

# ROTHESAY

PUBLIC HEARING AGENDA

Rothesay High School

Commencing at 7:00 p.m.

**Wednesday, September 14, 2016**



## **PUBLIC HEARING**

**7 HILLCREST DRIVE (PID 00257139 & 30048847)**

- 1. CALL TO ORDER** Instructions  
Public Hearing Policy (October 2014)  
Development Process summary (August 2016)

- 2. PUBLIC HEARING**

**Documentation**

22 August 2016

1<sup>st</sup> Section 68 advertisement

7 September 2016

2<sup>nd</sup> Section 68 advertisement

29 August 2016

Staff Report 7 Hillcrest Drive

DRAFT

By-law 2-10-27

Development Agreement

**Appearances:**

**Andrew McKay, Developer** (Presentation)

**Brian White, Director of Planning/Development Services**

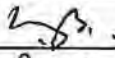
**Comments/Appearances:** Letters from residents (15) (*see map*)

- 3. ADJOURNMENT**

# ROTHESAY

## Policy

Topic:	Public Hearings
Application:	Rothestay Council and Staff

Date Prepared	1/10/01
Date Adopted by Council	9/10/01
Date Amended	09/2009 10/2014
Mayor:	
ACTING Town Manager:	B.W.

### BACKGROUND

The Community Planning Act, R.S.N.B. (1973), Chapter C-12 and amendments thereto, provides the procedure to be followed for Public Presentations (Section 25) and Public Hearings (Section 68), copies of which are attached hereto and identified as Schedule "A".

There is no provision within the Community Planning Act, supra for a deadline to accept written objections before the Public Hearing. Section 68(1) indicates the second required advertisement shall be no less than four (4) days prior to the date of the Public Hearing. It has been the practice of the Clerk's office to indicate in the advertisement written objections will be received until 4:00 p.m. the Thursday preceding the Public Hearing. However, the Council agenda deadline is 12:00 p.m. the Wednesday preceding the meeting, which occasionally causes confusion on the submission deadlines.

During the process, Council acts in a quasi-judicial setting. There is ample opportunity throughout the process for the public to express their views. Once the Public Hearing has been held, Council makes its decision based on the information received up to the date of the Public Hearing. Any information received subsequent to the hearing should not be taken into consideration in the decision-making process. In a legal context, this would be the same as a judge receiving additional information once a trial is over but before making his decision.

### POLICY:

This policy will be followed for all Public Hearings scheduled by Council, unless otherwise stated in provincial legislation. Advertisements shall be placed in the newspaper in accordance with Section 68(1) of the Community Planning Act, supra and shall indicate written objections will be received until 12:00 p.m. on the Wednesday preceding the Public Hearing.

Documentation received by the Town Clerk after 12:00 p.m. on the Wednesday preceding the Public Hearing will be distributed to Council members at the Public Hearing, immediately prior to the "Call to Order" of the Hearing. It shall be left to the discretion of Council to receive and/or consider the subsequent documentation received. In accordance with the Community Planning Act, supra Section 68(4) any person wishing to speak may do so at the Public Hearing.

Following the close of the Public Hearing, no further documentation or comments from the public will be received for consideration by Council, unless so requested by Council. Council members should disregard any information (email/correspondence/telephone) not received through the Town Clerk's office. Individuals submitting information directly to Council members (email/letters/phone calls) should be advised to contact the Town Clerk or Town Manager.

In accordance with the laws of natural justice, those Council members who were not in attendance at the public hearing shall be precluded from voting on the subject matter of the hearing.

The Public Hearing policy adopted by Council on October 9, 2001 (amended September 14, 2009) is hereby amended.

SCHEDULE A  
Public Hearing Policy

Excerpts from the Community Planning Act, R.S.N.B. (1973), Chapter C-12 and amendments thereto:

**25(1)** Before complying with the requirements of section 68 with respect to a municipal plan, a council shall publish a notice in a newspaper circulated in the municipality at least ten, and no more than fourteen, days prior to the day mentioned in paragraph (b), stating

- (a) the intention of the council to adopt a municipal plan;
- (b) the day and place for a public presentation by the council of the proposed plan;
- (c) that objections to the proposed plan may be made to the council within thirty days of the day of the public presentation.

**25(2)** Where a notice is published under subsection (1), any person may submit to the council written objections to the proposed municipal plan within the period mentioned in that subsection.

**68(1)** With respect to a by-law under this Act other than a by-law mentioned in paragraph 67(1)(a), the council shall

- (a) by resolution, fix a day and place for the consideration of objections to the proposed by-law, and
- (b) subject to subsection (7),
  - (i) if a daily newspaper is circulated in the municipality, publish twice a notice in the form described in subsection (2) of its intention of considering the enacting of the by-law, the first of such notices to be published not less than twenty-one and not more than thirty days before the day fixed pursuant to paragraph (a), and the second not less than four days and not more than seven days before such day, or
  - (ii) if a weekly newspaper is circulated in the municipality, publish twice a notice in the form described in subsection (2) of its intention of considering the enacting of the by-law, the first of such notices to be published not less than twenty-one and not more than thirty days before the day fixed pursuant to paragraph (a), and the second not less than four days and not more than eleven days before such day.

**68(2)** A notice under paragraph (1)(b)

- (a) shall set forth a description of the area affected by the by-law, which shall where feasible, in the case of a zoning by-law or zoning provisions in a rural plan under subsection 27.2(1), refer to street names and civic numbers;
- (b) shall state a place where and the hours during which the by-law may be inspected by an interested person, and the time and place set by the council for the consideration of written objections to the by-law;
- (c) shall set forth the person to whom written objections may be sent; and
- (d) may, in the case of an amendment or repeal, state briefly the reasons for it or an explanation thereof.

**68(3)** Where a notice has been published under paragraph (1)(b) in respect of a proposed by-law, the council shall

- (a) make suitable provision for inspection of the by-law by the public at the time and place set out in the notice, and
- (b) before enacting the by-law, hear and consider written objections to it.

**68(4)** Any person who wishes to speak for or against written objections is entitled to be heard at the time and place fixed pursuant to subsection (1) for consideration of such objections.

**68(5)** Where, subsequent to the publishing of a notice under paragraph (1)(b), the council substantially amends the proposed by-law, the provisions of this section apply *mutatis mutandis* to the amendment.

**68(6)** The council is not required to vote on the by-law on the day fixed under subsection (1) for the consideration of objections to it, but the by-law shall not become valid unless, within six months after the day that the first notice was published under subsection (1), it is

- (a) enacted, and
- (b) except a zoning by-law, subdivision by-law, building by-law, deferred widening by-law, controlled access street by-law or amendment to the zoning provisions in a rural plan under subsection 27.2(1), submitted for the approval of the Minister.

**68(7)** Where it is proposed to amend a zoning by-law or a rural plan under subsection 27.2(1) for the re-zoning of an area of land, the council is not required to publish a second notice under paragraph (1)(b) if

- (a) the owners of land within the area and within one hundred metres thereof, other than a person applying for the re-zoning, are advised in writing of the proposed amendment, or
- (b) a notice of the proposed amendment is posted in a prominent place on the property proposed to be re-zoned.



# ROTHESAY MEMORANDUM



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TO : Mayor Grant and Rothesay Council  
FROM : Town Clerk Banks  
DATE : 4 August 2016  
RE : Zoning By-law amendment Process

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The following summary and attached flow chart is being provided to give a brief overview of the Zoning By-law Amendment Process:

**1. Planning Advisory Committee (PAC) reviews application and provides written views to Council**

- As per section 66 of the Community Planning Act, Council is required to request written views of the PAC on the proposed by-laws before enacting amendments
- Planning staff prepare a report of the proposed amendments, with recommendations for PAC's consideration
- PAC meets the 1st Monday of every month to consider planning applications.

**2. Council conducts a public hearing to consider objections to by-law amendment(s)**

- All rezoning applications are subject to a public hearing before Council
- The hearing is advertised between 21- 30 days and 4-6 days before the scheduled hearing date
- Owners of all properties located within 100 metres of the subject property are notified of the public hearing by regular mail
- The purpose of the hearing is to consider any written objections submitted by members of the public. Any person may submit an objection and/or speak at the hearing
- Applicants also have the opportunity to present a summary of their proposal, and to address any concerns raised by objectors at the public hearing
- The public hearing is the last opportunity for Council to receive input from the applicant and the public before making a final decision on the bylaw. Once the public hearing has concluded, Council is not permitted to receive or consider any further representations on the bylaw unless another public hearing is held or additional information is requested from Town staff

**3. Council's decision to enact, deny or defer the by-law amendment(s)**

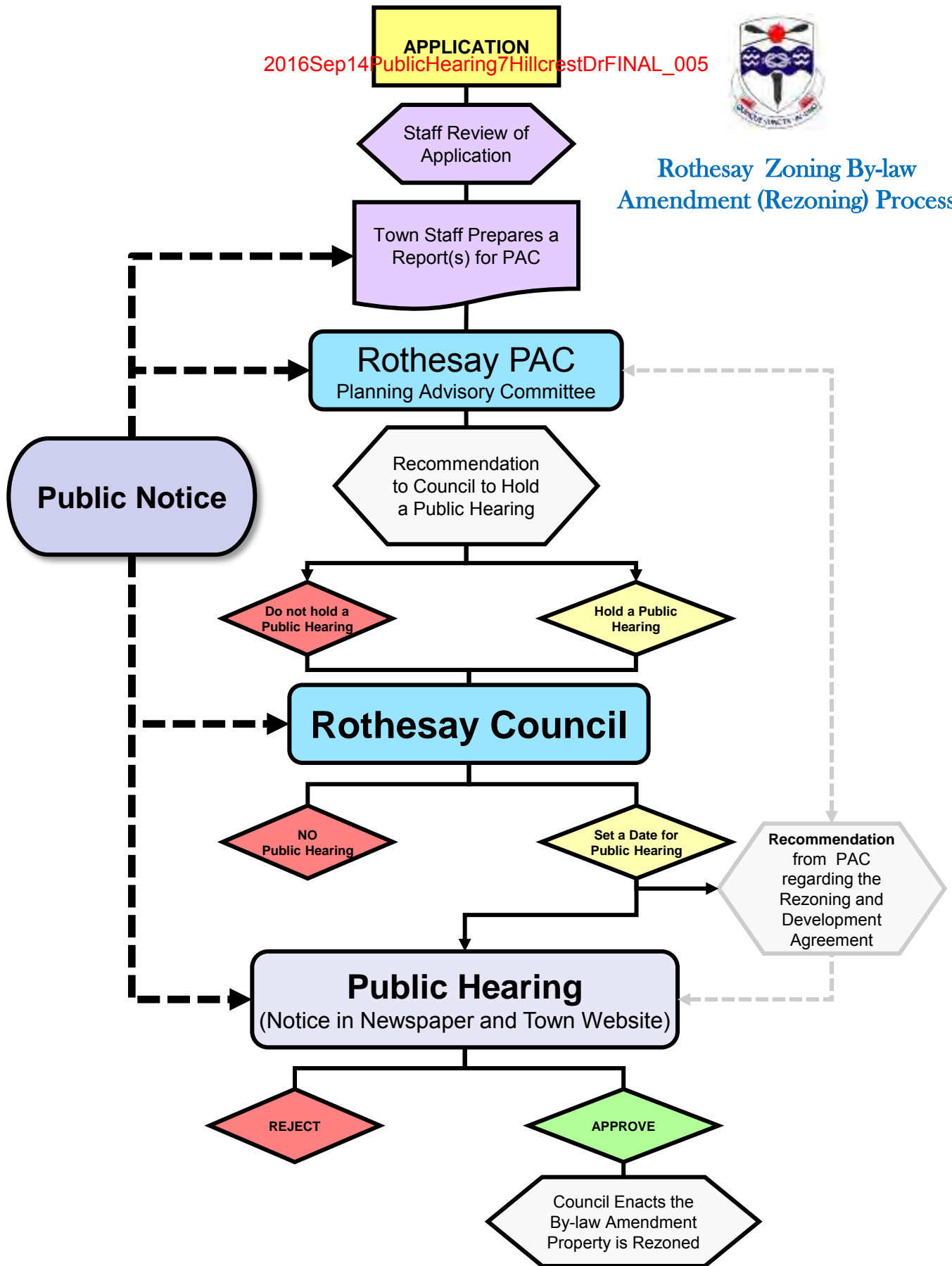
Council considers the input received at the hearing and decides to either:

- Allow the application to proceed by enacting by-law amendment(s); and development agreements (if applicable)
- Require that the by-law or development agreement be amended; or
- Deny the application

If Council decides to enact the by-law amendment, it is required to read the by-law, by title, three times over the course of two separate Council meetings, along with one reading in its entirety. First and Second reading by title may occur on the same night as the hearing; however, the third reading and enactment must be done at a separate Council meeting.



# Rothesay Zoning By-law Amendment (Rezoning) Process



Call toll free:  
1-877-562-3290

## REAL ESTATE SALES

### PRIVATE SALES



2 Bdrm house with basement apartment, + Garage, + Building lot w/ lg paved driveway, walking distance to Champlain Mall, on quiet street, no traffic, fridge/stove upstairs, fridge/stove washer/ dryer downstairs included. Located at 662 Charles St, Dieppe, New price at \$126,500. 506-955-3504 or 506-955-5352



3 bdrm bungalow in Head of Millstream, full basement, detached two car garage, asking \$130,000. For more info call: 433-5493 or 434-3395.

68x14, three bedroom mobile home. 5 major appliances, curtains and blinds included. Front and rear decks. Located at 28 Rosedale Rd, Waterville, NB. To be moved. Asking \$13,000. Ph: 696-4844 leave message if necessary.



### Duplex/House for Sale – by Owner Income Property

WEST – Near Dom. Park Beach. 2 bdrm, 1.5 bath, electric heat. City W/S. Same layout on both sides.  
\$149,900 506-607-5737

### APARTMENTS FOR RENT

## PARK PLACE APARTMENTS

Comfortable • Affordable • Maintenance Free  
EAST: Near McAllister Mall, Schools, Churches  
Bachelor \$540 1 Bedroom \$615  
2 Bedroom \$665 3 Bedroom \$730  
Includes: Laundry facilities & private balconies

2016Sep14PublicHearing7HillcrestDrFINAL\_006

## 5 WOODHOLLOW PARK East Saint John

**Brand New Elevator Building**  
2 bed, 2 bath, 9 ft ceilings, stainless steel appliances, granite countertop, garbage shoot, pet friendly, walking distance to major shopping centers.

**New Phase Only!**  
1 month free rent  
6 month free, cable and internet  
Costco Membership

Currently in a lease??  
We've got you covered!  
Call Watkins Property Management  
Ask about our senior's discount.  
506-609-RENT (7368)



## Villa Chaleur Bathurst NB

**Affordable and secure units for  
people 55 and older. Bachelors, 1 & 2  
Bedrooms available**  
**Many services on site:**

- Convenience store - unisex hairdresser - cafeteria with cooked meals available.
- Chapel - laundry rooms - storage area - 2 elevators.
- Doctor on site weekly.
- Premises include a vegetable garden and walking trail (1/4 mile).
- All units equipped with fire alarms, heat detectors, stoves and refrigerators.
- Many outside seating areas & tenant parking.
- Activities nightly (cards, bingo, music/dancing)
- Heating and lighting included

**Telephone (506) 549-5588**

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Clean - Quiet - Affordable  
No Security Deposit (some exceptions)  
North 183 Main St. 3rd Floor,  
2 Bdrm, \$640/mth. Includes: Electric Heat,  
Lights, HW. 657-7133

South 173 St. James St. 3rd Floor,  
2 Bdrm, \$660/Mth. Includes: Electric Heat,  
Lights, HW. 657-7133

South 175 St. James St. Bottom Floor,  
2 Bdrm, \$700/Mth. Includes: Electric Heat,  
Lights, HW. 657-7133



packages to help you sell  
your vehicle?

### TENDER/GENERAL NOTICES



## ROTHESAY PUBLIC NOTICE

In accordance with Section 68 of the Community Planning Act, R.S.N.B. (1973) Chapter C-12, and amendments thereto, PUBLIC NOTICE is hereby given that the town of Rothesay intends to consider an amendment to By-law 2-10, "Rothesay Zoning By-law" for 7 Hillcrest Drive (PIDs 00257139 & 30048847), under authority of Sections 34 and 74 of the Community Planning Act, supra, following a PUBLIC HEARING to be held on **Wednesday, September 14, 2016, commencing at 7:00 p.m., at Rothesay High School, 61 Hampton Road, Rothesay, New Brunswick.**

The purpose of the amendment is to consider the rezoning of lands located at 7 Hillcrest Drive (PIDs 00257139 & 30048847) from Single Family Residential - Large Serviced Zone (R1a) to Multi-Unit Residential Zone (R4) to allow for the development of a 65 unit condominium complex, subject to the execution of a Development Agreement in accordance with Section 39 and Section 101 of the Community Planning Act, supra.

The documentation can be reviewed at the Town Office, 70 Hampton Road, Rothesay, New Brunswick, between the hours of 8:15 a.m. and 4:15 p.m., Monday to Friday, exclusive of civic holidays. Written objections to the proposed AMENDMENT will be received by the undersigned until **12:00 p.m. Thursday, September 8, 2016.** Any person wishing to speak may do so at the **PUBLIC HEARING on Wednesday, September 14, 2016, commencing at 7:00 p.m.**

Mary Jane E. Banks, BComm  
Town Clerk - Rothesay

22 August 2016

## Sale of Decommissioned River Cable Ferries

Sealed tenders will be received by the Department of Transportation and Infrastructure on the date and the time shown for the sale of the river cable ferries listed below:

**ASSET NO. F44 –  
DECOMMISSIONED RIVER CABLE FERRY  
KINGS COUNTY  
NEW BRUNSWICK  
CLOSING DATE:  
SEPTEMBER 2, 2016 at 11:00:00 A.M.**

**ASSET NO. F46 –  
DECOMMISSIONED RIVER CABLE FERRY  
KINGS COUNTY  
NEW BRUNSWICK  
CLOSING DATE:  
SEPTEMBER 2, 2016 at 11:00:00 A.M.**

**ASSET NO. F48 –  
DECOMMISSIONED RIVER CABLE FERRY  
KINGS COUNTY**

**2016 Ford Fusion**  
All wheel drive, heated leather, navigation, sunroof, remote start, rear camera, beautiful car. Only \$24977

**2014 Honda CRV**  
All wheel drive, Extended honda warranty until nov 2023 or 160000 km, that's a great warranty. Brand new Michelin.

**2014 Chevrolet Equinox**  
All wheel drive rear camera, power seat, remote start 26000 km balance of 5 yr 160000 km \$22977.

**2014 Subaru Crosstrek**  
all wheel drive, heated seats. Subaru care extended warranty included. \$22977

**2013 Nissan Rogue**  
Front wheel drive, excellent condition inside and out, 69000 km balance of factory warranty until June 2018 or 100000 km. \$15977



2002 Ford Explorer XLT 4x4 auto, mint, good tires, licensed and inspected until June 2017 call 333-5727. \$2500 firm



For Sale: 2001 Dodge 1/2 ton V8 - 318 Lic & Insp - Solid Driver - \$1800 Call 659-2505



Pontiac G6 GT Convertible - One owner/well maintained. Fully loaded, dark grey, leather interior, automatic transaxle with manual shift mode, 4 winter tires withms, electronic rust controls, inspection/registration valid until April 2017. Asking \$9,500 obo, call after 6pm 506-658-9943



**GENERAL ITEMS UNDER \$500**

10' Craftsman table saw. \$150. Call 333-5727

Bee Sharp - Lawnmower TUNE-UPS On-site service. Ph: Bee Sharp, 763-2817

CASH- Buying Old Military and Hunting Rifles. Phone 696-8747 - Saint John

**EMPLOYMENT**

**Now hiring for our NEW LORNEVILLE location!**

# Tim Hortons

Imagine a job that fits your life.

