

# ROTHESAY

PUBLIC HEARING AGENDA

**By Webex Videoconference**

7:00 p.m.

**Monday, November 15, 2021**



**Public access to the Live stream will be available online:**

<https://www.rothesay.ca/town-hall/agendas/>

**PUBLIC HEARING                    HOLLAND DRIVE (PID #s 00056614, 00065094, 00056598)**  
2 – Six storey (48 unit) apartment buildings

**1.    CALL TO ORDER**    Instructions

**2.    PUBLIC HEARING**

**Documentation**

12 November 2021    Public Notice memorandum prepared by Town Clerk Banks  
20 October 2021    *Community Planning Act*, Section 111 notice to website  
1 November 2021    Motion from Planning Advisory Committee  
27 October 2021    Staff Report to Planning Advisory Committee *without attachments*  
25 August 2021    Staff Report to Planning Advisory Committee *excluding Attach. B*  
28 June 2021        Staff Report to Planning Advisory Committee *excluding Attach. A&D*  
DRAFT                By-law 2-10-29  
DRAFT                Development Agreement

**Appearances/Presentations:**

Presentation:    **Andrew Baskin. A.C. Baskin Investments Inc.**  
**Daniel Houghton, P.Eng.**

Presentation:    **Brian White, MCIP RPP, Director of Planning/Development Services**

**Comments:**        Letters from residents (2)

**Appearances:**    Anita Thomas  
                          Enid Haley  
                          Sheila Darkin  
                          Andrew Pollabauer  
                          Carol Ring

**3.    ADJOURNMENT**



2021November15HollandDriveHearingFINAL\_002

# ROTHESAY MEMORANDUM



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TO : Mayor and Council  
FROM : Town Clerk Mary Jane Banks  
DATE : 12 November 2021  
RE : Community Planning Act notice (Holland Drive Development)

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## FOR INFORMATION

Rothesay Council scheduled the public hearing at its regular meeting on October 12, 2021. The notice was posted to the Town website (*copy attached*) on October 20<sup>th</sup>, in accordance with the *Community Planning Act*.

Social media messages were shared on the following dates:

Tuesday, October 26  
Thursday, October 28  
Tuesday, November 3  
Thursday, November 4  
Monday, November 8  
Wednesday, November 10 (indicating deadline to register is NOON)

On November 12 and 15, messages have been scheduled directing the public to the Council agenda page on the website where access will be available for the livestream event.

*Original signed by Town Clerk*

Mary Jane Banks, BComm  
Town Clerk

## By-law Notices / Hearings

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 [rothesay.ca/town-hall/by-law-notices-hearings](https://rothesay.ca/town-hall/by-law-notices-hearings)



### PUBLIC HEARING NOTICE

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#### *(VIRTUAL HEARING)*

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**Monday, November 15, 2021 at 7:00pm**

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*20 October 2021*

In accordance with Section 111 of the *Community Planning Act*, SNB 2017, c19 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" to rezone lands located off Holland Drive (PIDs 00056614, 00065094, 00056598) from Single Family Residential [R1B] to Multi-Unit Residential (R4) to allow for the development of two 48-unit apartment buildings, subject to the terms of a Development Agreement.

The Public Hearing will be held **online** beginning at 7:00 pm on Monday, November 15, 2021. You can watch the livestream at <https://www.youtube.com/user/RothesayNB> and the agenda will be available online at <https://www.rothesay.ca/town-hall/agendas/>.

Anyone wishing to **speak at the Public Hearing must register** with the Clerk's office **no later than Wednesday, November 10, 2021 at 12 NOON**. Please contact the Clerk's office at 848-6664 or [Rothesay@rothesay.ca](mailto:Rothesay@rothesay.ca) for more information. Once registered for the hearing you will receive an email invitation to the online meeting with instructions on how to join the videoconference.

The following documentation is available online and can also be reviewed at the Town Office, 70 Hampton Road, Rothesay, NB Monday to Friday 8:15 am – 12 noon and 1:15 – 4:30 pm (closed between 12 noon and 1 pm), exclusive of civic holidays:

DRAFT            By-law 2-10-29

DRAFT          Development Agreement

The Agenda package for November 15 Public Hearing will be available here: <https://www.rothesay.ca/town-hall/agendas/>

Written objections to the proposed amendment will be received by the undersigned until **12 noon on Wednesday, November 10, 2021** and will be provided to Council for the public hearing.

Please note that all records in the custody or under the control of the town of Rothesay are subject to the provisions of the *Right to Information and Protection of Privacy Act*, SNB 2009, c. R-10.6 and may be subject to disclosure. Records may be shared with internal departments, Council, external agencies or released at a Town committee meeting, which may be public. Any questions regarding the collection of this information can be directed to the Rothesay Town Clerk.

Mary Jane E. Banks, BComm

Town Clerk – Rothesay

([Rothesay@rothesay.ca](mailto:Rothesay@rothesay.ca))

506-848-6664





2021 November 15 Holland Drive Hearing FINAL\_005  
**ROTHERSEY**  
**MEMORANDUM**



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TO : Mayor and Council  
FROM : Planning Advisory Committee  
DATE : November 10, 2021  
RE : Holland Drive (PID 00056614, 00065094, 00056598)

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The Planning Advisory Committee passed the following motion at its regular meeting on Monday, November 1, 2021:

**MOVED** ... and seconded ... the Planning Advisory Committee table the following motion pending the receipt of a supplementary report from Staff:

A. The Planning Advisory Committee hereby recommends that Council enact By-law 2-10-29 to rezone the lands located off Holland Drive (PIDs 00056614, 00065094, 00056598) from Single Family Residential – Standard Zone [R1B] to Multi-Unit Residential (R4) to allow for the development of two 48-unit apartment buildings subject to the execution of a Development Agreement, as amended in accordance with the Community Planning Act.

B. The Planning Advisory Committee hereby recommends that Council authorize the Mayor and Clerk to enter into an agreement, as amended, to allow for the development of two 48-unit apartment buildings on lands located off Holland Drive (PIDs 00056614, 00065094, 00056598).

**CARRIED.**



**To:** Chair and Members of Rothesay Planning Advisory Committee  
**From:** Brian L. White, MCIP, RPP  
Director of Planning and Development Services  
**Date:** Wednesday, October 27, 2021  
**Subject:** Rezoning Holland Drive – (PIDs 00056614, 00065094, 00056598)

<b>Applicant:</b>	Andrew Baskin	<b>Property Owner:</b>	A.C. Baskin Investments Inc.
<b>Mailing Address:</b>	63 Jenkins Drive Quispamsis, NB E2E 0J6	<b>Mailing Address:</b>	63 Jenkins Drive Quispamsis, NB E2E 0J6
<b>Property Location:</b>	Holland Drive	<b>PID:</b>	<b>00056614, 00065094, 00056598</b>
<b>Plan Designation:</b>	High Density Residential	<b>Zone:</b>	Single Family Residential R1B
<b>Application For:</b>	2 – 6 story (48 Unit) Apartment Buildings		
<b>Input from Other Sources:</b>	Operations, KVFD		

## ORIGIN

An application from Mr. Andrew Baskin, Director of A.C. Baskin Investments Inc. to consider rezoning land located off Holland Drive (PIDs 00056614, 00065094, 00056598) from Single Family Residential [R1B] to Multi-Unit Residential (R4) to allow for the development of two 48-unit apartment buildings subject to the terms of a Development Agreement.

## BACKGROUND:

At the October 5<sup>th</sup>, 2021 regular meeting of the PAC the Committee did recommend that Council schedule a public hearing for the application. Subsequent to that recommendation from PAC, Council scheduled a Public Hearing for Monday, November 15, 2021.

During the October 5<sup>th</sup>, 2021 PAC meeting the applicant was also asked to address the following items:

1. Details regarding their stormwater plan showing the potential infrastructure necessary for stormwater management.
2. Investigate the possibility to create a connection to either the Canadian Tire or Sobeys parking lots.

The applicant is still preparing responses to the items above and Staff also require additional time to prepare a report and analysis for PAC.

## FIRE SAFETY:

Staff also continue to provide transparency around the issue of building height and potential impacts on the Kennebecasis Valley Fire Department (KVFD). The considerations regarding building height indicate that the height is a not the primary issue for firefighting. Rather the building's size and large number of units/occupants creates for the KVFD an accumulating demand the need for more firefighting staff and resources.

Staff understand that this means for the KVFD the proposed six-story building would present no greater risk than a four-story 48-unit building. The KVFD also notes that the recommended additional fire protection measures (included in the draft development agreement) if implemented would represent an overall lower risk profile than a four-story building with the same number of units.

Staff also note that the KVFD has been acquiring the necessary equipment to support fighting fires in buildings equipped with standpipe systems<sup>1</sup>. However, the acquisition of a longer ladder truck is not being recommended at this time. The KVFD also note that the department is investing in specialized training this fall and exercises are scheduled to commence in early November applicable to all residential apartment buildings equipped with standpipe systems.

### **WATER CAPACITY:**

The proposed development is subject to a development agreement that stipulates the details and obligations of the respective parties (Rothesay and the Developer) concerning the development of the subject property. When a development agreement is necessary, Council must review Policy IM-13 in the Municipal Plan, which states as follows.

*Policy IM-13 Council Shall consider development agreement applications pursuant to the provisions and criteria as set out in various policies of this Plan and consideration of the following:*

- a) *That the proposal is not premature or inappropriate by reason of:*
- 1) *The financial capability of Rothesay to absorb any costs relating to the development;*
  - 2) *The adequacy of municipal wastewater facilities, storm water systems or **water distribution systems**;...*

Staff determined that Rothesay requires a water capacity study (pressure and volume) for both domestic water and firefighting. Staff are providing the applicant with background technical documents/data and information regarding the technical terms of the work that must be completed. Staff note that the water capacity study could result in the requirement for new infrastructure, which would be the responsibility of the developer. Staff are recommending that PAC table the application pending with the results of the water capacity study.

The standard procedure for a rezoning is that Council receive from PAC a recommendation on the rezoning and the development agreement in advance of the public hearing. However, the issues regarding water capacity are substantial enough that Staff are requesting additional time to bring a recommendation forward regarding the application and development. Staff note the attached development agreement does contain an amendment to correct a typographic error correcting the number of units from 48 to 96 in PART 31 of the agreement.

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<sup>1</sup> Standpipe systems are a series of pipes, which connect a water supply to hose connections on each floor of an apartment building, essentially an extension of the fire hydrant system within a building. When responding to a call firefighters will carry hose packs up to the building floor level where they will connect their hoses to the standpipe system start their operations.


**RECOMMENDATION:**

Staff recommend THAT the Planning Advisory Committee TABLE the following Motion pending the receipt of a supplementary report from Staff:

- A. PAC HEREBY recommends that Council enact **BY-LAW 2-10-29** to rezone the lands located off Holland Drive (PIDs 00056614, 00065094, 00056598) from Single Family Residential – Standard Zone [R1B] to Multi-Unit Residential (R4) to allow for the development of two 48-unit apartment buildings subject to the execution of a Development Agreement, as amended in accordance with the Community Planning Act.
- B. PAC HEREBY recommends that Council authorize the Mayor and Clerk to enter into an agreement, as amended, to allow for the development of two 48-unit apartment buildings on lands located off Holland Drive (PIDs 00056614, 00065094, 00056598).

**ATTACHMENTS:**

Attachment A          DRAFT By-law 2-10-29 & Development Agreement (Amended)



Report Prepared by: Brian L. White, MCIP, RPP

Date: Wednesday, October 27, 2021



**To:** Chair and Members of Rothesay Planning Advisory Committee  
**From:** Brian L. White, MCIP, RPP  
Director of Planning and Development Services  
**Date:** Wednesday, August 25, 2021  
**Subject:** Rezoning Holland Drive – (PIDs 00056614, 00065094, 00056598)

<b>Applicant:</b>	Andrew Baskin	<b>Property Owner:</b>	A.C. Baskin Investments Inc.
<b>Mailing Address:</b>	63 Jenkins Drive Quispamsis, NB E2E 0J6	<b>Mailing Address:</b>	63 Jenkins Drive Quispamsis, NB E2E 0J6
<b>Property Location:</b>	Holland Drive	<b>PID:</b>	<b>00056614, 00065094, 00056598</b>
<b>Plan Designation:</b>	High Density Residential	<b>Zone:</b>	Single Family Residential R1B
<b>Application For:</b>	2 – 6 story (48 Unit) Apartment Buildings		
<b>Input from Other Sources:</b>	Operations, KVFD		

### RECOMMENDATION

PAC removes from the TABLE the application from the application from Mr. Andrew Baskin, Director of A.C. Baskin Investments Inc. to develop two six story (48 unit) apartment buildings on three parcels of land off Holland Drive.

### BACKGROUND:

At the July 5, 2021 regular meeting PAC did TABLE the application for 2 apartment buildings located off Holland Drive pending the receipt of a supplemental staff report containing the following:

1. Staff review of Traffic impact assessment;
2. Polling results;
3. Review by KVFD; and
4. Draft development agreement and rezoning By-law.

The property is currently zoned single family (R1B) and designated for HIGH DENSITY residential uses. The property was designated, as a future High-density residential area because it is located in close proximity to several major commercial uses (Canadian Tire and Sobeys), and the Hampton Road. A high-density residential land use located adjacent to Hampton Road promotes greater access to local shops and services by future residents within a walkable distance. The proximity of high density residential to Rothesay's commercial areas also reduces sprawl by utilizing the existing streets and municipal service utilities (sewer and water).

### TRAFFIC

Staff did review the submitted Traffic Impact Statement and noted that the proposed development would generate 522 trips daily, and that delays at the southbound approach of the Marr Road / Chapel Road intersection will increase; however the approach will remain below capacity and the intersection will continue to perform efficiently overall. The study concludes that signal control at the Marr Road / Chapel Road would improve traffic operations at the Chapel Road approach; however, the overall

intersection delay would be higher as traffic signals would also force traffic on Marr Road to stop periodically.

Staff have included a clause within the development agreement (Attachment A) that secures a capital cost contribution toward signalization should Rothesay proceed with a capital project to improve the intersection of Marr and Chapel.

Staff also note that the traffic study recommends a new sidewalk connection along Chapel Road between the proposed development and the existing sidewalk facilities on Chapel Road south of Parkdale Avenue. This could be facilitated with extension of sidewalk along the east side of Chapel from the development to Scribner Crescent, a crosswalk on Chapel Road at Scribner, and sidewalk along the west side of Chapel from Scribner to Parkdale. Staff are recommending that all sidewalk costs be born by the developer including a potential sidewalk connection from the development to the Hampton Road.

**POLLING:**

Staff sent a polling notification letter to surrounding property owners and did receive several inquiries and written submissions. The primary concern relates to increased traffic and traffic safety. Several specific suggestions to address traffic were made such as the addition of stop signs at Parkdale and Chapel, and traffic lights at Marr and Chapel. Residents did also express some concern regarding the presence of a large building within the view plane of their backyards and the concern of their backyard being overlooked by residents in the top floors of the proposed six-storey building.

**KENNEBECASIS VALLEY FIRE DEPARTMENT:**

As is required by Municipal Plan **Policy FR-7**, the KVFD must review proposals for new development projects to ensure that public safety and firefighting concerns are addressed. A memo from KVFD Chief Ireland is attached (Attachment C). KVFD notes that newly constructed mid-rise buildings are inherently safe and have fire protection systems installed in order to comply with the National Building Code (NBC). Chief Ireland also points out that the “risk to firefighters and occupants increases in proportion to the height of a building and the height of the fire above ground level.” The National Building Code (NBC) addresses these risks by imposing additional fire protection requirements on buildings whose top floor level is more than sixty (60) feet above grade. However, a six-storey building falls just below these criteria, which means that a six-storey building is high enough to create additional risk to firefighters and occupants, but not high enough not to require additional fire protection systems to mitigate those risks.

For the above reasons, the KVFD states with regard to this development and more generally, ***“Adding more of these types of buildings to our coverage area changes our risk profile and requires training and resources that go beyond our current capacity.”***

Notwithstanding the concerns expressed by the KVFD they do offer that should the project proceed that PAC consider requiring the applicant to include the following additional safety measures found in the National Building Code that are intended for higher buildings. This would help to lessen the impact of a fire on occupant safety and help to improve the operational efficiency of the limited number of responding firefighters. Staff have included these requirements in the DRAFT development agreement (Attachment A).



**APPROVAL PROCESS:**

The application is to rezone the subject property to the R-4 Multi-Unit Residential Zone to permit 2 48 unit apartment buildings by development agreement. The application is being reviewed pursuant to the policies of Rothesay Municipal Plan 1-20. The standard procedure for a rezoning is that Council receive from PAC a recommendation to hold a Public Hearing and that both the rezoning (by-law amendment) and the development agreement be prepared in advance of the public hearing.

PAC should take note that a recommendation to hold a public hearing does not equate to endorsement of the proposal but rather is a required step in the administrative process of allowing the applicant to address Council and the public. Assuming that Council sets a date for a Public Hearing the PAC will have an opportunity, at a later meeting, to forward a recommendation to Council on the merits of the application prior to the public hearing.

**RECOMMENDATION:**

Staff recommend the Planning Advisory Committee consider the following MOTION:

The Rothesay Planning Advisory Committee HEREBY recommends that Rothesay Council schedule a public hearing to consider rezoning the lands located off Holland Drive (PIDs 00056614, 00065094, 00056598) from Single Family Residential – Standard Zone [R1B] to Multi-Unit Residential (R4) to allow for the development of two 48-unit apartment buildings subject to the execution of a Development Agreement in accordance with the Community Planning Act.

**ATTACHMENTS:**

- |              |   |
|--------------|---|
| Map 1        | Location Map                                  |
| Attachment A | Polling Results                               |
| Attachment B | DRAFT By-law 2-10-29 & Development Agreement  |
| Attachment C | Memo from Kennebecasis Valley Fire Department |
| Attachment D | Traffic Study                                 |



Report Prepared by: Brian L. White, MCIP, RPP

Date: Wednesday, August 25, 2021

**ATTACHMENT A - POLLING RESULTS:**

Dear Sir,

My wife and I would like to object to the application for two 48 apt. buildings too be built off Holland drive, later to be named Chapel road.

All traffic from the apts. would be channeled up towards the south end of Chapel to intersect with the Marr road. Anyone trying to turn left during peak periods would be backed up without some change to the current system. I cannot believe that having a turn light would slow traffic more than without.

At the north end of Chapel is where it will effect house nos. 19, 22, 21 and 23. There driveways are very close to the existing end of Chapel Rd. ( especially Nos. 19 and 22 ) this will now become a blind hill with cars coming over this hill at speed. Scribner crescent has a stop sign but 90% of people never actually stop. My wife and I will be very fearful of exiting our driveway especially when winter arrives. Our conclusion is that this area is an accident waiting to happen, something would have to be put in place to control this junction.

As for the Pedestrian Crossing we have the same fears as stated above, Dark mornings, blind hill, people rushing to work and school buses.

These are our concerns if this application goes through, personally we feel that there is no need for any more apt. buildings at this time.

Regards,

William and Anne Cummings  
Rothesay.

Rothesay August 20 2021.

Submission to the Planning Advisory committee of the Town of Rothesay pertaining to a Request to Re zone a portion of land on Holland Drive and build two Apartment buildings on it. Also, the proposal of extending Chapel Road to Holland Drive, with the vehicle traffic to be directed thru Chapel Road with no access to Holland Drive from the two proposed new buildings.

