compliance.

## Zone Amendment:

- Staff are of the opinion that the I-1 zone is appropriate for the proposed school site as this zone is used for other elementary and middle schools across the city. However, with an area of 10.58 hectares, the proposed school site would be considered oversized and permitting more than one (1) main building would allow for future development should the need arise.

## Tentative Plan of Subdivision:

- **Cuffman Street extension:** In order to connect the future school to the surrounding neighbourhood, an extension of Cuffman Street is required. As noted on the tentative plan of subdivision, future street 'A' being the extension of Cuffman Street would be constructed and conveyed by D.P. Developments Ltd. to the City of Fredericton. The future street will be subject to the assent of Council once constructed. Staff will note that given the timeline of the school development, the Cuffman Street extension would be constructed well before the occupancy of the school.
- **School Lot (Lot 21-69):** As seen on Map III, with an area of 10.58 hectares, the Applicant is acquiring more land than required for the proposed school site. Although not part of this

application, staff and the Applicant have discussed the possibility of transferring a portion of the lands for future residential development. This has been indicated on the tentative plan of subdivision as future lots and a future street 'B' for context. Any further subdivision of the school site would be subject to a future application. Staff would note that the future street 'B' would replace the north-south extension of Murray Avenue that is not feasible given the watercourse location and that the future street 'B' would provide an important connection to the vacant lands to the north. Staff would also note that the proposed school site would include two lots that are currently owned by the City and dedicated as land for public purposes. Staff are prepared to surrender these two lots for equivalent land in a location that is more desirable, being part of the land for public purposes as shown on the tentative plan of subdivision. While the two lots were being held as land for public purposes, they were not intended to be used as such in the long term.

- **Future Development Lots (Lot 21-70 & 21-71):** Beyond the land for public purposes, the tentative plan of subdivision would establish two lots for future development; Lot 21-70 being 1.31 hectares and Lot 21-71 being 0.5 hectares including a potential future street 'C', which would be an extension of Stafford Drive. Staff would note that the two lots are currently zoned R-2(H) and R-5(H), the R-2 zone permitting single detached dwellings and the R-5 zone permitting a range of low-rise residential uses such as singles, semi-detached, and/or townhouses. The holding zone (H) currently applied to the lots indicates that the lands are considered premature for urban development due to location and/or lack of municipal servicing. Prior to any future development, the holding zone would need to be removed through a future zone amendment application. Staff would also note that the future street 'C' shown on the tentative plan of subdivision would require the assent of Council.
- **Land for Public Purposes:** As part of this application, 3.26 hectares would be dedicated as land for public purposes. This area would satisfy the public land dedication required for the entirety of the lands owned by D.P. Developments Ltd., which would include the school site and future residential development to the south. While a portion of the land for public purposes would include the existing watercourse, staff are recommending that the public land dedication be taken in the form of land and the area would be primarily used as passive open space for the public. Dedicating this land for public purposes will also help preserve the ecological function of the watercourse given the characteristics of the land.
- **Local Government Services Easement:** While the extension of Cuffman Street was never registered nor constructed, sanitary and storm services were constructed based on an old tentative plan of subdivision (P.R. 65/13). As the current tentative plan of subdivision has changed the location of the Cuffman Street extension, back to the original corridor identified in the Northeast Fredericton Master Plan, there would be sanitary and storm services that would encroach onto the proposed school site. The existing services would not interfere with the school development, but a local government services easement is required to ensure that the city has appropriate legal access for maintenance purposes.

#### Traffic & Pedestrians:

- Three schools are currently located within 700 metres of the proposed school site. Schools typically generate high volumes of traffic during peak school pick-up/drop-off times given the overlap of peak commuting traffic. As the D.P. Developments Ltd. property to the south is advanced through a future application, the broader road network will need to be examined to ensure that appropriate and clear connections are made to the school site.

Depending on the construction sequencing there should be a plan in place to ensure the school has sufficient access constructed.

Servicing:

- For the development of the school lot, access, servicing, lot grading and storm water management plans are to be provided to the satisfaction of the Director of Engineering & Operations. Public utility easements, all underground electrical/power conduit, and stormwater ponds are to be located and designed to the satisfaction of the Director of Engineering & Operations.
- All construction is to have full-time inspection by the Applicant's consultant with record drawings provided at completion. All municipal and stormwater infrastructure on the property will be maintained by the Applicant. Backflow preventers and storm oil-grit separators are also required.
- For development and construction of the streets on D.P. Developments Ltd property, all design, construction, inspection and record drawings are to the satisfaction of the Director of Engineering & Operations. D.P. Developments Ltd. will be required to construct new streets with services and vest them to the City to accommodate timing of the new school opening.