As part of our team we offer you:

- Flexible hours
- Health benefits
- Comprehensive training
- Convenient locations
- Team Tim Hortons Scholarship Program
- Advancement opportunities

**Now hiring for full-time and part-time Management and Team Member positions**

Drop your resume off to us at our St. George, Hampton, Simms Corner or Lansdowne locations or email carla.lockhart@turltd.ca



**PRIVATE SALES**



Duplex/House for Sale - by Owner Income Property

WEST - Near Dom. Peak Beach. 2 bdrm, 1.5 bath, electric heat. City W/S. Same layout on both sides. \$149,900 506-607-5737



**APARTMENTS FOR RENT**

3 bdrm - laund, storage, prkg. East. Avail Oct 1 - call 635-1035 or 640-2782

**APARTMENTS FOR RENT**

**PARK PLACE APARTMENTS**  
Comfortable • Affordable • Maintenance Free  
EAST: Near McAllister Mall, Schools, Churches

Bachelor \$540	1 Bedroom \$615
2 Bedroom \$665	3 Bedroom \$730

Includes: Laundry facilities & private balconies  
2nd month FREE for New Tenants  
\$50/month discount for Seniors  
**PLEASE CALL 696-1440**

**EMPLOYMENT**

**HELP WANTED**

Company Name: David & Jennifer  
Company Address: Rothesay, NB, Canada.  
(E) vidkingalmond.com, (P) 1-506-654-3147

Title of Position: Nanny Job Duties: child care (primary), cleaning, laundry, cooking.

Terms of Employment: Full time, six month probation.

Wages: \$10.65 per hour, 40 hours/ week, 52 weeks/ year, less statutory withholdings made by the employer (income tax, CPP, EI). Pay will be bi-monthly (26 pay periods a year).

Benefits: Eligibility for a comprehensive benefits plan through Blue Cross (extended health, drug and dental) after successfully completing probation period.

Option for free room and board in employer's house. Two week vacation plus all statutory holidays in province of NB.

Skills Requirements: 2 years experience in child care/ cooking, valid CPR, First Aid.

**AVAILABLE IMMEDIATELY**

Two 2-Bedroom Apartments (Ground Level & 2nd Floor) \$775 Security Deposit

Sign a 12-Month lease and **Only Pay 1/2 Rent For First Month**

Everything is Included (Heat, Lights, Internet, Sat TV)

Laundry On Site. Free Parking. Walking Distance To Park Way and McAllister Mall. Smoke Free Building. Garbage And Snow Removal.

**Pets Negotiated For The Right Tenant**

Contact Sayeda 506-654-7137 or 506-652-3000

**TENDER/GENERAL NOTICES**

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Mary Jane E. Banks, BComm  
Town Clerk - Rothesay

**NOTICE OF MORTGAGE SALE**

TO: ANGELA CHARLOTTE CORMIER and DONVILLE EMERY CORMIER, Mortgagors

AND TO: ALL OTHERS TO WHOM IT MAY CONCERN

NOTICE is given under the Power of Sale in a Mortgage registered in the Kings County Land Titles Office on January 21, 2011 as Number 29721314 between Angela Charlotte Cormier and Donville Emery Cormier of Quispamsis, Kings County, New Brunswick, Mortgagors, and TD Financing Services Home Inc., Mortgagee.

The property known as 413 Gondola Point Road, Quispamsis, County of Kings, New Brunswick, and known as Parcel Identifier Number (PID) 247445 is to be sold at public auction at the Saint John Court House, 10 Peel Plaza, Saint John, New Brunswick on Wednesday, September 14, 2016 at 11:00 a.m.

If a sufficient offer of purchase is not received, the property will be withdrawn and will be sold by private contract.

DATED this 29th day of July, 2016.

TD FINANCING SERVICES HOME INC.  
By: LAWSON CREAMER  
Per: VERONICA L. FORD

Solicitors for:  
TD FINANCING SERVICES HOME INC.

Blue Hock Court with views of Harbour / Partridge Island. Appliances included and washer / dryer hook up. Free parking from \$825/m + heat and lights. Call: 333-6700

**LEGAL NOTICES**

**NOTICE OF MORTGAGE SALE**

TO: Jason David Floux, Owner(s) of the Equity of Redemption and Original Mortgagor(s) and Lisa Marie LeBlanc, Spouse of the Mortgagor(s); and to Citifinancial Canada East Corporation, Subsequent Encumbrancer, and to all others whom it may concern.

Under the provisions of the Property Act and a Mortgage registered in the Saint John County Land Titles Office on May 3, 2013 as Number 002571120 the following property will be sold at a public auction on October 7, 2016, at 11:30 A.M., local time, at the front entrance to the Saint John Law Courts, 10 Peel Plaza, Saint John, New Brunswick: PID 90294901- property located at 340 Point Road, Saint John, New Brunswick. The mortgage sale can be postponed without further notice.

AND FURTHER TAKE NOTICE that if a sufficient offer of purchase is not received for the above property at the public auction, the property may be withdrawn from the public auction and will be sold by private contract without further notice.

DATED August 26, 2016 by MCAP Service Corporation, through its solicitor Taylor MacLellan Cochrane, per Terry D. Kelly, 50 Cornwallis Street, Kentville, NS B4N 2E4, Ph: (902)678-6156, Fax: (902)678-6010



**To:** Chair and Members of Rothesay Planning Advisory Committee

**From:** Brian L. White, MCIP, RPP  
Director of Planning and Development Services

**Date:** Monday, August 29, 2016

**Subject:** Supplemental Report – Rezoning 7 Hillcrest Drive (R1A to R4)

<b>Applicant:</b>	Andrew McKay	<b>Property Owner:</b>	David E. Long, & Sharon A. Long
<b>Mailing Address:</b>	A.E. McKay Builders Ltd. 380 Model Farm RD Quispamsis, NB E2G 1L8	<b>Mailing Address:</b>	7 Hillcrest Drive Rothesay, NB E2E 5P6
<b>Property Location:</b>	7 Hillcrest Drive	<b>PID:</b>	00257139 & 30048847
<b>Plan Designation:</b>	Low Density	<b>Zone:</b>	Single Family Residential – Standard (R1B)
<b>Application For:</b>	Rezoning R1A to R4 Subject to a Development Agreement		
<b>Input from Other Sources:</b>	Director of Operations, KV Public Safety (Police & Fire)		

**Origin:**

An application by A.E. McKay Builders Ltd. under a purchase and sale agreement with David and Sharon Long to develop the land at 7 Hillcrest Drive ( PIDs 00257139 & 30048847) as multi-unit mixed density residential community. McKay Builders’ proposal is to develop a 65 unit residential condominium complex situated on a 3.85 acre corner lot at the intersection of Hampton Road and Hillcrest Drive. The development will consist of two 24-unit three story condo buildings with underground parking, and 17 single story garden homes (four 3-unit, two 2-unit, and one single family). The developer proposes to provide two private driveway access points to the development from Hillcrest Drive, located 65m and 115m from Hampton Road. (See Attachment A)



Figure 1 - Proposed Residential Development – 7 Hillcrest Drive



**Background:**

The subject land entails two large parcels 11,525.01 square meters and 4,045.99 square meters totaling 15,571m<sup>2</sup> (3.85 acres). The larger of the two parcels currently is occupied by a single family home while the smaller parcel is vacant. Both parcels are zoned Single Family Residential – Large Serviced R1A which permits residential dwellings on 2,000 square meter (½ acre) lots. The land is designated Low Density residential and the development proposal would not be permitted under the zoning by-law without Council’s approval.

Council’s ability to consider this proposal is enabled by Municipal Plan Policy 5.2.3 (h) which allows for this type of residential development through a rezoning and development agreement.

<b>Municipal Plan Policy 5.2.3 (h)</b>	<b>Staff Comment</b>
<i>(h) In any residential designation in this Plan, Council, through a specific agreement under section 39 of the Community Planning Act, will consider approving innovative development that does not meet the standards set out in the Zoning By-law where such development can be shown to meet the general intent of this Plan and the following special criteria as evaluated by Council:</i>	The subject property is designated residential and the proposal could be considered innovative as the only similar development to the proposal is Low Wood, with the difference being the inclusion of underground parking, pool, and architectural style.
<i>i. provides a housing option(s) not otherwise available in the community</i>	Condominium development of this scale and style is not commonly provided or found in Rothesay.
<i>ii. augments the quality of adjacent neighbourhoods</i>	The project is located on the edge of an established residential neighbourhood and is well designed with good quality materials and architectural treatments that reflect an uncomplicated New England Colonial-style of architecture. Most Colonial style construction will consist of square or rectangular footprints, symmetrical massing, and side-gabled or hipped roofs. The main condo buildings’ have a classic Colonial central front door with exterior wood shingle siding and simple wide white trim boards to distinguish building edges, windows and doors. The Colonial style also features a medium pitched roof with an added cupola feature.
<i>iii. provides high quality housing compatible with housing in adjacent areas</i>	The proposed assessment value of the garden homes at \$300k ± and condo apartment units at \$200k ± will be on par or higher than the average assessments in the area. Staff believe the overall architectural design appears to be high quality and compatible with homes nearest to the development and similar in scale to major nearby institutional buildings such as Town Hall, Churches and schools.
<i>iv. is fully serviced with municipal sewer and water</i>	The proposal will be fully serviced and the developer would be responsible for any necessary offsite upgrades required to service the project. Including a new fire hydrant as requested by the Fire Department.
<i>v. does not create excessive traffic in adjacent neighbourhoods</i>	The submitted traffic impact statement indicates low impacts and no operational issues.
<i>vi. offset increased densities through extraordinary landscaping and/or innovative design techniques.</i>	The proposal renderings show mature vegetation surrounding the property and Staff are encouraged by the renderings. The central feature of the design is a well developed landscape plan along Hampton Road that provides visual interest to both pedestrians and residents. A landscape plan will be attached to the development agreement.

## STAFF ANALYSIS

### **Traffic Impact:**

Staff requested and did receive a traffic impact statement from Crandall Engineering Ltd. that includes a summary statement as follows:

*“In summary, traffic generated by the proposed 65-unit condominium development is not expected to cause operational issues to the existing street network. Traffic impacts to Hillcrest Drive will be low given the close proximity of the development to the Hampton Road/Hillcrest Drive intersection. Very little development traffic would be expected to travel east on Hillcrest Drive. No upgrades will be required at the Hampton Road/Hillcrest Drive intersection.”*

The Director of Operation notes that the brief includes an overview of the impact that traffic generated by the development will have on existing volumes, patterns and level of service and as the Town’s engineer he concurs with the findings of Peter Allaby (Crandall Engineering) that this development will have negligible effects on the same.

### **Municipal Services & Stormwater:**

The Director of Operations has reviewed the submitted technical documents from Dillon consulting engineers regarding the proposed storm water management and the site servicing plan. The design brief includes a preliminary servicing scenario for the development including:

- water service lateral locations,
- sanitary sewer flows, required pipe sizes and impact on existing downstream infrastructure, and
- stormwater management concept plan.

The water service section of the design brief does not identify the pressure zone and pipe size of the area infrastructure that would support the development nor does the brief outline the expected operating pressure of the system within the individual units/buildings. The water main that would service this development is a cast iron main of 1960’s vintage. The Operations department has concerns that such a pipe would be unable to handle the increased operating pressure necessary to sustain the demand from the proposed 65 unit development. Further discussion between the Town and the Developer is required in order to fully understand the implications of this servicing constraint.

The sanitary sewer on Hampton road has a theoretical peak capacity of 50 LPS. The current peak loading in the system is 27 LPS and the combined flow from the proposed building will increase that peak flow by 10 percent. The additional flow is not expected to have a negative impact on the operation of the system as a whole.

The storm water management plan proposed by Dillon Consulting on behalf of A.E. MacKay was predicated on industry accepted (design) return period storms. Hydrologic modelling was used to determine the current and future flows. The model showed the post development flows to be greater than the pre-development flows therefore the design brief contained methods to buffer additional flows and achieve a net zero result. The numbers have not been checked manually, however the methods are the same as would be used if the Town were designing the system. The design brief did not propose “staging” measures to mitigate runoff from the site during construction prior to completion of the permanent buffering measures. Further discussion between the Town and the Developer is required in order to fully understand the build-out schedule and how downstream residents will be protected from adverse effects during construction.

**Public Safety:**

Staff have forwarded the application to both the Kennebecasis Regional Police Force and Kennebecasis Valley Fire Department for review. The fire department observed that the access routes appear to comply with the fire truck access requirements of the National Building Code (Section 3.2.5.6) and that they have no specific objections to the site lay-out. The Department is requesting the addition of a new fire hydrant located at the entrance to the parking lot of the two 24 unit condo buildings. At present the two nearest hydrants to the site are on the opposite side of Hampton Road from the development. Based on the existing hydrant layout, any incident requiring a water supply for firefighting will necessitate the closure of Hampton Road for the duration of the event. Installing a new hydrant on Hillcrest Drive near the parking entrance would permit the fire department to service the entire development more effectively. Staff have forwarded the request to the applicant and their civil engineers.



Figure 2 - Proposed New Hydrant Location

**Lot Size:**

The R4 zone allows development of apartments and attached housing at the highest density permitted by the Rothesay Municipal Plan, which is 20 units per acre. The proposed site location includes two large properties 11,525.01 square meters and 4,045.99 square meters totaling 15,571m<sup>2</sup> (3.85 acres). Therefore, the maximum allowable density for the property would be 77 units (calculated as 3.85 acres x 20 units/acre). The applicant’s proposal of 65 units is 15.6% under the maximum allowable density in the R4 zone.

**Setbacks:**

The proposed apartment and townhouse buildings are shown on the attached site plan. The buildings comply with all the applicable minimum yard setback standards for the front, rear and major side yard as well as the separation setbacks between garden homes.

**Parking:**

The R4 zone requires 1.3 parking spaces for 1 and 2 bedroom apartment condo units. To accommodate a proposed density of 48 apartment condo units would require 62 parking spaces the proposed concept plan shows 24 surface parking spaces and 48 underground spaces for a total of 72 parking spaces. The garden homes all have attached garages and driveways.

Staff note that the proposed underground basement parking garage has multiple benefits and is the optimum higher-density parking solution in terms of meeting multiple objectives, such as:

- A. **Parking:** accommodates more parking than otherwise possible on a higher density sites;
- B. **Outdoor Space:** More site area to serve as an outdoor space amenity for residents, instead of being devoted to driveways and parking;
- C. **Environmental:** Reduced site area devoted to paved areas, while increasing opportunities for landscaping.
- D. **Minimal Disruptions to Sidewalk:** Hampton Road is the main pedestrian corridor for Rothesay. The safety of sidewalks is diminished when there are frequent interruptions by driveways, which bring more potential for vehicle-pedestrian conflicts. The development proposal minimizes disruptions to the Hampton Road sidewalks by providing a single point of access to parking from Hillcrest Drive, instead of separate front driveways for each unit off Hampton Road.
- E. **Resident Safety:** Underground parking provides residents with convenient all weather access to their vehicles within a monitored secured building.

**Building(s)**

The Municipal Plan policy allows Council to consider roof type and pitch when considering a rezoning to R4; the elevations submitted indicate a common wood construction building with shingle siding, trim and a pitched roof. The

proposed apartment condo buildings would be required to comply with the R4 zone maximum building height of 15m. The proposed development agreement includes the following:

“8. *The Developer agrees that an objective of this development is to provide a high quality and visually attractive development which exhibits an architectural design that reinforces the character complement existing housing and to be generally consistent with the existing styles of Rothesay. The Developer agrees to ensure the following:*

- a. *The architectural design of the buildings shall be, in the opinion of the Development Officer, generally in conformance with Schedule D.*
- b. *The building plans shall have similar features, such as roof lines, facade articulation (projections/recesses), fenestration, primary exterior wall colour or materials or roof colour, etc.*
- c. *The building facades shall include design elements, finishing materials and variations that will reduce any perceived mass and linearity of large buildings and add architectural interest*
- d. *The building design should reflect the use of appropriate high quality materials and architectural expressions to reduce the impact of height, bulk and density on adjacent lower density development and contributes to the visual enhancement of the area.*
- e. *All ventilation and related mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building framework.”*

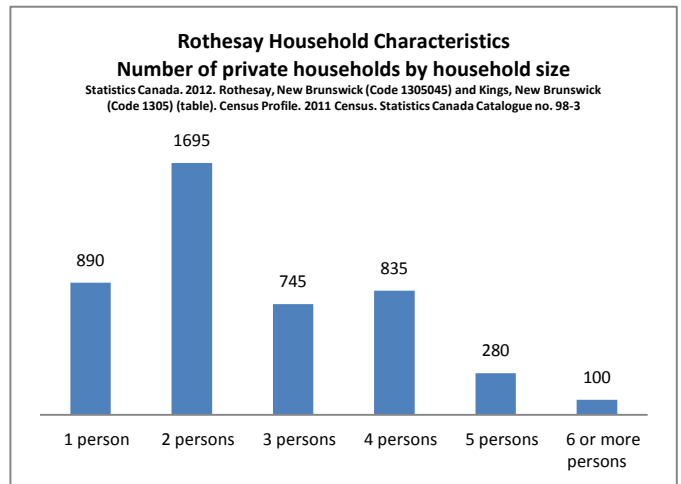
**Area Compatibility**

The property location is a corner lot on Hillcrest and Hampton Road. The area can be classified as a transitional area in that the property is surrounded by single family residential homes in what was previously known as the Hillcrest Park Subdivision dating back to 1969. The property also fronts on what was known as NB Provincial Highway No.9 the “old Hampton Highway”. Today Hampton Road is still a provincially designated highway that is characterized as Rothesay’s “mainstreet”.

The proposed higher density multi-unit apartment buildings and added population will reinforce the pedestrian amenities on Hampton Road and support the existing churches, schools and businesses in the general area. Also interesting to note that as our population ages and household sizes shrink this form of higher density becomes increasingly the preferred housing option as referenced below:

*In Canada, the majority of people live in a single-family home, and this is also the case for seniors. However, the proportion of seniors living in this type of dwelling is substantially lower among older age groups. In 2009, 53% of people aged 85 and over lived in a single-family home, compared with 71% of people aged 75 to 84, 70% of people aged 65 to 74 and 75% of people aged 55 to 64.*

*These statistics are reflected in the residential density of the neighbourhoods where the oldest seniors live. The proportion of people aged 85 or older who lived in a high residential density neighbourhood—that is, the neighbourhood category with the highest proportion of apartment dwellers—was 31%. By comparison, the proportion was 21% in the 65-to-74 age group.<sup>1</sup>*



<sup>1</sup> Profile of Seniors’ Transportation Habits, by Martin Turcotte; Canadian Social Trends : Component of Statistics Canada Catalogue no. 11-008-X, January 23, 2012

**Scale and Density**

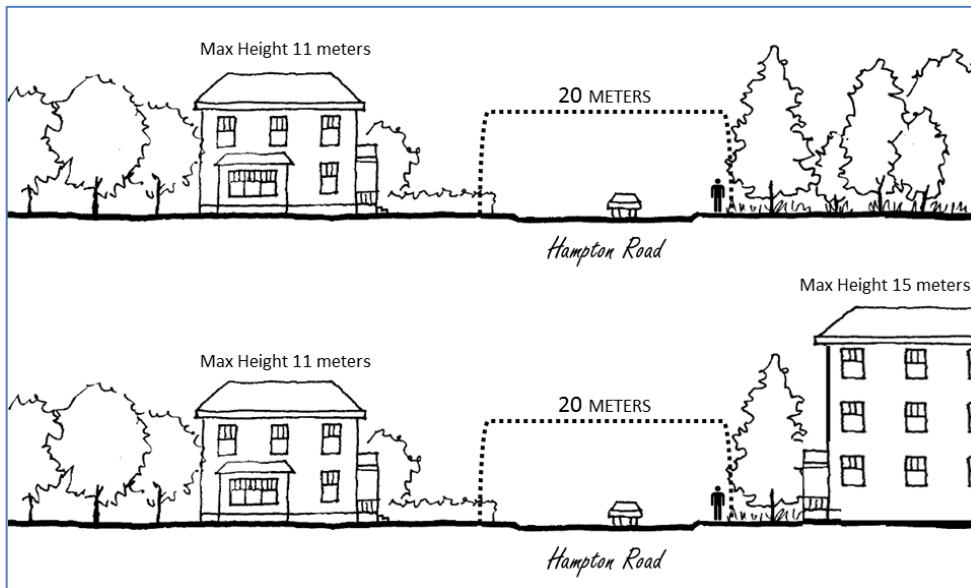
As previously noted the 3.85 acres property has a potential R4 maximum residential density of 77 units, whereas the proposal is for 65 units being 15.6% under the maximum allowable density. Notwithstanding that the proposed higher-density residential infill project is larger in scale than the single-family homes found in the host neighbourhood. Staff are aware that such scale contrasts is perhaps the central community concern regarding the potential impact of the proposed new development on neighborhood character.