My wife and I moved to the Village of Fairvale in 1976 when we moved to the Saint John area from the Toronto area. We purchased 26 Chapel Road on the corner of chapel Road and Parkdale. After 45 years we continue to live there and have enjoyed the neighborhood.

Access to Chapel Road in 1976 was either thru Robinson or Parkdale it was a Dead-end North of Robinson and a Dead end just North of were Scribner joins Chapel Road. Scribner Crescent had 3 Apartment buildings on it and the traffic from it flowed in to Chapel Road at two locations, just as it is now.

Since then, one Apartment building burned down and was rebuilt, one other apartment building was added on Scribner. Rumor has it that the Community Garden and the Ballfield will be sold, allowing another Apartment building. As well Scott Bros build the Townhouses on Scribner, Hills view and Shadow Lawn, all traffic continuing to flow into Chapel Road from the two Scribner entrances.

When Scott Bros Build Chapel Hill Estates a request was made, I do not remember if Fairvale was already amalgamated with Rothesay at the time, to extend Chapel Road from Robinson to the Marr Road, this was granted with an understanding that on the North end of Chapel the barrier would stay, eliminating Chapel Road becoming a short cut between the Marr Road and Hampton Road, this has partially worked although the shortcut is now, Hampton Road, Parkdale, Chapel Road, Marr Road and vice versa. There are some 3 way stops at Robinson and Scribner, not at Parkdale and Chapel Road.

The request for nearly 200 more cars and service vehicles to have ONLY access to Chapel Road must be seriously considered. I have studied the Traffic Studie and it looks as there is little or NO concern to be for the continuation of the Road to the development as per the proposal. There are however items that are not covered. I suggest strongly that this Committee visit the site prior to any discussions to get a better understanding of this request.

1. The Cost to the Town of Rothesay extending Chapel Road taking into consideration the difference of the height of the land.
2. The agreement NOT to extend Chapel Road to Holland Drive when Chapel Road was extended to the Marr Road.
3. There is a large amount of water flowing down Scribner during heavy rain and snow melt, some ft this ends up in the Ditch, most of it however flows over the road onto Chapel Road and down, past the barrier, the hill. If Curbs are built it will be even worse as the water will run down the new Portion of Chapel Road down the Hill, during winter lots of ice.
4. There are 5 School busses that stop at the corner of Chapel Road and Parkdale, not sure who plans or approves were School busses should stop, however this is a fact, they stop going Nort or South on Chapel and East on Parkdale. Stopping on a straight stretch of road would make more sense. Parents that bring their children to the Bus stop park on the West and east side of Chapel Road, there are no curbs there and they are able to be mostly off the road, if curbs installed, they would block the road.
5. Very Few people living on Chapel Road were notified of this proposal although they will all be affected if the request is approved

We have no objection to rezone and build Apartments on the property identified We strongly recommend that the Barrier continues to be at the present location and that Holland Drive or another Service Road be considered

Gwen and Casey Hoogeveen



# Map 1 - Holland Drive Site Location

2021November15HollandDriveHearingFINAL\_015

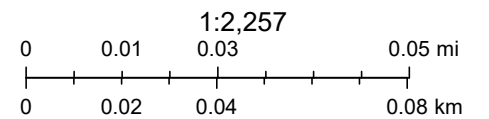


6/25/2021, 12:12:42 PM

 Rothesay Boundary

 Civic Address

 Property





# Kennebecasis Valley Fire Department

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## *Office of the Fire Chief*

To: Town of Rothesay Director of Development Services Brian White  
From: Fire Chief Bill Ireland  
Re: Holland Hills – Proposed Six Storey Apartment Building  
Date: July 5, 2021

This memo is in response to your request for comment on the height of the proposed six storey apartment building(s) to be located on Holland Drive in Rothesay. My comments are based on the elevation drawings you provided which illustrate a six-storey, multi-unit residential building that would appear to contain approximately 48 dwelling units. I have previously reported to Council through the Board of Fire Commissioners that the increase in newly built or planned multi-unit, multi-storey buildings in our coverage area further exposes an existing gap in our resource/risk equation. My comments in this memo are limited to the additional specific challenges that a six-storey building would present for the Kennebecasis Valley Fire Department based on our current equipment and resources.

As has been previously communicated to Council, the current KVFD staffing levels do not conform to consensus-based industry standards for interior firefighting operations in buildings containing more than two-dwelling units and/or greater than two storeys in building height. The National Fire Protection Association standard for the *Organization and Deployment of Fire Suppression Operations by Career Fire Departments* (NFPA 1710) requires an initial response force of twenty-eight (28) firefighters to a fire in a three-storey, garden style apartment building<sup>1</sup>. The KVFD is currently staffed with eight (8) firefighters on-duty. Alternate means of ensuring firefighter and occupant safety have been identified and implemented where possible. An evaluation of further improvements and mitigation strategies is ongoing.

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<sup>1</sup> NFPA provides guidelines for deployment to “typical” structures within a fire department coverage area. These include single family dwellings, strip shopping centres, apartment buildings and high-rise buildings. The response recommendations for a “typical” 3-storey apartment building are applicable as the minimum standard for the subject 6-story apartment building.



Newly constructed mid-rise buildings are inherently safe and have fire protection systems installed in order to comply with the National Building Code (NBC). It is generally acknowledged that the risk to firefighters and occupants increases in proportion to the height of a building and the height of the fire above ground level. The NBC addresses these risks by imposing additional fire protection requirements on buildings whose top floor level is more than sixty (60) feet above grade. A six-storey building typically would fall just below these criteria, which means that a six-storey building is high enough to create additional risk to firefighters and occupants, but not high enough not to require additional fire protection systems to mitigate those risks.

At present, the highest building(s) in our coverage area do not exceed four storeys. Based solely on the elevation drawings provided and with no knowledge of the site configuration, building set-backs, etc., I would expect that our ladder truck would be able to reach the fourth floor of the proposed building at a maximum. Our only elevated aerial apparatus has a ladder length of seventy (70) feet and a maximum vertical reach of approximately forty (40) feet depending on site conditions. For occupants of the building and firefighters operating above the reach of aerial devices, the only viable means of access/egress during a fire incident is the interior stairs. The extra protection afforded by laddering the building to provide a secondary means of egress, to move personnel and equipment or to conduct a rescue is not possible.

Moving equipment and firefighters up four or more stories is an arduous task. If it is not properly managed, firefighters may be exhausted and unable to fight the fire or rescue trapped occupants. Additionally, joint use of stairways by firefighters moving upward and occupants attempting to evacuate may increase the overall evacuation time of the occupants, as well as delay the firefighters' efforts to begin critical tasks such as fire suppression or search and rescue operations. In general, occupants being rescued by smaller crew sizes and by crews that used the stairs to access upper floors are potentially exposed to a significantly greater volume of toxins from the fire. While the exact risk exposure for an occupant will depend on many factors including the fire growth rate, their proximity to the fire and the floor on which the fire is located; the building height and on-scene deployment levels can have a dramatic effect in determining the fate of building occupants.

As the level of the fire floor gets higher, reliance on standpipe systems to supply water for fire suppression also increases. In addition to the distance from the fire engine to the upper floors, there is also an elevation-based loss in pressure when using a preconnected hose line attached to a fire engine. As a result, standpipe systems are typically used to fight a fire above the second floor. This requires firefighters to transport fire hose and nozzle appliances and valves up the stairway and make a connection to the standpipe outlet one floor above or below the fire floor. KVFD has recently acquired the necessary hose and appliances required to utilize standpipe

systems but currently lacks the proper training and experience with these systems for suppression tactics to be highly effective. Hands-on training is planned for this fall and the department will be better prepared to use standpipe systems for fire suppression before the proposed building is completed.

Beyond the emergency operations perspective, most of the passive safety systems included in the building design rely on regular testing and maintenance to function as intended. While the National Fire Code (NFC) places the burden to properly maintain building safety systems on the building owner, real world experience has proven that factors such as cost, low prioritization and human intervention can undermine even the best engineered systems. Regular inspections and enforcement of the testing and maintenance requirements in the NFC helps ensure building and occupant safety. Routine fire prevention inspection programs require additional personnel resources beyond the current capacity of the KVFD.

### **Summary**

Key challenges for the KVFD when responding to mid-rise buildings include the lack of deployment resources on the initial response, the sheer scope and scale of conducting search and rescue operations, difficulty moving personnel and equipment vertically to the fire area, the potential for significant fire growth fire based on the time it takes to initiate firefighting operations with limited resources, and logistical management of the significant number of firefighters and equipment required to complete critical tasks. The additional building height associated with this proposal exacerbates these challenges.

The KVFD supports growth and development in our community but it must be measured against our capacity to protect people and property. It should be apparent that suppressing a fire and searching for occupants in a typical single-family dwelling is substantially different than fighting a fire in a six-storey building containing 48 dwelling units and potentially 100+/- occupants. Adding more of these types of buildings to our coverage area changes our risk profile and requires training and resources that go beyond our current capacity.

### **Recommendations**

An effective way to reduce risk is to limit the frequency and impact of an event. The following recommendations are a proactive approach to addressing the increased risk that the additional building height in a six-storey building presents. They would also help shift the financial burden of addressing this risk from the municipality to the building developer.

As part of your development approval process, I would recommend that you consider requiring the applicant to include the following additional safety measures found in subsection 3.2.6. of the NBC specific to “high” buildings:

- The building should be designed to limit the danger to occupants and firefighters from exposure to smoke by complying with Sentences 3.2.6.2 (2)-(6)
- The building elevator(s) should be equipped with manual emergency recall per Article 3.2.6.4.
- At least one elevator should be designated for use by firefighters per Article 3.2.6.5
- The building should be designed to include a means of venting smoke from each floor area to aid firefighting per Article 3.2.6.6.
- The building should be equipped with a central fire alarm and control facility which includes a voice communication system per Article 3.2.6.7 and 3.2.6.8.

These additions to the minimum requirements of the National Building Code are intended to replicate the same safety standards required in higher buildings. This would help to lessen the impact of a fire on occupant safety and help to improve the operational efficiency of the limited number of responding firefighters.



# HOLLAND DRIVE APARTMENTS TRAFFIC IMPACT STATEMENT

Traffic Impact Study  
Proj. No. 2105753

June 4, 2021

Revision No.: 0

Engineering by Houghton



Prepared by:

**Jill DeMerchant, P.Eng., M.Eng.**

Transportation Engineer  
Civil and Transportation Engineering

Reviewed by:

**Ryan Esligar, P.Eng., M.Sc.E.**

Team Leader - Transportation Engineering  
Civil and Transportation Engineering

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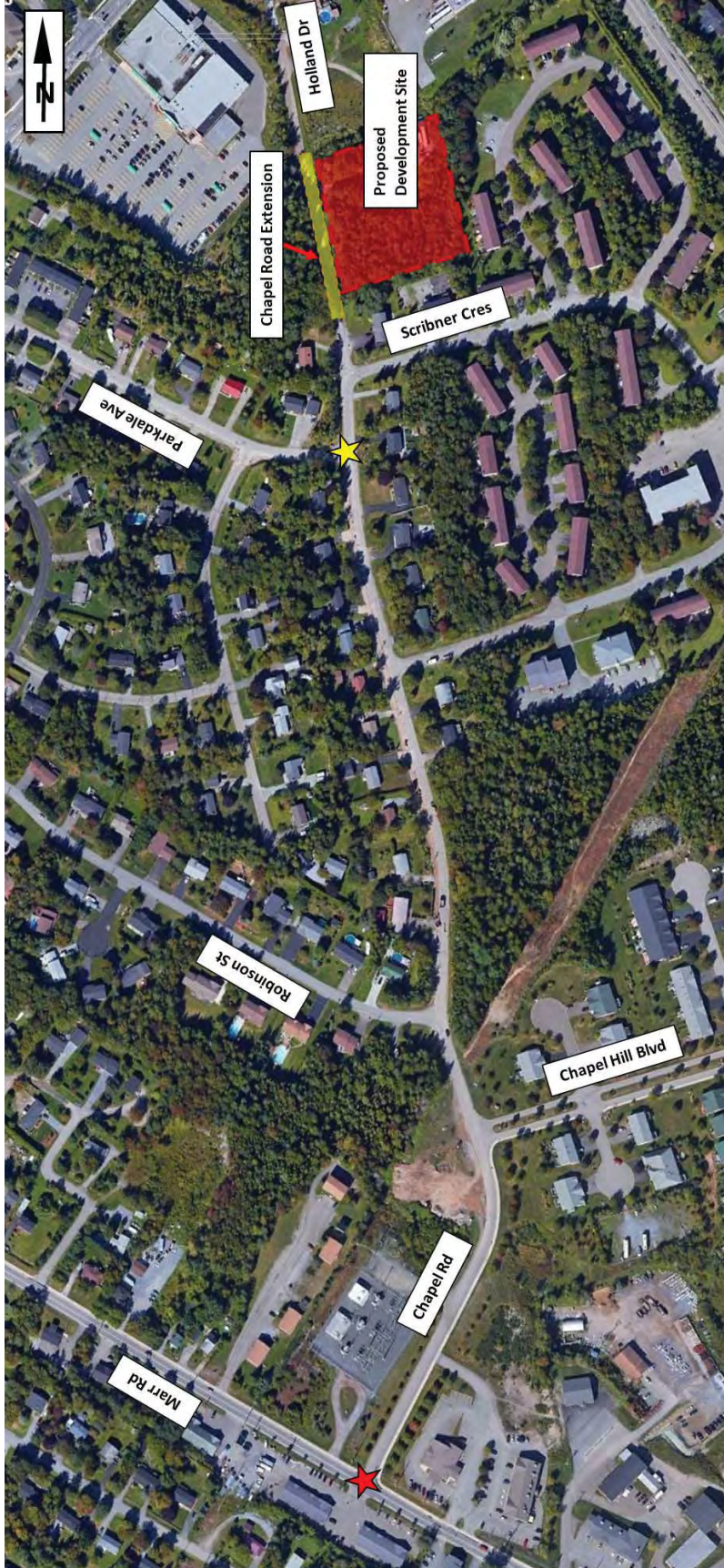
# 1 INTRODUCTION

## 1.1 PROJECT BACKGROUND

A new residential development has been proposed on Holland Drive in the Town of Rothesay. The development will consist of two 6-storey, 48-unit apartment buildings as well as a surface parking lot. Each building will include four levels of residential dwelling units and two levels of underground parking. The proposed development site plan, which is included in **Appendix A**, shows 184 parking spaces, including 86 surface level spaces and 98 underground spaces (24 spaces per level in each building). The plan also includes 12 barrier free spaces – 4 at surface level and 8 underground. The proposed development will include 4 accesses that will connect to a northern extension of Chapel Road. Two of the accesses will provide access to the surface level parking lot and the bottom level of underground parking in each building, and the two remaining accesses will provide access to the second level of underground parking in each building. Development traffic will be directed from the Chapel Road extension onto Chapel Road, where it's expected that most traffic will continue south to Marr Road, while some traffic will use Parkdale Avenue to connect with Hampton Road. Although the civic address of the development will officially be on Holland Drive, access to Holland Drive will not be permitted from the development site as the road will be cut off immediately north of the development.

As part of the development approval process, the Town of Rothesay requires that a Traffic Impact Statement (TIS) be completed for this development. The primary concern is how the development will impact traffic at the intersection of Marr Road and Chapel Road and whether traffic signals will be warranted at the intersection with the additional development traffic. Engineering by Houghton, the primary engineering consultant representing the developer, has retained Englobe Corp. to complete this TIS. The Study Area for this TIS includes the intersections of Marr Road and Chapel Road, Parkdale Avenue and Chapel Road, as well as the proposed development, as shown in **Figure 1**.

Figure 1 – Study Area



## 1.2 STUDY TASKS

The main objectives of this TIS were to estimate how much additional traffic the residential development would generate and determine what impact, if any, the development traffic would have on the intersection of Marr Road and Chapel Road. The following activities were undertaken as part of this TIS:

- Englobe staff visited the Study Area to review existing conditions;
- Existing traffic data for the intersection of Marr Road and Chapel Road that were collected by Englobe in April 2021 were reviewed;
  - A 1.0 % annual growth rate was applied to these traffic volumes to estimate the future (2028) background traffic volumes for the intersection. 2028 represents the 5-year horizon period beyond the anticipated full build-out of the development;
- Traffic volumes were collected at the intersection of Parkdale Avenue and Chapel Road to determine existing traffic distributions in the area;
- Level of Service (LOS) analyses were completed for the existing and future traffic conditions at the Chapel Road and Marr Road intersection without the development in place;
- ITE Trip Generation rates were used to estimate the amount of traffic that will be generated by the new development. These were added to the background traffic volumes based on the existing traffic distributions at Parkdale Avenue / Chapel Road to estimate the 2028 traffic volumes with the development in place;
- LOS analyses were completed for the 2028 future conditions at the Chapel Road and Marr Road intersection with full build out of the development. These were completed for the intersection under the existing stop-control and under signal-control;
- A review of pedestrian connectivity in the area of the proposed development was completed; and
- The methodology, findings, and recommendations of the TIS were documented in this written report.

## 1.3 HORIZON YEAR

A 5-year horizon period was utilized for the analysis. Should all approvals be granted it is expected that the proposed development will be fully operational in 2023, therefore 2028 was chosen as the future horizon year for the analysis.



## 2 INFORMATION GATHERING

### 2.1 STREET AND DEVELOPMENT CHARACTERISTICS

**Chapel Road** is a collector road that is oriented in the north-south direction and has an AADT that ranges between 600 vehicles/day on its north end and 1,500 vehicles/day on its south end. It features one lane in each direction and has a speed limit of 40 km/h. Chapel Road features a sidewalk along the east side of the street from Marr Road to Chapel Hills Boulevard and along the west side of the street from Chapel Hills Boulevard to Parkdale Avenue. North of Parkdale Avenue, no sidewalk is provided. Narrow gravel shoulders extend along the sides of the street where sidewalks are not present.

**Marr Road** is a collector road with an AADT of approximately 7,000 vehicles/day near Chapel Road. Marr Road is oriented in the east-west direction, has one lane in each direction and a speed limit of 50 km/h. Marr Road features unidirectional bike lanes along both sides of the street and a sidewalk along the north side of the street.

The intersection of **Marr Road and Chapel Road** is a stop-controlled intersection. Marr Road is free flowing and a stop sign is present at the north leg on Chapel Road. The south leg consists of a commercial development access. A crosswalk is present across the Chapel Road approach.

### 2.2 TRAFFIC DATA AND COVID ADJUSTMENTS

Traffic volumes were collected by the Study Team at the intersection of Marr Road and Chapel Road as part of a separate study on Monday, April 26<sup>th</sup> 2021. These data, which were collected during the AM and PM peak periods, were used for the analysis in this study. The traffic count data are provided in **Appendix B**.

Since traffic patterns have decreased as a result of the current COVID-19 pandemic, the Study Team determined that the traffic count data used in this study should be adjusted to better represent typical traffic volumes under normal conditions. Adjustment factors that were developed by the Study Team as part of a January 2021 study were used. This study compared traffic data that were collected in 2016 at two locations in Fredericton, NB to traffic volumes that were collected during the COVID-19 pandemic. The average AM and PM peak hour adjustment factors were calculated for the two Fredericton locations and applied to the traffic volume data. The adjustment factors are shown in **Table 1**.