**RECOMMENDATION:**

1. It is recommended that the application submitted by the Department of Transportation and Infrastructure to rezone portions of PID 75478792 from R-1N to I-1, R-3 to I-1, R-5(H) to I-1, R-2(H) to EOS, R-5(H) to EOS, and MR-2 to EOS and a zone amendment to permit more than 1 main building on a lot in the I-1 zone, be approved subject to the following terms and conditions:

- a) The site be developed generally in accordance with Map II attached to P.R. 86/21 to the satisfaction of the Development Officer;
- b) A final landscape and parking plan be provided to the satisfaction of the Development Officer prior to the issuance of a building permit; and
- c) Access, servicing, lot grading and storm water management (SWMP) plans be provided to the satisfaction of the Director of Engineering & Operations prior to the issuance of a building permit.
- d) Public utility easements, all underground electrical/power conduit, and stormwater ponds are to be located and designed to the satisfaction of the Director of Engineering & Operations prior to the issuance of a building permit.

2. It is recommended that the tentative plan of subdivision submitted by the Department of Transportation and Infrastructure for the extension of Cuffman Street, three new lots, land for purposes, and a local government services easement be forwarded to City Council with a recommendation that the location of the public street be approved and the public land dedication be taken as land as shown on Map III.

**Additional Information:**

Pursuant to Section 75(1) of the Community Planning Act, the following terms and conditions will be imposed upon the subdivision by the Development Officer:


- a) A final plan of subdivision be submitted in accordance with Map III attached to P.R. 86/21 to the satisfaction of the Development Officer; and
- b) A local government services easement be registered on title for the proposed Lot 21-69 to recognize the existing location of sanitary and storm services; and
- c) Design, construction, inspection and record drawings for future street 'A', being an extension of Cuffman Street, are to be to the satisfaction of the Director of Engineering & Operations.

Prepared by:

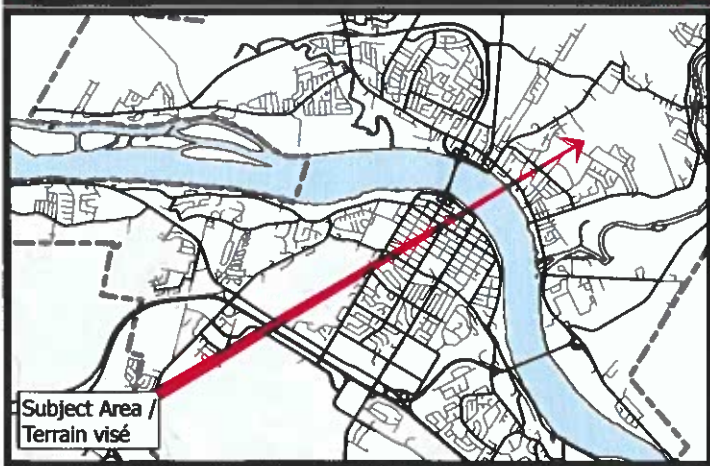
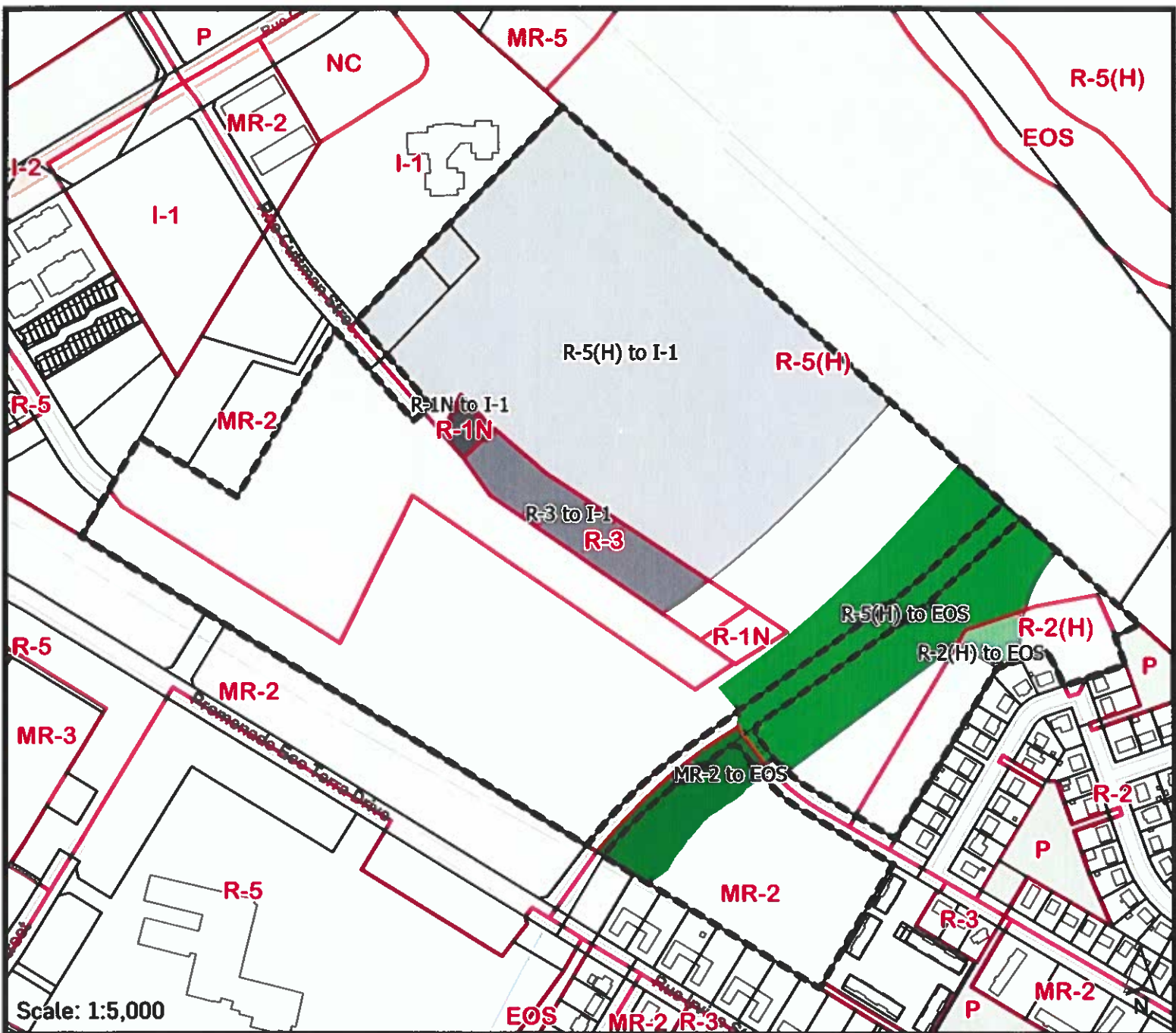


Fredrick Van Rooyen, MCIP, RPP  
Planner, Community Planning

Approved by:



Marcello Battilana, MCIP  
Manager, Community Planning



**Subject Properties / Propriétés Visé**

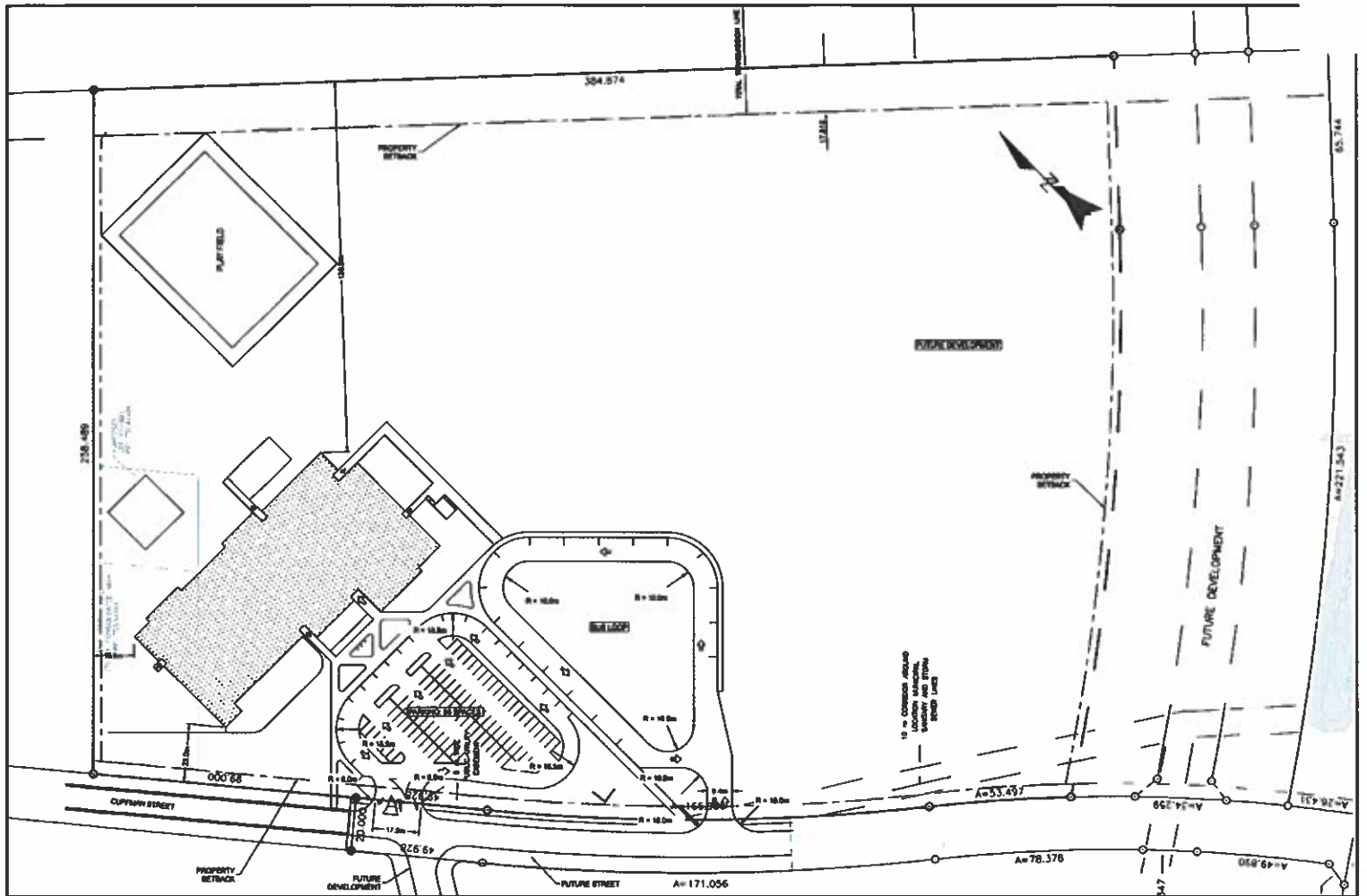
Rezone a portion of PID 75478792 from R-1N, R-3 and R-5(H) to I-1 and from R-2(H), R-5(H) and MR-2 to EOS; Amend the I-1 zone to permit more than 1 main building on a lot; and Tentative plan of subdivision for the extension of Cuffman Street, three new lots and land for public purposes.

Rezone une partie du PID 75478792 de R-1N, R-3 et R-5(H) à I-1 et de R-2(H), R-5(H) et MR-2 à EOS; Modifier la zone I-1 pour permettre plus d'un bâtiment principal sur un lot; et Plan provisoire de lotissement pour pour le prolongement de la rue Cuffman, trois nouveaux lots et terrains à des fins publiques.



Community Planning  
Planification urbaine

Map \ carte # I  
 File \ fiche: PR-86-2021  
 Date \ date: décembre \ December 8, 2021  
 Subject \ sujet: rue 125 Cuffman Street  
 Department of Transportation and  
 Infrastructure c/o Heather Copp



Rezone a portion of PID 75478792 from R-1N, R-3 and R-5(H) to I-1 and from R-2(H), R-5(H) and MR-2 to EOS; Amend the I-1 zone to permit more than 1 main building on a lot; and Tentative plan of subdivision for the extension of Cuffman Street, three new lots and land for public purposes.

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### Site Plan / Plan Du Site