Density is commonly expressed as a ratio of the number of housing units to specific units of land area usually acres. The proposed rezoning to the R4 zone allows development of apartments and attached housing at the highest density permitted by the Rothesay Municipal Plan, which is 20 units per acre. This density tells us something about how much activity can be compressed into a given area. However, design is also a key measure of density as two neighborhoods with the exact same density can look very different. Although similar neighbourhoods might measure out at the same density they are not necessarily perceived to be equally dense. What really matters is how the buildings are laid out, arranged and architecturally detailed, whether trees are planted, where the sidewalks lead. These are all functions of design.

Best practices in town planning suggest that when considering residential infill of higher density that it is important to provide a transition in scale to adjacent smaller houses. Sites with higher-density zoning are often located along major streets where new development is intended to be concentrated. Good design would also transition the density to medium density at the rear which would then abut lower-density zoning and houses. It is a fundamental design principle that in such residential infill situations, larger building volumes should be concentrated along the major street, with smaller buildings toward the rear. The applicant’s proposal is an excellent example of how infill high density residential can be transitioned from single family homes, to medium density garden homes, to the higher density condo apartment buildings.

The main 24 unit condo buildings have a front door orientation to Hampton Road which will provide an attractive environment for people walking along the street. This type of building orientation provides visual interest and include elements (windows, doors, balconies) that relate to the human scale. The project also uses architectural features such as:

1. façade articulation (two buildings separated by a court yard with a pool breaks up building volumes that might otherwise appear monolithic),
2. the use of quality building materials (wood shingles) that provide visual interest and character, window and entrance details, and porches; and
3. balconies that provide residents a means to personalize the public frontage of their residences, particularly in higher-density situations such as proposed);
4. as well as by locating the parking and driveways toward the rear of the site.



**Figure 3 - Example Cross Section of Hampton Road**

For these strategies (above) to be effective in contributing to a visually-rich street environment, the building needs to be located close to the sidewalk. The main buildings close to the street will create a sense of enclosure that defines the

Hampton Road streetscape and reinforces its character as Rothesay's "main street". For new residents in the buildings the street orientation provides a very convenient pedestrian access to many nearby walkable destinations, churches, post office, schools, town hall, daycare, commercial retail, etc.. By locating the building and their front door entrances close to sidewalks, it avoids situations in which pedestrians must cross parking lots to reach buildings.

### **Storm Water**

The applicant has submitted a Storm Water Management Plan as prepared by Dillon Consulting Limited. That plan indicates that the development will increase the impervious area of the existing site. Therefore, the proposed development may contribute to an increase in storm water runoff peak flow and total runoff volume generated from the site. Accordingly, they have designed a storm water collection system will consist of two storm sewer systems with subsurface storage along Balmoral Blvd. and within the parking area adjacent to the condominium apartment buildings. The remainder of the site will convey water through a series of swales leading to detention ponds.

Should Council approve the rezoning request and the development agreement the project will be required to comply with the storm water plan submitted and be certified upon completion by a professional engineer that Schedule "D" – Storm water Standards of the Town's zoning by-law have been met. Accordingly, the proposed development agreement includes a specific requirement that Council attach the submitted storm water management plan as a schedule to the agreement.

### **Landscaping**

The use of trees and vegetation, particularly along Hampton Road will help provide pedestrians shelter from the sun during summer months, and reinforces the green well-manicured character of Rothesay. The proposed landscaping street trees and planting strips also help buffer residents from street noise and visual impacts while reducing the perceived mass and volume of the buildings.

### **Financial:**

The municipal services design, construction, and financing related to the proposed development, must adhere to the engineering design standards and guidelines of Rothesay. The cost of providing these services as required to develop the project remain the sole responsibility of the developer. The proposal has one clear financial benefit associated with infill development in that it reduces the need to provide and maintain new public infrastructure (roads, sewer, water, etc.) while achieving a positive tax position for the municipality.

### **Development Agreement:**

A rezoning to R4 would, subject to Council's discretionary approval, be subject to the approval of a Section 39 and/or Section 101 Development Agreement pursuant to the Community Planning Act. Attachment A contains the proposed draft development agreement which includes details where by the applicant agrees to construct specific buildings, parking, landscaping, site works and a storm water management plan in identified locations on the property all approved by Council prior to commencing any work.

### **Summary**

Residential infill development is the process of developing vacant or under-used parcels within existing neighbourhoods that are already largely developed. Staff have reviewed the applicant's proposal and have determined that at the proposed project would meet the requirements of the R4 zone. Furthermore, Staff believes that the application would reinforce the residential designation of the area and provide residents with a housing choice not commonly found in Rothesay. Staff also believe that the proposed project will be successful residential infill development because the proposed overall residential density is high enough to support active transportation choices as well as a wider variety of convenience, social, and cultural amenities found here in the core of Rothesay.

**Recommendation:**

Staff recommend THAT the Planning Advisory Committee:


- A. Recommend that Council enact BY-LAW 2-10-27 to rezone lands located at 7 Hillcrest Drive ( PIDs 00257139 & 30048847) from Single Family Residential Large Serviced R1A zone to Multi-Unit Residential (R4) subject to a development agreement.
- B. Recommend that Council enter into a Development Agreement with A.E. McKay Builders Ltd. to develop a 65 unit residential condominium complex at 7 Hillcrest Drive ( PIDs 00257139 & 30048847).

**Polling**

Staff sent out polling letters to inform property owners of the application and public hearing and are aware of neighbours concerns regarding the scale and massing of proposed development. As of Monday, August 29, 2016 Staff had not received any written feedback.

**Attachments:**

- Attachment A Draft Development Agreement
- Attachment B Draft BY-LAW 2-10-27



Report Prepared by: Brian L. White, MCIP, RPP  
Date: Monday, August 29, 2016

# Rothesay

## DEVELOPMENT AGREEMENT

*Land Titles Act, S.N.B. 1981, c.L-1.1, s.24*

Parcel Identifiers  
of Parcels Burdened  
by Agreement:

00257139 and 30048847

Owner of Land Parcels:

**A.E. McKay Builders Ltd.**  
380 Model Farm Road  
Quispamsis, N.B.  
E2G 1L8 (Hereinafter called the "Developer")

Agreement with:

**Rothesay**  
70 Hampton Road  
Rothesay, N.B.  
E2E 5L5 (Hereinafter called the "Town")

a body corporate under and by virtue of the  
Municipalities Act, RSNB 1973, Chapter M-22,  
located in the County of Kings and Province of New  
Brunswick

**WHEREAS** the Developer is the registered owner of certain lands located at 7 Hillcrest Drive (PIDs 00257139 and 30048847) and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** the Developer is now desirous of entering into a development agreement to allow for the development of two 24-unit condo buildings with underground parking, four 3-unit, two 2-unit and one 1-unit garden home buildings on the Lands as described in Schedule A.

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that for and in the consideration of the mutual covenants and agreements herein expressed and contained, the parties hereto covenant and agree as follows:

1. The Developer agrees that the number of residential units situated on the Lands indicated on Schedule A shall not exceed 65 residential condominium units.

### Schedules

2. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the following Schedules attached to this Agreement:
  - a. Schedule A Legal Description of Parcels
  - b. Schedule B Proposed Site Plan and Location of Buildings
  - c. Schedule C Building Elevations
  - d. Schedule D Landscape Plan
  - e. Schedule E Storm Water Management Plan

### Site Development

3. The Developer agrees, that except as otherwise provided for herein the use of the Lands shall comply with the requirements of the Rothesay Zoning By-law and Subdivision By-law, as may be amended from time to time.



4. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with Schedule B.
5. The Town and Developer agree that the Development Officer may, at their discretion, consider a reduction in the total number of Residential units and the resulting applicable and necessary changes to Schedule B through Schedule D as non-substantive and generally in conformance with this Agreement.
6. The Developer agrees to not commence clearing of trees, removal of topsoil or excavation activities in association with the construction of the development until the Town has provided final approval of the development permit as issued by the Development Officer.
7. The Developer agrees that driveways for each developed garden home shall conform as follows:
  - a) All areas used for vehicular traffic or the parking or storage of a vehicle shall be paved with asphalt, concrete, interlocking stone or other environmentally safe and dust-free equivalent surface.
  - b) Every developed garden home shall have one (1) permanent driveway lighting fixture that shall as follows:
    - i. provide illumination of the primary driveway entrance to the private street right of way;
    - ii. be supplied from the property's electrical system;
    - iii. automatically switch on there is insufficient daylight;
    - iv. be located not closer than 1.5 meters to the paved driveway edge and not closer than 2 meters to the private street right of way boundary; and
    - v. be installed by the Developer and maintained by the successive home owner(s) their successors and assigns, in a manner to ensure continuous operation during night time hours.
8. The Town reserves the right to assign private street names, notwithstanding that the names may not correspond with those shown on Schedule B.
9. The Developer agrees that it will not commence construction of any dwelling and no building permit will be issued by the Town for any such dwelling until such time as the street, which provides the normal access, to each dwelling, has been constructed to Town standards as specified by the Town and is ready for hard surfacing at least beyond the point which shall be used as the normal entrance of the driveway to service such dwelling.
10. The Developer agrees to restore, in so doing assuming all costs, any and all disturbed areas of the private street and private street right of way to the satisfaction of the Town Engineer following installation of the required municipal services.

### **Architectural Guidelines**

11. The Developer agrees that an objective of this development is to provide a high quality and visually attractive development which exhibits an architectural design that reinforces the character complement existing housing and to be generally consistent with the existing styles of Rothesay. The Developer agrees to ensure the following:
  - a. The architectural design of the buildings shall be, in the opinion of the Development Officer, generally in conformance with Schedule C.
  - b. The building plans shall have similar features, such as roof lines, facade articulation (projections/recesses), fenestration, primary

exterior wall colour or materials or roof colour, etc.

- c. The building facades shall include design elements, finishing materials and variations that will reduce any perceived mass and linearity of large buildings and add architectural interest
- d. The building design should reflect the use of appropriate high quality materials and architectural expressions to reduce the impact of height, bulk and density on adjacent lower density development and contributes to the visual enhancement of the area.
- e. All ventilation and related mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building framework.

### **Storm Water**

12. The Developer shall carry out, subject to inspection and approval by Town representatives, and pay for the entire actual costs of the installation of a storm water system as per Schedule E of this agreement. The Developer agrees to accept responsibility for all costs associated with the following:
  - a. Construction, to Town standards, of a storm water system including pipes, fittings, precast sections for manholes and catch basins capable of removing surface water, to a predetermined location selected by the Developer's Engineer and approved by the Town Engineer, from the entire developed portion of the lands as well as top soil and hydro-seeding of shoulders of roadways.
13. The Developer agrees to submit for approval by the Town, prior to commencing any work on the storm water system such plans, as required by the Town, that shall conform with the design schematics and construction standards of the Town, unless otherwise acceptable to the Town Engineer.
14. The Developer agrees that all roof leaders, down spouts, and other storm water drains from all proposed dwelling shall not be directed or otherwise connected or discharged to the Town's storm water or sanitary collection system.
15. The Developer agrees that the storm water drainage from all dwellings shall not be discharged:
  - a. directly onto the ground surface within one meter of a proposed dwelling;
  - b. within 1.5 m of an adjacent property boundary;
  - c. to a location where discharged water has the potential to adversely impact the stability of a side yard or rear yard slope or a portion of the property where there exists a risk of instability or slope failure; or
  - d. to a location or in such a manner that the discharge water causes or has the potential to cause nuisance, hazard or damage to adjacent dwellings or structures.
16. The Developer agrees to provide to the Town Engineer written certification of a Professional Engineer, licensed to practice in New Brunswick that the storm water system has been satisfactorily completed and constructed in accordance with the Town specifications.

### **Water Supply**

17. The Developer agrees to connect to the Town's nearest and existing water system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.

18. The Town agrees to supply potable water for the purposes and for those purposes only for a maximum of seven (7) single family residential dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.
19. The Developer agrees to pay the Town a connection fee for each residential unit to the Town water system calculated in the manner set out by By-law as amended from time to time, to be paid to the Town on issuance of each building permit.
20. The Developer agrees that the Town does not guarantee and nothing in this Agreement shall be deemed to be a guarantee of an uninterrupted supply or of a sufficient or uniform water pressure or a defined quality of water. The Town shall not be liable to the Developer or to any person, firm or corporation for any damage or injury caused by the interruption of the supply of water, the lack of uniform pressure thereof or the quality of water.
21. The Developer agrees that all connections to the Town water mains shall be approved and inspected by the Town Engineer or such other person as is designated by the Town prior to backfilling and that the operation of water system valves is the sole responsibility of the Town.
22. The Developer agrees to comply with the Town's Water By-law and furthermore that a separate water meter shall be installed, at their expense, for each residential connection made to the Town's water system.
23. The Developer agrees that the Town may terminate the Developer's connection to the Town water system in the event that the Town determines that the Developer is drawing water for an unauthorized purpose or for any other use that the Town deems in its absolute discretion.
24. The Developer agrees to provide, prior to the occupation of any buildings or portions thereof, written certification of a Professional Engineer, licensed to practice in New Brunswick that the connection of service laterals and the connection to the existing town water system has been satisfactorily completed and constructed in accordance with the Town specifications.

### **Sanitary Sewer**

25. The Developer agrees to connect to the existing and nearest sanitary sewer system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
26. The Developer agrees to pay the Town a connection fee for each residential unit to the Town sewer system calculated in the manner set out by By-law as amended from time to time, to be paid to the Town on issuance of each building permit.
27. The Developer agrees to carry out subject to inspection and approval by Town representatives, and pay for the entire actual costs of the following:
  - a. Engineering design, supply, installation, inspection and construction of all service lateral(s) necessary to connect to the existing sanitary sewer system inclusive of all pipes, laterals, fittings, and precast concrete units.
28. The Developer agrees to submit for approval by the Town, prior to commencing any work to connect to the sanitary sewer system, any plans required by the Town, with each such plan meeting the requirements as described in the Town specifications for such development.

29. The Developer agrees that all connections to the Town sanitary sewer system shall be supervised by the Developer's engineer and inspected by the Town Engineer or such other person as is designated by the Town prior to backfilling and shall occur at the sole expense of the Developer.

### **Retaining Walls**

30. The Developer agrees that dry-stacked segmental concrete (masonry block) gravity walls shall be the preferred method of retaining wall construction for the purpose of erosion control or slope stability on the Lands and furthermore that the use of metal wire basket cages filled with rock (gabions) is not an acceptable method of retaining wall construction.
31. The Developer agrees to obtain from the Town a Building Permit for any retaining wall, as required on the Lands, in excess of 1.2 meters in height and that such retaining walls will be designed by a Professional Engineer, licensed to practice in New Brunswick.

### **Indemnification**

32. The Developer does hereby indemnify and save harmless the Town from all manner of claims or actions by third parties arising out of the work performed hereunder, and the Developer shall file with the Town prior to the commencement of any work hereunder a certificate of insurance naming the Town as co-insured evidencing a policy of comprehensive general liability coverage on "an occurrence basis" and containing a cross-liability clause which policy has a limit of not less than Two Million Dollars (\$2,000,000.<sup>00</sup>). The aforesaid certificate must provide that the coverage shall stay in force and not be amended, canceled or allowed to lapse within thirty (30) days prior to notice in writing being given to the Town. The aforesaid insurance coverage must remain in full force and effect during the period available to the Developer pursuant to this agreement to complete the work set out as described in this Agreement.

### **Notice**

33. Any notice or advice which is to be given under this Agreement shall be deemed to have been satisfactorily given to the Developer if delivered personally or by prepaid mail addressed to **A.E. MCKAY BUILDERS LTD.**, 380 MODEL FARM ROAD, QUISPAMIS, N.B., E2G 1L8 and to the Town if delivered personally or by prepaid mail addressed to **ROTHERSAY**, 70 HAMPTON ROAD, ROTHERSAY, NEW BRUNSWICK, E2E 5L5. In the event of notice by prepaid mail, the notice will be deemed to have been received four (4) days following its posting.

### **By-laws**

34. The Developer agrees to be bound by and to act in accordance with the By-laws of the Town as amended from time to time and such other laws and regulations that apply or may apply in future to the site and to activities carried out thereon.

### **Termination**

35. The Town reserves the right and the Developer agrees that the Town has the right to terminate this Agreement without compensation to the Developer if the specific proposal has not commenced on or before **November 14, 2021** being a date 5 years (60 months) from the date of Council's decision to enter into this Agreement accordingly the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Rothesay Zoning By-law.
36. Notwithstanding Part 44, the Parties agree that development shall be

deemed to have commenced if within a period of not less than three (3) months prior to **November 14, 2021** the construction of the private street and municipal service infrastructure has begun and that such construction is deemed by the Development Officer in consultation with the Town Engineer as being continued through to completion as continuously and expeditiously as deemed reasonable.

37. The Developer agrees that should the Town terminate this Agreement the Town may call the Letter of Credit described herein and apply the proceeds to the cost of completing the work or portions thereof as outlined in the agreement. If there are amounts remaining after the completion of the work in accordance with this agreement, the remainder of the proceeds shall be returned to the Institution issuing the Letter of Credit. If the proceeds of the Letter of Credit are insufficient to compensate the Town for the costs of completing the work mentioned in this agreement, the Developer shall promptly on receipt of an invoice pay to the Town the full amount owing as required to complete the work.

### **Security & Occupancy**

38. The Town and Developer agree that Final Occupancy of the proposed apartment building(s), as required in the Building By-law, shall not occur until all conditions above have been met to the satisfaction of the Development Officer.
39. Notwithstanding Schedule D and E of this Agreement, the Town agrees that the Occupancy Permit may be issued provided the Developer supplies a security deposit in the amount of 110 percent of the estimated cost to complete the required storm water management and landscaping. The security deposit shall comply with the following conditions:
- a. security in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank dispensed to and in favour of Rothesay;
  - b. the Developer agrees that if the landscaping or storm water works are not completed within a period not exceeding six (6) months from the date of issuance of the Occupancy Permit, the Town may use the security to complete the works as set out in Schedule D and E of this Agreement;
  - c. the Developer agrees to reimburse the Town for 100% of all costs exceeding the security necessary to complete the works as set out in Schedule D and E this Agreement; and
  - d. the Town agrees that the security or unused portion of the security shall be returned to the Developer upon certification that the work has been completed and acceptable to the Development Officer.

### **Failure to Comply**

40. The Developer agrees that after 60 days written notice by the Town regarding the failure of the Developer to observe or perform any covenant or condition of this Agreement, then in each such case:
- (a) The Town shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy;
  - (b) The Town may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry

onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the Assessment Act;

(c) The Town may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and/or

(d) In addition to the above remedies, the Town reserves the right to pursue any other remediation under the *Community Planning Act* or Common Law in order to ensure compliance with this Agreement.

**Entire Agreement**

41. This Agreement contains the whole agreement between the parties hereto and supersedes any prior agreement as regards the lands outlined in the plan hereto annexed.

**Severability**

42. If any paragraph or part of this agreement is found to be beyond the powers of the Town Council to execute, such paragraph or part or item shall be deemed to be severable and all other paragraphs or parts of this agreement shall be deemed to be separate and independent therefrom and to be agreed as such.

**Reasonableness**

43. Both parties agree to act reasonably in connection with any matter, action, decision, comment or approval required or contemplated under this Agreement.

This Agreement shall be binding upon and endure to the benefit of the parties hereto and their respective heirs, administrators, successors and assigns.

**IN WITNESS HEREOF** the parties have duly executed these presents the day and year first above written.

Date: \_\_\_\_\_, 2016

Witness:

A.E. McKay Builders Ltd.

