

ROTHESAY

PUBLIC HEARING – (95) Hampton Road/Woodland Avenue
(PIDs 00242271, 030130348, 030020051, 30130355)

Rothesay Town Hall
Tuesday, April 12, 2022
6:30 p.m.



PRESENT: MAYOR NANCY GRANT
DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR HELEN BOYLE
COUNCILLOR DAVE BROWN
COUNCILLOR PETER J. LEWIS
COUNCILLOR TIFFANY MACKAY FRENCH
COUNCILLOR BILL McGUIRE
COUNCILLOR DON SHEA

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN

ABSENT: TREASURER DOUG MacDONALD
DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN
ADMINISTRATIVE ASSISTANT LIZ HAZLETT

PUBLIC HEARING **36 Unit Apartment Building**
(95) Hampton Road/Woodland Avenue
PIDs 00242271, 030130348, 030020051, 30130355)

1. Call to Order Instructions

Mayor Grant called the hearing to order at 6:30 p.m.

Mayor Grant welcomed all in attendance and noted the following: registration was requested to attend the meeting; members of the public are asked to wear masks and remain seated unless they are at the microphone; materials are available to sanitize the microphone between uses; Council members and staff will be masked until seated; and members of the public are asked to state their name before speaking – and will each have a ten minute time limit. Mayor Grant explained the format of the hearing and noted there will be no decision made this evening by Council.

2. Public Hearing Documentation

8 April 2022	Public Notice Memorandum prepared by Town Clerk Banks
21 March 2022	<i>Community Planning Act</i> , Section 111 notice to website/Town Hall
1 April 2022	Staff Report to Planning Advisory Committee
DRAFT	By-law 2-10-29 (<i>Tabled by PAC April 4, 2022</i>)
DRAFT	(Amended) Development Agreement (<i>Tabled by PAC April 4, 2022</i>)
3 February 2022	Staff Report to Planning Advisory Committee
1 December 2021	Staff Report to Planning Advisory Committee

Appearances/Presentations:

Presentation: Brett Taylor, KV Properties Ltd. - Applicant
Presentation: Brian White, MCIP RPP, Director of Planning/Development Services

Appearances: Joanne Godfrey
Innis McCready

ROTHESAY

Public Hearing – (95) Hampton/Woodland Avenue
Minutes

-2-

12 April 2022

Comments:

In Opposition

Email from B. Tsang
Petition (40 signatures)
Letter from L. Greer
Email from S. Tsang
Email from R. Bautista

In Favour

Letter from D. & J. Shaw
Letter from S. Clifford
Letter from K. & L. Taylor
Letter from S. & D. Allen
Email from R. & B. Black
Email from I. & R. Grieve
Letter from S. Milburn

Mayor Grant listed the documentation and noted the dates the notice was posted to the website and advertised on social media. She invited Mr. Brett Taylor, KV Properties Inc. to give his presentation.

Mr. Taylor provided background information with respect to KV Properties Inc and noted the development completed on Magnolia Lane, commenting on the successful track record and meeting or exceeding legislated requirements. He provided a summary of the past year working with Town staff on the current project and noted the following: originally a six-storey building, numerous changes were requested related to the site plan, parking, sheltered outdoor parking, the exterior, and the recent addition of the extension of Woodland Avenue.

Mr. Taylor advised his current proposed site plan reflects direction from staff to have access from Hampton Road and the addition of the second entrance to address protective services concerns. The second entrance off Woodland Avenue was added to accommodate tenant use if the main entrance from Hampton Road was blocked by fire vehicles, and also to accommodate turning radius for fire trucks. He noted there have been no issues with fire trucks accessing/turning on Magnolia Lane, which has one entrance/exit.

Mr. Taylor provided a summary of the floor layouts and the amenities that will be provided; including but not limited to: indoor garbage collection, a fitness centre, a covered pick up/drop off area outside the lobby, a sunroom, hospitality space, storage, electric vehicle charging stations and building security. He provided a summary of the information requested by the Town: fire safety, stormwater management, traffic study, shadow study and landscape plan. He noted the project is similar to the Magnolia Lane project – alignment with the Municipal Plan by supporting walkability, tenants not generally participating in rush hour traffic, reduces sprawl, promotes social inclusion and high density is the most efficient use of utilities and infrastructure. Mr. Taylor suggested the project provides a “complete neighbourhood” with extra security, environmental benefits and economies of scale.