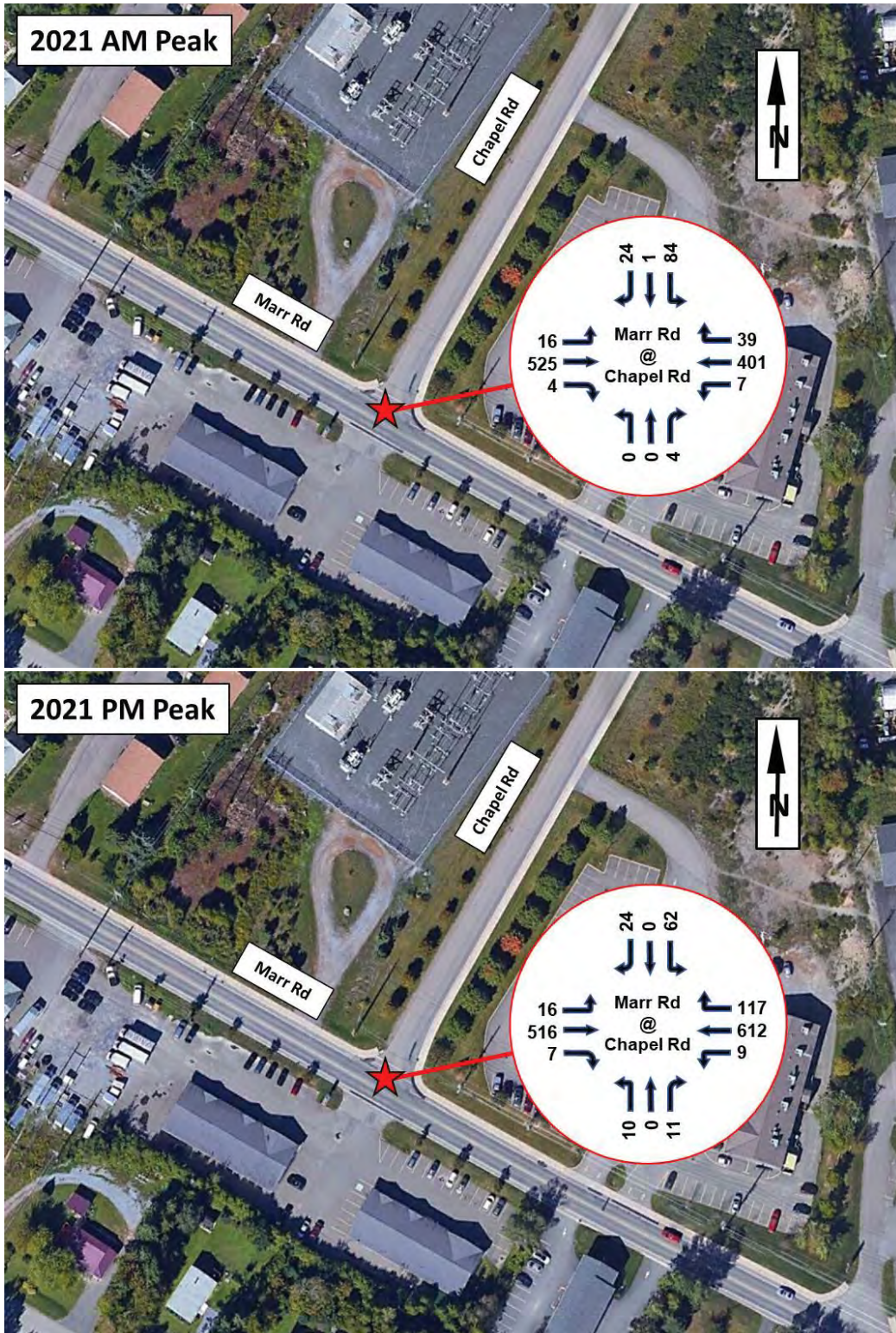
Table 1 – COVID-19 Adjustment Factors

Study	Date	AM Peak	PM Peak
Fredericton, NB	January, 2021	1.26	1.20
Fredericton, NB	January, 2021	1.36	1.25
<b>Averages (Applied to This Study)</b>	<b>April, 2021</b>	<b>1.31</b>	<b>1.22</b>

The adjustment factors were applied to the peak hour volumes at the intersection of Marr Road / Chapel Road. The adjusted 2021 AM and PM background traffic volume estimates are shown in **Figure 2**.



Figure 2 – 2021 Background Peak Hour Volumes



### 3 EXISTING LEVEL OF SERVICE

A Level of Service (LOS) analysis was completed for the existing and future (2028) traffic conditions at the intersection of Marr Road and Chapel Road. The findings are discussed in this section.

#### 3.1 LEVEL OF SERVICE CRITERIA

The LOS analyses were completed with Synchro 10, which is a traffic analysis software that uses the Highway Capacity Manual and Intersection Capacity Utilization procedures.

The intersection performance was evaluated mainly in terms of the level of service (LOS), which is a common performance measure of an intersection. LOS is determined based on vehicle delay and is expressed on a scale of A through F, where LOS A represents very short delay (<10 seconds per vehicle) and LOS F represents very long delay (>50 seconds per vehicle at a stop controlled intersection and >80 seconds per vehicle at a signalized intersection). A LOS D is often considered acceptable in urban locations; however, some communities will accept a LOS E. The LOS criteria for both signalized and stop control intersections are shown in Table 2.

Table 2 – Intersection Level of Service Criteria

LOS	LOS Description	Control Delay (seconds per vehicle)	
		Signalized Intersections	Stop Controlled Intersections
A	Very low delay; most vehicles do not stop ( <b>Excellent</b> )	less than 10.0	less than 10.0
B	Higher delay; more vehicles stop ( <b>Very Good</b> )	between 10.0 and 20.0	between 10.0 and 15.0
C	Higher level of congestion; number of vehicles stopping is significant, although many still pass through intersection without stopping ( <b>Good</b> )	between 20.0 and 35.0	between 15.0 and 25.0
D	Congestion becomes noticeable; vehicles must sometimes wait through more than one red light; many vehicles stop ( <b>Satisfactory</b> )	between 35.0 and 55.0	between 25.0 and 35.0
E	Vehicles must often wait through more than one red light; considered by many agencies to be the limit of <b>acceptable</b> delay	between 55.0 and 80.0	between 35.0 and 50.0
F	This level is considered to be unacceptable to most drivers; occurs when arrival flow rates exceed the capacity of the intersection ( <b>Unacceptable</b> )	greater than 80.0	greater than 50.0

### 3.2 EXISTING LOS ANALYSIS

A LOS analysis was completed for the existing traffic conditions at the intersection of Marr Road and Chapel Road. The LOS results are summarized as follows:

- The Marr Road / Chapel Road intersection operates efficiently at an overall LOS A during both peak periods.
- At the Marr Road / Chapel Road intersection, the southbound approach operates at LOS E and F with v/c ratios of 0.50 and 0.58 during the AM and PM peak periods, respectively.
- All other movements operate efficiently at a LOS C or better during both peak periods.

The LOS results indicate that the southbound approach at the Marr Road / Chapel Road intersection experiences delay during both peak periods; however, the approach is well below capacity.

The LOS results, including average delay, volume to capacity (v/c) ratios, and the 95<sup>th</sup> percentile queue lengths for the existing conditions are summarized in **Table 3**. Detailed Synchro analysis outputs are included in **Appendix C**.

### 3.3 FUTURE BACKGROUND LOS ANALYSIS

A LOS analysis was completed for the future 2028 background traffic volumes at the intersection of Marr Road and Chapel Road. The peak hour traffic volumes for the 2028 horizon year were estimated by applying an annual growth rate of 1.0 % to the 2021 background traffic volumes and adding traffic volumes that will be generated by another new development in the area. A traffic study, which was completed by the Study Team in April 2021, reviewed traffic impacts of a new residential development which will be located on Chapel Road. This development will add 10 and 13 vehicles to the intersection of Marr Road / Chapel Road during the AM and PM peak periods, respectively.

The future background LOS results indicate that the delay for the southbound approach at the Marr Road / Chapel Road intersection will increase by 15 – 30 seconds per vehicle as a result of the background traffic growth; however, both movements will remain well below capacity and the intersection will continue to operate efficiently overall.

The LOS results, including average delay, volume to capacity (v/c) ratios, and the 95<sup>th</sup> percentile queue lengths for the future background conditions are summarized in **Table 3**. Detailed Synchro analysis outputs are included in **Appendix C**.



Table 3 – Background LOS Results

Intersection	Overall LOS, Delay (sec/veh)	Turning Movement LOS																
		Eastbound				Westbound				Northbound				Southbound				
		L	T	R	Icon	L	T	R	Icon	L	T	R	Icon	L	T	R	Icon	
Marr Road @ Chapel Road	AM Peak	LOS A 3.8	Shared	A 0.4 [0.02] <1	Shared	A 0.2 [0.01] <1	Shared	Shared	Shared	B 11.9 [0.01] <1	Shared	Shared	Shared	Shared	-	E 35.0 [0.50] 20	Shared	
			Shared	A 0.5 [0.02] <1	Shared	A 0.2 [0.01] <1	Shared	Shared	Shared	Shared	C 24.8 [0.11] 3	Shared	Shared	Shared	Shared	Shared	F 52.5 [0.56] 23	Shared
	PM Peak	LOS A 4.0	Shared	A 0.5 [0.02] <1	Shared	A 0.2 [0.01] <1	Shared	Shared	Shared	C 24.8 [0.11] 3	Shared	Shared	Shared	Shared	Shared	Shared	F 52.5 [0.56] 23	Shared
			Shared	A 0.6 [0.02] <1	Shared	A 0.3 [0.01] <1	Shared	Shared	Shared	Shared	D 28.2 [0.13] 4	Shared	Shared	Shared	Shared	Shared	Shared	F 83.2 [0.74] 35
2021 Exiting LOS Results																		
2028 Background LOS Results																		
Marr Road @ Chapel Road	AM Peak	LOS A 5.6	Shared	A 0.5 [0.02] <1	Shared	A 0.3 [0.01] <1	Shared	Shared	Shared	B 12.3 [0.01] <1	Shared	Shared	Shared	Shared	Shared	E 49.7 [0.65] 31	Shared	
			Shared	A 0.6 [0.02] <1	Shared	A 0.3 [0.01] <1	Shared	Shared	Shared	Shared	D 28.2 [0.13] 4	Shared	Shared	Shared	Shared	Shared	F 83.2 [0.74] 35	Shared
	PM Peak	LOS A 6.3	Shared	A 0.6 [0.02] <1	Shared	A 0.3 [0.01] <1	Shared	Shared	Shared	D 28.2 [0.13] 4	Shared	Shared	Shared	Shared	Shared	Shared	F 83.2 [0.74] 35	Shared
			Shared	A 0.6 [0.02] <1	Shared	A 0.3 [0.01] <1	Shared	Shared	Shared	Shared	D 28.2 [0.13] 4	Shared	Shared	Shared	Shared	Shared	Shared	F 83.2 [0.74] 35

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## 4 DEVELOPMENT TRAFFIC GENERATION

### 4.1 TRAFFIC GENERATION AND ASSIGNMENT

Trip generation rates for the proposed development were estimated using the ITE TripGen Web-based App, which is based on the 10<sup>th</sup> Edition of the Institute of Transportation Engineer’s (ITE) *Trip Generation Manual*. Engineering by Houghton provided information regarding the size and type of development that is planned. The proposed development will consist of two 6-storey buildings with a total of 96 dwelling units (48 per building).

ITE Land Use #221 (Multifamily Housing – Mid-Rise) was used to generate trips for the development. The resulting vehicle trip generation is shown in **Table 4**. It was assumed that all of these trips would be made by motor vehicle as that would represent a conservative approach in estimating traffic generation.

Table 4 – Traffic Generation for the Proposed Development

Development	Size	AM Peak Hour			PM Peak Hour			Daily Total
		In	Out	Total	In	Out	Total	
Multifamily Housing - Mid-Rise (ITE Land Use #221)	96 Dwelling Units	9	26	35	26	16	42	522

The development traffic was assigned to Chapel Road and to the intersection of Marr Road / Chapel Road based on the existing traffic volume distributions at the Parkdale Avenue / Chapel Road intersection. The traffic assignments are shown in **Figure 3**.

The peak hour traffic volumes for the 2028 horizon year were estimated by adding the traffic generated by the development to the 2028 background traffic volumes discussed in **Section 3**. The 2028 traffic volumes at the intersection of Marr Road / Chapel Road with the development in place are shown in **Figure 4**.

Figure 3 – Development Traffic Assignments

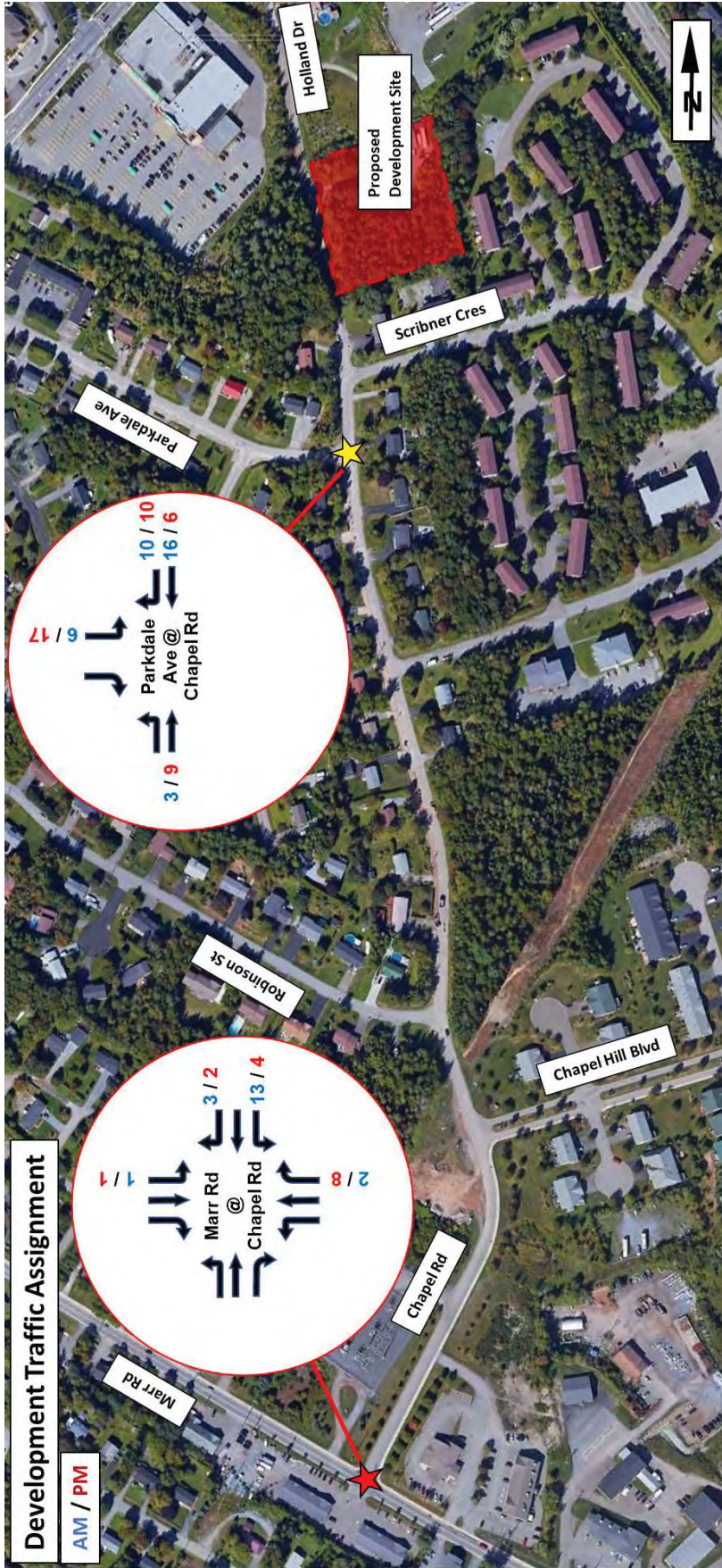
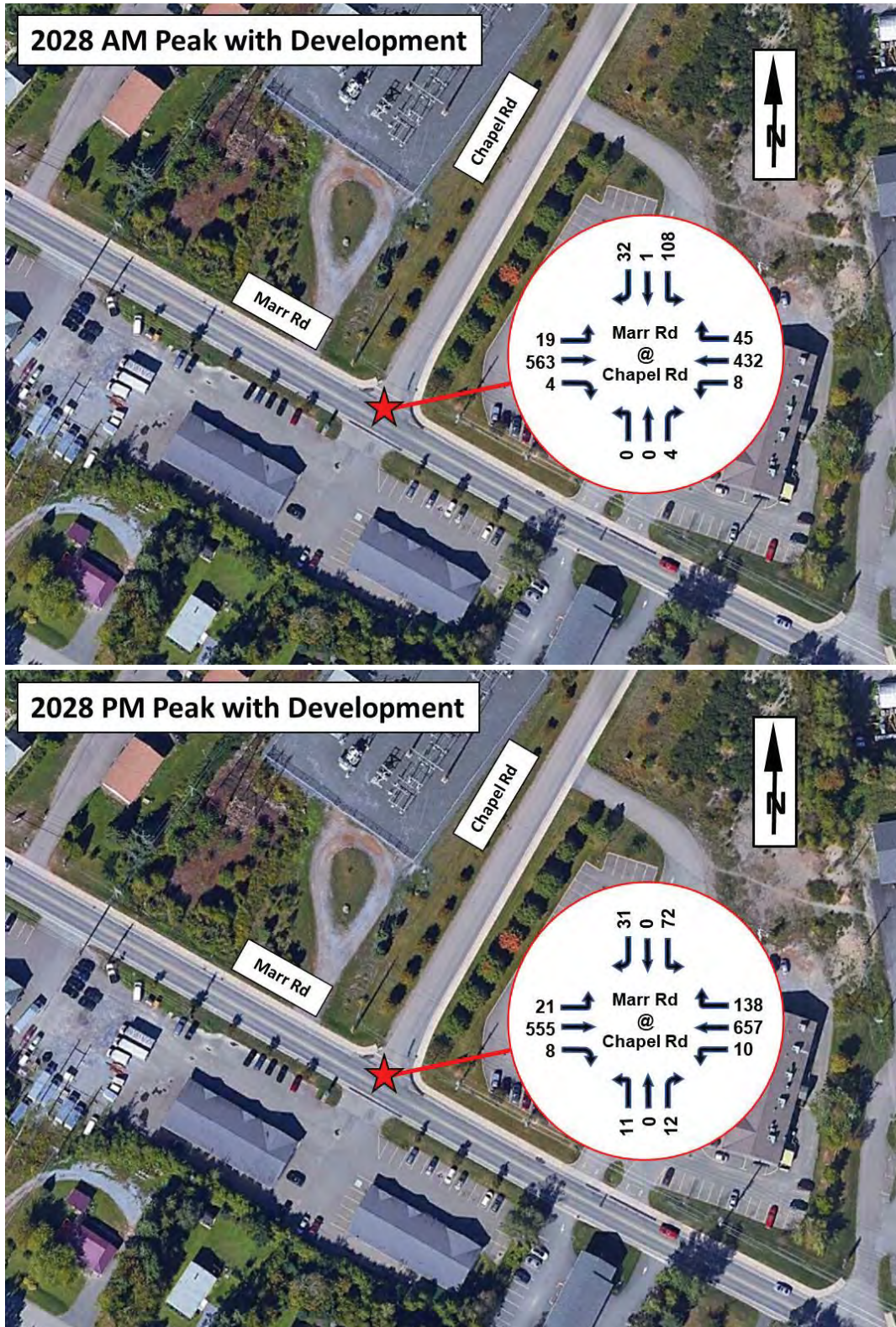




Figure 4 – 2028 Peak Hour Traffic Volumes with Development in Place





## 5 LOS ANALYSIS WITH DEVELOPMENT

A Level of Service (LOS) analysis was completed for the 2028 traffic conditions at the Marr Road / Chapel Road intersection with the proposed residential development in place. The analysis was performed for the current intersection configuration (i.e. stop controlled) and with traffic signal control.