\_\_\_\_\_

\_\_\_\_\_  
Director

Witness:

Rothesay:

\_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_

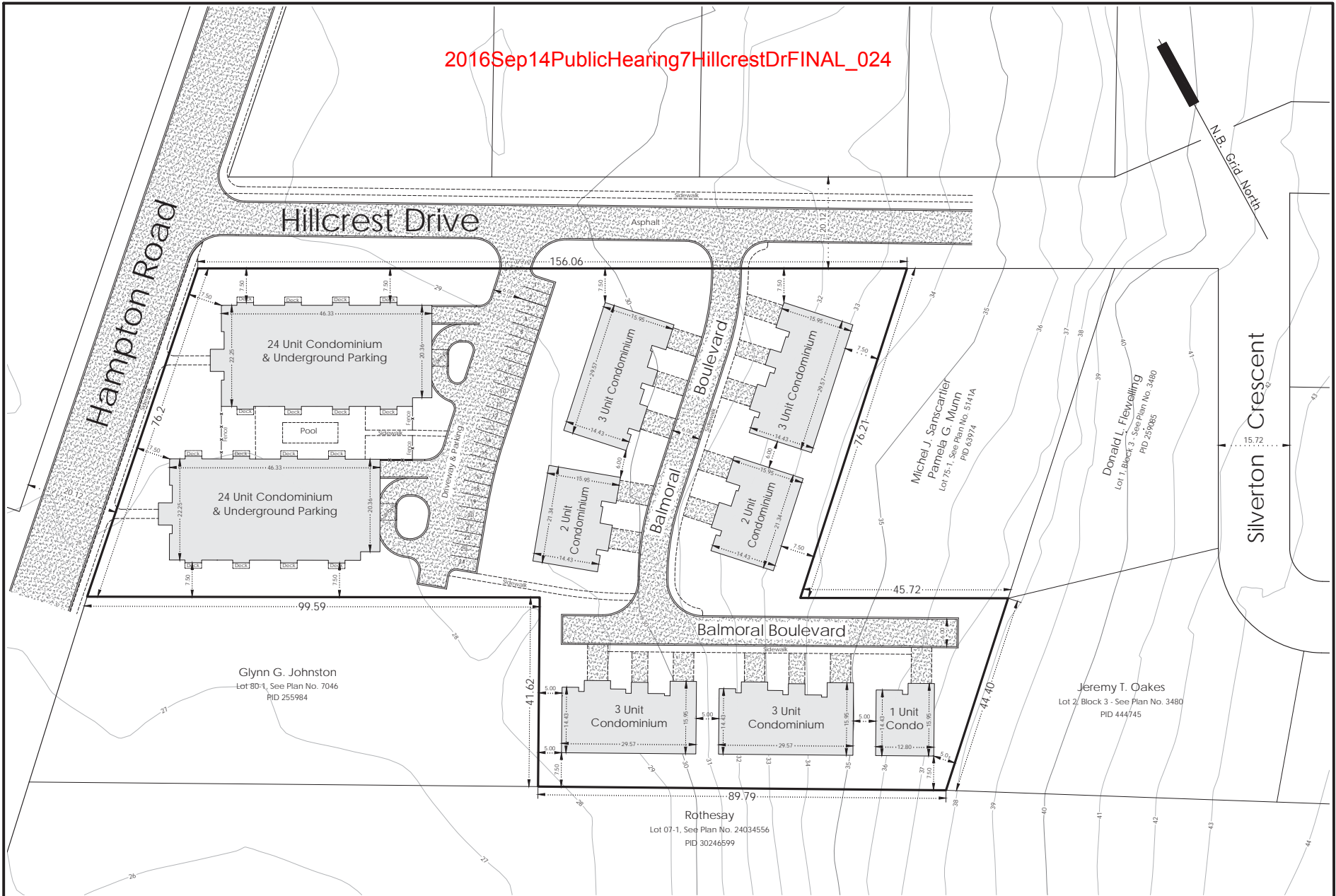
\_\_\_\_\_  
Clerk

**SCHEDULE A**

<b>PID:</b>	<b>00257139</b>
<b>Apparent Parcel Access:</b>	Public Access
<b>Status:</b>	
<b>Effective Date/Time:</b>	
<b>Page:</b>	
<b>Legal Description:</b>	Lot 75-2 as shown on Plan# 5141A

<b>PID:</b>	<b>30048847</b>
<b>Apparent Parcel Access:</b>	TO BE COMPLETED AFTER CONVERSION to LAND TITLES
<b>Status:</b>	
<b>Effective Date/Time:</b>	
<b>Page:</b>	
<b>Legal Description:</b>	Part X as shown on Plan# 200784

DRAFT



NOTE: This plan is for conceptual purposes only. Final dimensions, areas and location of property lines may vary slightly following field survey and lot calculations.

Contours refer to the Geodetic Datum and were derived from Municipal DIM data.

Site Plan  
**Central Park Condominium**  
 7 Hillcrest Drive  
 Town of Rothesay  
 Kings County, N.B.



Scale = 1:500  
 Job No. 15-0050  
 Dated: July 19, 2016  
 Revised: July 25, 2016

Dwg. No. T-0608



**KIERSTEAD QUIGLEY  
 and ROBERTS Ltd.**  
 Saint John, New Brunswick





\* ELEVATION SIMILAR FOR OPPOSITE SIDE.



380 Model Farm Road, Gaispansis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

CONDOMINIUM DEVELOPMENT - Rothesay, N.B.

Drawing Title:

BUILDING TYPE - 1  
24 UNITS - UNDERGROUND PARKING  
HILLCREST DRIVE ELEVATION

Date:

AUGUST 29, 2016

Scale:

N.T.S.





**A.E. MCKAY Builders**  
380 Model Farm Road, Quispansis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**  
CONDOMINIUM DEVELOPMENT - Rothesay, N.B.

Drawing Title: **BUILDING TYPE - 1**  
24 UNITS - UNDERGROUND PARKING  
HAMPTON ROAD ELEVATION  
Date: AUGUST 29, 2016 Scale: N.T.S.

**A-2**  
OF 15



380 Model Farm Road, Galspanis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 1**  
**24 UNITS - UNDERGROUND PARKING**  
**REAR ELEVATION**

Date:

AUGUST 29, 2016

Scale:

N.T.S.





380 Model Farm Road, Gulesponsis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 2  
TRIPLE UNIT  
FRONT ELEVATION**

Date:

AUGUST 29, 2016

Scale:

N.T.S.





**A. E. MCKAY**  
*Builders*

380 Model Farm Road, Quispamsis E2G 1L8  
Phone: 506-644-8104

=====**CENTRAL PARK**=====

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:  
**BUILDING TYPE - 2  
TRIPLE UNIT  
REAR ELEVATION**

Date: **AUGUST 29, 2016** Scale: **N.T.S.**

**A-5**  
OF 15



23'-10"  
(7.26m)

WOOD SIDING

WOOD SIDING



380 Model Farm Road, Quispansis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 2  
TRIPLE UNIT  
RIGHT ELEVATION**

Date:

AUGUST 29, 2016

Scale:

N.T.S.





ASPHALT SHINGLES

WOOD SIDING

23'-10"  
(7.26m)



380 Model Farm Road, Gaspensis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 2  
TRIPLE UNIT  
LEFT ELEVATION**

Date: AUGUST 29, 2016

Scale: N.T.S.





380 Model Farm Road, Quispansis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**  
CONDOMINIUM DEVELOPMENT - Rothesay, N.B.

Drawing Title:  
**BUILDING TYPE - 3  
DOUBLE UNIT  
FRONT ELEVATION**  
Date: AUGUST 29, 2016 Scale: N.T.S.

**A-8**  
OF 15





**A.E. MCKAY Builders**  
380 Model Farm Road, Galspanis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**  
CONDOMINIUM DEVELOPMENT - Rothesay, N.B.

Drawing Title:  
**BUILDING TYPE - 3  
DOUBLE UNIT  
REAR ELEVATION**

Date: AUGUST 29, 2016 Scale: N.T.S.

**A-9**  
OF 15



380 Model Farm Road, Gaspensis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 3  
DOUBLE UNIT  
RIGHT ELEVATION**

Date:

AUGUST 29, 2016

Scale:

N.T.S.





380 Model Farm Road, Gaispansis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 3  
DOUBLE UNIT  
LEFT ELEVATION**

Date:

AUGUST 29, 2016

Scale:

N.T.S.





380 Model Farm Road, Quispansis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**  
CONDOMINIUM DEVELOPMENT - Rothesay, N.B.

Drawing Title:  
**BUILDING TYPE - 4  
SINGLE UNIT  
FRONT ELEVATION**  
Date: **AUGUST 29, 2016** Scale: **N.T.S.**

**A-12**  
OF 15



380 Model Farm Road, Gaspensis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

CONDOMINIUM DEVELOPMENT - Rothesay, N.B.

Drawing Title:

BUILDING TYPE - 4  
SINGLE UNIT  
REAR ELEVATION

Date:

AUGUST 29, 2016

Scale:

N.T.S.





380 Model Farm Road, Gaspensis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 4  
SINGLE UNIT  
RIGHT ELEVATION**

Date:

AUGUST 29, 2016

Scale:

N.T.S.





380 Model Farm Road, Gaisponis E2G 1L8  
Phone: 506-644-8104

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

**BUILDING TYPE - 4  
SINGLE UNIT  
LEFT ELEVATION**

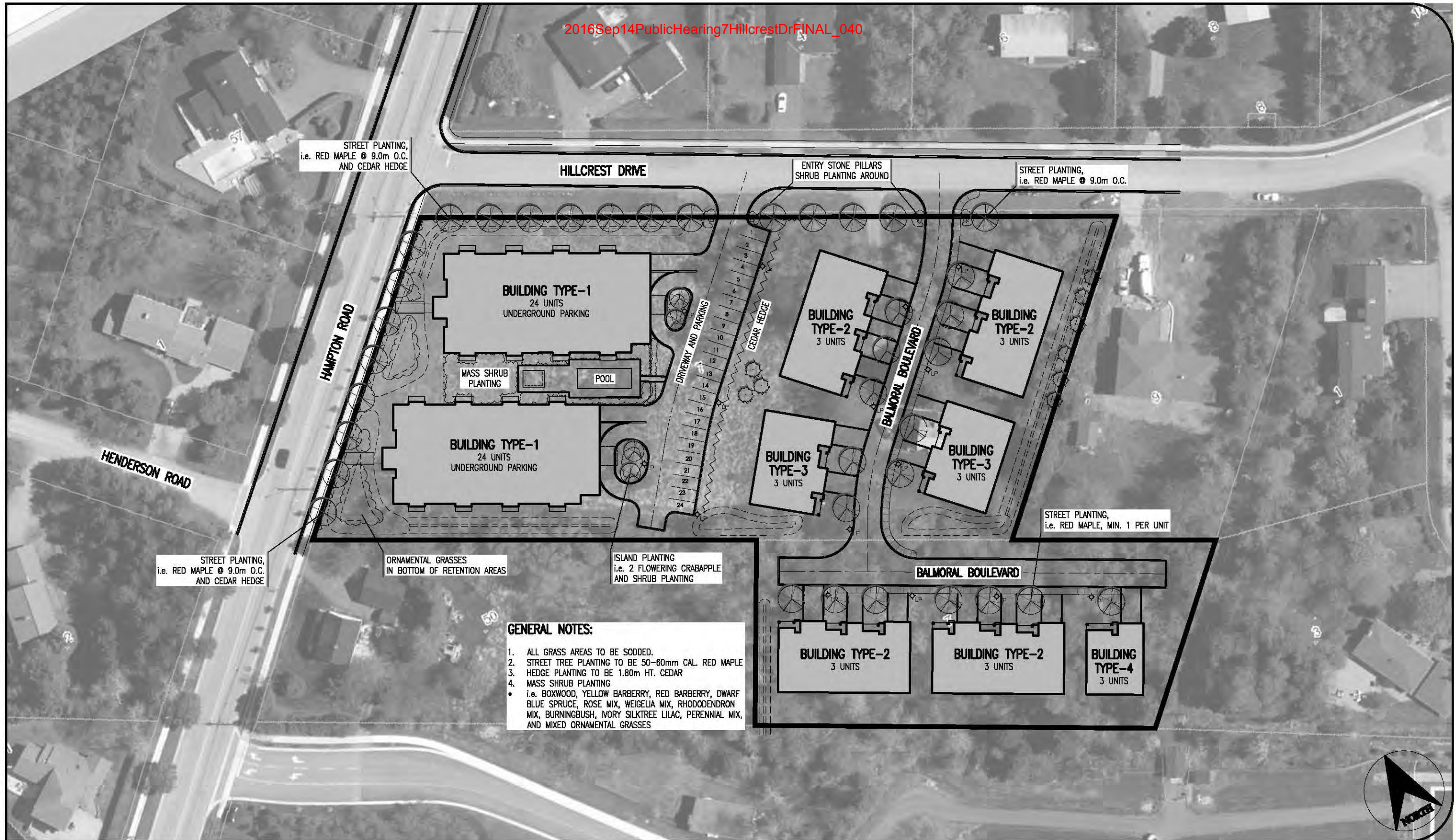
Date:

AUGUST 29, 2016

Scale:

N.T.S.





STREET PLANTING,  
i.e. RED MAPLE @ 9.0m O.C.  
AND CEDAR HEDGE

HILLCREST DRIVE

ENTRY STONE PILLARS  
SHRUB PLANTING AROUND

STREET PLANTING,  
i.e. RED MAPLE @ 9.0m O.C.

HAMPTON ROAD

**BUILDING TYPE-1**  
24 UNITS  
UNDERGROUND PARKING

**BUILDING TYPE-2**  
3 UNITS

**BUILDING TYPE-2**  
3 UNITS

**BUILDING TYPE-1**  
24 UNITS  
UNDERGROUND PARKING

**BUILDING TYPE-3**  
3 UNITS

**BUILDING TYPE-3**  
3 UNITS

HENDERSON ROAD

STREET PLANTING,  
i.e. RED MAPLE @ 9.0m O.C.  
AND CEDAR HEDGE

ORNAMENTAL GRASSES  
IN BOTTOM OF RETENTION AREAS

ISLAND PLANTING  
i.e. 2 FLOWERING CRABAPPLE  
AND SHRUB PLANTING

STREET PLANTING,  
i.e. RED MAPLE, MIN. 1 PER UNIT

BALMORAL BOULEVARD

**BUILDING TYPE-2**  
3 UNITS

**BUILDING TYPE-2**  
3 UNITS

**BUILDING TYPE-4**  
3 UNITS

**GENERAL NOTES:**

1. ALL GRASS AREAS TO BE SODDED.
2. STREET TREE PLANTING TO BE 50-60mm CAL. RED MAPLE
3. HEDGE PLANTING TO BE 1.80m HT. CEDAR
4. MASS SHRUB PLANTING
  - i.e. BOXWOOD, YELLOW BARBERRY, RED BARBERRY, DWARF BLUE SPRUCE, ROSE MIX, WEIGELIA MIX, RHODODENDRON MIX, BURNINGBUSH, IVORY SILKTREE LILAC, PERENNIAL MIX, AND MIXED ORNAMENTAL GRASSES



General Notes:



380 Model Farm Road, Quispamsis E2G 1L8  
Phone: 506-644-8104

Stamp:

**CONCEPTUAL  
NOT FOR  
CONSTRUCTION**  
AUGUST 20, 2015

**CENTRAL PARK**

**CONDOMINIUM DEVELOPMENT - Rothesay, N.B.**

Drawing Title:

CONCEPTUAL  
SITE / LANDSCAPE PLAN

Project No.:

PD16-464

Date:

AUGUST 2016

Drawn By:

KAP

Scale:

1:800





July 15, 2016

Town of Rothesay  
70 Hampton Road  
Rothesay, NB  
E2E 5Y2

Attention: Brett McLean, P.Eng.  
Director of Operations

274 Sydney Street  
Suite 200  
Saint John  
New Brunswick  
Canada  
E2L 0A8  
Telephone  
506.633.5000  
Fax  
506.633.5110

***Re: Stormwater Management Plan and Site Services for Central Park Condominium***

To Whom It May Concern:

Dillon Consulting Limited (Dillon) is pleased to submit this letter report outlining the stormwater management plan and site services layout (sanitary and water) for the Central Park Condominiums Development. This plan has been prepared for A.E. McKay Builders and describes the recommended stormwater management plan along with the proposed sanitary sewer and water service layouts for the nine (9) building condominium development. The proposed layouts for Central Park Condominiums are presented in **Sheets 1 and 6** of the appended drawing set, respectively.

## BACKGROUND

---

The Central Park Condominium Development is located at the intersection of Hillcrest Drive and Hampton Road in Rothesay, New Brunswick. A.E. McKay Builders is proposing a nine (9) building condominium development with seven (7) small and two twenty-four (24) unit condominium buildings. The pre-developed site has an area of approximately 2.2 hectares consisting of primarily wooded terrain and grassed areas.

## STORMWATER MANAGEMENT PLAN

---

It is expected that the Central Park Condominium Development will increase the impervious area of the existing site. Therefore, the proposed development may contribute to an increase in stormwater runoff peak flow and total runoff volume generated from the site.

As outlined on **Sheet 1** of the appended drawing set, the proposed stormwater collection system will consist of two storm sewer systems with subsurface storage along Manhattan Boulevard and within the Parking area adjacent to the 24-unit condominium buildings. The remainder of the site will convey water through a series of swales leading to detention ponds.



The southern portion of the site is located along a steep gradient while the remaining area is relatively flat. The steep grade limits the opportunity for storage in this area. Therefore, the proposed detention ponds are located along the southwest side of the site adjacent to Hampton Road. The orientation of the ponds are shown on **Sheet 1** of the appended drawing set.

### Methodology and Approach

---

The approach used in preparing the stormwater management plan for the Central Park Development involved simulating pre- and post-development conditions using the U.S. Army Corps of Engineers' HEC-HMS hydrologic modeling software. Synthetic design storms were used in the analysis of the stormwater management model prepared in HEC-HMS. The Alternating Block Method (Chow 1988) was used to estimate the rainfall distribution for the 5 and 100 year return period rainfall events, both having a storm duration of 24 hours.

Rainfall intensity-duration-frequency (IDF) statistics developed by the Canadian Water Network Online IDF CC Tool for Environment Canada's Saint John Airport (A) climate station were used to support this assessment (<http://www.idf-cc-uwo.ca>). The Canadian Water Network uses Global Climate Model data to approximate changes in the IDF Curve due to climate change for a selected range. Use of the IDF CC tool allows for the consideration of climate change impacts, specifically the potential for higher intensity rainfall.

Aerial imagery along with the proposed site plan was used to determine properties of the existing site (i.e. land cover, surface slope, drainage). The existing site includes two (2) main catchment areas draining to Hampton Road and the Arthur Miller Fields stormwater collection systems. The SCS Curve Number method was implemented to approximate the lag time of the catchments. These results were used to estimate the existing (pre-development) peak flows from each catchment area.

A detailed model was constructed to represent the movement of water through the proposed stormwater management system (**Sheet 1**) which includes both detention ponds and subsurface storage. The catchment areas, curve numbers (CN) and catchment lag were adjusted to represent the post-development drainage areas contributing to Hampton Road and the Arthur Miller Fields.

Curve numbers outlined in the Town of Rothesay Stormwater Management Guidelines were used to represent open spaces in the model while the percent imperviousness used in the model was used to account for hard surfaces (i.e. roofs and paved surfaces).



## Simulation Results

The following sections include pre and post development simulation results for the 5 and 100 year return period storms at the proposed outlets to the Hampton Road and Arthur Miller Fields stormwater collection systems. It should be noted that the total drainage area under pre and post-development conditions (2.2 ha) was unchanged; however, additional pre-development run-off was directed to the Hampton Road outlet. The reduced catchment area for the Arthur Miller Fields was required to ensure pre-development peak discharge levels of a 100-year return storm (0.076 m<sup>3</sup>/s) were maintained following development.

**Tables 1 - 4** summarize the pre- and post-development simulation results for both the Hampton Road and Arthur Miller Fields drainage areas.

**Table 1: Hampton Road Pre and Post-Development**

Return Period	Pre-Development Peak Discharge (m <sup>3</sup> /s)	Post-Development Peak Discharge without SWM (m <sup>3</sup> /s)	Post-Development Peak Discharge with SWM (m <sup>3</sup> /s)
5 Year	0.054	0.118	0.090*
100 Year	0.167	0.244	0.165*

*\*The Hampton Road drainage area was increased from 10,848 m<sup>2</sup> (pre-development) to 13,094 m<sup>2</sup> (post-development) as part of the stormwater management plan.*

**Table 2: Arthur Miller Fields Pre and Post-Development**

Return Period	Pre-Development Peak Discharge (m <sup>3</sup> /s)	Post-Development Peak Discharge without SWM (m <sup>3</sup> /s)	Post-Development Peak Discharge with SWM (m <sup>3</sup> /s)
5 Year	0.025	0.053	0.037*
100 Year	0.076	0.112	0.068*

*\*The Arthur Miller Field drainage area was reduced from 6518 m<sup>2</sup> (pre-development) to 2967 m<sup>2</sup> (post-development).*

It is noted that the simulation results presented in Tables 1 and 2 show that the 100-year pre-development peak flows have been maintained under the post-development condition. Moreover, the 5-year pre-development peak flows contributing to the Arthur Miller Fields ditch have also been maintained under the post-development condition.