Mr. Taylor advised he went door to door in the neighbourhood and had some good discussion, suggesting there were concerns about Woodland Avenue connecting through to Hampton Road, moreso than to the development itself. He indicated that staff have advised the connection is “directly necessary” and he is of the opinion its completion is out of his hands. Mr. Taylor indicated the proposed connection is not necessary for his development and is not on his site plan.

Mr. Taylor concluded his presentation by noting comments of support from current tenants of Magnolia Lane, noting the alignment of the project with the Municipal Plan and its location. He asked Council to support his project, noting the value and benefits it will bring to potential new residents of Rothesay and thanked them for the opportunity to give his presentation.

ROTHESAY

Public Hearing – (95) Hampton/Woodland Avenue
Minutes

-3-

12 April 2022

Mayor Grant thanked Mr. Taylor and asked if Council had any questions.

Counc. Shea requested clarification with respect to the number of lots being considered in the proposal, the road extension, stormwater management and universal design. Mr. Taylor indicated the original proposal showed a connection from Hampton Road through the existing driveway but the current plan is 3600 square metres that encompasses four lots and part of a fifth one. He noted the costs to develop the extension of Woodland Avenue is about \$100,000; stormwater management plans have not been completely developed but will meet the net-zero requirements of the Town; noting there are multiple storage options on-site. Mr. Taylor advised there will be two barrier-free units which are wheelchair friendly and there are a number of design features to accommodate older tenants.

Deputy Mayor Alexander commended Mr. Taylor on going door-to-door in the neighbourhood. He requested clarification with respect to the extension of Woodland Avenue, the connection to Hampton Road and fire services at Magnolia Lane. Mr. Taylor commented there is no direct benefit to his project to develop Woodland Avenue through to Hampton Road. His current plan includes the road development from Hampton Road to the driveway of his project. Mr. Taylor noted fire services (first responders) are on site at Magnolia Lane likely about once a month and there are no access problems. He noted the second exit for the current proposal could be gated and only used for emergency purposes.

Counc. Brown requested additional clarification on the number of lots included. It was noted there are eight lots in total with 3 property tax bills and the project is proposed over 3600 square metres that includes part of the house lot. Counc. Brown requested clarification on the commercial use properties and possible traffic impacts. Mr. Taylor advised there are no plans for any commercial development at this point.

Counc. Mackay French requested clarification on the driveway and whether the project could exist with only one access – whether from Woodland Avenue or Hampton Road. Mr. Taylor noted the original plan was access from Woodland Avenue only. There was a question with respect to a traffic bulb and Mayor Grant noted the hearing is for the current proposal and any suggested changes can be discussed by the Planning Advisory Committee and then can come back to Council. Mr. Taylor suggested the comments with respect to the Fire Department can be misunderstood and the second access is not necessarily for their use but for the tenants if access is blocked.

Counc. McGuire expressed concern with the results of the traffic study that indicated “... not expected to cause...” is not definitive. Mr. Taylor suggested there is a lot of detail in the report and it was difficult to read. He noted there is a lot of traffic in that area at peak traffic time. He indicated the report does not identify a lot of traffic impact. He suggested the organic growth in the area will exceed any contribution from this development.

Counc. Lewis asked about current fire truck access to the Magnolia Lane properties, which only has one access. Mr. Taylor noted the access is generally not blocked by fire apparatus when onsite.

Counc. Brown requested clarification on the one access point originally from Woodland Avenue and whether there were any concerns from the Fire Department. Mr. Taylor commented the Fire Department has not requested any connection.

Mayor Grant called on Brian White, Director of Planning and Development Services (DPDS), to give his presentation.

Mr. White clarified the project requires lot consolidation and the Planning Advisory Committee has not yet given its recommendation on the project. He indicated there is approximately 5200 square metres over the eight (8) properties and just under 1600 square metres will be available for future

ROTHESAY

Public Hearing – (95) Hampton/Woodland Avenue
Minutes

-4-

12 April 2022

commercial use. He noted the properties are designated for high density residential and the remaining lots are designated commercial.