### 5.1 2028 STOP CONTROL WITH DEVELOPMENT

The 2028 LOS results for the intersection of Marr Road / Chapel Road under stop-control with the development in place are summarized as follows:

- In 2028, the Marr Road / Chapel Road intersection would operate efficiently at an overall LOS A during both peak periods.
- The southbound approach would operate at LOS F with v/c ratios of 0.74 and 0.79 during the AM and PM peak periods, respectively.
- All other movements at Marr Road / Chapel Road would operate efficiently with a LOS D or better during both peak periods.

The LOS results indicate that, in 2028 with the additional development traffic, the delays at the southbound approach are expected to be approximately 10 seconds higher than the 2028 background condition; however, the approach will remain below capacity. This is not uncommon at stop control intersections where the traffic volumes on the major street are much higher than the volumes on the minor street. The overall intersection delay and LOS are expected to remain acceptable up to 5 years beyond the anticipated full build-out.

The LOS results, including average delay, volume to capacity (v/c) ratios, and the 95<sup>th</sup> percentile queue lengths for the 2028 traffic conditions with the development in place are summarized in **Table 5**. Detailed Synchro analysis outputs are included in **Appendix C**.

### 5.2 2028 TRAFFIC SIGNAL WITH DEVELOPMENT

A LOS analysis was completed for the future 2028 traffic condition at the intersection of Marr Road / Chapel Road under traffic signal control with the development in place. The results indicate that adding traffic signals at the intersection would result in higher overall delays when compared to the 2028 LOS results with the intersection under the existing stop control. Traffic at the Marr Road approaches would experience higher delays, while traffic at the Chapel Road approach would experience lower delays.

The LOS results, including average delay, volume to capacity (v/c) ratios, and the 95<sup>th</sup> percentile queue lengths for the 2028 traffic conditions with the development in place are summarized in **Table 5**. Detailed Synchro analysis outputs are included in **Appendix C**.

Table 5 – 2028 LOS with Development

Intersection	Traffic Control	Time Period	Overall LOS, Delay (sec/veh)	Turning Movement LOS Average Delay (seconds per vehicle) [Volume to Capacity Ratio (v/c)] 95 <sup>th</sup> Percentile Queue (m)											
				Eastbound			Westbound			Northbound			Southbound		
				L	T	R	L	T	R	L	T	R	L	T	R
Marr Road @ Chapel Road		AM Peak	LOS A 7.4	Shared	A 0.5 [0.02] <1	Shared	A 0.3 [0.01] <1	Shared	B 12.3 [0.01] <1	Shared	A 0.3 [0.01] <1	Shared	Shared	Shared	F 60.2 [0.74] 39
		PM Peak	LOS A 7.2	Shared	A 0.7 [0.03] <1	Shared	A 0.3 [0.01] <1	Shared	D 30.1 [0.15] 4	Shared	A 0.3 [0.01] <1	Shared	Shared	Shared	F 92.4 [0.79] 39
Marr Road @ Chapel Road		AM Peak	LOS A 8.9	Shared	A 8.4 [0.52] 63	Shared	A 7.2 [0.43] 47	Shared	A 0.0 [0.01] <1	Shared	A 7.2 [0.43] 47	Shared	Shared	Shared	B 16.7 [0.44] 22
		PM Peak	LOS A 8.5	Shared	A 6.2 [0.47] 53	Shared	A 8.8 [0.64] 92	Shared	A 8.5 [0.09] 5	Shared	A 8.8 [0.64] 92	Shared	Shared	Shared	B 18.7 [0.39] 18

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## 6 TRAFFIC SIGNAL WARRANT

The Study Team completed a traffic signal warrant using the TAC methodology, which is documented in the *Traffic Signal and Pedestrian Signal Head Warrant Handbook (2014)*. The methodology considers the following intersection characteristics:

- Six-hour turning movement and pedestrian volumes covering the AM, Noon, and PM peaks;
- Intersection geometry (lane configurations, spacing, right-turn slip lanes, etc.);
- Adjacent land uses (schools, mobility challenged citizens, senior citizen complexes, etc.);
- Distance of nearest upstream traffic signals;
- Population of community;
- Location within the community (central business district, etc.); and
- Percentage of heavy vehicles.

The TAC methodology determines the need for a traffic signal based on a priority point system using the characteristics described above. Each characteristic contributes toward the justification of a traffic signal. If the signal warrant generates 100 points or more then traffic signals are typically warranted.

Traffic signal warrants were completed for the intersection of Marr Road and Chapel Road for the 2028 background condition without the development in place, the 2028 future condition with the development traffic distributed between Parkdale Avenue and Chapel Road, and the 2028 traffic condition with all of the development traffic travelling south on Chapel Road and through the Marr Road / Chapel Road intersection. The signal warrant results are summarized in **Table 6**.

Table 6 – Traffic Signal Warrant Results

Traffic Condition	Traffic Signal Warrant Score
2028 without Development	51
2028 with Development Traffic, Distributed	58
2028 with Development Traffic, All	63

Warrant scores of 51, 58 and 63 points were achieved for the 2028 horizon year without the development, with the development traffic distributed, and with all the development traffic, respectively. **The signal warrant results show that, in 2028, a traffic signal will not be warranted at the intersection of Marr Road / Chapel Road regardless of the new development and how its traffic is distributed.** The signal warrant worksheets are provided in **Appendix D**.

## 7 PEDESTRIAN ACCESS

The Study Team completed a review of the existing pedestrian infrastructure near the proposed development site. Chapel Road currently features a 1.7 m wide monolithic concrete sidewalk along the east side of the street from Marr Road to Chapel Hill Boulevard. At Chapel Hill Boulevard, the sidewalk moves to the opposite side of the street. A monolithic sidewalk extends along the west side of the street from Chapel Hill Boulevard to Parkdale Avenue. North of Parkdale Avenue, Chapel Road does not feature sidewalk.

The proposed development site plan shows a 1.5 m wide monolithic sidewalk along the east side of the road directly in front of the development site. To improve pedestrian connectivity, it is recommended that the new sidewalk in front of the development be connected to the existing sidewalk facilities on Chapel Road. Sidewalk could be extended from the development site to the south along the east side of Chapel Road to Scribner Crescent, where a signed and marked crosswalk could be provided to connect with an additional section of sidewalk that would extend along the west side of Chapel Road to Parkdale Avenue. It is also recommended that the new sidewalk be widened to 1.7 m in order to maintain a consistent sidewalk width along Chapel Road.

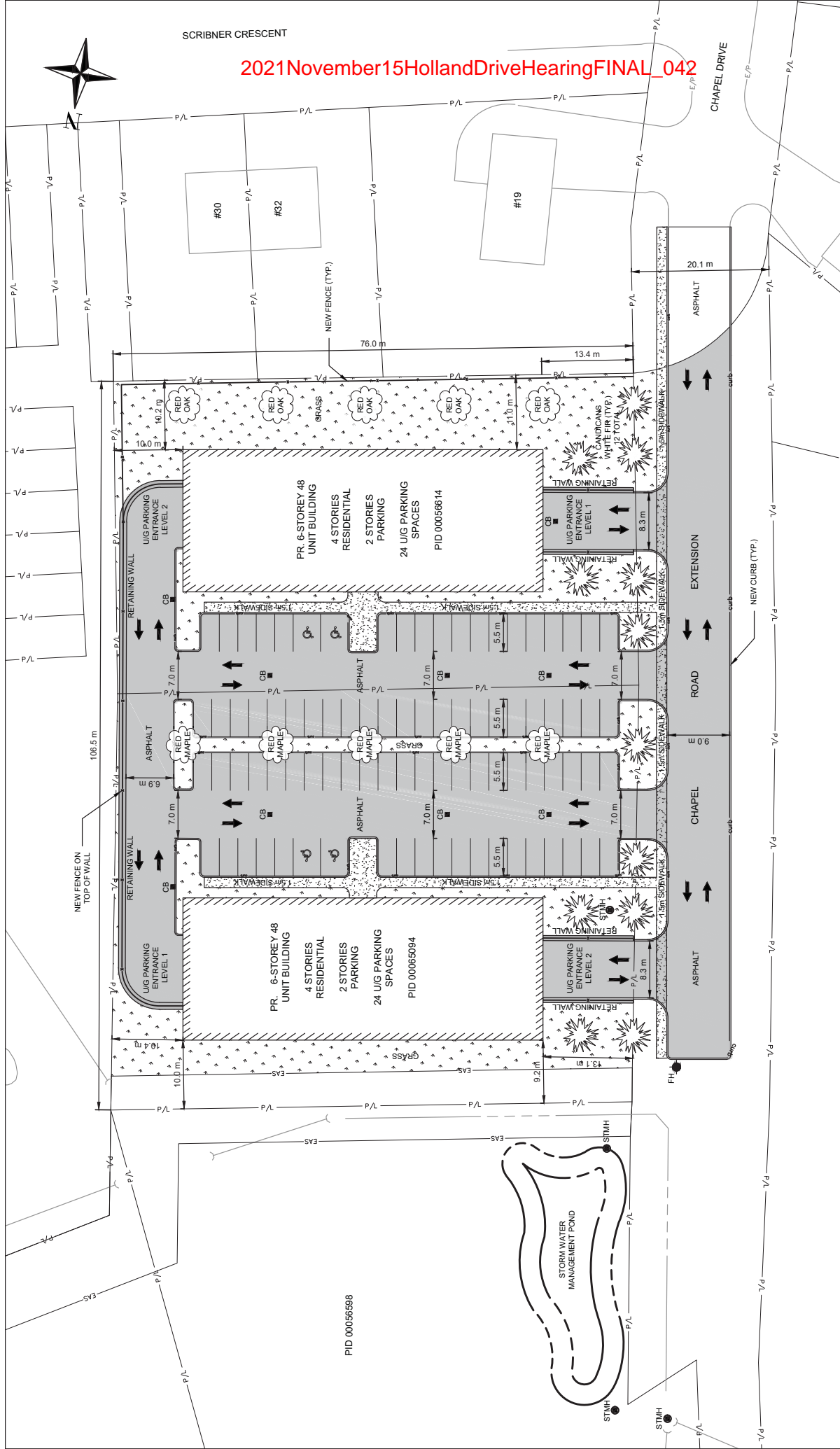
## 8 CONCLUSIONS AND RECOMMENDATIONS

The key findings and recommendations of this Traffic Impact Statement are summarized as follows:

1. The proposed development, which would be located along a new section of Chapel Road, consists of two 6-storey apartment complexes with 48 dwelling units each. The proposed development plan shows 184 parking spaces, including 82 regular and 4 barrier-free surface level parking spaces and 90 regular and 8 barrier-free underground parking spaces. The surface level parking facility and bottom level of underground parking would be accessible via two accesses off of the new Chapel Road extension and the second level of underground parking in each building would be accessible via two separate accesses off of the Chapel Road extension.
2. The LOS results for the 2021 existing conditions at the intersection of Marr Road and Chapel Road showed that, although the intersection of Marr Road and Chapel Road currently operates efficiently overall, the southbound approach on Chapel Road experiences some delay.
3. It is expected that the proposed development will generate 35 vehicle trips during the AM Peak hour (9 entering/26 exiting), 42 vehicle trips during the PM Peak hour (26 entering/16 exiting) and a total of 522 trips daily. These trips were added to the Marr Road / Chapel Road intersection based on the existing traffic distributions at the intersection of Parkdale Avenue / Chapel Road.
4. The LOS results for the 2028 horizon period with the development in place indicate that delays at the southbound approach of the Marr Road / Chapel Road intersection will increase; however the approach will remain below capacity and the intersection will continue to perform efficiently overall. The LOS results for the 2028 horizon period with signal control at the Marr Road / Chapel Road intersection indicate that, although signals would improve traffic operations at the Chapel Road approach, the overall intersection delay would be higher as signals would force traffic on Marr Road to stop periodically.
5. The traffic signal warrant analysis concluded that a traffic signal will not be warranted at the intersection of Marr Road / Chapel Road in 2028 with full build-out of the proposed development.
6. Based on a review of the existing pedestrian facilities near the development property, it is recommended that a 1.7 m wide sidewalk connection be provided along Chapel Road between the proposed development and the existing sidewalk facilities on Chapel Road south of Parkdale Avenue. This could be facilitated with extension of sidewalk along the east side of Chapel from the development to Scribner Crescent, a crosswalk on Chapel Road at Scribner, and sidewalk along the west side of Chapel from Scribner to Parkdale. It is also recommended that the proposed sidewalk in front of the development be widened to 1.7m.

## Appendix A: Development Site Plans





Title:	PROPOSED SITE LAYOUT
Drawn By:	DANIEL H.
Date:	14/5/2021
Scale:	1:500
Figure no.:	C1 REVO

Client/Owner:  
**A.C.BASKIN INVESTMENTS**

HOLLAND HILLS DEVELOPMENT  
 HOLLAND DRIVE  
 ROTHESAY, NB

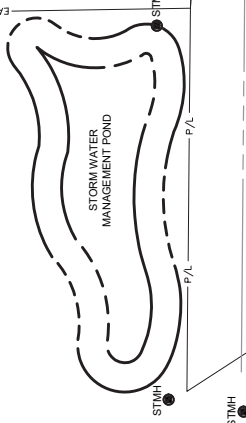
**ENGINEERING**  
**by HOUGHTON**

1942 MANWINGESS ROAD, SAINT JOHN, NB (506) 721-5847

PID 00056598

PR. 6-STORY 48  
 UNIT BUILDING  
 4 STORIES  
 RESIDENTIAL  
 2 STORIES  
 PARKING  
 24 U/G PARKING  
 SPACES  
 PID 00065094

PR. 6-STORY 48  
 UNIT BUILDING  
 4 STORIES  
 RESIDENTIAL  
 2 STORIES  
 PARKING  
 24 U/G PARKING  
 SPACES  
 PID 00056614







**To:** Chair and Members of Rothesay Planning Advisory Committee  
**From:** Brian L. White, MCIP, RPP  
Director of Planning and Development Services  
**Date:** Monday, June 28, 2021  
**Subject:** Rezoning Holland Drive – (PIDs 00056614, 00065094, 00056598)

<b>Applicant:</b>	Andrew Baskin	<b>Property Owner:</b>	A.C. Baskin Investments Inc.
<b>Mailing Address:</b>	63 Jenkins Drive Quispamsis, NB E2E 0J6	<b>Mailing Address:</b>	63 Jenkins Drive Quispamsis, NB E2E 0J6
<b>Property Location:</b>	Holland Drive	<b>PID:</b>	<b>00056614, 00065094, 00056598</b>
<b>Plan Designation:</b>	Commercial	<b>Zone:</b>	General Commercial
<b>Application For:</b>	2 – 6 story (48 Unit) Apartment Buildings		
<b>Input from Other Sources:</b>	Operations, KVFD,		

**ORIGIN:**

An application from Mr. Andrew Baskin, Director of A.C. Baskin Investments Inc. to develop two six story (48 unit) apartment buildings on three parcels of land off Holland Drive with a total area of 12,925.75 square meter (3.2 acres).



**Figure 1 – Concept Rendering Holland Drive**



Figure 2 - Site Location off Holland Drive

### APPROVAL PROCESS:

The application is to rezone the subject property to the R-4 Multi-Unit Residential Zone to permit a 48-unit apartment building by development agreement. The standard procedure for a rezoning is that Council receive from PAC a recommendation to hold a Public Hearing and that both the rezoning (by-law amendment) and the development agreement be prepared in advance of the public hearing. Staff have not prepared the by-law amendment or the development agreement, as there are several outstanding development issues that require confirmation with the developer.

### BACKGROUND

The property is currently zoned single family (R1B) and designated for HIGH DENSITY residential uses. The property was designated, as a future High-density residential area because it is located in close proximity to several major commercial uses (Canadian Tire and Sobeys), and Hampton Road. A high-density residential land use located adjacent to Hampton Road promotes pedestrian connectivity and ease of access for future residents. The proximity to Rothesay's commercial areas reduces sprawl and creates a more walkable neighbourhood.

The Municipal Plan By-law 1-20 does contain policy direction (see Policy HDR-4 follows) that would allow Council to consider the application.

*The commercial areas in Rothesay are focal points for residents, whether they are shopping or socializing. Council recognizes this function of commercial space as potential opportunity sites where **higher density residential may be added** as a means of providing people with better*

*access to the Town’s services, to reduce sprawl, to permit a livelihood that allows for walkability and less car dependence, and to increase density in and around the Town’s commercial areas.*

**COUNCIL SHALL:**

**Policy HDR-4 High-density Residential:**

Consider that High-density Residential (R6) development may be appropriate **throughout the Commercial Designation**<sup>1</sup>, and may consider multi-unit dwellings through the re-zoning and development agreement process where such development demonstrates compliance with the following requirements:

- a) Subject lands are adjacent to or in close proximity to collector or arterial streets and transit routes;
- b) The maximum density does not exceed 100 square metres of land per apartment unit;
- c) Subject lands are adequate in size relative to the intensity and scale of the proposed land development;
- d) The subject lands do not exceed 1 acre in total area (or 40 apartment units);
- e) Underground parking is provided;
- f) Require the developer provide a technical wind and shadow study, to be completed by a certified professional, to ensure the proposed development does not generate excessive wind or cast a shadow on abutting properties or public road right-of-way that would detract from the quality, enjoyment, or use of the space.
- g) Require the developer to complete a traffic impact assessment for the proposed development on the surrounding area completed by a qualified transportation engineer or other technical specialist;
- h) Excellence in site design best practices addressing features such as Crime Prevention through Environmental Design (CPTED) principles, urban design, and high quality landscaping; and
- i) A building design of high quality that is consistent with community values and architectural best practices.