It is noteworthy, however, that the post-development 5-year peak flows discharging to Hampton Road are slightly higher than the pre-development values. This increase is expected to have a minor impact on downstream conveyance, given that downstream drainage infrastructure is expected to meet a higher design criteria, for example a 50-100 year level of service. The hydrologic simulation suggests that high intensity rainfall events (e.g. 100-year storm) will not result in discharges in excess of pre-development levels.

### Retention

---

Due to the increased runoff for developed areas, storage calculations were completed. The storage volume required to retain a 24 hour, 100 year return period storm was determined using HEC-HMS hydrologic modeling software. Two types of detention storage were incorporated in the stormwater management plan: 1) two detention ponds, and 2) subsurface storage along Manhattan Boulevard and the parking lot area adjacent to the 24-unit condominium buildings. The proposed locations of the storage facilities can be seen on **Sheet 1** of the appended drawing set.

Subsurface storage will be installed in two locations on site including 57 meters along Manhattan Boulevard and approximately 40 metres in the parking area. The storage will be made up of a series of HDPE arched structures with a height of 1.14 meters. The arched structures are to be underlain with bedding stone to provide additional storage. The storage capacity provided by these structures is expected to be in the order of 125 m<sup>3</sup>.

A large pond will be constructed adjacent to Hampton Road while the smaller pond is to be constructed on the west side of the site. The storage capacity of the pond is expected to be approximately 260 m<sup>3</sup>.

The total storage volume for the entire site was estimated to be in the order of 385 m<sup>3</sup>. The proposed pond and subsurface storage will provide sufficient capacity to reduce the peak discharge of a 100-year return storm from the site to pre-development levels (0.167 m<sup>3</sup>/s). It is also noted that the diversion of flows contributing to the existing ditch near the Arthur Miller Fields has resulted in the 100-year post-development flows being less than for existing discharge (0.076 m<sup>3</sup>/s).



## SANITARY DESIGN

The primary development site will consist of seven (7) small and two twenty-four (24) unit condominium buildings at the intersection of Hillcrest Drive and Hampton Road. **Table 3** below details the buildings proposed for the development site.

**Table 3: Development Site Sanitary Parameter Summary**

Building	Number of Buildings	Units	Equivalent Population
24 Unit Condominium	2	24	120
1 Unit Condominium	1	1	3
2 Unit Condominium	2	2	10
3 Unit Condominium	4	3	30
<b>TOTAL POPULATION:</b>			163

The population of the proposed development is approximately 165 people. The sanitary design for the site included upstream sanitary infrastructure on Hillcrest Drive, from Rothesay Road to Charles Crescent. The upstream sanitary system consists of the majority of the Highland Avenue subdivision as well as Iona Avenue. The theoretical sanitary flows from the upstream system are included in **Table 4** below.

**Table 4: Upstream Sanitary Flows – \_\_\_\_\_ Subdivision**

Street	Location		Equivalent Individual Population	Area (ha)	Theoretical Design Flow (Population & Extraneous)	Theoretical Pipe Capacity
	From	To				
Hillcrest Drive	Charles Crescent	Hampton Road	238	28	3.85 lps	49.8 lps

Assuming an occupancy load of 340 L/Person per day (*Atlantic Canada Standards and Guidelines Manual for the Collection, Treatment, and Disposal of Sanitary Sewage*, (ACSGM)) and a peak extraneous flow of 0.18 L/Hectare per second, the proposed development will contribute approximately 2.9 lps to the existing sanitary system.



**Table 5** below notes the upstream sanitary flow on Rothesay Road contributing to the downstream system.

**Table 5: Upstream Sanitary Flows – Marr Road to Hillcrest Drive**

Street	Location		Equivalent Individual Population	Area (ha)	Theoretical Peak Design Flow (Population & Extraneous)	Theoretical Pipe Capacity	% of Pipe Capacity
	From	To					
Rothesay Road	Marr Road (approximately)	Hillcrest Drive	1600	80	27.00 lps	43 lps	63%

The contribution from the proposed development site is not significant to the overall flow in the sanitary piping system.

**Table 6** below notes the proposed piping as well as connection to existing.

**Table 6: Proposed Piping**

Street	Pipe Size (mm)	Slope (%)	Theoretical Peak Design Flow (Population & Extraneous) (cumulative) (lps)	Theoretical Pipe Capacity (lps)	% of Pipe Capacity
Manhattan Boulevard	200 (proposed)	8.20	0.40	111.00	< 1
Manhattan Boulevard	200 (proposed)	0.50	0.91	27.41	3.3
Manhattan Boulevard	200 (proposed)	0.50	2.01	27.41	7.3
Hillcrest Drive	200 (existing)	1.65	5.86	49.79	11.8
Hillcrest Drive	200 (existing)	0.50	7.83	27.41	28.6



Street	Pipe Size (mm)	Slope (%)	Theoretical Peak Design Flow (Population & Extraneous) (cumulative) (lps)	Theoretical Pipe Capacity (lps)	% of Pipe Capacity
Rothesay Road	200 (existing)	1.23	33.8	42.99	78.8*

*\*Prior to this development, the sanitary pipe on Rothesay Road had an assumed peak flow of 31 lps, or 72% of the theoretical pipe capacity. The contribution from the proposed development is less than 7% of the overall capacity.*

From the connection of the development site sanitary sewer at the intersection of Hillcrest Drive and Manhattan Boulevard and the proposed parking lot for the two 24 unit condominium buildings, the storm and sanitary sewers are separated.

Connection to the existing Town of Rothesay infrastructure will be done as shown on the appended drawing set and in accordance with the Town of Rothesay Specifications.

From the above information and attached drawings, the existing receiving sanitary system will be able to handle the additional sanitary flow from the proposed development site.

## POTABLE WATER AND FIRE FLOWS

It is estimated that the demand for this development will be in the order of 340 L/Capita per day.

The proposed alignment of the water supply connections are presented on the appended development drawing set.

Town of Rothesay  
Page 8  
July 15, 2016



## CONCLUSION

---

Hydrologic modeling using HEC-HMS was performed to estimate the pre and post-development stormwater peak flows for the Central Park Condominium Development site. The proposed mitigation measures to offset the increase in peak flow include two detention ponds and subsurface storage. The hydrologic simulation suggests that the recommended storage elements effectively mitigate increases in the 100-year peak flow under post-development conditions.

An analysis was undertaken to determine the impact of the Central Park Condominium Development on the existing sanitary sewer system in the Town of Rothesay. The contribution of the proposed development is not expected to affect the overall flow in the existing receiving sanitary system. The analysis therefore suggests that the existing system will be able to handle the additional sanitary flow from the development site.

Sincerely,

**DILLON CONSULTING LIMITED**

Barb Crawford, P.Eng.  
Project Manager

BDC:mhc

Our file: 16-3836





# CENTRAL PARK CONDOMINIUM 7 HILLCREST DRIVE, ROTHESAY, NB A.E. MCKAY BUILDERS LTD.

**LEGEND**

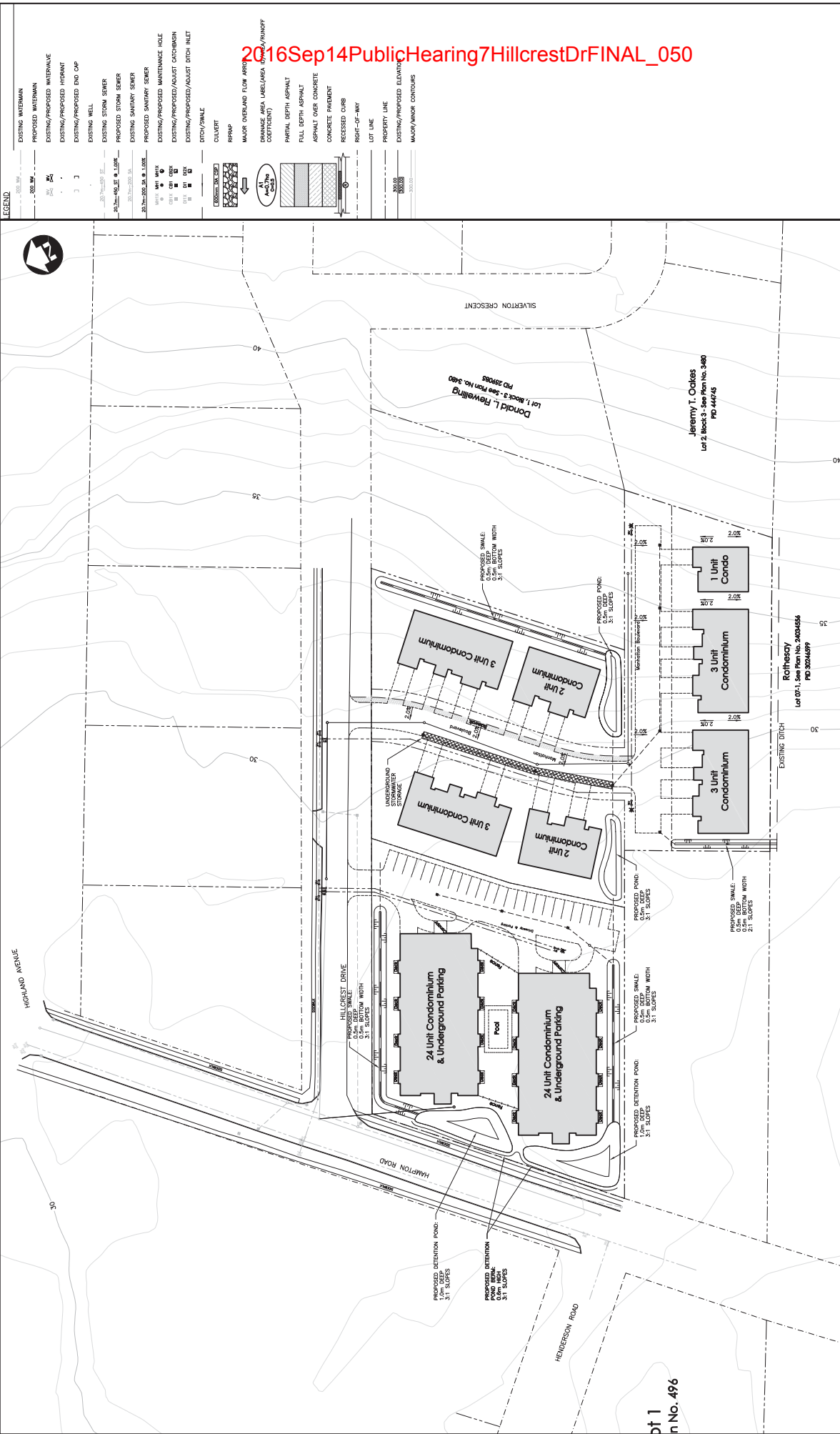
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	PROPOSED WATER MAIN
	EXISTING PROPOSED WATER VALVE
	EXISTING PROPOSED STORMY
	EXISTING PROPOSED END CAP
	EXISTING WELL
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER
	EXISTING PROPOSED MAINTENANCE HOLE
	EXISTING PROPOSED CATCHMENT CATCH BASIN
	EXISTING PROPOSED CATCHMENT CATCH INLET
	DITCH/SWALE
	CULVERT
	MANHOLE
	MAJOR OVERLAND FLOW AREA
	DRAINAGE AREA LABEL (AREA / DRAINAGE COEFFICIENT)
	PARTIAL DEPTH ASPHALT
	FULL DEPTH ASPHALT
	ASPHALT OVER CONCRETE
	CONCRETE PAVEMENT
	RECESSED CURB
	ROOF OF WAY
	LOT LINE
	PROPERTY LINE
	EXISTING PROPOSED ELEVATION
	MAJOR MINOR CONTOURS



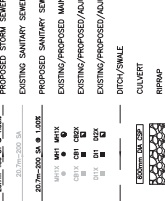
KEY PLAN  
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DRAWING INDEX	
DWG.	DESCRIPTION
1	SITE PLAN
2	HAMPTON ROAD - PLAN AND PROFILE
3	HILLCREST DRIVE - PLAN AND PROFILE
4	DRIVEWAY - PLAN AND PROFILE
5	MANHATTAN BOULEVARD (NORTH) - PLAN AND PROFILE
6	MANHATTAN BOULEVARD (SOUTH) - PLAN AND PROFILE
7	PRE-CONSTRUCTION DRAINAGE AREAS

DILLON PROJECT: 164136  
DATE: JULY 2016



- LEGEND**
- EXISTING WATERMAIN
  - PROPOSED WATERMAIN
  - EXISTING/PROPOSED WATERVALVE
  - EXISTING/PROPOSED HYDRANT
  - EXISTING/PROPOSED END CAP
  - EXISTING WELL
  - EXISTING STORM SEWER
  - PROPOSED STORM SEWER
  - EXISTING SANITARY SEWER
  - PROPOSED SANITARY SEWER
  - EXISTING SANITARY SEWER
  - PROPOSED SANITARY SEWER
  - EXISTING/PROPOSED MAINTENANCE HOLE
  - EXISTING/PROPOSED/ADJUST CATCHBASIN
  - EXISTING/PROPOSED/ADJUST DITCH INLET
  - DITCH/SWALE



CENTRAL PARK CONDOMINIUM- 7 HILLCREST DRIVE ROTHE'SY N.B. A.E. MCKAY BUILDERS		PROJECT NO.	16-4136
SITE PLAN		DATE	JULY 2016

NO.	DATE	DESCRIPTION	BY	CHK

**DILLON CONSULTING**

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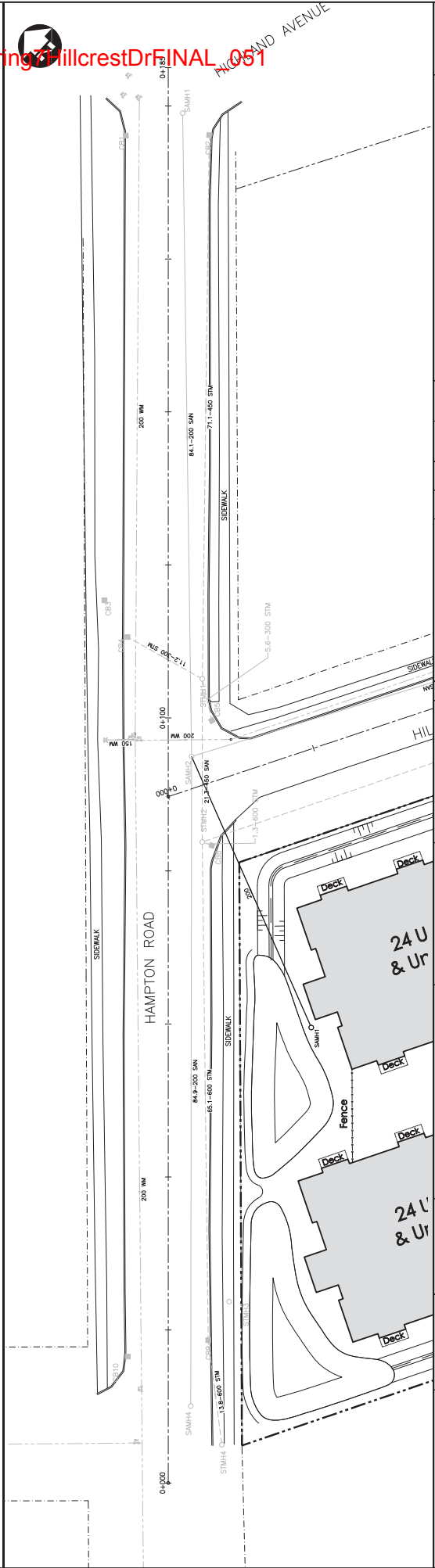
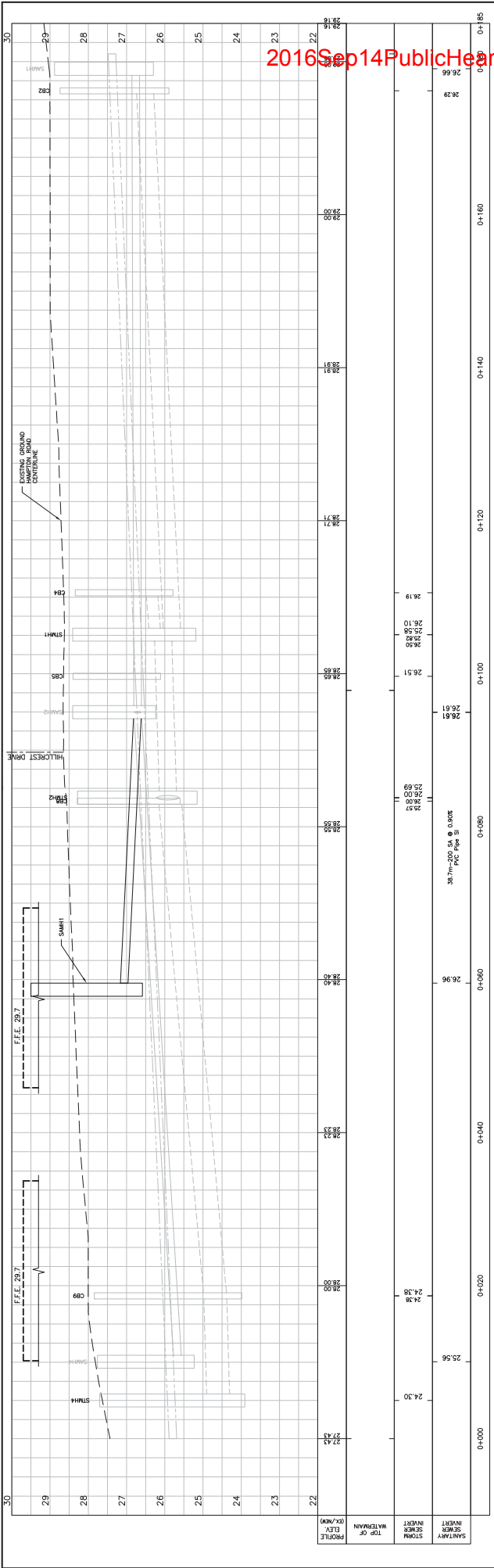
OT 1  
 CH No. 496

