

## PLANNING REPORT



PAC – Nov 17, 2021  
File No.: Z-34-21 P.R. No. 72/21

**To:** Planning Advisory Committee  
**From:** Dallas Gillis, Senior Planner  
**Proposal:** Municipal plan amendment and rezoning  
**Property:** Portion of PID (PID 01424258) off Saint Mary's Street

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**OWNER:** 601557 NB LTD  
402 Saint Mary's Street  
Fredericton NB  
E3A 8H5

**APPLICANT:** Same c/o Jim Gilbert

### **SITE INFORMATION:**

**Location:** Land located in the rear of 402 Saint Mary's Street, in between Saint Mary's Street and Highland Avenue

**Context:** Vacant land in between commercial uses along Saint Mary's Street and low-density residential uses along Highland Avenue. Abutting City of Fredericton industrial land to the North. (bus garage)

**Ward No:** 4

**Municipal Plan:** Established Neighbourhood

**Zoning:** MR-2

**Existing Land Use:** Vacant

**Previous Applications:** Z/31/2000, PR: 121/00, PAC: Dec. 21, 2000, By-law Z-2.248, Z/52/2003 S/11/2004; V/19/2004 (PR: 36/04) S-11-2004, V-19- 2004, PR 36/04

### **EXECUTIVE SUMMARY:**

The applicant would like to consolidate a portion of PID 01424258, with his property at 402 Saint Mary's Street, where he operates an auto sales business. The 1215m<sup>2</sup> parcel abuts the rear of the auto sales property and is currently being used for parking to support the business. As the subject property is designated "Established Neighbourhood" in the Imagine Fredericton Municipal Plan and zoned MR-2, the parcel must be re-designated to "Commercial Centers and Corridors" and rezoned to COR-2, to be consistent with the property it will be added to at 402 Saint Mary's Street. The application reflects how the property is currently being used and Staff have no concerns with impacts on surrounding properties therefore, Staff supports this application subject to terms and conditions.

## **APPLICATION:**

601557 NB LTD c/o Jim Gilbert, has made application for a portion of property having PID 01424258 for the following:

- A municipal plan amendment to re-designate from “Established Neighborhood” to “Commercial Centers and Corridors”;
- A rezoning from Multi- Residential Zone Two (MR-2) to Commercial Corridor Zone Two (COR-2).

## **PLANNING COMMENTS:**

Proposal:

- The applicant would like to consolidate a 1215m<sup>2</sup> parcel with their auto sales business located at 402 Saint Mary's Street as shown on Map III. The parcel is currently being used for parking to support the auto sales business. The applicant has indicated he may build a storage building on the property for motorcycles and ATV's awaiting servicing in the future, but there are no immediate plans for construction.
- Parcel 21-A, as shown on Map III, abuts commercial uses along Saint Mary's Street to the west, City of Fredericton owned industrial land (bus garage) to the north, a mixture of low density residential and vacant land zoned Future Development (FD) to the east, between Saint Mary's Street and Highland Avenue, and the MR-2 remnant to the south. Use of the subject property for parking or for storage of vehicle awaiting servicing should not create any issues or impacts with surrounding properties and reflects how the property is currently being used.
- The subject property was re-designated from Commercial to Residential and Re-zoned in 2000 to support a multi-unit residential development of up to 108 units. In 2004, a tentative subdivision to create two lots including a frontage and lot area variance was approved but a final plan was never registered. With respect to this application the remnant of PID 014524258, would remain in the Established Neighborhood Designation and in the MR-2 zone. Based on the previously approved site plan associated PR No.36/04, the remnant lot could support a multi-unit development of approximately 60 units.

Municipal Plan

- The Imagine Fredericton Municipal Plan contains the following policy statement relevant to this proposal
  - (35)Commercial development is discouraged outside of the Commercial Centres and Corridors designation, as identified on Schedule 2 – Land Use Map, except for local commercial uses. If a proposal results in the expansion of a Commercial Centres and Corridors designation, the following criteria shall apply:
    - i. There is insufficient land designated as Commercial Centres and Corridors to accommodate the proposed development, and that it would be beneficial for the City's economy;
    - ii.The proposal is consistent with the intended function of the Commercial Centres and Corridors Designation;
    - iii.The impact on adjacent residential areas will be minimized through the appropriate use of setbacks, landscaping and site layout;

- iv. The proposal has adequate access to Arterial or Collector Roads of sufficient capacity to accommodate any increase in traffic;
- v. The proposal generates minimal traffic noise and lighting impacts on existing residential neighborhoods;
- vi. The environmental impact of the proposal is minimized;
- vii. Adequate provision is made for transit and pedestrian access;
- viii. There is provision of adequate parking;
- ix. sufficient servicing capacity is available; and,
- x. Other criteria as deemed appropriate by Council.