**ANALYSIS:**

**Policy HDR-4 High-density Residential**

**Staff Comment**

<b>Subject lands are adjacent to or in close proximity to collector or arterial streets and transit routes;</b>	The proposed buildings are located 100-150 meters from Hampton Road with access Chapel Road. A traffic impact statement was prepared to determine any additional traffic enhancement or requirements.
<b>The maximum density does not exceed 100 square meters of land per apartment unit;</b>	The 3 properties have a total area of 12,925.75 square meters in area and proposed density at 48

<sup>1</sup> Although the property is not designated Commercial Council can consider amendments to the Zoning By-law on lands that adjoin a different land use designation (see Policy IM-14 Adjoining Designations)



	<p>units does not exceed the 100 square meters of land per apartment unit. The applicant intends to provide accessible or affordable housing as per Policy R-1 and R-2 of the Municipal Plan.</p>
<p><b>Subject lands are adequate in size relative to the intensity and scale of the proposed land development;</b></p>	<p>The proposed buildings would be located in a mixed-use development area containing major commercial uses and a variety of medium and low-density residential uses. The site shares a property boundary with Canadian Tire and backs onto the Sobeys grocery store. The nearest low density property is 11 Holland Drive and the homes along Chapel Road beginning at 19 &amp; 22 Chapel Road.</p>
<p><b>The subject lands do not exceed 1 acre in total area (or 40 apartment units);</b></p>	<p>As noted the entire parcel of land has a total area of 12,925.75 sq. m. exceeding the (4000 sq.m) 1-acre cap. Therefore, Council can only consider one building for the 40-apartment unit limit on density. The density of the residual land minus the 1-acre (12,925.75 sq. m – 4,000 sq. m.) would be 8,925.75 sq. m. and would be considered under the R4 density of 200 sq. m per apartment unit and accordingly the maximum density would be 45 apartment units.</p> <p>Notwithstanding, the 40 unit and 45 unit max density the applicant intends to make use of Policy R-1 and R-2 that permit Council to consider an increase in density by 2 percent for every apartment unit meeting affordability standards or constructed as an accessible unit. The applicant has not yet confirmed what portion of the apartment units would be either accessible or affordable to be eligible for an increase in density.</p>
<p><b>Underground parking is provided;</b></p>	<p>The proposal includes 2 stories underground parking with 24 spaces 41 outside parking spaces for 65 parking spaces. The total number of parking spaces would be more than required by the zoning by-law calculated at 1.25 spaces per apartment unit.</p>
<p><b>Require the developer provide a technical wind and shadow study, to be completed by a certified professional, to ensure the proposed development does not generate excessive wind or cast a shadow on abutting properties or public road right-of-way that would detract from the quality, enjoyment, or use of the space.</b></p>	<p>The developer has provided a technical shadow study of the proposed building. The results of the study show that the scale of the building would not create excessive shadows on the adjacent properties.</p>

<p><b>Require the developer to complete a traffic impact assessment for the proposed development on the surrounding area completed by a qualified transportation engineer or other technical specialist;</b></p>	<p>The developer’s traffic impact statement is still being reviewed by Staff.</p>
<p><b>Excellence in site design best practices addressing features such as Crime Prevention through Environmental Design (CPTED) principles, urban design, and high quality landscaping; and</b></p>	<p>Staff note that because the proposed building would share a property boundary with a large commercial parking lot it will be very important to define property lines with landscaping and fencing such that commercial customers are clear about the private property and do not use the property.</p>
<p><b>A building design of high quality that is consistent with community values and architectural best practices.</b></p>	<p>Staff believe that the proposed building in this mixed-use neighbourhood achieves good design as the scale, bulk and height of the building is appropriate to the existing or desired future character of Chapel Road and surrounding buildings.</p>

**DENSITY INCENTIVE POLICIES:**

As noted above the applicants’ proposed density at 48 units per building would exceed the permitted density. However, the applicant also intends to make use of POLICY R-1 and R-2 that permit Council to consider an increase in density by 2 percent for every apartment unit meeting affordability standards or constructed as an accessible unit.

Policy R-1 regarding Affordable Housing states the Council can “Consider an increase in the maximum allowable density by 2 percent for every dwelling unit meeting affordable housing standards as defined by the Canadian Housing and Mortgage Corporation (CHMC) or an equivalent recognized standard, not exceeding 20 percent as determined in the Zoning By-law”.

Policy R-2 regarding Age-Friendly Housing that states Council can “Consider an increase in the maximum allowable density by 2 percent for every dwelling unit designed and constructed in conformance with Universal Design Best Practices, as defined by the Universal Design Network of Canada or an equivalent recognized standard, not exceeding 20 percent as determined in the Zoning By-law.”

**DEVELOPMENT AGREEMENT:**

Staff will prepare a development agreement for PAC’s review before proceeding to Council. A development agreement is a contract between Rothesay and the property owners that specify the details and obligations of the individual parties concerning the proposed development. Implementation Policy IM-13 states that Council shall consider development agreement applications pursuant to the relevant policies of the Municipal Plan (See Policies HDR-4, R-1, and R-2) and consideration of the following:

<p><b>Implementation Policy IM-13</b></p>	<p><b>Staff Review</b></p>
<p><b>A. That the proposal is not premature or inappropriate by reason of:</b></p>	

1) <b>The financial capability of Rothesay to absorb any costs relating to the development;</b>	Staff are concerned about the need for traffic signals and the ability of KVFD to respond to the height of the proposed buildings.
2) <b>The adequacy of municipal wastewater facilities, storm water systems or water distribution systems;</b>	Staff believe that the municipal infrastructure is adequate for the proposed development.
3) <b>The proximity of the proposed development to schools, recreation or other municipal facilities and the capability of these services to satisfy any additional demands;</b>	Staff have sent the development to the Anglophone South School District for review. Staff believe the municipal facilities are adequate for the proposed development.
4) <b>The adequacy of road networks leading to or within the development; and</b>	Staff are still reviewing the traffic study.
5) <b>The potential for damage or destruction of designated historic buildings and sites.</b>	There are no historic buildings or sites identified within the project's vicinity.
<b>B. that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:</b>	
1. <b>Type of use;</b>	The multi-unit residential is a compatible use with the surrounding businesses.
2. <b>Height, bulk and lot coverage of any proposed building;</b>	The height of the building is still being reviewed; however, the volume and lot coverage does not conflict with nearby land uses.
3. <b>Traffic generation, access to and egress from the site, and parking; open storage; and</b>	Staff are still reviewing the traffic study.
4. <b>Signage.</b>	No commercial signage is requested.
<b>C. That the proposed development is suitable in terms of the steepness of grades, soil and geological conditions, proximity to watercourses, or wetlands and lands that are vulnerable to flooding.</b>	The site is suitable for development and will be subject to geotechnical approval during the building permit approval process,

**KENNEBECASIS VALLEY FIRE DEPARTMENT:**

As is required by Municipal Plan **Policy FR-7**, the KVFD must review proposals for new development projects to ensure that public safety and firefighting concerns are addressed. KV Fire Department are still preparing a formal response regarding the proposed development. KVFD did note one preliminary concern in that based on the elevation drawings of the six story buildings the KVFD ladder truck could not access any part of the buildings higher than the fourth story. KVFD believes that it is important that Council understand the level of service they are able to provide with present firefighting equipment. KVFD will be preparing a more detailed response outlining the challenges the KVFD would face for this size of building.

**POLLING:**

Staff will prepare a polling notification letter to be sent to surrounding property owners.

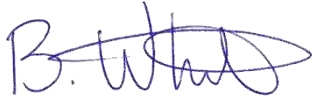


**RECOMMENDATIONS:**

Staff recommend the Planning Advisory Committee consider the following MOTION:

- A. PAC HEREBY tables the application for 2 apartment buildings located off Holland Drive pending the receipt of a supplemental staff report containing the following:
1. Staff review of Traffic impact assessment;
  2. Polling results;
  3. Review by KVFD; and
  4. Draft development agreement and rezoning By-law.

Map 1	Location Map
Attachment A	Proposed Development Architectural Plans
Attachment B	Engineering Plans (Servicing & Stormwater)
Attachment C	Shadow Study
Attachment D	Traffic Study



Report Prepared by: Brian L. White, MCIP, RPP

Date: Monday, June 28, 2021

# Map 1 - Holland Drive Site Location

2021November15HollandDriveHearingFINAL\_050

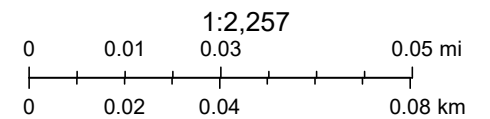


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 Rothesay Boundary

Civic Address

 Property

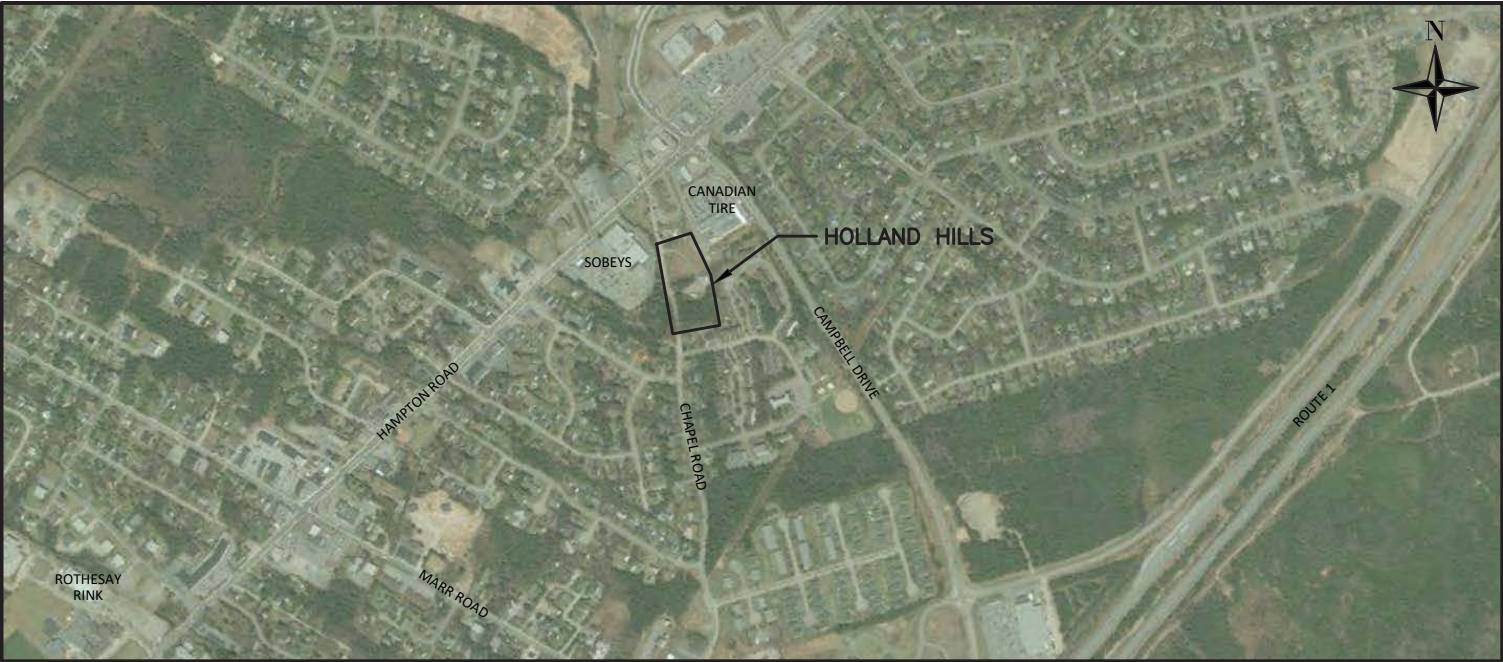




# HOLLAND HILLS

## ROTHESAY, NB

### A.C. BASKIN INVESTMENTS



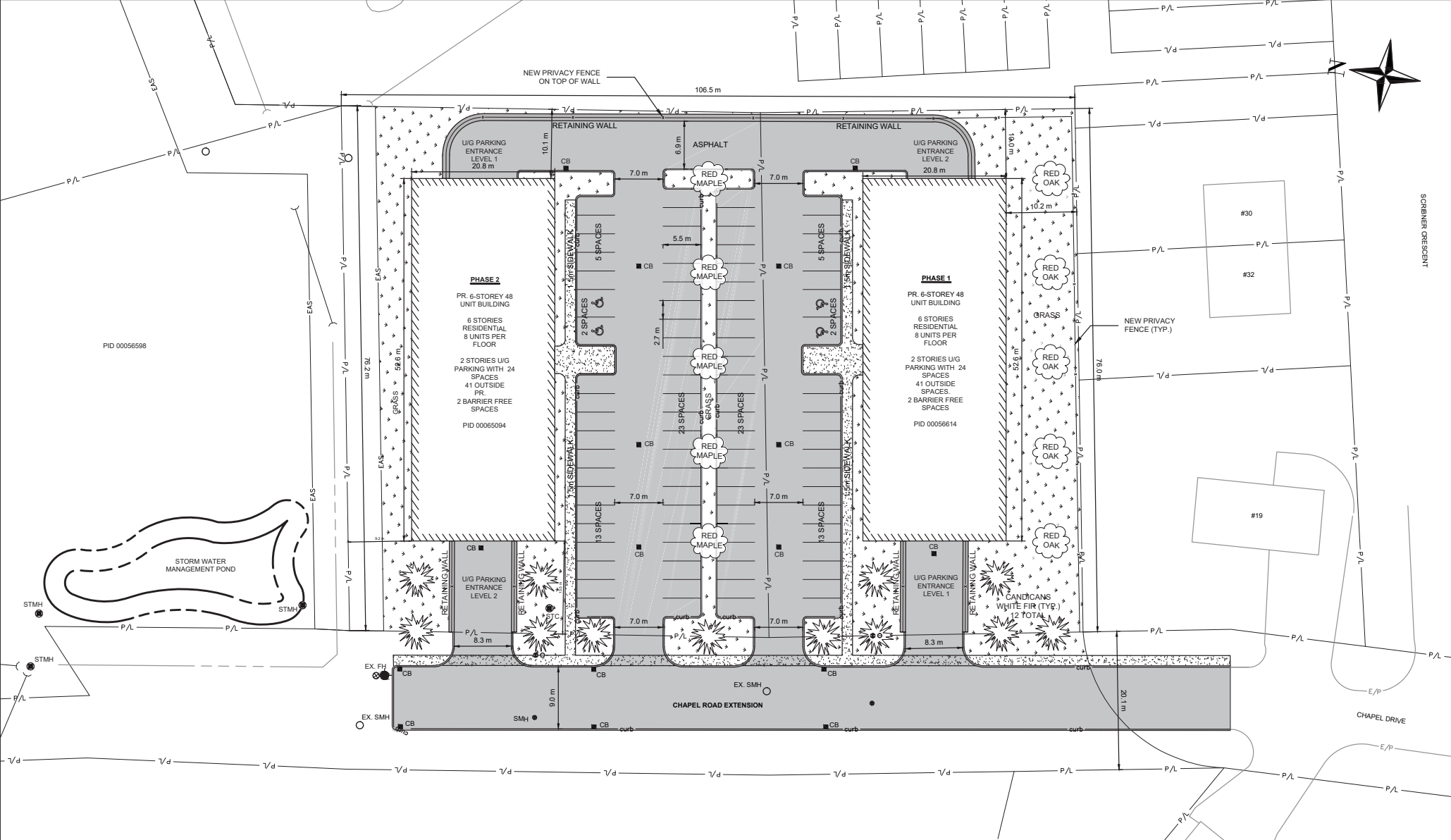
KEY PLAN

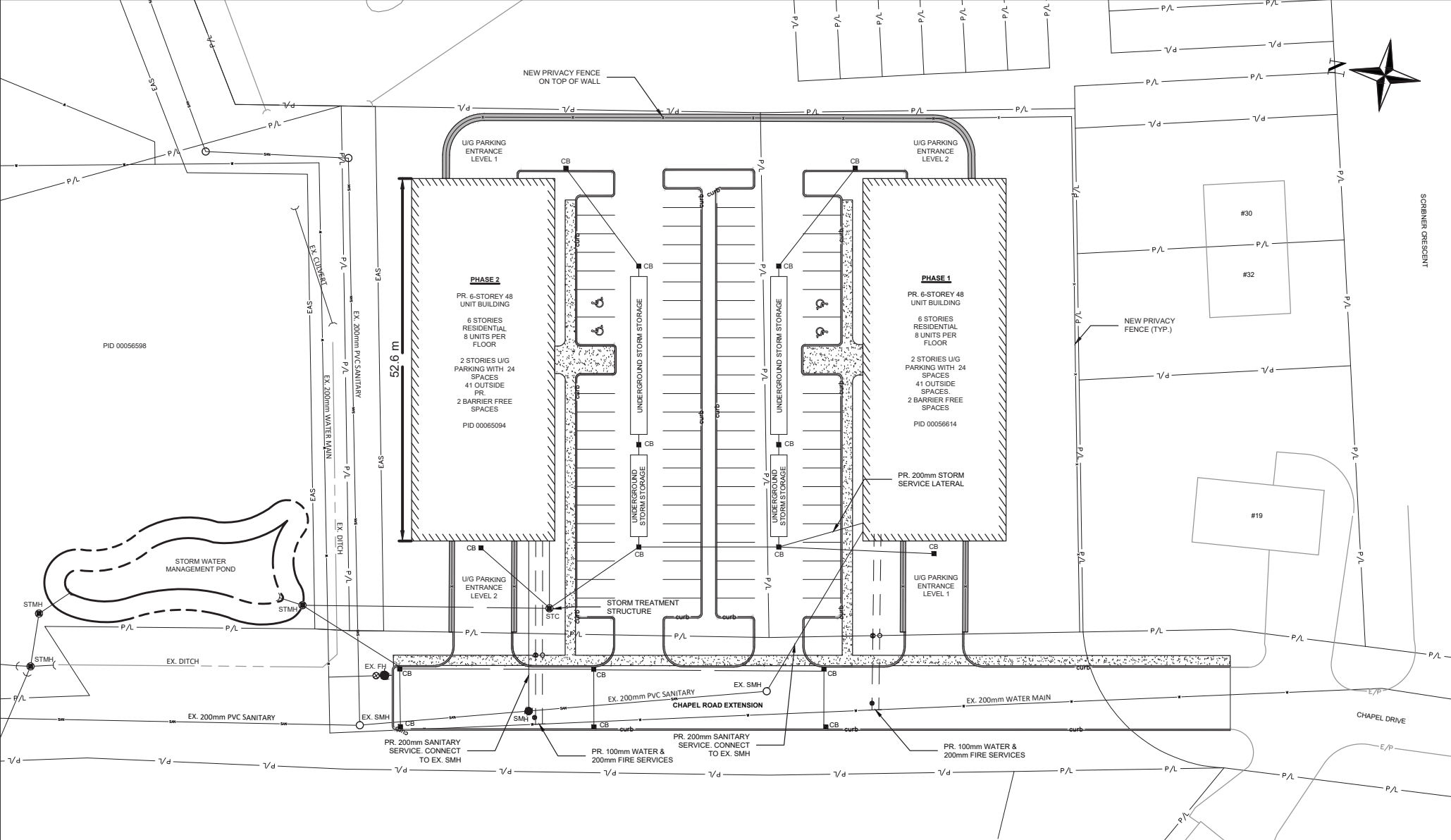
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1942 MANAWAGONISH ROAD, SAINT JOHN, NB, E2M H5H  
DANIEL@EBYH.CA PH: (506) 721-5847 WWW.EBYH.CA

THIS DRAWING SHALL NOT BE REVISED, DUPLICATED, OR DISTRIBUTED WITHOUT THE EXPRESSED APPROVAL OF THE STAMPING ENGINEER





HOLLAND HILLS DEVELOPMENT  
 CHAPEL ROAD  
 ROTHESAY, NB

Client/Owner:  
 A.C.BASKIN INVESTMENTS

Title: PROPOSED SITE SERVICING	
Drawn By: DANIEL H.	Scale: 1:500
Date: 14/5/2021	Figure no.: C2 REV0

May 17, 2021

Planning & Development Services  
Attn: Brian White  
Rothesay  
70 Hampton Road  
Rothesay, NB

**Re: Holland Hills Proposed Development – Construction Phasing Statement**

Engineering by Houghton (“EBH”) has been engaged by A.C. Baskin Investments to provide civil engineering services related to the proposed multi-unit residential development between Holland Drive and Chapel Road in Rothesay, NB. The proposed development is called “Holland Hills”.