Lot 1, Block 3 - see Plan No. 3480  
 Lot 2, Block 3 - see Plan No. 44745

Lot 1, Block 3 - see Plan No. 3480  
 Lot 2, Block 3 - see Plan No. 44745

Lot 1, Block 3 - see Plan No. 3480  
 Lot 2, Block 3 - see Plan No. 44745

Lot 1, Block 3 - see Plan No. 3480  
 Lot 2, Block 3 - see Plan No. 44745



NO.	DATE	BY	FOR	REVISION
1	APPROVAL	B.D.C.	DATE	JULY 2016
2	REVISIONS	B.D.C.	DATE	1/20
3	APPROVAL	B.D.C.	DATE	1/20

DESIGNED BY	B.D.C.	DATE	JULY 2016
CHECKED BY	B.D.C.	DATE	JULY 2016
APPROVED BY	B.D.C.	DATE	JULY 2016

PROJECT NO.	16-4136
PROJECT NAME	CENTRAL PARK CONDOMINIUM - 7 HILLCREST DRIVE ROTHSAY N.B.
CLIENT	A.E. MCKAY BUILDERS

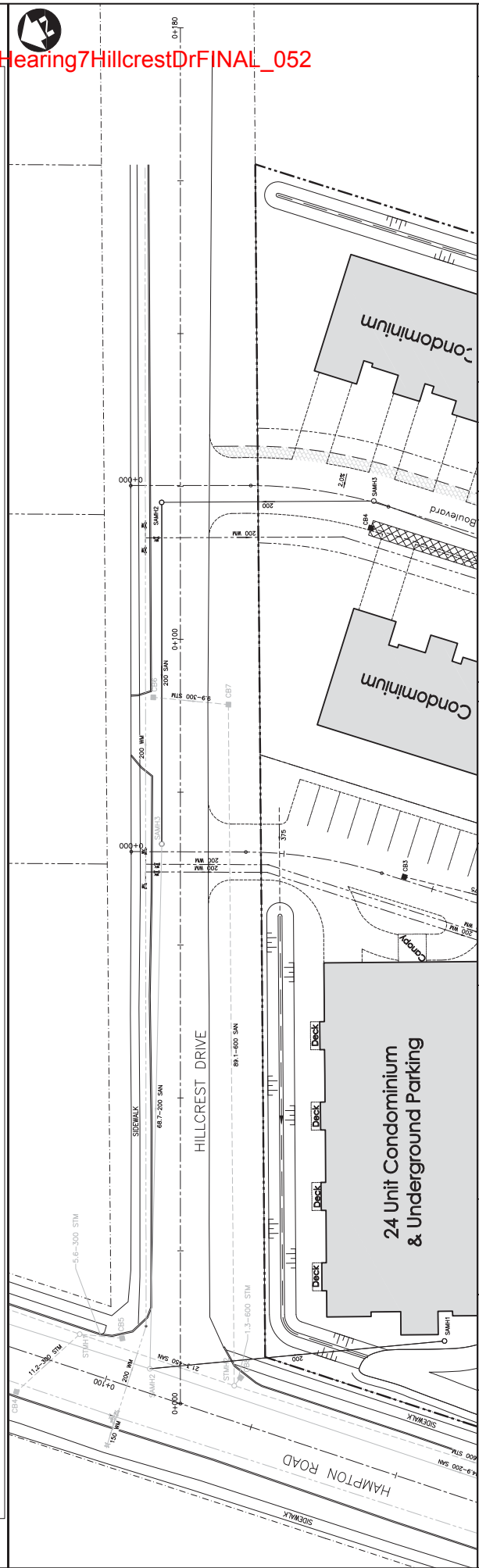
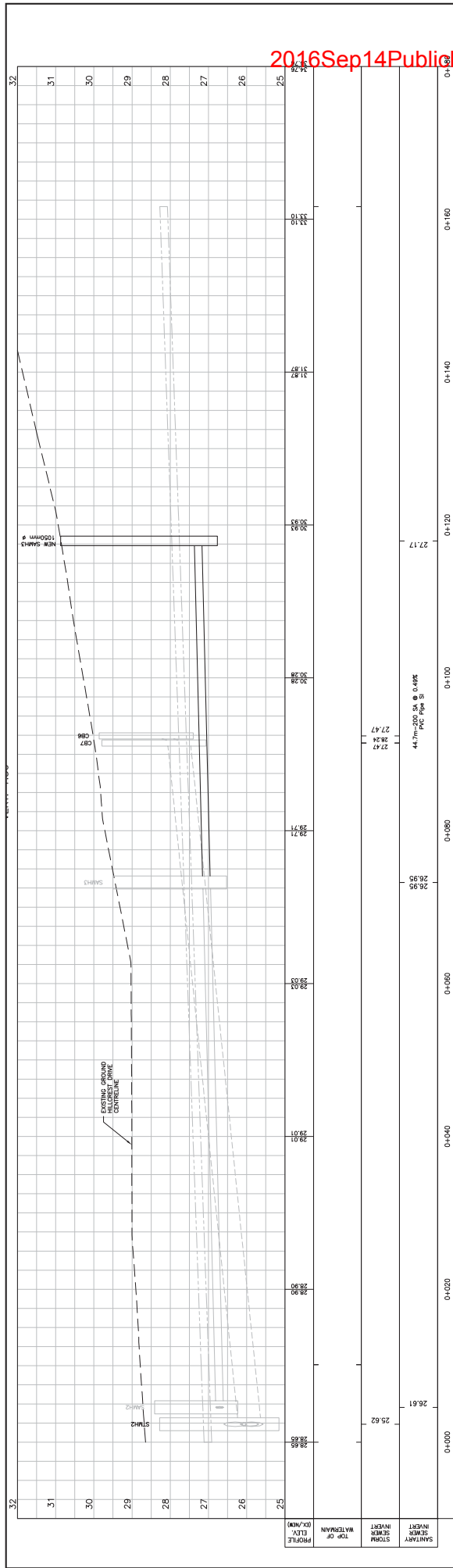
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<p><b>HAMPTON ROAD - PLAN AND PROFILE</b></p>
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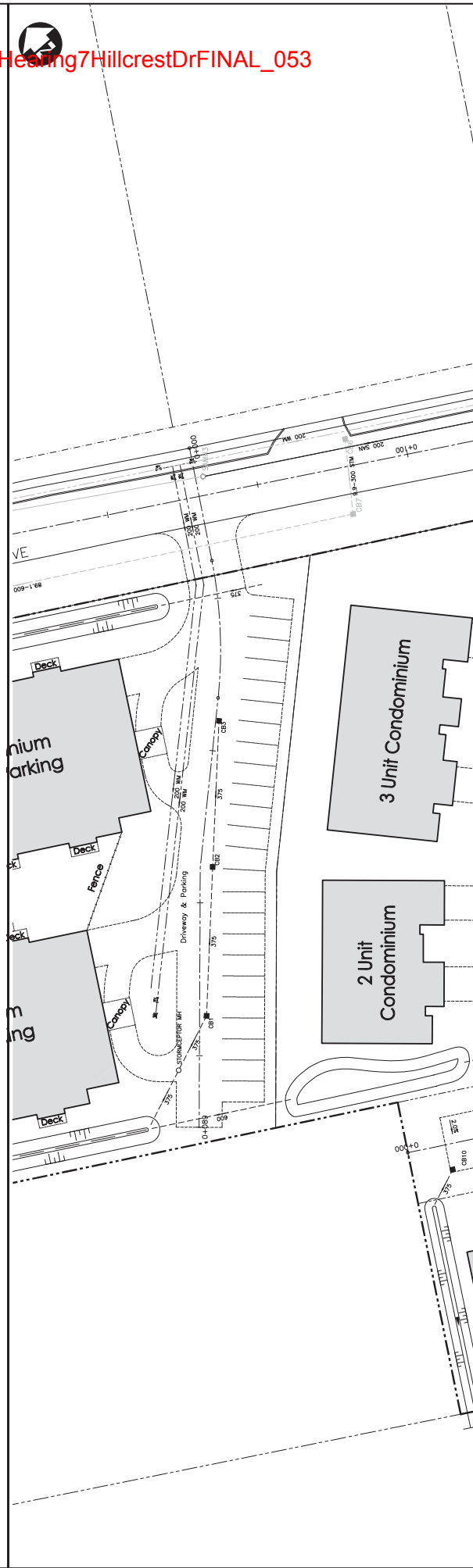
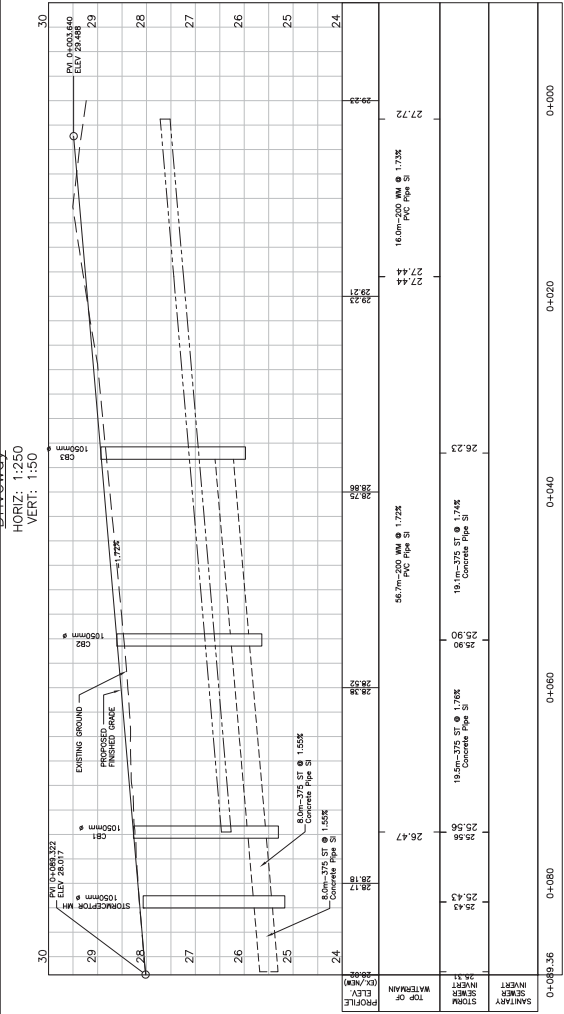
**PROJECT:** CENTRAL PARK CONDOMINIUM - 7 HILLCREST DRIVE ROTHSAY N.B.  
**CLIENT:** A.E. MCKAY BUILDERS

**DATE:** JULY 2016

NO.	DESCRIPTION	DATE	BY
1	APPROVAL	1/20	1/20
2	REVISED	1/20	1/20

**PROJECT NO.:** 16-4136  
**SHEET NO.:** 3

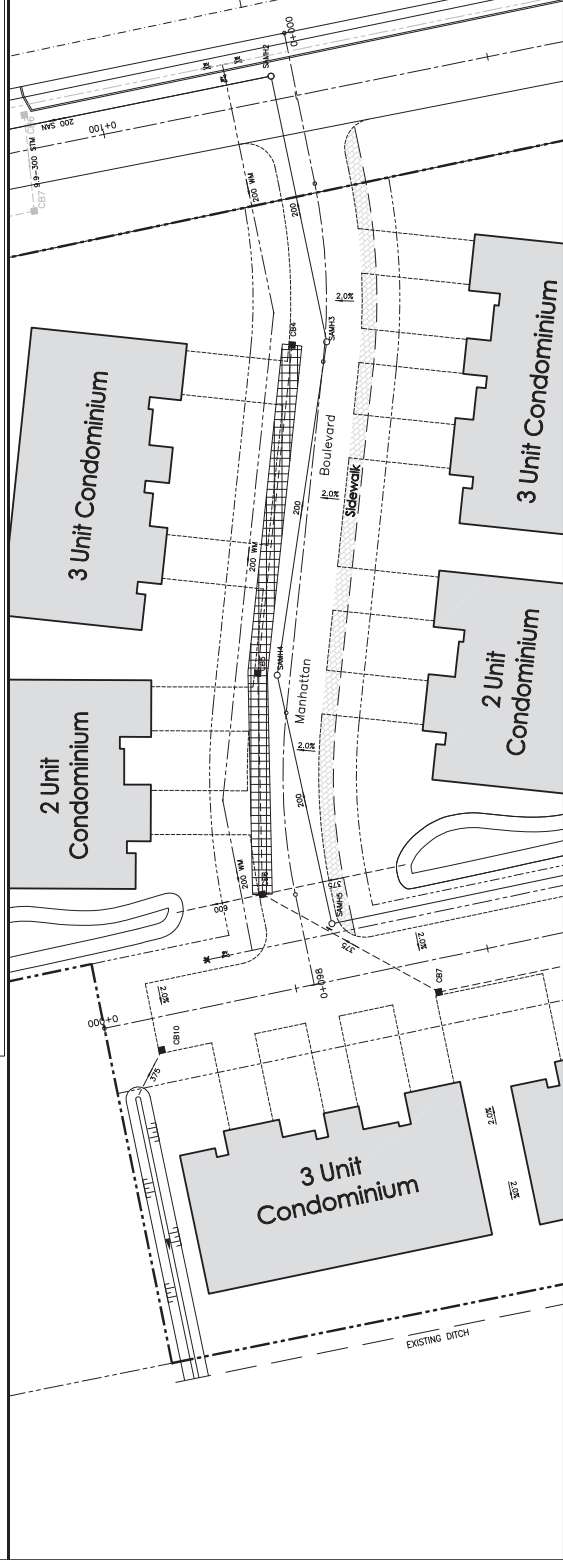
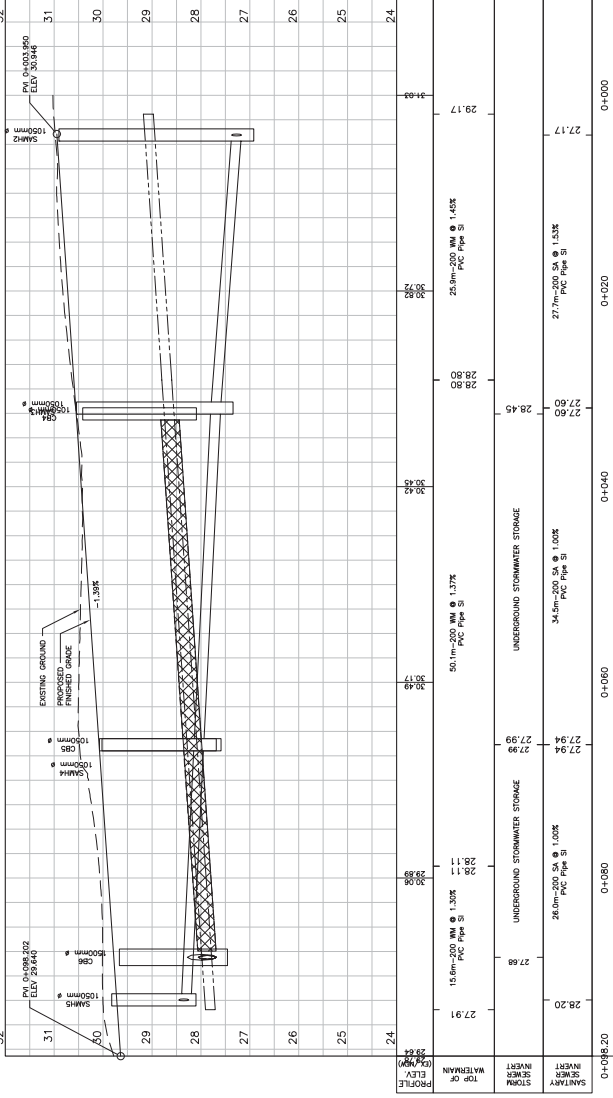
**HILLCREST DRIVE - PLAN AND PROFILE**



PROJECT: DRIVEWAY - PLAN AND PROFILE SHEET: 4	
PREPARED BY: A.E. MCKAY BUILDERS DATE: JULY 2016	CHECKED BY: [Blank] DATE: [Blank]
APPROVED BY: [Blank] DATE: [Blank]	SCALE: 1:500
PROJECT: CENTRAL PARK CONDOMINIUM - 7 HILLCREST DRIVE ROTHESAV N.B. A.E. MCKAY BUILDERS	

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**DILLON CONSULTING**

PREPARED BY: D.F.H. DATE: JULY 2016  
 CHECKED BY: B.B.C. DATE: JULY 2016  
 DESIGNED BY: B.B.C. DATE: JULY 2016

PROJECT: CENTRAL PARK CONDOMINIUM - 7 HILLCREST DRIVE ROTHESAY N.B. 16-4136  
 DRAWING: MANHATTAN BOULEVARD (NORTH)-PLAN AND PROFILE 5

APPROVALS:

DATE	BY	FOR
		DESIGN
		CHECK
		APPROVAL

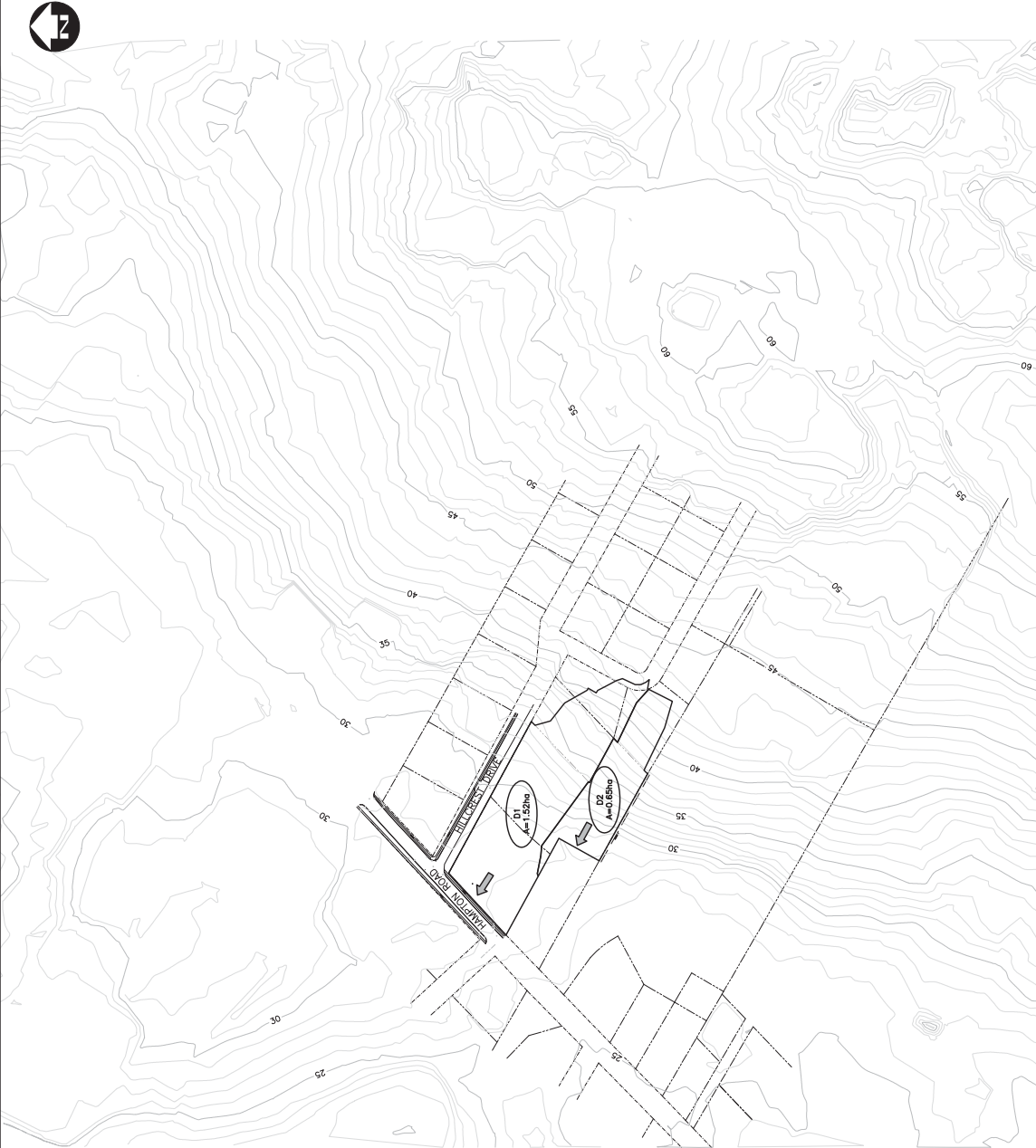
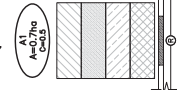
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LEGEND

- EXISTING WATERMAIN
- PROPOSED WATERMAIN
- EXISTING/PROPOSED WATERWALL
- EXISTING/PROPOSED HYDRANT
- EXISTING/PROPOSED END CAP
- EXISTING WELL
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING/PROPOSED MAINTENANCE HOLE
- EXISTING/PROPOSED/ADJUST CATCHBASIN
- EXISTING/PROPOSED/ADJUST DITCH INLET
- DITCH/SWALE
- CULVERT
- RIPRAP
- MAJOR OVERLAND FLOW ARROW
- DRAINAGE AREA LABEL(AREA ID/AREA/ runoff COEFFICIENT)
- PARTIAL DEPTH ASPHALT
- FULL DEPTH ASPHALT
- ASPHALT OVER CONCRETE
- CONCRETE PAVEMENT
- RECESSED CURB
- RIGHT-OF-WAY
- LOT LINE
- PROPERTY LINE
- EXISTING/PROPOSED ELEVATION
- MAJOR/ MINOR CONTOURS

- 20.7m ~ 68.0 FT @ 1.00%
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NO.	DATE	DESCRIPTION	BY	CHK
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CENTRAL PARK CONDOMINIUM - 7 HILLCREST DRIVE ROTHESSA V.B.  
 A.E. MCKAY BUILDERS

PRE-CONSTRUCTION DRAINAGE AREAS

16-4136

7



Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Andrew McKay
A.E. McKay Builders Ltd.
380 Model Farm Road
Quispamsis, N.B. E2G 1L8

Office Held by Deponent: Director

Corporation: A.E. McKay Builders Ltd.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: \_\_\_\_\_, 2016.

I, Andrew McKay, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. That the attached instrument was executed by me as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
3. the signature "Andrew McKay" subscribed to the within instrument is the signature of me and is in the proper handwriting of me, this deponent.
4. the Seal affixed to the foregoing indenture is the official seal of the said Corporation was so affixed by order of the Board of Directors of the Corporation to and for the uses and purposes therein expressed and contained;
5. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay,
in the County of Kings, )
and Province of New Brunswick, )
This \_\_\_ day of \_\_\_\_\_, 2016. )

BEFORE ME: )

Commissioner of Oaths )

Andrew McKay

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: MARY JANE E. BANKS

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Deponent: Clerk

Corporation: Rothesay

Other Officer Who Executed the Instrument: WILLIAM J. BISHOP

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: \_\_\_\_\_, 2016.