Mr. White noted the Planning Advisory Committee reviewed the project in February 2022 which showed one (1) access point to Hampton Road. He noted shadow studies were completed and there were no issues. DPDS White advised the initial building renderings were revised to enhance the exterior views. He also reviewed the original 1914 subdivision plan that shows the connection of Woodland Avenue (then called Clarke Avenue) through to Hampton Road, along with 8 building lots. DPDS White noted that Woodland Avenue is 325 metres in length and exceeds best practices and code as a cul-de-sac and extending Woodland Avenue to these lots would make an existing problem worse. It was noted the Fire Department provided comments and the plans were revised to add Woodland Avenue access from the rear portion of the parking lot and the main entrance was angled to accommodate fire vehicles.

DPDS White noted the site plan was revised in April 2022 showing 2 access points to the proposal. He advised staff are recommending Woodland Avenue be connected through the Hampton Road for the following reasons: winter maintenance would be difficult without a traffic bulb, vehicles exiting rear of development have no direct access to Hampton Road; the drive aisle has a reduced width of 6 metres making two way traffic in the parking lot difficult; removes a dead end street that does not meet transportation engineering standards; improves public safety response times and increases efficiency for public works (street cleaning, garbage removal, snow plowing). DPDS White concluded his presentation by stating the road connection is “directly necessary for development” as noted in the Municipal Plan Policy DEVC-1 and that costs are paid by the developer, with the Town providing design engineering. Staff support the development for the following reasons: provides a variety of housing choices; utilizes existing public infrastructure; reinforces pedestrian and transit friendly neighbourhoods and high density along Hampton Road reduces development pressure on existing low-density neighbourhoods.

Mayor Grant thanked DPDS White for his presentation and asked if Council had any questions.

Counc Shea requested clarification on the civic address and was advise it would be Woodland Avenue. He summarized there appear to be two issues – one is the apartment building and the other is the road extension. DPDS White noted that roads are typically built by the developer and turned over to the Town on completion. He further noted the existing eight (8) lots are approved building lots and could be built out now, with the road built at the expense of the developer. Counc. Shea commented, as a regular user of the Hampton Road, he could not picture another set of traffic lights on Hampton Road.

Deputy Mayor Alexander commented that the 1914 subdivision plan showing the connection through to Hampton Road would likely have been beneficial for the cottage community at the time. He suggested the Englobe traffic study did not show potential results for a through connection of Woodland Avenue to Hampton Road. Director of Operations (DO) McLean advised the Town mirrored the study with an independent traffic consultant and they concluded that the result to connect Woodland Avenue to Hampton Road would be negligible with respect to traffic. Deputy Mayor Alexander indicated in his opinion, a through connection will cause increased traffic issues in an area that is already congested.

Counc. Mackay French agreed with the comments with respect to additional traffic issues in the area of the Marr Road/Hampton Road intersection. Counc. McGuire also raised concerns with respect to additional traffic and suggesting the Town does not want to create another Rothesay Avenue (Saint John).

Mayor Grant called three times for anyone wishing to speak in opposition of the proposal.

ROTHESAY

Public Hearing – (95) Hampton/Woodland Avenue
Minutes

-5-

12 April 2022

The following people spoke: Joanne Godfrey, David Hudson and Innis McCready. The following comments were made: moved to Woodland Avenue from Saint John for many reasons, enjoy the quite neighbourhood, have spoken to residents of Magnolia Lane, concerns with through connection from Woodland Avenue to Hampton Road, does the development meet the requirements of HDR-4 policy of setbacks and underground parking, do projected demographics require this type of building, the neighbourhood will be negatively affected, property values will decrease, traffic and speeding issues, lived in the area for over 35 years, project will take away green space, the benefit of a dead-end street and close neighbourhood, is it the correct location and please consider the outcome and impact on the surrounding neighbourhood.

On questioning by Council members, the speakers advised they were not in favour of the extension of Woodland Avenue through to Hampton Road. With respect to the building, two speakers indicated it would not directly affect them and the third speaker was not in favour of the building.

Mayor Grant called three times for anyone wishing to speak in favour of the proposal.

There were no speakers.

Mr. Taylor was invited to provide a summary. He noted that indoor parking (equivalent to underground) is included in the plan and he would further review the demographic data.

Mr. Taylor concluded that he was seeking the support of Council for the project. He views it as a benefit to Rothesay and it is in alignment with the Municipal Plan. He noted he has been working with staff for over a year and, while there is not necessarily agreement on every aspect, he believes the project will be an amazing addition to the Town.

Mayor Grant thanked Mr. Taylor and those in attendance.

3. Adjournment

The public hearing adjourned at 8:03 p.m.

Original signed by Mayor
MAYOR

Original signed by Clerk
CLERK