The proposed development currently consists of two phases, one for each of the two proposed buildings and parking lots. Phase 1 is scheduled to begin in late 2021. Phase 2 is schedule to begin in early 2023.

Phase 1 includes: the extension of Chapel Road, the construction of a 6-storey multi-unit residential building on PID 00056614 (closest to Scribner Crescent and Chapel Road), the installation of a storm water management and treatment system that will accommodate both buildings, and the parking lot, water and sewer services, and landscaping for the phase 1 building, as shown on drawing C1.

Phase 2 includes: the construction of a second 6-storey multi-unit residential building on PID 00065094 (closest to Hampton Road) , and the parking lot, water and sewer services, and landscaping for the phase 2 building, as shown on drawing C1.

If you have any questions or concerns about the information provided in this statement, please do not hesitate to contact the undersigned.

Kind Regards,



Daniel Houghton, P.Eng  
President  
Engineering by Houghton





May 17, 2021

Planning & Development Services  
Attn: Brian White  
Rothesay  
70 Hampton Road  
Rothesay, NB

**Re: Holland Hills Proposed Development – Storm Water Statement**

Engineering by Houghton (“EBH”) has been engaged by A.C. Baskin Investments to provide civil engineering services related to the proposed multi-unit residential development between Holland Drive and Chapel Road in Rothesay, NB. The proposed development is called “Holland Hills”.

The proposed development will include storm water quality and quantity management infrastructure including storage ponds, underground infiltration and storage chambers, roof storage, and environmental treatment structures.

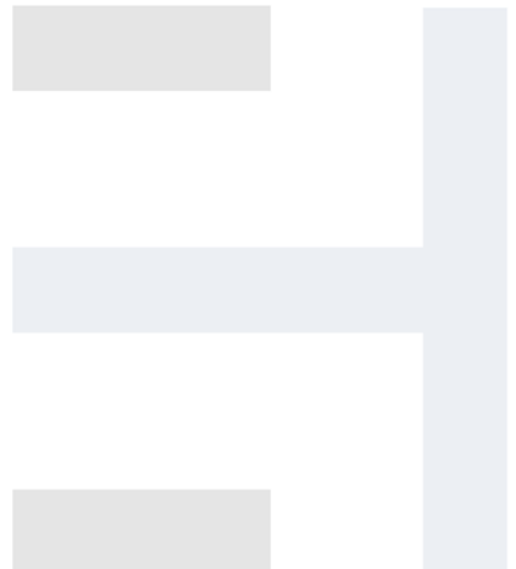
The intention of the storm water management system is to have no adverse effects on the surrounding and downstream infrastructure and properties. This will be achieved by attenuating the post development storm water discharge to be equal to or less than the pre-development discharge, therefore having a net-zero impact on the surrounding infrastructure.

If you have any questions or concerns about the information provided in this statement, please do not hesitate to contact the undersigned.

Kind Regards,



Daniel Houghton, P.Eng  
President  
Engineering by Houghton



May 17, 2021

Planning & Development Services  
Attn: Brian White  
Rothesay  
70 Hampton Road  
Rothesay, NB

**Re: Holland Hills Proposed Development – Traffic Impact Statement**

Engineering by Houghton (“EBH”) has been engaged by A.C. Baskin Investments to provide civil engineering services related to the proposed multi-unit residential development between Holland Drive and Chapel Road in Rothesay, NB. The proposed development is called “Holland Hills”.

The proposed development will likely cause an increase in vehicular and pedestrian traffic in the Chapel Road and Marr Road area. We have engaged the traffic engineering services of Englobe to analyze and make recommendations such that the Level Of Service (“LOS”) for the impacted areas will be satisfactory to the Town and safe for its residents and visitors. We are expecting the delivery of the full traffic impact report on the week of May 24, 2021.

A.C. Baskin Investments is fully committed to the safety of the citizens and visitors of Rothesay and is prepared to participate in any required upgrades to fulfill this commitment should the proposed development be approved.

The full traffic impact report by Englobe will be submitted to your attention as soon as it is available.

If you have any questions or concerns about the information provided in this statement, please do not hesitate to contact the undersigned.

Kind Regards,



Daniel Houghton, P.Eng  
President  
Engineering by Houghton





































**BY-LAW 2-10-29  
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 the Community Planning Act, 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 “2-10-29”.

The purpose of the amendment is to rezone lands located Holland Drive (PIDs 00056614, 00065094, 00056598) from Single Family Residential – Standard Zone [R1b] to Multi-Unit Residential (R4) to allow for the development of two 48-unit apartment buildings subject to the execution of a Development Agreement in accordance with the Community Planning Act, supra.

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

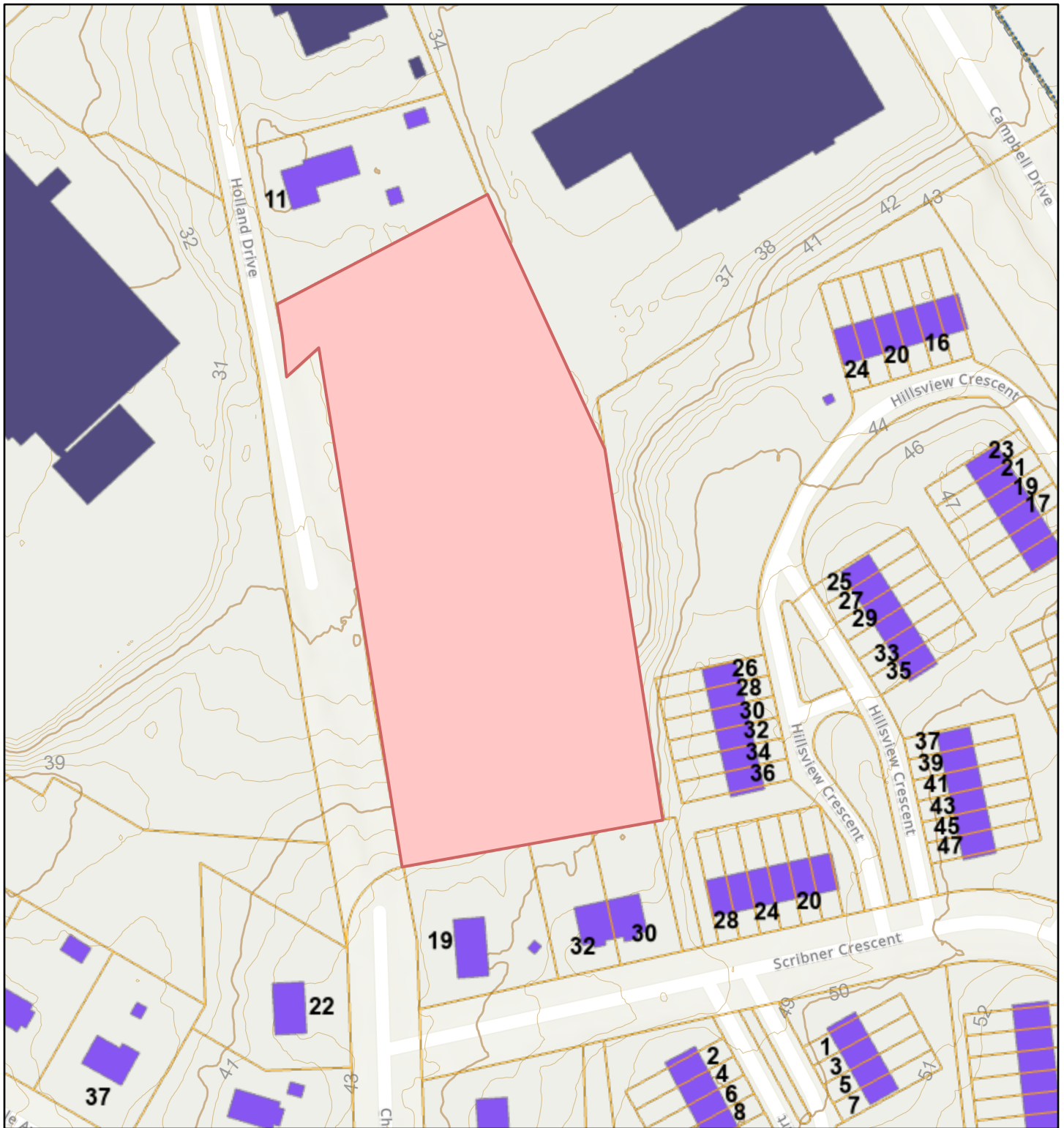
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



# By-law 2-10-29 Holland Drive (PIDs 00056614, 00065094, 00056598)

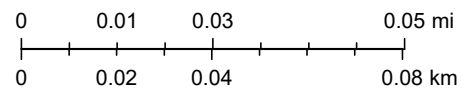
2021 November 15 Holland Drive Hearing FINAL\_067



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- Building
  - Commercial
  - Residential
- Rothesay Boundary
- Property
- Civic Address



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasysteisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

# Rothesay

## DEVELOPMENT AGREEMENT

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

Parcel Identifier of Parcels Burdened by Agreement: 00056614, 00065094, 00056598  
(to be consolidated)

Owner of Land Parcels: **A.C. Baskin Investments Inc.**  
ADDRESS 1  
Rothesay, New Brunswick  
Postal Code (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 Local Governance Act, RSNB 2021, Chapter 18, located in the County of Kings and Province of New Brunswick

**WHEREAS** the Developer is the registered owner of certain lands located off Holland Drive (PIDs 00056614, 00065094, 00056598) 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 an development agreement to allow for the development of two (2) forty-eight (48) unit apartment buildings with underground parking on the Lands as described in Schedules B through D. (herein after called the "Project")

**AND WHEREAS** Rothesay Council did, on **INSERT DATE**, authorize the Mayor and Clerk to enter into a Development Agreement with **CORPORATE NAME** to develop a residential apartment complex on the Lands.

**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 total number of residential units situated on the Lands shall not exceed ninety six (96) residential apartment 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 (4)
  - 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 Schedules B, C, D and E.

**Tenant Selection**

5. The Town and the Developer agree that prior to Final Occupancy the parties SHALL enter into a Memorandum of Understanding regarding the selection of tenants for the affordable housing and Universal Design Barrier-Free Apartments units that reflects a mutual commitment to housing low-income people and persons with disabilities.

**Affordable Housing**

6. The Developer agrees to maintain for a period of twenty (20) years, adjusted by the Consumer Price Index based upon initial occupancy at the first day of building occupancy, no fewer than thirteen (13) 'affordable' 2 bedroom apartment units with similar finishes for flooring, trim, bathrooms, paint and kitchen cabinets as the market rental units, with a Base Monthly Rental Rate at or below 30% of the Median Total Income of Lone-Parent economic families in the published 2015 Statistic Canada data, being \$53,376, in Rothesay.
7. The Developer further agrees that once the base rents for the affordable units are established in the first year of occupancy, they shall only be raised by a maximum of the Consumer Price Index (CPI), annual average not seasonally adjusted for Saint John, N.B.
8. The Developer agrees to provide to Rothesay an annual audit or legal affidavit signed by a licensed member in good standing of the Chartered Professional Accountants of New Brunswick that provides reasonable assurance that the rents of the affordable units comply with this agreement.
9. The Developer agrees to bear all costs associated with the annual audit or legal affidavit referenced in the preceding paragraph (8) above and to fully cooperate with Rothesay relating to such audit monitoring and evaluation.
10. The Developer agrees that during the full Term of this Agreement, that any failure by the Developer to maintain the affordability provisions as set out in the preceding paragraphs above (6 to 8) or any other violation of any material term of the affordability principles shall constitute a default under this Agreement.
11. The Developer agrees that upon any such default, Rothesay may demand and the Developer agrees to pay to Rothesay an amount equal to twice the difference of the actual rent received and the maximum amount of rent permitted under clause 7. The Developer agrees to pay interest on any balance in arrears at the rate of 1.25% percent per month compounded monthly.
12. Rothesay and the Developer agree to defer monitoring of the affordable housing aspects of this Agreement should the development become subject to or be monitored under a Federal or Provincial recognized affordable housing program that provides governance, regulation and monitoring. Where no such program is in effect, this agreement shall prevail.
13. Rothesay and the Developer agree that nothing contained in this agreement shall make or be construed to make any tenant or resident of the Project the responsibility of Rothesay.

**Architectural Guidelines**

14. 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 community character and that is generally consistent with the existing styles of housing in Rothesay. The Developer agrees to ensure the following:
  - a. The architectural design of the building shall be, in the opinion of the Development Officer, generally in conformance with Schedule C.

- b. All exterior mounted ventilation and related mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner to reduce clutter and negative impacts on the architectural character of the building.
15. The Developer agrees that the six storey buildings shall be constructed to the requirements for “high” buildings as found in subsection 3.2.6. of the National Building Code and more precisely the following sections shall be adhered to:
- a. The building shall be designed to limit the danger to occupants and firefighters from exposure to smoke by complying with sentences 3.2.6.2 (2)-(6);
  - b. The building elevators shall be equipped with manual emergency recall per Article 3.2.6.4;
  - c. At least one elevator shall be designated for use by firefighters per Article 3.2.6.5;
  - d. The building shall be designed to include a means of venting smoke from each floor area to aid firefighting per Article 3.2.6.6.
  - e. The building shall be equipped with a central fire alarm and control facility, which includes a voice communication system per Article 3.2.6.7 and 3.2.6.8.

### **Storm Water**

16. The Developer shall carry out, subject to inspection and approval by Town representatives, the installation of a storm water system as per Schedule E of this agreement. The Developer agrees to accept responsibility for all costs associated such installation including 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 from the entire developed portion of the lands to a predetermined location selected by the Developer’s Engineer and approved by the Town Engineer; and
  - b. Topsoil and hydro-seeding of shoulders of roadways.
17. 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.
18. The Developer agrees that all roof leaders, down spouts, and other storm water drains from the building, parking lot and landscape features shall not be directed or otherwise connected or discharged directly to the Town’s storm water or sanitary collection system.
19. 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.

### **Municipal Streets**

20. The Developer shall carry out, subject to inspection and approval by Rothesay representatives, and pay for the entire actual cost of the following:
- a. surveying and staking of lots and streets;
  - b. rough grading of streets to profiles approved by Rothesay;
  - c. fine grading of streets to profiles approved by Rothesay;
  - d. hard surfacing of the streets as shown on the plan to Rothesay

- specifications; sub-grade standards, compaction and finish as approved by Rothesay's Engineer, in writing, before final hard surfacing may be installed;
- e. constructing the proposed connection of Chapel Road to Holland Drive;
  - f. construction of a cul-de-sac as reviewed by the Developer's Engineer and approved by Rothesay's Engineer;
  - g. supply and maintenance of for a period of two (2) years the topsoil, sod, landscaping and the planting of street trees calculated as no more than one tree for each 10 meters measured along the linear centre line of the public street right of way, planted on location(s) approved by Rothesay and where such street trees are as follows:
    - i. Not smaller than six centimeters (6 cm) in diameter measured at a point being 2 meters above the root ball such trees species as approved by Rothesay.
    - ii. Inspected by Rothesay 12 months from time of planting and again then at 24 months. The Developer shall replace trees identified for replacement during warranty inspections.
  - h. Engineering design and inspection of those works referred to in clauses b), c) d), e) and f) of this section.
21. The Developer agrees to provide signed documentation and progress reports from a practicing Professional Engineer, licensed in New Brunswick ensuring that applicable codes and standards have been met and that the work was completed and utilizing such materials as in accordance with the terms of this Agreement and approved specifications.
22. The Developer agrees to provide as-built drawings that delineate all public infrastructure to be submitted to Rothesay in compliance with the minimum standards and requirements specified in Rothesay's Digital Data Submission Standards for Infrastructure and Construction Drawings.
23. Rothesay reserves the right to assign or rename public street names, notwithstanding that names may not correspond with existing names.
24. The Developer agrees that all items, materials, pipes, fittings, and other such infrastructure following acceptance of delivery on site by the Developer shall remain the full responsibility of the Developer against their accidental breakage or vandalism until Rothesay accepts the completed works.
25. The Developer agrees to restore all disturbed or damaged areas of the public street and right of way to the satisfaction of Rothesay's Engineer following installation of the required municipal services.

### **Municipal Sidewalks**

26. The Developer shall carry out and pay for the entire actual cost of a public sidewalk and associated barrier curbing as required to comply with Town standards within the Town right-of-way along the entire frontage of the Lands and extending the sidewalk to the intersection of Parkdale Avenue and Chapel Drive, subject to inspection and approval by the Director of Operations, including the following:
- a. supply and maintenance of for a period of one (1) year the topsoil, sod, landscaping and the planting of street trees located every 10 meters, or an equivalent number planted in locations approved by the Town, along the length of the public road right-of-way where such trees are as follows:
  - b. Not smaller than six centimetres (6 cm) in diameter measured at a point being 2 meters above the root ball such trees species as



approved by the Development Officer.

### **Intersection Improvements – Cost Contribution**

27. The Developer agrees to pay to Rothesay upon receipt of an invoice an amount not exceeding **forty percent (40%)** of the actual cost incurred and expended by Rothesay for traffic signalization including, curbing, sidewalks, road widening, traffic lights, poles, controllers, accessories, electrical equipment and appurtenances necessary for their installation and initial operation, installed at the intersection of Marr Road and Chapel Drive.
28. Rothesay and the Developer agree that the capital cost contribution obligation shall expire in **ten (10) years** from the date of the execution of this agreement should Rothesay not proceed with the traffic signalization at the intersection of Marr Road and Chapel Drive.
29. The Town and Developer agree that the design and construction of the intersection and related improvements shall be solely determined by the Town.

### **Water Supply**

30. 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.
31. The Town agrees to supply potable water for the purposes and for those purposes only for a maximum of ninety-six (96) residential dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.
32. The Developer agrees to pay the Town a fee for connection of the building to the Town water system including sprinkler feed to the Town water system calculated in the manner set out in By-law 1-18, Rothesay Water By-law as amended from time to time, to be paid to the Town twelve (12) months following the issuance of the building permit.
33. The Developer agrees that the Town does not guarantee and nothing in this Agreement shall be deemed 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.
34. 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.
35. 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.
36. 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 or if an invoice for water service is more than 90 days in arrears.
37. The Developer agrees to provide, prior to the occupation of the building, written certification of a Professional Engineer, licensed to practice in New Brunswick that the connection to the Town water system has been satisfactorily completed and constructed in accordance with the Town specifications.

**Sanitary Sewer**

38. The Developer agrees to connect to the existing sanitary sewer system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
39. The Developer agrees to pay the Town a fee for connection to the Town sewer system calculated in the manner set out in By-law 1-15 Rothesay Sewage By-law, as amended from time to time, to be paid to the Town twelve (12) months following the issuance of the building permit.
40. The Developer agrees to carry out subject to inspection and approval by Town representatives, and pay for the entire actual costs of 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.
41. 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.
42. The Developer agrees that connection 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**

43. 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.
44. 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**

45. 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>) including a project wrap-up liability policy (with no less than 24 months coverage after project completion). 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**

46. 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 **CORPORATE NAME., ADDRESS, Rothesay NB, E2E 5N9** and to the Town if delivered personally or by prepaid mail addressed to **ROTHESAY, 70 HAMPTON ROAD, ROTHESAY, 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**

47. 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 that may apply in the future to the site and to activities carried out thereon.