The proposal is consistent with the above noted policy, as the land is being used to support overflow parking from an existing commercial development along Saint Mary's Street, and the proposed use is consistent with the Commercial Centres and Corridors designation. Through terms and conditions staff will ensure any future storage building located on the subject property will be subject to the approval of the development officer, to ensure proper setbacks, scale and design. The proposed use of the land for parking and potential future storage off vehicle awaiting servicing, is consistent with the current use of the property and unlikely to present issues for surrounding properties.

#### Zoning By-Law

- Once consolidated with parcel 21-A, 402 Saint Mary's Street will have an area of 21183m<sup>2</sup>. The frontage will be unchanged, and there would be no by-law conformity issues with regards to lot area, frontage, or depth with the requirements of the COR-2 Zone. The remnant will be left with an area of 17260m<sup>2</sup> and will not lose any frontage. As previously noted, based on an approved development application (PR 36/04) the remnant parcel could still support a development of approximately 60 units.

#### Engineering and Operations

- The Department of Engineering and Operations had no comments or concerns with the proposal.

#### Analysis

- While there is a need for residential development, Staff believe this application better reflects the commercial/industrial context of the adjacent properties, while directing residential infill to the south portion of the lot.

#### **RECOMMENDATION:**

- Staff recommends that the application submitted by 601557 NB LTD for a municipal plan amendment to re-designate a portion of property having PID 01424258 from "Established Neighborhood" to "Commercial Centers and Corridors", and a rezoning from Multi- Residential Zone Two (MR-2) to Commercial Corridors ZoneTwo (COR-2) be approved subject to the following terms and conditions:
  - a) The site be developed generally in accordance with Map III attached to P.R. No. 72/21, to the satisfaction of the Development Officer;

- b) A detailed parking and landscaping plan be submitted with the any future building permit application to the satisfaction of the Development Officer;
- c) A tentative plan of subdivision to consolidate parcel 21-A, as shown on Map III attached to P.R. No. 72/21 with property at 402 Saint Mary's street, be submitted to the satisfaction of the Development Officer.

Prepared by:

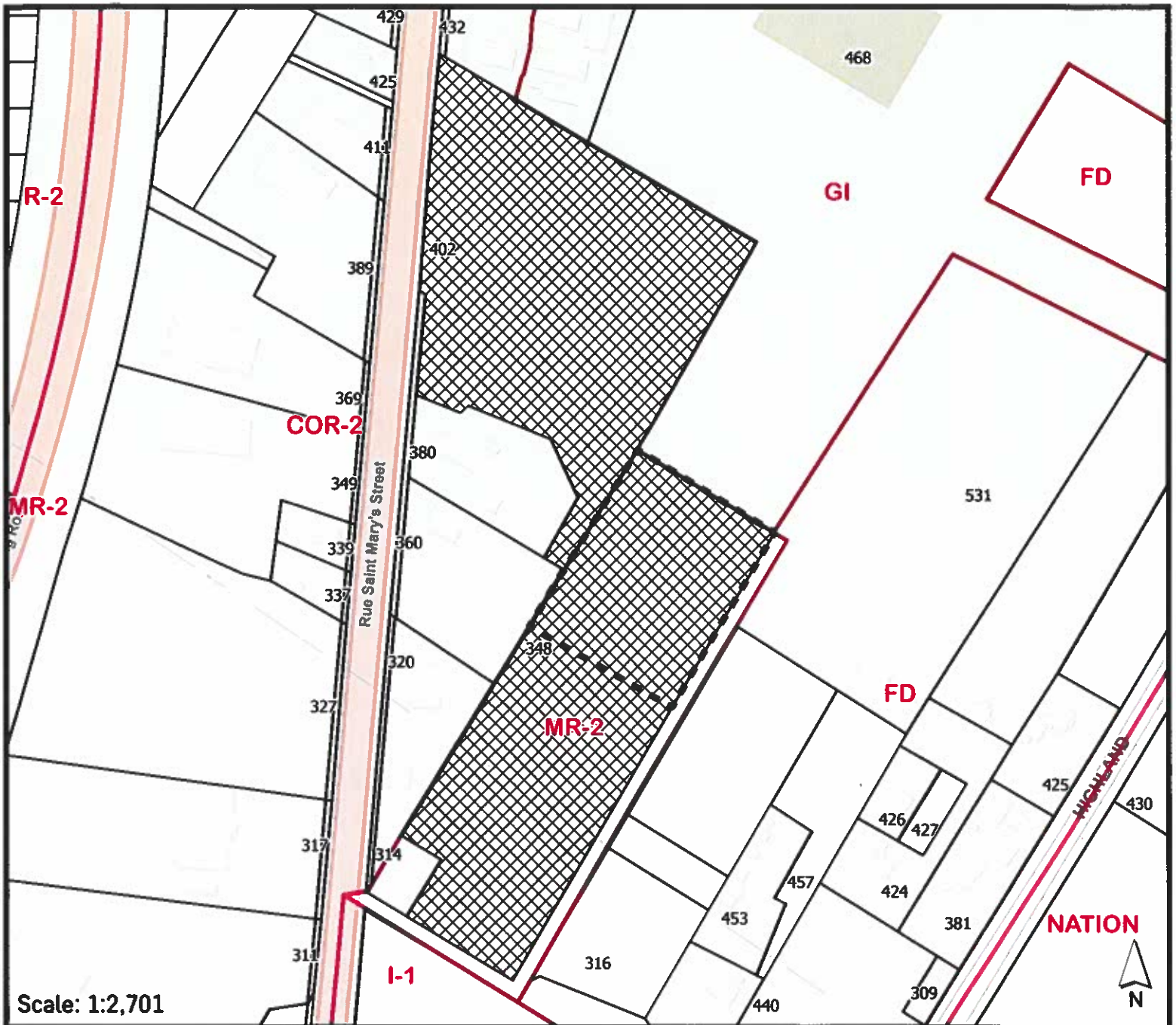


Dallas Gillis, MCIP, RPP  
Senior Planner, Community Planning

Approved by:



Marcello Battilana, MCIP  
Manager, Community Planning

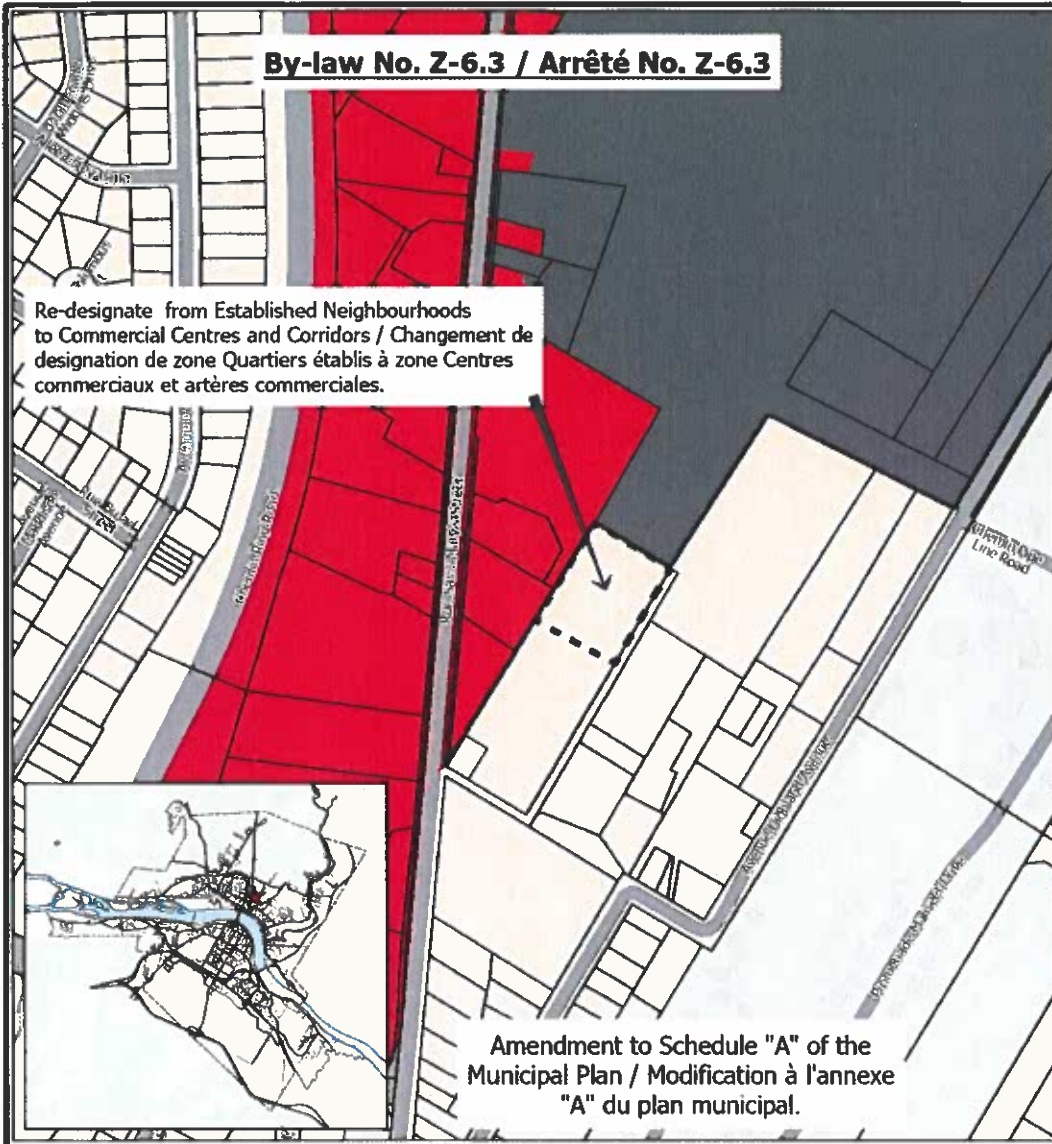


Scale: 1:2,701



Subject Area / Terrain visé

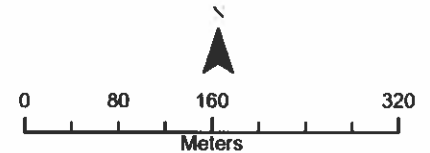
 Subject Properties / Propriétés Visé  
 Area to be rezoned/re-designated / Secteur à rezoner/redésigner  
 Municipal Plan Amendment required to re-designate portion of PID 01424258 from Established Neighbourhood to Commercial Centres and Corridors, rezone portion of PID 01424258 from MR-2 to COR-2 to support future consolidation with property at 402 Saint Mary's Street. Modification du plan municipal nécessaire pour changement une partie de la PID 01424258 designation de zone Quartiers établis à zone Centres et corridors pour le commerce, modification du zonage de MR-2 à COR-2 pour appuyer la consolidation future de la propriété située au 402, rue Saint Mary's.



**Fredericton**

Schedule B / Annexe B

rue 402 Saint Mary's Street



**Land Use Designations /  
Désignations d'utilisation  
des sols**

-  Established Neighbourhoods / Quartiers établis
-  New Neighbourhoods/ Nouveaux quartiers
-  Commercial Centres and Corridors/ Centres et corridors pour le commerce
-  Business and Industrial/ Utilisation industrielle et commerciale
-  Major Institutions / Utilisation institutionnelle
-  Parks and Open Space / Parcs et espaces ouverts
-  Rural and Agricultural / Désignation rurale et d'utilisation agricole

Compiled by Community Planning / Septembre, 2021  
Créée par les Plans, des tables en septembre, 2021