**Fredericton**

Community Planning  
Planification urbaine

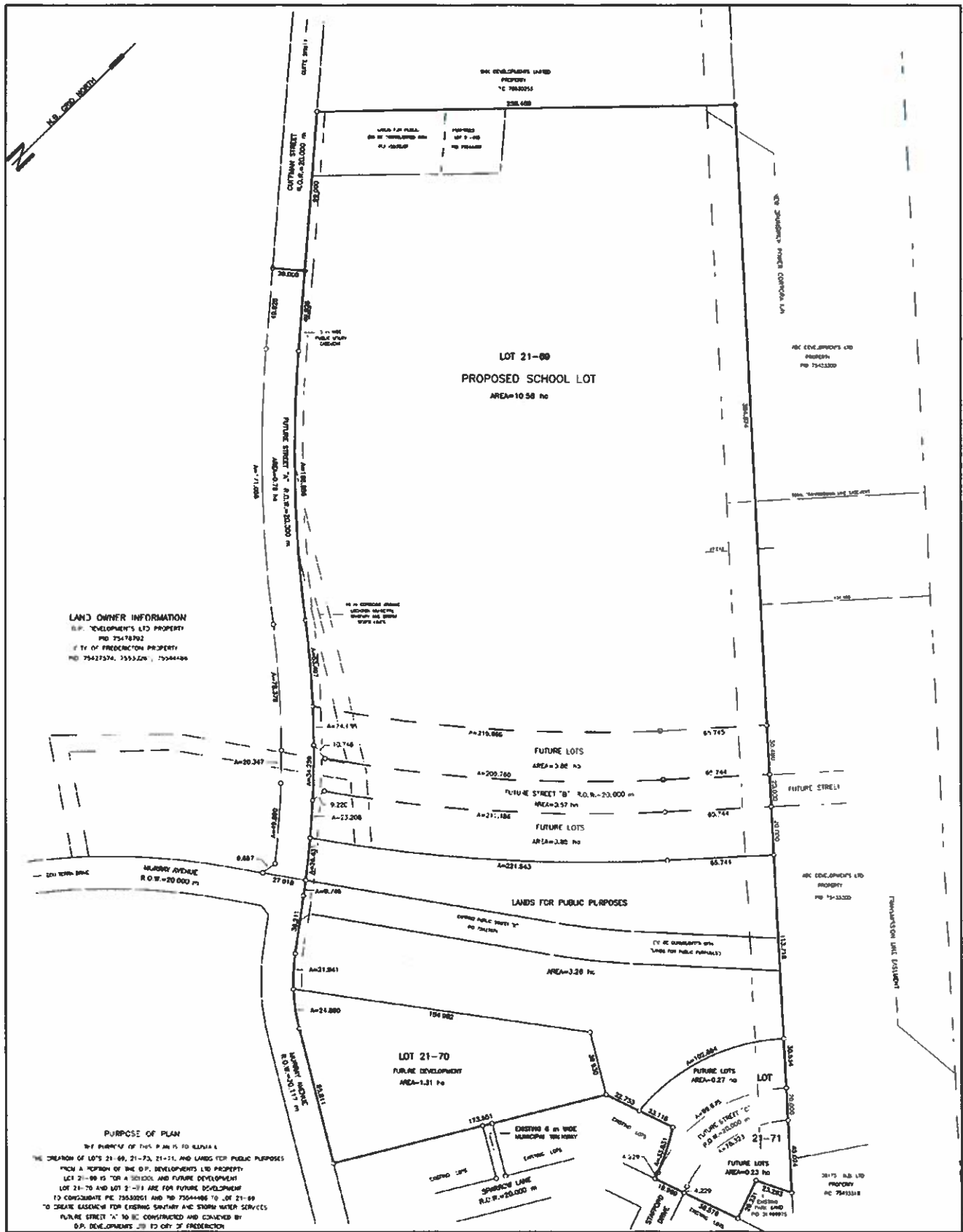
Map \ carte # II

File \ fiche: PR-86-2021

Date \ date: décembre \ December 8, 2021

Subject \ sujet: rue 125 Cuffman Street

Department of Transportation and  
Infrastructure c/o Heather Copp



**LAND OWNER INFORMATION**  
 O.P. DEVELOPMENTS LTD PROPERTY  
 PID 75478792  
 T.Y. OF FREDERICTON PROPERTY  
 PID 75427574, 75532261, 75484486

**PURPOSE OF PLAN**  
 THE PURPOSE OF THIS PLAN IS TO CLARIFY  
 THE CREATION OF LOTS 21-69, 21-70, 21-71, AND LANDS FOR PUBLIC PURPOSES  
 FROM A PORTION OF THE O.P. DEVELOPMENTS LTD PROPERTY  
 FROM A PORTION OF THE T.Y. OF FREDERICTON PROPERTY  
 LOT 21-69 IS FOR A SCHOOL AND FUTURE DEVELOPMENT  
 LOT 21-70 AND LOT 21-71 ARE FOR FUTURE DEVELOPMENT  
 TO CONSOLIDATE P.C. 75532261 AND T.O. 75444486 TO LOT 21-69  
 TO CREATE BASELINES FOR EXISTING SANITARY AND STORM WATER SERVICES  
 FUTURE STREET "A" TO BE CONSTRUCTED AND OWNED BY  
 O.P. DEVELOPMENTS LTD TO CITY OF FREDERICTON

**Tentative plan of subdivision / Plan provisoire de lotissement**



Community Planning  
 Planification urbaine

Map \ carte # III  
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