**Termination**

48. 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 been completed on or before **INSERT DATE** 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 to the provisions of the Rothesay Zoning By-law.
49. Notwithstanding the preceding paragraph (47) above, the Parties agree that the development shall be deemed to have commenced if within a period of not less than three (3) months prior to **INSERT DATE** the construction of the 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.
50. 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 this 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**

51. The Town and Developer agree that Final Occupancy of the proposed 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 and an Occupancy Permit has been issued.
52. 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 one hundred twenty percent (120%) 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 an automatically renewing, irrevocable letter of credit issued by a chartered bank dispensed to and in favour of Rothesay;
  - b. Rothesay may use the security to complete the work as set out in Schedule D and E of this Agreement including landscaping or storm water works not completed within a period not exceeding six (6) months from the date of issuance of the Occupancy Permit;
  - c. all costs exceeding the security necessary to complete the work as set out in Schedule D and E this Agreement shall be reimbursed to Rothesay; and
  - d. any 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**

- 53. The Developer agrees that after sixty (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 of Council, 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**

54. 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**

55. 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**

56. 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 WHEREOF**, each of the parties set out below has caused this Agreement, made in duplicate, to be duly executed by its respective, duly authorized officer(s) as of \_\_\_\_\_, 2021.

Witness:

**A.C. Baskin Investments Inc.**

\_\_\_\_\_

\_\_\_\_\_  
Andrew Baskin, Director

Witness:

\_\_\_\_\_  
Rothsay:



\_\_\_\_\_  
Witness:

\_\_\_\_\_  
Nancy E. Grant, Mayor

\_\_\_\_\_  
Witness:

\_\_\_\_\_  
Mary Jane E. Banks, Clerk

DRAFT

**SCHEDULE A**

**PID: | 00056614, 00065094, 00056598**

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

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

Deponent: **Company Director's Name**  
 ADDRESS Avenue  
 Rothesay NB  
 E2E 5N9

Office Held by Deponent: **Director**

Corporation: 637339 N.B. INC.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: \_\_\_\_\_, 2021

I, **INSERT NAME**, 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 "**INSERT NAME**" 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 \_\_\_\_\_, 2021 )

BEFORE ME: )  
 )  
 \_\_\_\_\_ )  
 Commissioner of Oaths )

\_\_\_\_\_  
**INSERT NAME**

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: NANCY E. GRANT

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: \_\_\_\_\_, 2021

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

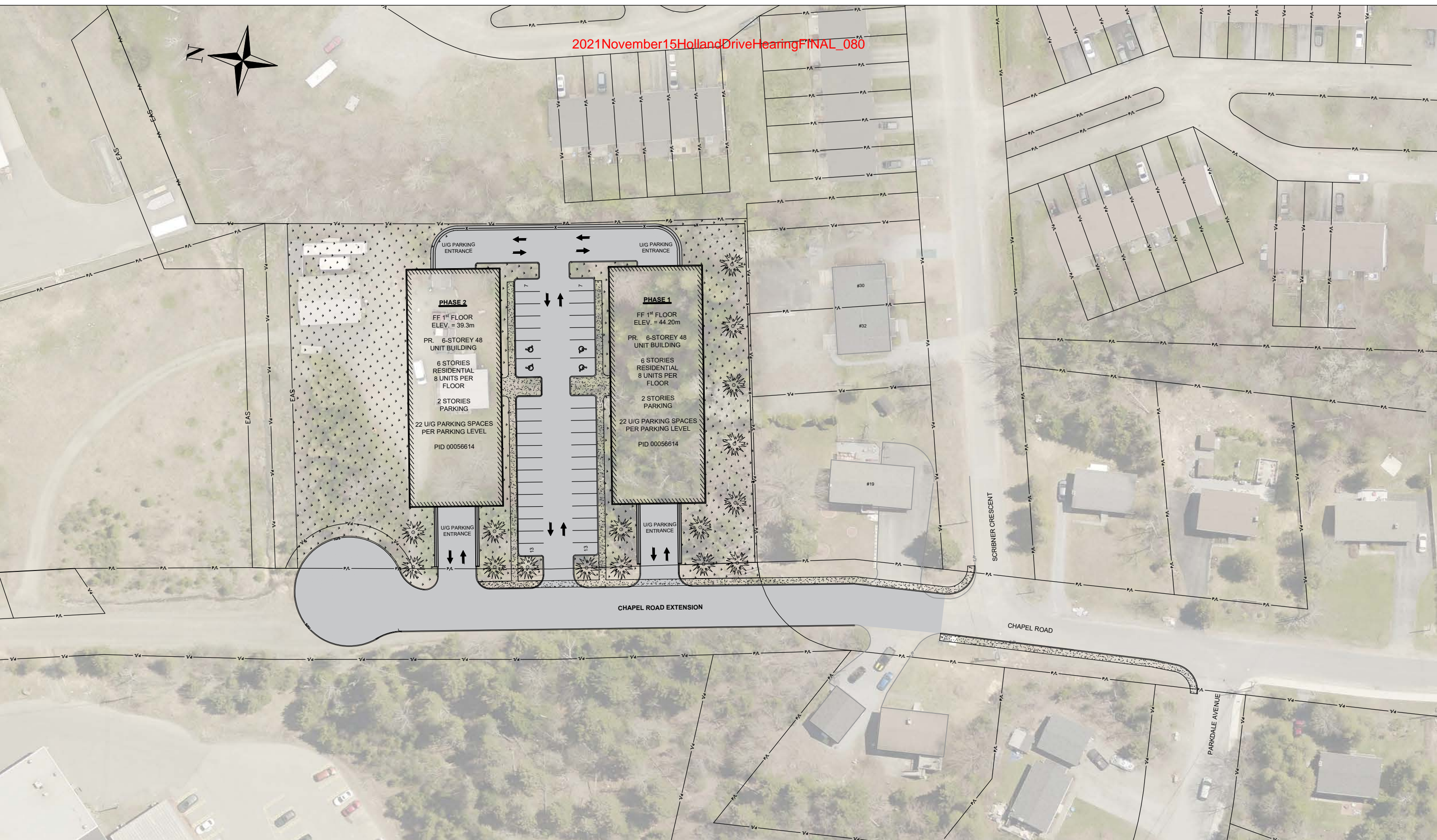
- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
6. That the attached instrument was executed by me and NANCY E. GRANT, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
7. The signature "NANCY E. GRANT" subscribed to the within instrument is the signature of Nancy E. Grant, 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 \_\_\_\_\_, 2021 )

BEFORE ME: )
)
)
)
Commissioner of Oaths )

MARY JANE E. BANKS









# EAST ELEVATION

1/16" = 1'-0"

**MATERIALS:**

EXACT MATERIAL COLORS AS PER OWNER

- M1 - VERTICAL METAL SIDING
- M2 - HORIZONTAL METAL SIDING
- M3 - HORIZONTAL METAL SIDING
- ST1 - MASONRY STONE

Stamp:	Architectural Designer:	Drawing Title: <b>EAST ELEVATION</b>	Client: <b>Invest in US Inc.</b>	
Architectural Consultant:		Project: <b>The Hills of Holland Dr. 6 Storey Apt.</b> Holland Drive, Rothesay, N.B.	Date: September 20th, 2021	Checked by:
			Drawn by:	Revision: -
			Scale: AS NOTED	
			Sheet: <b>A3.1</b>	Flight no: 4339



# WEST ELEVATION

1/16" = 1'-0"

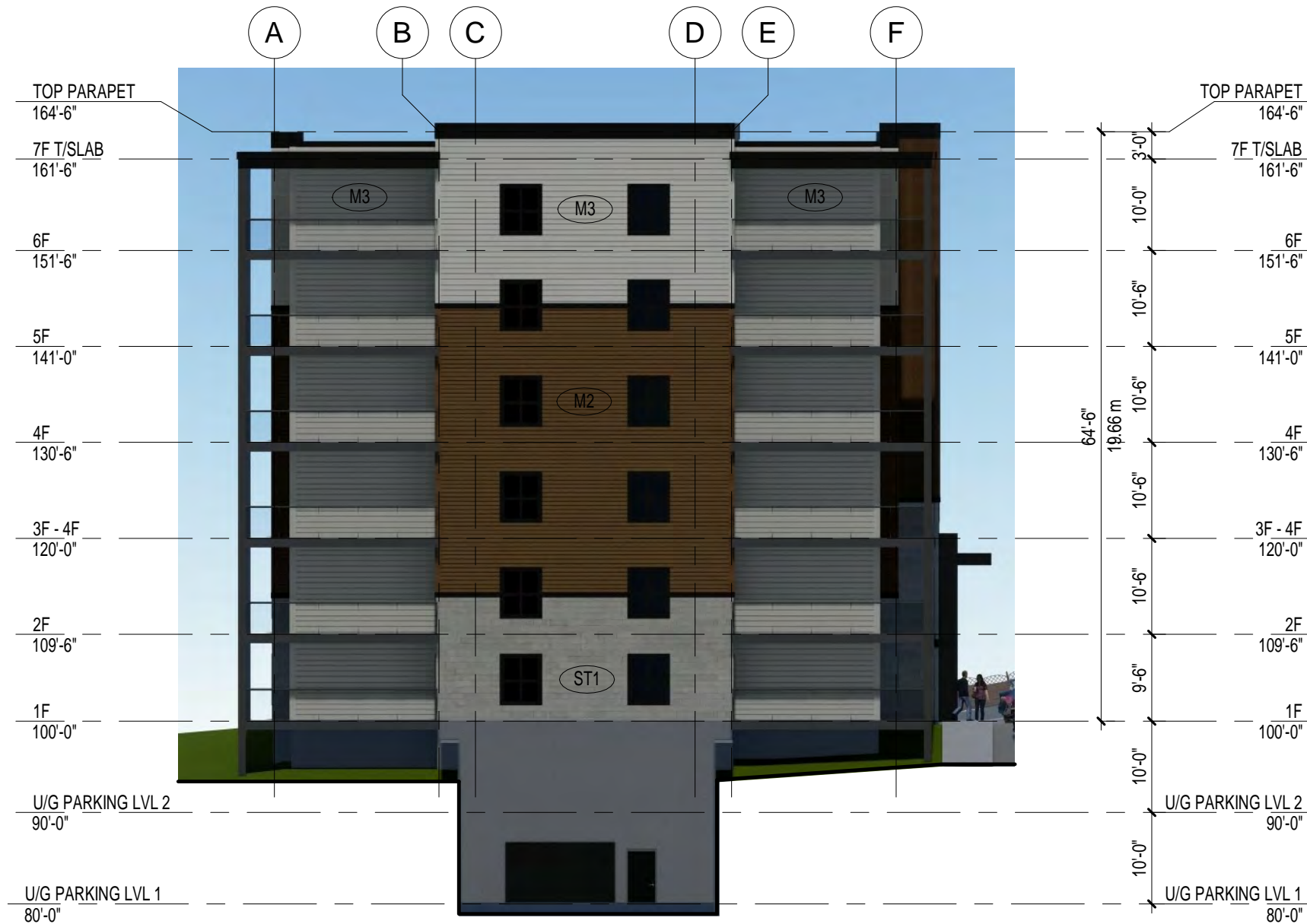
**MATERIALS:**

EXACT MATERIAL COLORS AS PER OWNER

- M1 - VERTICAL METAL SIDING
- M2 - HORIZONTAL METAL SIDING
- M3 - HORIZONTAL METAL SIDING
- ST1 - MASONRY STONE

Stamp:	Architectural Designer:	Drawing Title: <b>WEST ELEVATION</b>	Client: <b>Invest in US Inc.</b>	
			Date: September 20th, 2021	
			Checked by:	
Architectural Consultant:		Project: <b>The Hills of Holland Dr. 6 Storey Apt.</b> Holland Drive, Rothesay, N.B.	Drawn by:	Revision: -
			Scale: AS NOTED	
			Sheet: <b>A3.2</b>	Flight no: 4339





# NORTH ELEVATION

1/16" = 1'-0"

**MATERIALS:**

EXACT MATERIAL COLORS AS PER OWNER

- M1 - VERTICAL METAL SIDING
- M2 - HORIZONTAL METAL SIDING
- M3 - HORIZONTAL METAL SIDING
- ST1 - MASONRY STONE

Stamp:	Architectural Designer:	Drawing Title: <b>NORTH ELEVATION</b>	Client: <b>Invest in US Inc.</b>	
			Date: September 20th, 2021	
			Checked by:	
Architectural Consultant:		Project: <b>The Hills of Holland Dr. 6 Storey Apt.</b> Holland Drive, Rothesay, N.B.	Drawn by:	Revision: -
			Scale: AS NOTED	
			Sheet: <b>A3.3</b>	Flight no: 4339



# SOUTH ELEVATION

1/16" = 1'-0"

**MATERIALS:**

EXACT MATERIAL COLORS AS PER OWNER

- M1 - VERTICAL METAL SIDING
- M2 - HORIZONTAL METAL SIDING
- M3 - HORIZONTAL METAL SIDING
- ST1 - MASONRY STONE

Stamp:	Architectural Designer:	Drawing Title: <b>SOUTH ELEVATION</b>	Client: <b>Invest in US Inc.</b>
Architectural Consultant:		Project: <b>The Hills of Holland Dr. 6 Storey Apt.</b> Holland Drive, Rothesay, N.B.	Date: September 20th, 2021
			Checked by:
			Drawn by:      Revision: -
			Scale: AS NOTED
			Sheet: <b>A3.4</b> Flight no: 4339



**Mary Jane Banks**

---

**From:** Mary Jane Banks  
**Sent:** November 12, 2021 10:30 AM  
**To:** Mary Jane Banks  
**Subject:** FW: Holland Drive Public Hearing Submission

**From:** Debbie B  
**Sent:** November 4, 2021 7:18 PM  
**To:** Mary Jane Banks <MaryJaneBanks@rothesay.ca>  
**Subject:** Holland Drive Public Hearing Registration and Submission

Submission:

I live on the corner of Parkdale Avenue and Chapel Road. In regards to the construction of the 2 large 48-unit apartment buildings off Holland Drive, I am VERY concerned about the increase in the amount of traffic from the tenants of these 2 buildings (96 units x 2 vehicles = 192 probable vehicles) that will be travelling on Chapel Road to the Marr Road (Traffic lights at Chapel Road /Marr Road Intersection?) AND I am EXTREMELY concerned about all the tenant's vehicles that will be using Parkdale Avenue to access Hampton Road to go to Sobeyes etc.! (Traffic lights at bottom of Parkdale Avenue?)

Both Chapel Road and Parkdale Avenue are residential streets and should not be used as a thoroughfare.

I have always loved living in this area but I am afraid these units will destroy the "country feeling" I have enjoyed for over 30 years.

Therefore, I am opposed to the rezoning and construction of these two 48-unit apartment buildings.

Debbie Braydon

Get [Outlook for Android](#)

**Mary Jane Banks**

---

**From:** Mary Jane Banks  
**Sent:** November 12, 2021 10:31 AM  
**To:** Mary Jane Banks  
**Subject:** FW: Attention all council members re proposed Holland Drive constructions.

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

From: Sheila Darkin  
Sent: November 7, 2021 3:06 PM  
To: Rothesay Info <rothesay@rothesay.ca>  
Subject: Fwd: Attention all council members re proposed Holland Drive constructions.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attention Rothesay Mayor and Council,

Having received the notification regarding the rezoning of land off Holland Drive from single to multi-residential to allow for the development of 2-48 unit apartment buildings I have a few concerns which I trust will receive your attention.

1. I note there is no outlet from Chapel Road "extension" currently Holland Drive, to the Hampton Road, which incidentally is nearer and provides an easier and more appropriate access to Campbell Drive and all commercial areas. Rather the traffic would, as currently indicated, be directed by a more circuitous route through areas of single family dwellings, i.e. to Marr Road via Chapel Road where another apartment construction is currently on the books and to Parkdale Avenue. In this regard I feel little or no consideration has been given to this aspect regarding traffic flow. I should mention that currently there is a road block at the Holland Drive end of Chapel Road which indicates they are two separate entities and rather than cause an influx of traffic through a residential area I consider they should remain so.

2. I am also interested in what attention has been given to the terrain in the area. I would like to mention that when Sobeys was under construction there was a certain amount of blasting that was necessary, and here I am only speaking for myself, it caused my house to shake, in fact so badly that I called the construction company. I mention this as I see from the layout provided that the proposal also includes planning for a 2 storey underground parking garage and should more blasting be necessary there is the possibility of affecting current buildings plus water and sewage lines.

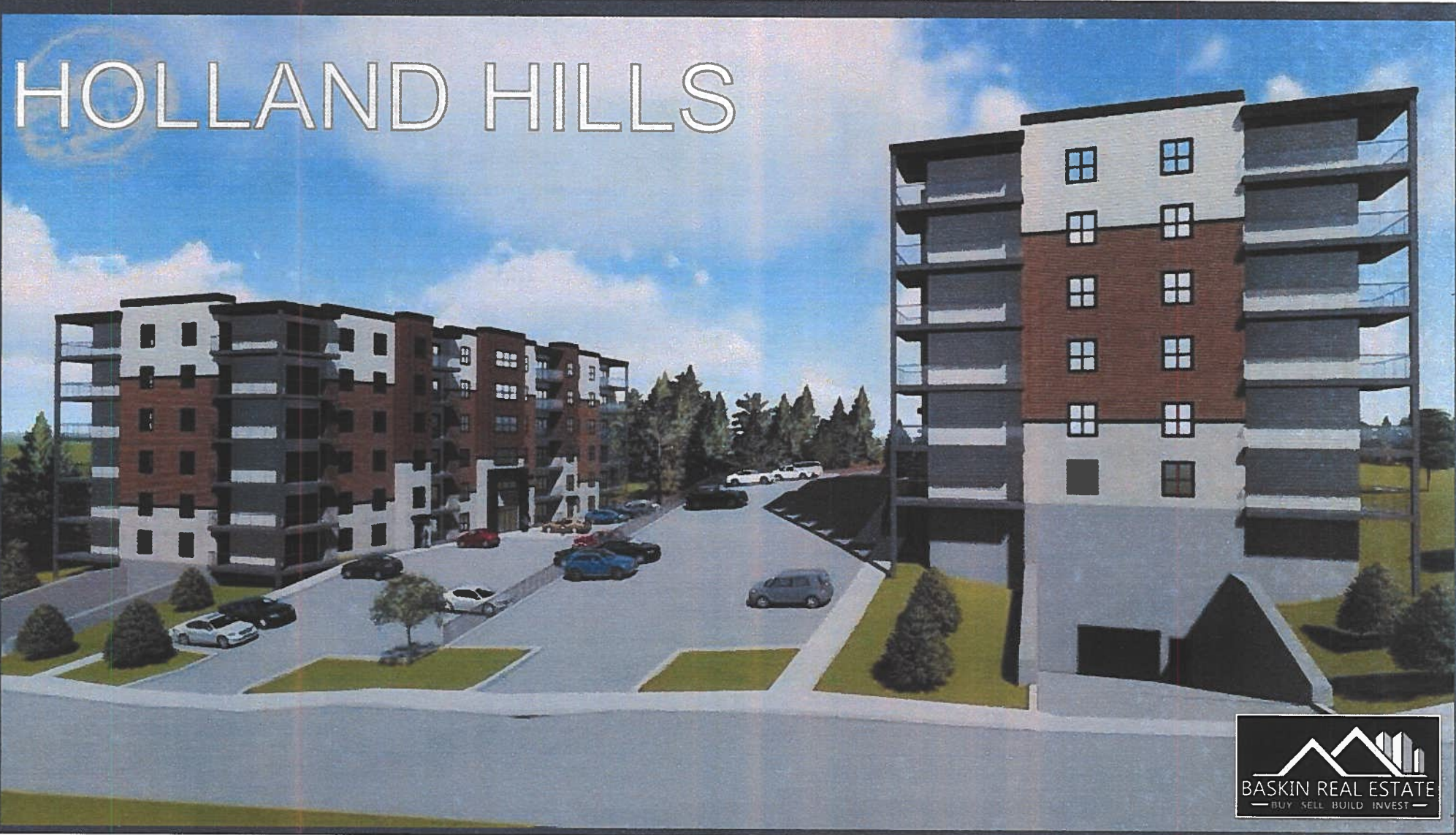
3. I note that each proposed apartment block, including parking, would be 6 storeys. In this regard I would like to know what provisions have been given to occupant safety. This would no doubt be overseen by our local fire department that all necessary components, e.g. sprinklers, fire doors, lighting, extinguishers etc. would be in place. However I understand that the Rothesay Fire Department and the local police force have already expressed some concern regarding the proposal.