I, MARY JANE E. BANKS, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
6. That the attached instrument was executed by me and WILLIAM J. BISHOP, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
7. the signature "William J. Bishop" subscribed to the within instrument is the signature of William J. Bishop, who is the Mayor of the town of Rothesay, and the signature "Mary Jane E. Banks" subscribed to the within instrument as Clerk is the signature of me and is in the proper handwriting of me, this deponent, and was hereto subscribed pursuant to resolution of the Council of the said Town to and for the uses and purposes therein expressed and contained;
8. the Seal affixed to the foregoing indenture is the official seal of the said Town and was so affixed by order of the Council of the said Town, to and for the uses and purposes therein expressed and contained;
9. That the instrument was executed at the place and on the date specified above;

DECLARED TO at town of
Rothesay, in the County of Kings, )
and Province of New Brunswick, )
This \_\_\_ day of \_\_\_\_\_, 2016. )

BEFORE ME: )
)
)
)
Commissioner of Oaths )

MARY JANE E. BANKS



**BY-LAW 2-10-27  
A BY-LAW TO AMEND THE ZONING BY-LAW  
(No.2-10 Rothesay)**

The Council of the town of Rothesay, under authority vested in it by Sections 34 and 74 of the Community Planning Act, R.S.N.B. (1973) Chapter C-12, and amendments thereto, hereby amends By-Law 2-10 “Rothesay Zoning By-law” and enacts as follows:

That Schedule A, entitled “Zoning” as attached to By-Law 2-10 “ROTHESAY ZONING BY-LAW” is hereby amended, as identified on the attached sketch, identified as Attachment “2-10-27”.

The purpose of the amendment is to rezone lands located at 7 Hillcrest Drive (PIDs 00257139 & 30048847) from Single Family Residential – Large Serviced R1A to Multi-Unit Residential (R4) to allow for the development 65 residential units of condominium development containing subject to the execution of a Development Agreement in accordance with Section 39 and Section 101 of the Community Planning Act, supra.

FIRST READING BY TITLE :  
SECOND READING BY TITLE :  
READ IN ENTIRETY :  
THIRD READING BY TITLE  
AND ENACTED :

---

MAYOR

---

CLERK



# Hillcrest Drive Proposal

## Public Comments\*

- 1 Henderson Park
- 15 Gondola Point Rd
- 28 Gondola Point Rd
- 4 Hibbard Ln
- 5 Hibbard Ln
- 8 Hibbard Ln
- 57 Hampton Rd
- 59 Hampton Rd
- 6 Valpy Dr
- 3 Station Rd
- 5 Peters Ln
- 22 Hillcrest Dr
- 9 Hillcrest Dr
- 24 Hillcrest Dr
- 9 Silverton Cres

\*Aug 29th to Sept 8th, 2016



## Comments on 7 Hillcrest Drive Central Park Condominium Proposal

29 August 2016

I am commenting on the proposed condominium development planned for 7 Hillcrest Drive and Hampton Road in Rothesay.

To put my comments in context, I currently live at 15 Gondola Point Road which is adjacent to the 'old fire station' now referred to as the Rothesay Medical Clinic. We moved to Rothesay ten years ago after the controversy had subsided about the Bellview Estates Garden Home complex at 15 – 21 Gondola Point Road. At the time we moved to Rothesay in August 2006, I recall discussing with the developer Mr. Ted Harley his original plan for the development. Behind the four garden homes on Gondola Point Road, Mr. Harley originally wanted to build eleven (11) additional smaller 'carriage house style townhomes' at the rear of the property. The rear of our property is now a lovely green area with a berm and many mature trees. Mr. Harley did not get approval for the eleven carriage house townhomes. **I was very grateful for that decision because we would never have purchased our unit if there were eleven additional unit holders in the complex.**

When I walk or drive along Hampton Road from Rothesay High School to the Post Office on Church Avenue, I find the walk/drive very pleasurable with the large single family homes and well-kept cedar hedges, etc. I have reviewed the Hillcrest Drive Proposal Fact Sheet which I obtained from the Town office. I do agree that Rothesay does need more housing such as the two multi-storey condominium buildings proposed by A E MacKay. **My major concern is the density of housing and the amount of green space relative to solid asphalt driveways and parking, etc.**

In my opinion, the entire proposal should be revised such that the garden homes are removed from the plan. The proposed plan is much too dense for Hampton Road and Hillcrest Drive where all the other properties are single family homes. If the project only included two (twenty-four unit) condominium buildings, the two buildings could be situated facing Hillcrest Drive and be farther back from Hampton Road than the minimum 7.5 metres. Secondly, I understand that the developer has chosen NOT to include underground parking as an inclusive feature of each condominium building unit. This may be an effective marketing approach but it does mean that many individuals may choose to park outside. Ascetically, one would have much less ground covered by asphalt if the developer included underground parking for all building units and only charged for unit holders who want an additional space outside.

In summary, the landowner and developer have presented a plan where the maximum number of units can be placed on this property. The Town of Rothesay will only have one opportunity to strike a balance between the developers wants and what is best for the town overall. I trust that the Town will request that the developer go back to the drawing board and present a less dense proposal for 7 Hillcrest Drive.

Please contact me if you have any questions on my comments.

Sincerely,

[Redacted signature]

[Redacted]  
15 Gondola Point Road  
Rothesay, NB E2E 5J6

[Redacted]



59 Hampton Road  
Rothesay, NB  
E2E 5L4

August 31, 2016

Her Worship, Dr. Nancy Grant  
and Members of the Rothesay Town Council  
70 Hampton Road  
Rothesay, NB

Re: Proposed Rezoning – A.E. McKay Builders Ltd.  
7 Hillcrest Drive (multi-residential development)

Dear Mayor Grant and Members of Town Council,

I am the owner of 59 Hampton Road, the property diagonally across the street from this proposed development. My family has owned this property since 1990 and my husband and I have raised our 2 children from this location. We purchased this property as it was in a good residential neighborhood with excellent access to good schools and we felt this would be a good place to raise our family. It has met all of our expectations and now that our children have become adults and left the family home, we are now beginning to think about downsizing, and moving into a condo-style environment is a real possibility for us.

I am writing this letter to raise my concerns (and not necessarily my opposition) to this proposed development. As I shall be away for the September 14<sup>th</sup> public meeting, I am submitting this letter for your consideration. I have confidence that you will carefully consider all of the necessary elements in deciding whether this proposal is in the best interests of the Town of Rothesay.

Briefly , I will summarize my concerns.

#### A – ROTHESAY MUNICIPAL PLAN

A municipality spends a great deal of effort in preparing a municipal plan for its town. The Rothesay Municipal Plan 2010 is 59 pages with various attachments.

It is my understanding that this is the development blueprint for the Town and any alteration from this should be carefully scrutinized. To rezone a property from R1A-single family house zone to R4 – multi use residential zone is an exceptional and major deviation from the Rothesay Municipal Plan 2010.

To permit this sets a major precedent for others to do likewise in the future.



From my review of the documents filed for this Application and subsequent discussions with the Applicant, it would seem to me that the Town staff have looked at this rezoning as nothing more than a technicality to overcome before construction begins. I would have thought that when this proposal came forward that the town staff would have been more resistant to the rezoning and assisted the applicant in identifying other Town properties that were already zoned R4-multi use residential and compliant with the municipal plan. I do not believe this was ever done.

I would ask that the Town staff identify other properties in the Town which might be suitable for this type of development before permitting this Application. Otherwise, I fear that granting this rezoning shall result in future similar application all over Rothesay for other properties in the R1A residential zone. With the aging demographics in Rothesay, I suspect this will be the first of many applications in the Town for this type of retirement style living. If spot rezoning is going to be so easily achieved, then what is the purpose of a municipal plan?

Additionally, has the Town staff examined whether there would be any reduction in the property values of the existing homes close to this development? I am not against development but to approve a rezoning that could have a negative financial impact on the existing homes should be considered. Has the Town engaged a professional property appraiser to look at this issue? If not, this should be done before any approval is given in my view.

#### B - SPECIFIC PROPOSAL

Should the Council come to the decision that this is a good project for this property, I would urge you to carefully analyse the proposed density advanced in the Application. To construct 2 large 24 units condo buildings along with 6 additional buildings seems to me to be much too dense for a 3.85 acre lot. The additional number of people and vehicles would quickly alter this residential neighborhood. I would suggest a maximum of 48 units would be reasonable.

Furthermore, to place the 2 large buildings within a few feet away from Hampton Road seems inappropriate when you examine the existing homes along this road which have a much greater setback from the road.

To me the larger buildings should be situated on the back side and right corner of the property close to Miller Fields. It was my understanding that this positioning was originally the Applicant's proposal but for whatever reason the Town staff would not accept it.

In conclusion, I do not believe that the Town has completed the necessary due diligence to determine whether this proposal should proceed, however, should Council approve this proposal, I would urge that you require a reduction in the overall scale and density of the project and a repositioning of the buildings on the property.

Thank you for your consideration [REDACTED]

Respectfully submitted [REDACTED]

[REDACTED]



5 Hibbard Lane,  
Rothesay, N.B.,  
E2E 5M3,  
August 31,2016

Mayor and Councillors,  
Town of Rothesay,  
Rothesay, N.B.

Dear Mayor and Councillors;

I am opposed to the application for rezoning the property located at 7 Hillcrest Drive which would allow a 65 unit condominium as a mixed density community.

A Staff document released in the 301 page package linked with the August 8<sup>th</sup> Municipal Council meeting referred to the 2010 Municipal Plan and section 5, 2,3, ( h). The reference is on page 114 of the package. The first comment refers to the innovative aspect of the proposed development.

The comment says that the proposal could be considered innovative as the only similar development to the proposal is Low Wood, with the difference being the inclusion of underground parking, pool and architectural style.

I feel that the 2 developments are not similar for another difference. A major difference which is not listed is **size**. Low Wood has **8 -9 acres** , but the 7 Hillcrest Drive property is only 3.85 acres. Low Wood also has fewer housing units with only 1 apartment building. The land slopes away from the road towards the river and is less invasive. 7 Hillcrest Drive is level with the road with 2 apartment buildings near the road. The buildings would overwhelm the landscape and homes in the area. Most of the homes in that area have a greater set back from the road, and create a less commercial look to that area.

The proposed development has too many units on the 3.85 acres.

Yes, housing is needed within walking distance of basic shopping, but we need to consider the long range effect of high density housing. Rothesay is noted for the relaxed, spacious feel of housing along the central area up to the Municipal Building. A judicious mixture of single level homes such as LowWood's, with apartment buildings that blend, might meet the housing need while retaining the long time look of the area. However, I am opposed to the rezoning of 7 Hillcrest Drive at this time.

Thank you for your consideration in this matter.



August 31, 2016

Rothesay Town Council  
70 Hampton Road  
Rothesay, N.B.  
E2E 5L5



Members of Council,

**Re: Proposed Rezoning – 7 Hillcrest Drive (Multi-residential Development)**

We are writing in connection with the application by A.E. McKay Builders Ltd. to develop a 65 unit condominium complex on a 1.5 hectares (aprox. 3.8 acres) located on the southwest corner of the Hampton Road/Hillcrest Drive intersection. Our home of twenty one years is located at 1 Henderson Park, directly across from the proposed site. We wish to make this submission for your advance consideration in writing, while reserving our right to address the public meeting.

Generally, we are not opposed in principle to responsible and thoughtful development on the site or the concept of considering various residential solutions to reflect the changing demographics in our community. It is our view that the proponent, Andrew McKay, has a good reputation as a builder and that, in making this proposal, he is acting in a professional manner pursuing a perceived business opportunity. He has also shown a willingness to listen and adapt to community input.

We object to this proposal for the following reasons:

1. The zoning of this property is R1 Single Family Residential, and the Rothesay Municipal Plan (Plan) (most recently established in 2010) confirmed this zoning. Through extensive community consultation, areas appropriate for single family, multi family, commercial and institutional development were established. This Plan provides guidance to developers interested in developing property for these various uses. This proposal is an extreme departure from that Plan.
2. Placing 2 large multi-unit buildings, each apparently larger and taller than the Rothesay Town Hall, within 25 feet of Hampton Road and Hillcrest Drive is not consistent with the neighbouring single family homes that have significant landscaping and large lots. (For comparison, the Rothesay Town Hall is set back approximately 40 feet from the sidewalk on Hampton Road). A jarring transition that is not thoughtfully executed will be bad for the property values of surrounding homeowners and will diminish the impression and aesthetics of our community. In solving one perceived problem (the need for additional types of housing in our community), it should not create others.
3. Placing 65 units on a 3.8 acre parcel of land that would, under current zoning, permit approximately 8 units is an unacceptable increase in density from the surrounding properties, and the current use.

We would consider supporting a rezoning application for this property that:

1. Places larger building(s) on the SW corner of the property overlooking the playing field, an area where there are currently large mature trees capable of providing a substantial visual barrier for surrounding homeowners.
2. Places low rise townhouse/duplex units on the Hampton Road and Hillcrest Drive road fronts to facilitate a reasonable density transition from the surrounding properties.
3. Includes buildings with less mass and fewer units. 65 units is too many on this small parcel of land.

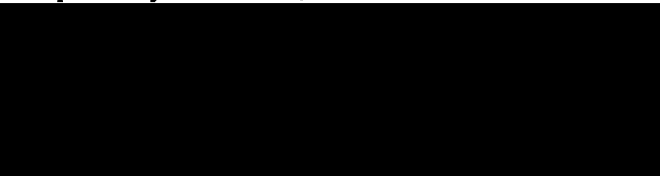
In our opinion, Staff and Council should consider enhancing the review process for proposals that mark a fundamental deviation from the existing Plan. In considering such a proposal, we would have expected staff to be more reserved in its referral to the Planning Advisory Committee (PAC).

For similar reasons, we also would have expected a more robust review by PAC. We understand very few questions were posed by PAC at the meeting held in August. This raises a concern as they, and your Council, represent an important counterpoint in balancing staff recommendations. There is a small, yet inherent, bias in staff recommendations involving increased density since significant re-zonings collectively increase the tax base and operating revenue of the Town and may diminish the need for our Town management to make critical and difficult choices in balancing budgets.

We raise this process issue because, regardless of the outcome in this case, there are a large number of properties **currently for sale** throughout Rothesay that have similar development characteristics (3 or 4 acres of either vacant land or with a single residence, near public facilities such as a church, school, park, or playing field).

Thank you for your consideration.

Respectfully submitted,



1 Henderson Park  
Rothesay, NB  
E2E 5M2



----- Forwarded message -----

From: [REDACTED]  
Date: Thu, Sep 1, 2016 at 3:22 PM -0300  
Subject: Proposed Condominium Complex - 7 Hillcrest Drive  
To: "Brian White" <[BrianWhite@rothesay.ca](mailto:BrianWhite@rothesay.ca)>  
Cc: "Nancy Grant" <[NancyGrant@rothesay.ca](mailto:NancyGrant@rothesay.ca)>, "Tiffany Mackay French" <[TiffanyMackayFrench@rothesay.ca](mailto:TiffanyMackayFrench@rothesay.ca)>, "Don Shea" <[DonShea@rothesay.ca](mailto:DonShea@rothesay.ca)>, "grantbrennan@rothesay.ca" <[grantbrennan@rothesay.ca](mailto:grantbrennan@rothesay.ca)>

Dear Mr. White,

Reference subject proposal....

As a long time resident of Rothesay (1970), I have concerns about the rezoning application presented to Mayor and Council. Given that the Hampton Road is an already busy street, particularly at peak periods, one has to ask if 7 Hillcrest Drive is an appropriate location for such a high density development. The size of the condominium proposal on such a small parcel of land is contrary to the so called "green space" the town of Rothesay is supposedly known for.

Taking into consideration the older established neighborhood(s) in the immediate vicinity (i.e. Almon Lane, Hibbard Lane etc.), the size of the proposed complex is not in keeping with what the Town of Rothesay is advocating on their web site homepage.

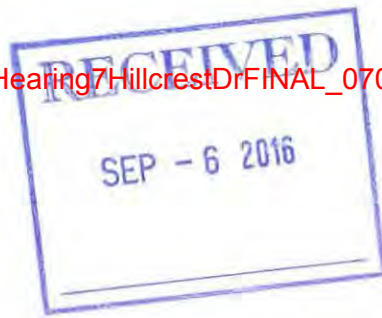
The existing infrastructure is also inadequate. With schools and huge outdoor sporting fields, very close by, traffic issues may well intensify. Hillcrest Drive is only .6 of a kilometer from a very busy intersection. Where the Hampton, Marr and Clark Roads meet it is choked with traffic at best of times. Patience is a virtue especially during the morning and afternoon peak periods. This intersection was poorly designed. When approaching, the centre lane traffic on the Marr Road meet the centre Lane traffic coming up the Clark Road, cars/trucks etc., must literally meet head on to make their respective turns. Evidently, safety was not a huge concern when designing said intersection (?).

In spite of an apparent need for condo housing in Rothesay and for reasons stated above, the scope (size) of Mr. McKay's project as described in the documentation provide by the town is, in my opinion, not suited for the Hillcrest location. The rezoning application from the builder should be further scrutinized. This is over and above the upcoming public hearing slated for September 14th.

Sincerely,

[REDACTED]

Sent from i5



September 3, 2016

Rothsay Town Council  
70 Hampton Road  
Rothsay, NB  
E2E 5L5

Members of Council,

**Re: proposed Rezoning – 7 Hillcrest Drive (Multi-residential Development)**

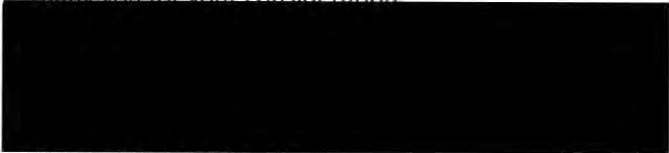
We are writing to express our opposition to the proposed development of a 65 unit condominium complex on the 1.5 hectare lot at 7 Hillcrest Drive.

Our objections are as follows:

1. The property is zoned R1 Single Family Residential. This designation was made during a thorough review of the Rothsay Municipal Plan in 2010. The plan was created to establish what type of buildings/usage is appropriate for particular properties and areas of the Town. The proposed development is vastly incompatible with the current zoning regulations.
2. The current zoning regulations allow for 8 units on 1.5 hectares of land. The proposed 65 units on this property creates an unacceptable density increase for the surrounding area.
3. The size/type of buildings proposed are incompatible with the neighbouring properties. Two large, multi-unit buildings are not appropriate for the location.

We realize there is an interest in the town for dwellings other than single family units. However, the zoning regulations were enacted to maintain the existing character of the area. To stray so significantly from the zoning codes on individual land parcels negatively impacts all residents of the Town.

Thank you for your consideration.



28 Gondola Point Road  
Rothsay, NB E2E 5J9

57 Hampton Road  
Rothesay, N.B.  
E2E 5L4



September 3, 2016

Mayor Grant and Members of Rothesay Town Council  
70 Hampton Road  
Rothesay, N.B.  
E2E 5L5

Mayor and Members of Council,

**Re: Proposed Rezoning – 7 Hillcrest Drive (Multi-residential Development)**

We are writing in connection with the application by A.E. McKay Builders Ltd. to develop a 65 unit condominium complex on 1.5 hectares (aprox. 3.8 acres) located on the southeast corner of the Hampton Road/Hillcrest Drive intersection. Our home of thirty years is located at 57 Hampton Road diagonally across from the proposed site.

We understand that a public meeting will be held on September 14, 2016 to discuss this application but wish to make this submission for your advance consideration in writing while reserving our right to address the public meeting.

Generally, we are not opposed in principle to responsible and thoughtful development on this site or the idea of considering various residential solutions to reflect the changing demographics in our community. As is usually the case, these matters are questions of degree and detail.

We would like to share a few observations with you about the proponent, the process and the proposal as you consider this matter.

**Proponent** – In the recent past, unfortunately, development proposals in our community have occasionally become the subject of high emotion and personal attacks. We would like to be very clear that it is our belief that the proponent, Andrew McKay, has a good reputation as a builder and that, in making this proposal, he is acting in a professional manner pursuing a perceived business opportunity. He has shown a willingness to listen and adapt to community input. He has also publicly expressed concern about other rezoning applications so, in our view, he has a balanced perspective both as a landowner and a developer. Any disagreement that exists with him should be viewed as honestly held views about visions for our community that may not maximize the proponent's profit but may help guide thoughtful and planned development – they are not intended to be disrespectful or personal.

**Process** – For many residents of our Town, we think that it would be surprising to learn that the zoning designations found in our Municipal Plan (which was most recently established in 2010 and is due for re-consideration) are subject to a re-designation which would materially and significantly alter the agreed use. In this case, moving from roughly eight residential units on a residential site to 65.