**Municipal Plan Amendment / Modification du plan municipal**

**Fredericton**

Community Planning  
Planification urbaine

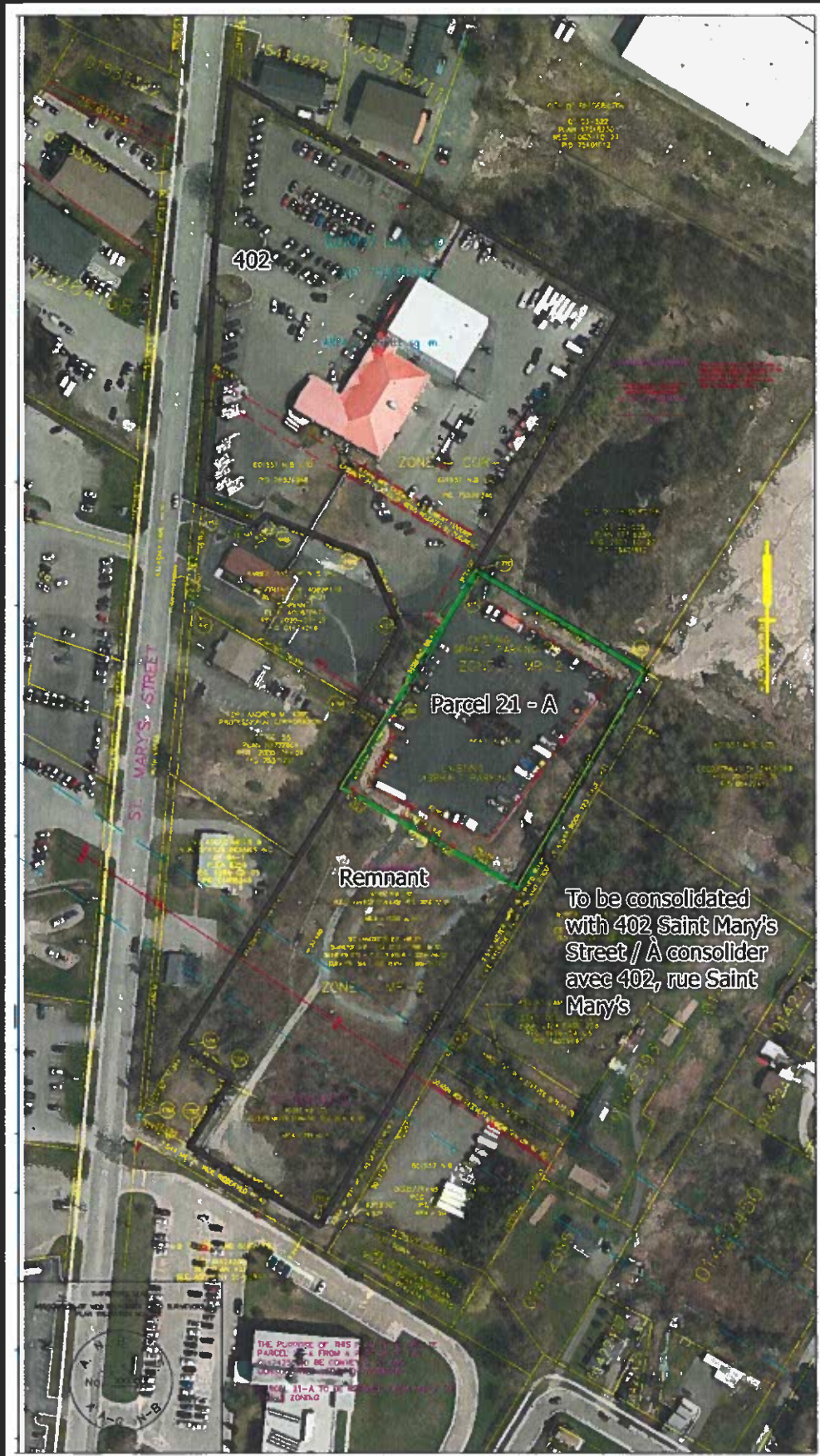
Map \ carte # II

File \ fiche: PR-72-2021

Date \ date: novembre \ November 17, 2021

Subject \ sujet: rue 402 Saint Mary's Street

Jim Gilbert



Municipal Plan Amendment required to re-designate portion of PID 01424258 from Established Neighbourhood to Commercial Centres and Corridors, rezone portion of PID 01424258 from MR-2 to COR-2 to support future consolidation with property at 402 Saint Mary's Street. Modification du plan municipal nécessaire pour changement une partie de la PID 01424258 designation de zone Quartiers établis à zone Centres et corridors pour le commerce, modification du zonage de MR-2 à COR-2 pour appuyer la consolidation future de la propriété située au 402, rue Saint Mary's.

Site Plan / Plan du Site



Community Planning  
Planification urbaine

Map \ carte # III  
 File \ fiche: PR-72-2021  
 Date \ date: novembre \ November 17, 2021  
 Subject \ sujet: rue 402 Saint Mary's Street  
 Jim Gilbert