4. What effect would this proposal have on water provision and sewage disposal in the area? Also overshadowing and loss of privacy to nearby properties?

All in all I have never seen any indication that any consideration has been given to providing multi-storey accommodation or development on the other side of the McKay Highway, rather than causing more traffic congestion in this area. Such consideration would also provide easy access to the Airport arterial and the McKay Highway.

Sincerely,  
Sheila Darkin.

# HOLLAND HILLS





# Rezoning Application

## Current

- Single Family (R1B)
- Designated for High Density residential use

## Proposed

- Two six-story 48-unit apartment buildings (96 units total) on PIDs 00056614 & 00065094

## Location Characteristics

- Adjacent properties are largely commercial and multi-unit residential\*
- Walking distance to essential services and amenities
- Sloping terrain compliments building heights and skyline





# Affordable Housing

## Building 1 & 2 Combined

- Density Allowable - 85 Units
- 14 Affordable Unit Bonus - 11 Units
- Total Units - 96

## Conditions

- 20-Year Commitment for no fewer than 14 2-bedroom units
- Base Monthly Rental Rate at or below 30% of the Median Total Income of Lone-Parent family household
- Rent increases are linked to the Consumer Price Index





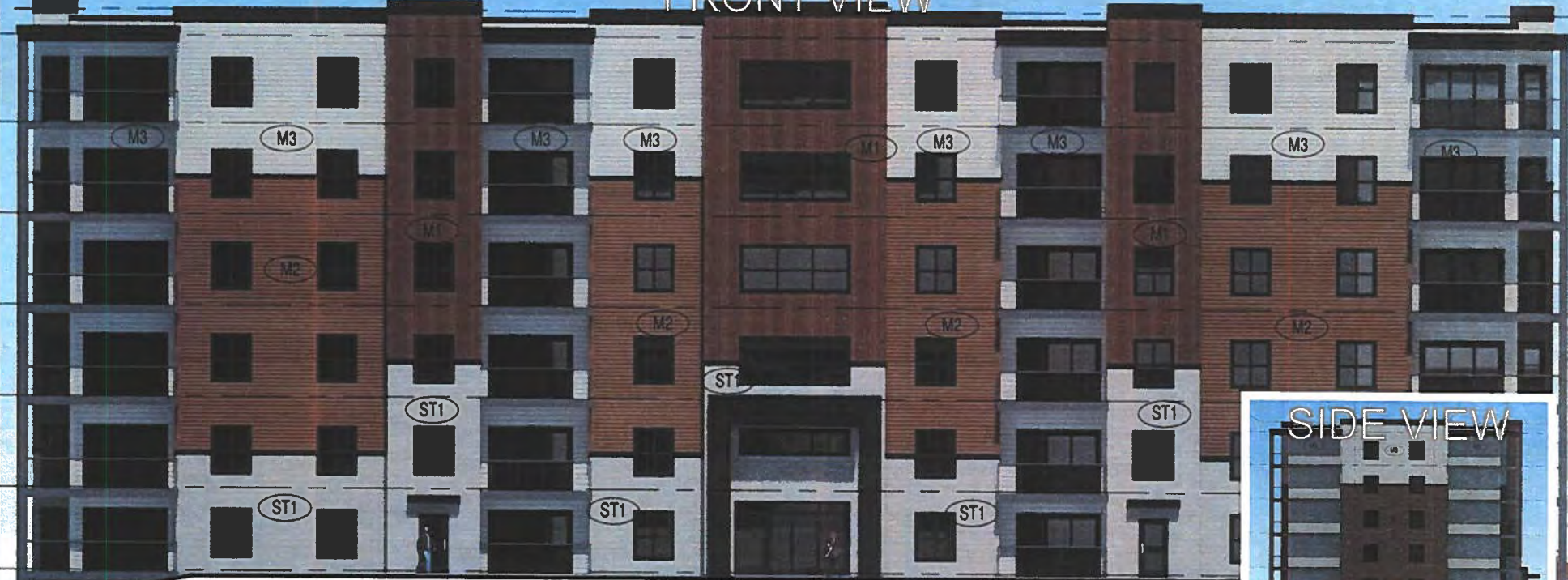


TWO 6-STORY 48-UNIT BUILDINGS

64 PARKING STALLS EACH (44 UNDERGROUND & 20 EXTERIOR)



FRONT VIEW



ST1 - MASONRY STONE  
M2 - HORIZONTAL METAL SIDING  
M1 - VERTICAL METAL SIDING  
M3 - HORIZONTAL METAL SIDING

HOLLAND HILLS ELEVATION VIEWS



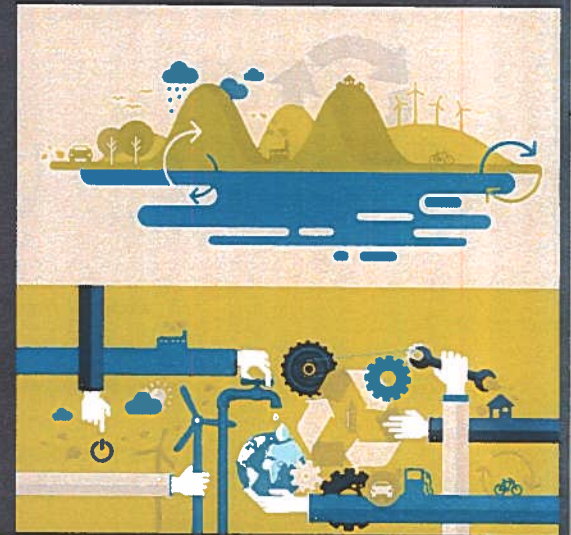
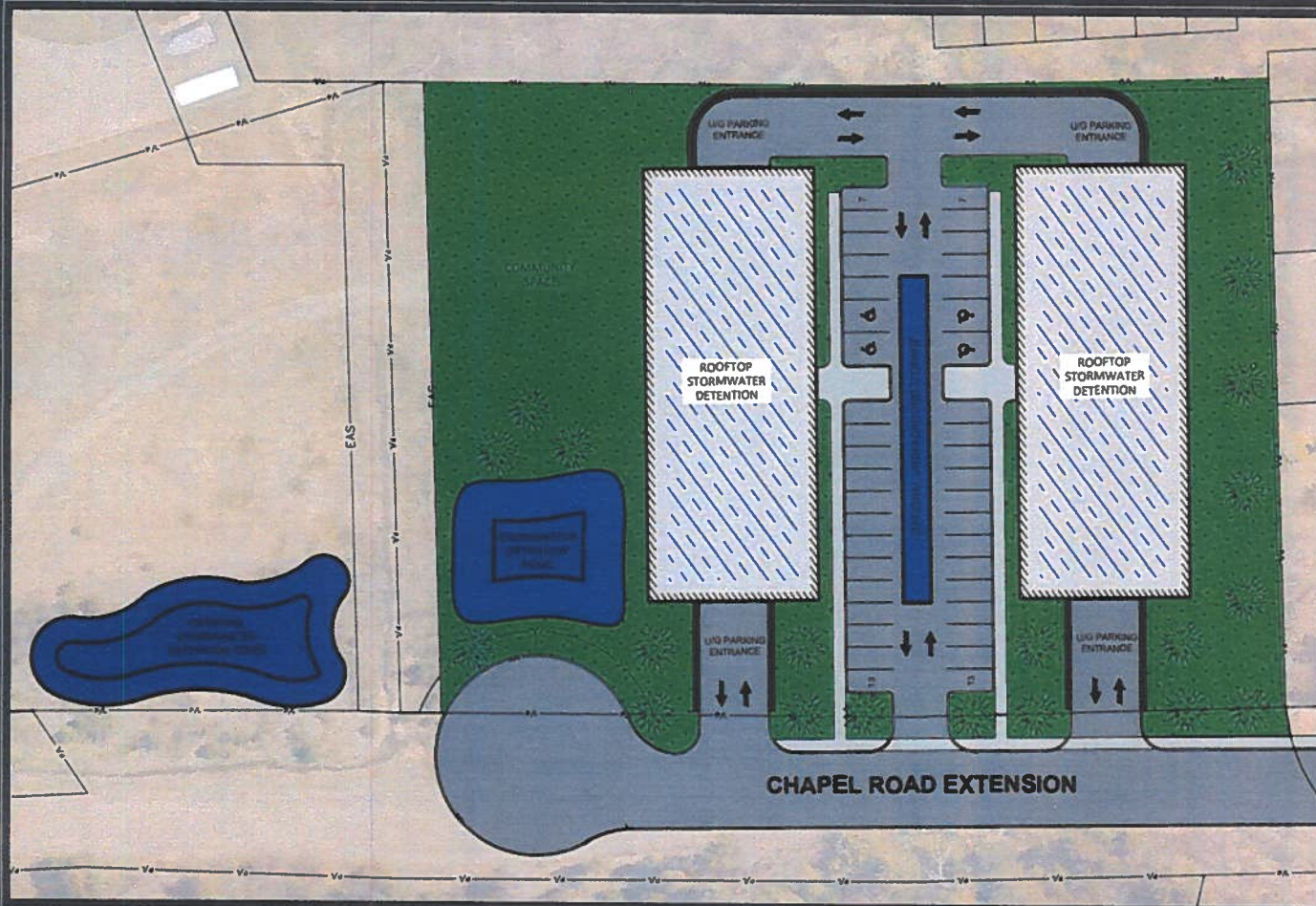
# Lifestyle

- Some 2-Floor Townhouse Style Apartments & Lofts with double height great rooms & up to 2000 sq ft for families\*
- 1, 2 & 3 bedroom apartments of varying sizes in various rental levels from \$1200 to \$3000+
- 6 Stories means 12,000ft<sup>2</sup> of Additional Green Space for future considerations:
- Community Amenity & Activity Spaces such as cafe, gym, salon & future considerations such as outdoor pool, designed pet space, putting greens, gardens & green houses
- Double Elevator in a Hotel Style Lobby with planned concierge & room service & lifestyle planning
- Holland Hills Lifestyle will allow all residents to live a more green lifestyle with less carbon footprint in a home that is central to all town amenities



\*Not all units will be 2-floor units





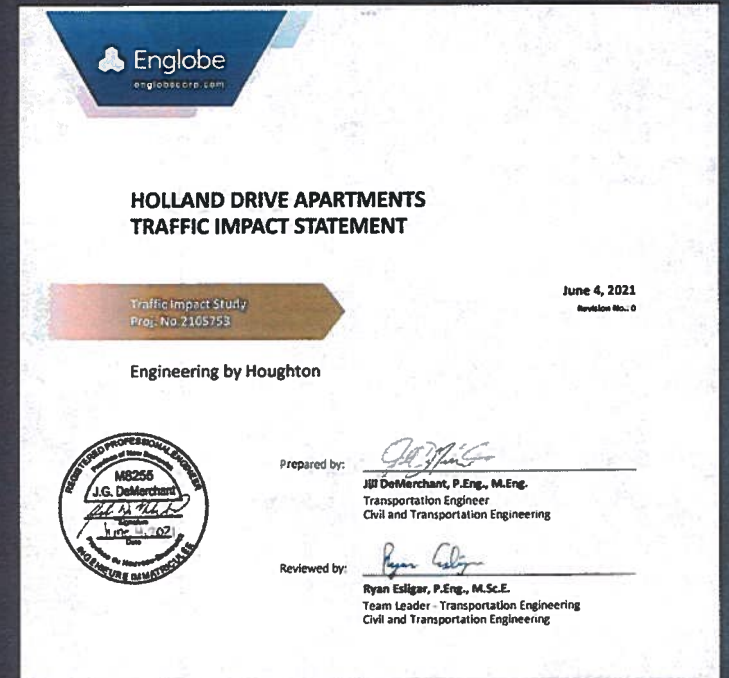
# SUSTAINABLE STORM WATER

NET ZERO DESIGN

**ENGINEERING**  
by **HOUGHTON**



- High Walking Score Will Reduce Vehicle Traffic
- New Sidewalks Will Be Built Connecting Holland Hills Development To Parkdale Ave
- 40% or \$100,000 Contribution Towards Signalized Intersection at Marr Road & Chapel Road (Not Required Per Englobe Report)
- Future Connections to Sobeys and Canadian Tire Parking Lots is Possible but Could Introduce Drive-Thru Traffic



"The LOS results for the 2028 horizon period with the development in place indicate that delays at the southbound approach of the Marr Road / Chapel Road intersection will increase; however the approach will remain below capacity and the intersection will continue to perform efficiently overall. "

## TRAFFIC IMPACTS

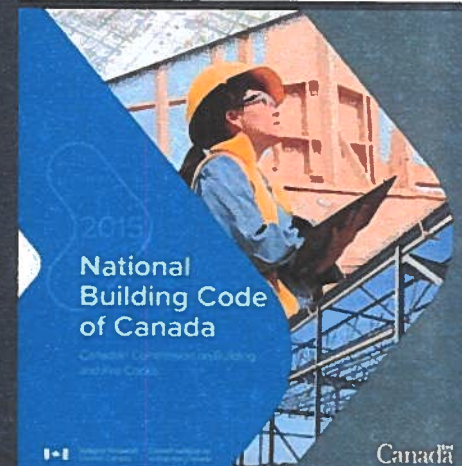
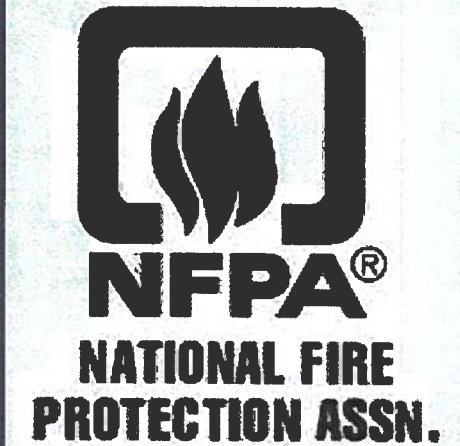
LEVEL OF SERVICE REQUIREMENTS WILL NOT BE EXCEEDED



- Available Fire Water Flow Capacity Verified
- Non-combustible Roof Construction
- Non-combustible Cladding
- Sprinklered (NFPA 13 Compliant)
- 35% Perimeter Access
- Emergency Power Supply for Lighting & Alarms
- Fire Escapes (NBC Compliant)

## FIRE PROTECTION

COMPLIANT WITH ALL CODES FOR 6-STORY BUILDING (NON HIGH-RISE)







THANK YOU!



\$1,860,000 - TAX REVENUE INCREASE FOR ROTHESAY OVER 10 YEARS

\$366,000 TAX REVENUE PER YEAR (PROVINCIAL AND MUNICIPAL) BASED ON 2021 RATES & AN ASSESSMENT OF 15 MILLION FOR 96 UNITS

# Holland Hills Rezoning

- \* An application from A.C. Baskin Investments Inc. to rezone 3.2 acres of land off Holland Drive to the R-4 Multi-Unit Residential Zone to permit a two (6 story 48 unit) apartment buildings by development agreement.





A.C. Baskin Investments Inc. proposal to develop two six story (48 unit) apartment buildings on 3.2 acres of land off Holland Drive.



2021 November 15 Holland Drive Hearing FINAL\_099

SCRIBNER CRES

Chapel Drive



© All Pictometry

A.C. Baskin Investments Inc. proposal to develop two six story (48 unit) apartment buildings on 3.2 acres of land off Holland Drive.



# Municipal Plan

- \* The property is zoned single family (R1B) and designated for HIGH DENSITY residential uses.
- \* Located close to several major commercial uses (Canadian Tire and Sobeys), and Hampton Road.
- \* Proximity to Hampton Road promotes pedestrian connectivity and ease of access for future residents, reduces sprawl and creates a more walkable neighbourhood.

# DENSITY – 48 units x 2

- \* One building has a 40-apartment unit limit on density, to get to 48 units requires a 20% increase in density. 10 affordable units gives a 2% bonus per unit to a 20% max.
- \* Second building has a 45-apartment unit limit on density based on 1 unit per 200 square meters. Four affordable units gives an 8% increase in density (3 units)
- \* Eligibility for max density bonus requires 14 affordable apartment units to achieve the density bonus of +13 additional units.



# Affordable Housing

- \* 20 year commitment, for no fewer than 14 (2 bedroom) apartment units with a Base Monthly Rental Rate at or below 30% of the Median Total Income of Lone-Parent family households.
- \* Rent increases are linked to the Consumer Price Index.



Each 6 Storey Building would have 48 Apartment Units and has 2 levels of underground parking



## EAST ELEVATION

1/16" = 1'-0"

### MATERIALS:

EXACT MATERIAL COLORS AS PER OWNER

- M1 - VERTICAL METAL SIDING
- M2 - HORIZONTAL METAL SIDING
- M3 - HORIZONTAL METAL SIDING
- ST1 - MASONRY STONE

Each 6 Storey Building would have 48 Apartment Units and has 2 levels of underground parking



**MATERIALS:**

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- M1 - VERTICAL METAL SIDING
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- M3 - HORIZONTAL METAL SIDING
- ST1 - MASONRY STONE

2021November15HollandDriveHearingFINAL\_105







New Road Connection from Chapel to Holland but not through to Hampton Road

New Sidewalk connection from Holland Drive to Parkdale along Chapel.

# Traffic Impact

- \* 40% Cost Contribution toward intersection improvements at Chapel and Marr.
- \* New Road Connection from Chapel to Holland but not through to Hampton Road.
- \* New Sidewalk connection from Holland Drive to Parkdale along Chapel.



# KVFD Review

- \* KVFD states, “Adding more of these types of buildings to our coverage area changes our risk profile and requires training and resources that go beyond our current capacity.”
- \* Recommendation for **additional safety measures** found in the National Building Code that are intended for buildings higher than 6 storeys.