We acknowledge that these proposals will be governed by a combination of staff input, Planning Advisory Committee (PAC) consideration and public input but, in our opinion, the process itself seems to encourage the type of stressful and emotional debate that has previously caused division and animosity within our community.

It would be naïve to think that consideration of these matters during the summer holiday months does not increase the likelihood that residents will feel that they have been “blindsided” by a process that can move very slowly in private and then with great speed once public details are revealed. Perhaps it is an unfortunate coincidence that two significant proposals have been referred to the public for comment during the last days of summer...but one that could and probably should be avoided.

In this case, it is obvious that significant private discussions took place with staff based on the apparent premise that the Plan’s zoning for the site was open to significant change. Lengthy discussions over several months with the proponent by staff led to a poorly attended and brief PAC meeting on a warm August night.

Based on comments made by Town staff at the PAC meeting, it appears to us that there may be a vision of our neighborhood as an “urban village” held by Town staff that seems an embellishment of our understanding of the spirit and intent of the existing Municipal Plan. **The proposal approved by staff calls for the erection of the two 24 unit condominium units (which are each approximately the size of the Rothesay Town Hall and each about twice the size of the Low Wood condominium high rise ) within 25 feet of the Hampton Road.** The disproportionate mass and scale of this suggests a distinctly different vision for our Town’s main street than we believe is reflected in the Municipal Plan.

In addition, the characterization by staff of this site as being on the “edge” of the residential neighborhood seems completely inconsistent with the Single Family Residential zoning of our home and the surrounding homes on both sides of the Hampton Road.

In short, in considering a development proposal which would represent a fundamental deviation from an existing Plan, we would have expected a stronger position from staff acknowledging the agreed use and Plan and the severe change that the proposal represents. The brief comments contained by staff in their report which emphasize the “subjective” nature of the criteria for special consideration



appear lacking in not compelling significant and detailed information and a rationale satisfying the Plan's requirements for exceptional consideration.

Similarly, we were surprised by the very brief questions posed by the PAC members which may suggest that, in their view, the real oversight and debate (even on a very fundamental change) will be the responsibility of affected residents at a public and potentially acrimonious public forum.

The absence of public input/questions from the PAC raises another challenge as they, and your Council, represent an important counterpoint in balancing staff recommendations. There is a small, yet inherent, bias in staff recommendations involving increased density since significant re-zonings collectively increase the operating revenue of the Town and may diminish the need for our Town management to make critical and difficult choices in balancing budgets. In addition, since the Town has a very small planning staff, their opinions require input from others (such as PAC) to ensure that their views reflect a wider consensus.

We also raise this process issue because, regardless of the outcome in this case, there are a large number of sites in Rothesay that have similar development characteristics (3 or 4 acres of either vacant land or with a single residence, near a public facility such as a church, school or playing field). To the extent that recent events suggest that "spot rezoning" (even for significant developments) has become the new norm in our Town rather than an extraordinary exception, residents should be very concerned about the process. If questions/misunderstandings exist about the role of staff or the PAC, difficult public meetings will become a common occurrence. In our view, a fully debated Municipal Plan which is implemented with limited and necessary change based on its agreed and shared spirit and intent would be a preferable outcome.

All in all, meeting publicly without complete plans and a detailed rationale (including a proposed development agreement) to conclude a process which took place quickly during the summer holiday season doesn't seem ideal but, nonetheless, here we are. Perhaps Council could consider changes in the process for future applications.

**This Proposal** – Conceding that we are open to responsible and innovative development on this site, as we noted at PAC, the question really revolves around massing, density and whether this proposal constitutes a thoughtful and aesthetic transition from the surrounding single family homes. No one can seriously suggest that this is anything other than a significant change in use with potential challenges.

A jarring transition of land use, which is not thoughtfully executed, will be bad for the property values of surrounding homeowners and will diminish the impression and aesthetics of our community. In solving one perceived problem (the need for additional types of housing in our community), the proposed use should not create others.

**As noted, the developer advises that the two multi unit buildings will each be roughly the size of the current Rothesay Town Hall.** In addition to the 17 low rise condominiums, is it appropriate to have two such large structures on a relatively small site? Is the proposed transition from the surrounding half acre lots with a single residence reasonable? **At the very least, we believe the two large structures cannot and should not be located on the Hampton Road with a 25 foot setback.** This location is completely inconsistent with the surrounding single family homes which have significant landscaping, large lots and substantial setbacks.

We understand that economics dictate many aspects of property development but, in our view, the proposal's massing may be too much for the site when combined with concerns which may exist in connection with parking, traffic, water and other issues.

**We would support a slightly scaled back proposal which moves the largest structures (hopefully scaled back to two stories and 16 units each) to the rear and side of the site using existing foliage and landscaping to reduce the impact of the transition from the low rise surrounding residential structures.**

Any development agreement should insist on maintaining existing foliage and adding substantial visual barriers (berms and hedges) surrounding the site and being erected prior to construction activities.

In addition, we believe that since the proposal may be acceptable based on the reputation and commitments of the proponent, any development agreement should be conditional on development undertaken only by the proponent and not transferable to others.

There will be those in the community who will take comfort in the existence of an "agreement" in connection with any successful proposal. We can only advise that our personal experience with "agreements" and the Town has not been encouraging as the seventy-five foot landscaped "buffer" which we settled on with staff when the playing field behind our home was developed very nearly disappeared in a comedy of errors that would have left us with no practical recourse and no "buffer".

It would be our suggestion that it is unreasonable for residents to embrace any proposal where the details of a development agreement have been omitted from public view.

As a result, any approval should involve a requirement for the publication of, and an opportunity for interested residents to review, the terms of any proposed development agreement to satisfy themselves that the agreements reached with the

proponent or commitments made at the public meeting are reflected in a binding document.

Thank you for your consideration,

Respectfully submitted,





September 6, 2016

Town of Rothesay

70 Hampton Road

Rothesay, NB

E2E 5L5

**Re: Proposed Condominium Complex 7 Hillcrest Drive**

To whom it may concern,

My wife and I moved back home to Rothesay in early 2013. We spent a significant amount of time finding the right house in the right location. We chose Hibbard Lane and love the character of this area and have been happy with our choice.

Recently, we were dismayed to read of the proposed project at 7 Hillcrest Drive. In our view, it is an extreme departure from the character and likely evolution over time for this area and will negatively affect our enjoyment of being a homeowner at our current location. In the future, we sensibly could have imagined some evolution in this area to include certain higher density dwellings such as garden homes or townhouses. In our opinion, this type of property at 7 Hillcrest Drive might support 4-15 dwelling units depending on the configuration and types of units. We do not however support this current proposal which includes very large and high structures in view from the street and includes moving to an extreme density of 65 residential units on a property of less than 4 acres. There are many large parcels of residential land in this area and this is an ominous proposal as there could be many more such proposals to follow if accepted.

We were also surprised that this extreme proposal made it through town staff and PAC. In our experience, there are often early opportunities to shape projects before the viewpoints on both sides become more hardened.

We do not support the proposed project and we do not support the change in zoning related to this proposed project.

Thank you for making this process well known to those affected

Sincerely,

4 Hibbard Lane, Rothesay, NB E2E 5M4



September 7<sup>th</sup> 2016

Members of Council

**Re: Proposed Rezoning of 7 Hillcrest**

We are writing in connection with the application by A.E. McKay Builders Ltd to develop a 65 unit condominium complex on 1.5 hectares located on the southwest corner of the Rothesay Road / Hillcrest intersection.

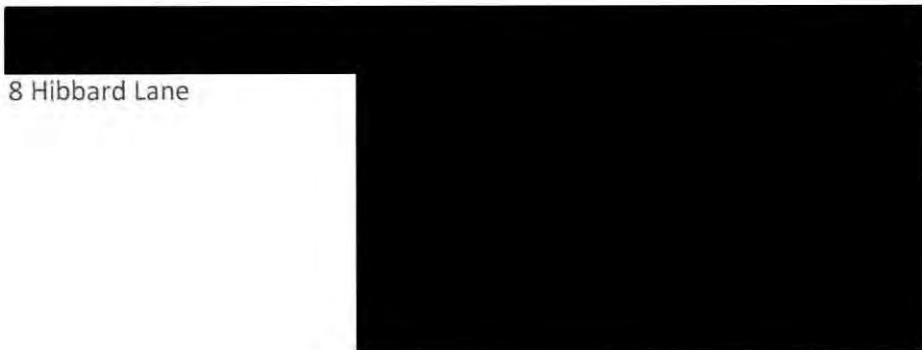
We are opposed to this project for the following reasons.

1. Placing 65 units on 1.5 hectares of land that under current zoning permits approximately 8 units is an unacceptable increase in density from the surrounding properties and current use.
2. The sizing of the multi-unit buildings is not consistent with the neighborhood and is virtually on an already busy and highly trafficked part of the town.
3. There is no set back from the street which will create a more urban feel to a town that prides itself on space and green areas.

There is no doubt that we need alternative housing however the review process needs to be enhanced. We are very surprised that this made it past PAC.

Respectfully submitted

8 Hibbard Lane





September 7, 2016

Rothsay Council  
70 Hampton Rd  
Rothsay, NB  
E2E 5L5

Members of Council,

We are writing to express our agreement with the argument put forward by [REDACTED] with respect to the proposed development of 7 Hillcrest Drive.

We agree the proposal is in extreme variance with the recently created and carefully considered Municipal Plan.

We share their concerns about the proposed placement of buildings on the property and how this would alter the streetscape.

In addition, we have concerns about the number of units proposed and the traffic problems the development will create. As parents of recent graduates of Rothsay High School, we can attest to the congestion at this spot on Hampton Road in the morning and afternoon when students, parents, teachers and buses struggle to enter and leave the property. The nearby Touchstone School adds to the traffic mayhem at these hours. We feel it unwise to add 65 or more vehicles to this busy traffic area in our town. The safety of drivers and, most importantly, students warrants serious consideration before any further development occurs in this area.

Finally, as residents of the lower part of Rothsay we have concerns about drainage. The town infrastructure has difficulty handling the volume of water produced by larger storms and this appears to have been compounded in recent years by any and all development that occurs above our neighbourhood. Washouts are common on our street as more and more water is forced downhill rather than being collected and absorbed by natural, undeveloped spaces at higher elevations.

Respectfully,

[REDACTED]

**From:** [Mary Jane Banks](#)  
**To:** [Liz Pomeroy](#)  
**Subject:** FW: Letter to Mayor and Council  
**Date:** September-07-16 1:15:25 PM

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-----Original Message-----

**From:** [REDACTED]  
**Sent:** September-07-16 1:05 PM  
**To:** Mary Jane Banks  
**Subject:** Letter to Mayor and Council

September 7, 2016

Your Honour Mayor Grant and Councillors

I wish to be on record as opposed to the Proposed Project on the Hampton Road. If there ever was a case of too much building on too little land, this is it!

I am a nearby resident and have a large investment in my property which would be jeopardised by this huge project in terms of traffic, parking, noise and inappropriateness!

This area should remain as single family dwelling, half- acre lots. This spot rezoning is not in the best interest of Rothesay residents which you were elected to represent. The only winner here is the developer.

I urge Mayor and Council to reject any amendment to By-law 2 -10 to allow the building of a 65 unit at 7 Hillcrest Drive Yours truly Susan Petrie

[REDACTED]  
5 Peters Lane  
Rothesay, NB  
[REDACTED]

██████████  
22 Hillcrest Drive  
Rothesay, NB, E2E 5P5

September 8, 2016

Mary Jane Banks  
Town of Rothesay  
70 Hampton Road  
Rothesay, NB, E2E 5L5

**RE: REZONING OF 7 HILLCREST DRIVE, ROTHESAY NB.**

Dear Ms. Banks;

I live at 22 Hillcrest Drive in Rothesay. I bought my house two years ago in 2014, when my house in Hammond River finally sold after over a year on the market. I spent many nights driving around neighborhoods trying to find the perfect place to raise my then 2 year old son. When I came across Hillcrest Drive and Silverton Crescent, I knew it was exactly where I wanted to be. There were children everywhere, many of them in the same age range as my son. In the time my house was for sale, I viewed every single home in the area that was listed. When my house did sell, it didn't even matter to me what homes were available, I was buying one of them because I loved the neighborhood so much.

This is one of the most beautiful and sought after areas in Rothesay, due to the mature and single family residential nature of this neighborhood. A multi-unit complex would destroy the very essence of this family friendly neighborhood. People enjoy this area because of the lot sizes, the mature growth, and the low density that you simply cannot find in more recently developed areas. The fact that there is an elementary school within walking distance, where many young children are walking daily, should be enough to deter the town from increasing traffic by at least 65 vehicles on the street. This area was not intended for such a high concentration of people, it will devalue properties, endanger the lives of children, and will have a negative effect on the quality of life for residents who chose this area to raise their families.

My son started kindergarten today, we walked together to school for his very first day. There were many others walking along with us. The streets are safe, and people are familiar with one another. This would not be the case if there were an additional 65 units within a stones throw. I understand that there is a need for increased housing of this type in Rothesay, but I firmly believe that putting it on Hillcrest Drive, in the heart of an older and established neighborhood, is absolutely the wrong decision. Everyone I have spoken with to date is opposed to the rezoning, and most think it's ludicrous to have housing of this nature in a single family residential area. I implore you to consider the request to have this complex relocated to a more suitable area. Please do not destroy our neighborhood, there are very few like it remaining.

Thank you for your time and consideration,

██████████



Rothesay  
September 4<sup>th</sup>, 2016

Mayor and Council,  
Town of Rothesay  
70 Hampton Rd  
Rothesay, NB E2E 5Y2

Re: Rezoning of land at 7 Hillcrest Drive (PIDs 00257139 & 30048847)

We have recently learned that the town is entertaining a proposal to rezone the property at 7 Hillcrest Drive for the purpose of construction of a 65 condominium complex. After review of the information package made available by the town, we would like to represent to the Mayor and council, as well as to the Planning Advisory Committee, that we are strongly opposed to this development.

We have bought our property on Hillcrest Drive 11 years ago with the understanding that Hillcrest was a mature, well established single family dwelling neighborhood. We have made significant investment in the renovation and improvement of the property, and would now suffer from reduction of property value, as well as unacceptable loss of equity and resale value, if such an abrupt rezoning change was to be allowed in the middle of a single family subdivision plan.

The development is projected to bring 165 people on a single lot which is well above any other area in Rothesay. Many other consulted residents, were in agreement that this is not compatible with surrounding land use and appears to be a departure from the general surroundings and municipal environment that the Rothesay population prefers and enjoys. The rezoning is not in keeping with the municipal plan where the first goal in section 5.4.2 are to “ensure that high density housing types are developed in such a way as not to detract from established groups of single- family residences”

We have definite concerns with the characteristics of the project which brings a much higher roof height than surrounding properties. The new buildings have shared backyards, which are very narrow, and at only ~7 meters in depth, are very close to existing properties, and do not appear to have any buffer zones or screening.

Moreover, the project proposes the construction of “Balmoral Boulevard” in the immediate backyard of 3 adjacent residential properties on Hillcrest and Silverton. This is an unacceptable design, placing these landowners in a position where they have streets both in the front and back of their properties, again without screening. This would lead to significant loss in privacy, noise from private and utility vehicles such as plows and garbage removal, as well as inconvenience from cars light shining directly in the rear of established residences.

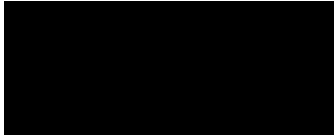
The project appears to provide space for 70 or so vehicles when counting outdoor parking, underground parking and individual garages. This would represent significant vehicular traffic on a small residential

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street that is used by children walking to 3 local schools. It can also be expected that 65 units (or 165 residents) will bring in more vehicles than the spaces shown on the project, likely leading to parking on adjoining streets.

In consideration of the above, we wish to re-iterate our opposition to this project and ask that mayor and council reject the development project and related rezoning of the land on Hill crest Drive.

Regards,



9 Hillcrest drive, Rothesay

Town of Rothesay  
70 Hampton Road  
Rothesay, NB  
E2E 5L5

Re: Rezoning of 7 Hillcrest Drive

Mayor Grant and Fellow Councillors:

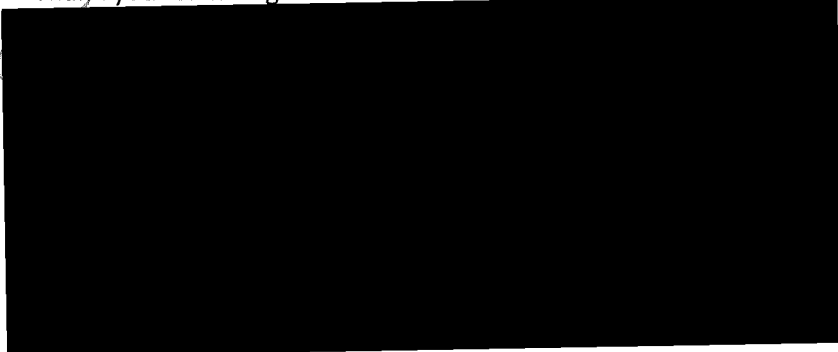
I am two years old and I live with my parents on Silverton Crescent. We relocated from Fredericton in June of 2015 and began our search for a home in an area that would meet our needs. We purchased the house on Silverton in late September of 2015. One of the reasons we chose to purchase and live in Rothesay was we wanted to be part of a community that was "Paddling in the Right Direction, in a community that "aspires to be known as open, transparent, responsive, consistent, and accountable to the residents of Rothesay. Not only that, a community that is committed to fostering respectful relationships among council, town staff, and community partners was an added bonus!

What my mom and dad really liked was the feeling that we were living in the country and yet were close to all the amenities that we needed. Before purchasing our house, they researched the area and the community and liked what they saw and heard. There was lots of green space for me to play and not much traffic in the Hillcrest/Silverton area. The area is family friendly, a well-established neighbourhood and is very quiet. It is an older sub-division and our house shares a fence with Rothesay Elementary School – my favorite playground in the whole wide world. Because it was an older sub-division with what appeared to have no residential growth potential, we decided this was where we wanted to live. I may have to tell mom and dad we made the wrong decision.

Allowing an amendment to the current zoning designation from R1A – single family homes, public parks and public playground to R4 – Multi-Unit Residential Zones cannot be approved. If I were on council, I would vote against the amendment. A multi-unit complex would alter the essence of my neighbourhood. Introducing 65 units in a zoned residential area will increase traffic, could devalue surrounding properties and will have a negative effect on the quality of life for the residents who chose to purchase homes in this area. I worry as a two year old that the increased noise and traffic might put me in harm's way. I like how quiet my neighbourhood is and because I play outdoors every chance I get I never worry about cars on the street – not that I play in the street – my mom and dad won't let me.

All of my friends on the street – and I have lots – do not want 65 units built just down the street. We live in a single family residential area and we want to keep it that way. When I want something from my mom and dad I just look at them with my big blue eyes and say pleeeeeease. They usually give me what I want but I hope that you will see that approving the zoning application will be detrimental to our continued quality of life.....pleeeeeease.

Thank you for taking the time to consult on this very important issue.





September 7, 2016

Dear Members of the Rothesay Town Council,

I would like to respectfully voice my opposition and non-support for the proposed condo/apartment development at the foot of Hillcrest Drive.

My wife and I have lived on Hillcrest Drive for 30 years. The reason we purchased this property had largely to do with the fact that the area was zoned for residential single family dwellings. The area is peaceful, safe and close to all the amenities. It was a perfect place to raise our 4 children. In the past few years, there have been several other families with very young children move to Hillcrest Drive and within the near proximity. These children walk to elementary, middle and high school.

The proposed development is grossly over ambitious and non-aesthetically pleasing to the area. There are 4 schools very close to this proposed development. Traffic in area is already busy and before and after school hours congested. The crosswalk nearby is busy and at times dangerous due to the rush of people before and after school. A proposed 65 unit development will only exacerbate the problem.

I am not against the area being developed for residential single family dwellings. In fact, I would encourage single family homes be built on that parcel of property. The lot could easily accommodate up to 8 or more single family dwellings.

The Town of Rothesay has always been desired as a place for families to locate and raise children. One of the major reasons for this is the desire to live in an aesthetically pleasing residential area of single family dwellings.

I would ask the Town Council of Rothesay to turn down this overly ambitious non-aesthetically pleasing proposal.

Respectfully yours



24 Hillcrest Drive

Rothesay, NB

E2E 5P5