



ROTHESAY

PUBLIC HEARING AGENDA

6:00 p.m.

Monday, January 29, 2024

Common Room, Rothesay Town Hall



Public access to the Live stream will be available online:

[PUBLIC HEARING LIVESTREAM](#)

PUBLIC HEARING – Rezoning

45 Marr Road and 6 Old Mill Lane

PIDs 00245415 & 00118067

1. CALL TO ORDER Instructions

2. PUBLIC HEARING

Documentation

10 January 2024

9 January 2024

Memorandum prepared by Town Clerk Banks (public notices)

Community Planning Act, Section 111 notice to website/Town Hall

DRAFT

By-law 2-10-38

DRAFT

By-law 2-10-39

DRAFT

Development Agreement

28 December 2023

Staff Report to Planning Advisory Committee

Appearances/Presentations:

Presentation: Mike Maloney

Presentation: John Jarvie, MCIP RPP, Town Manager
Director of Planning/Development Services

Appearances: Nathan Blais

Comments: In support (1): Rosedale Avenue
In opposition (2): 28 Robinson Street
11 Old Mill Lane

3. ADJOURNMENT



ROTHESAY

MEMORANDUM

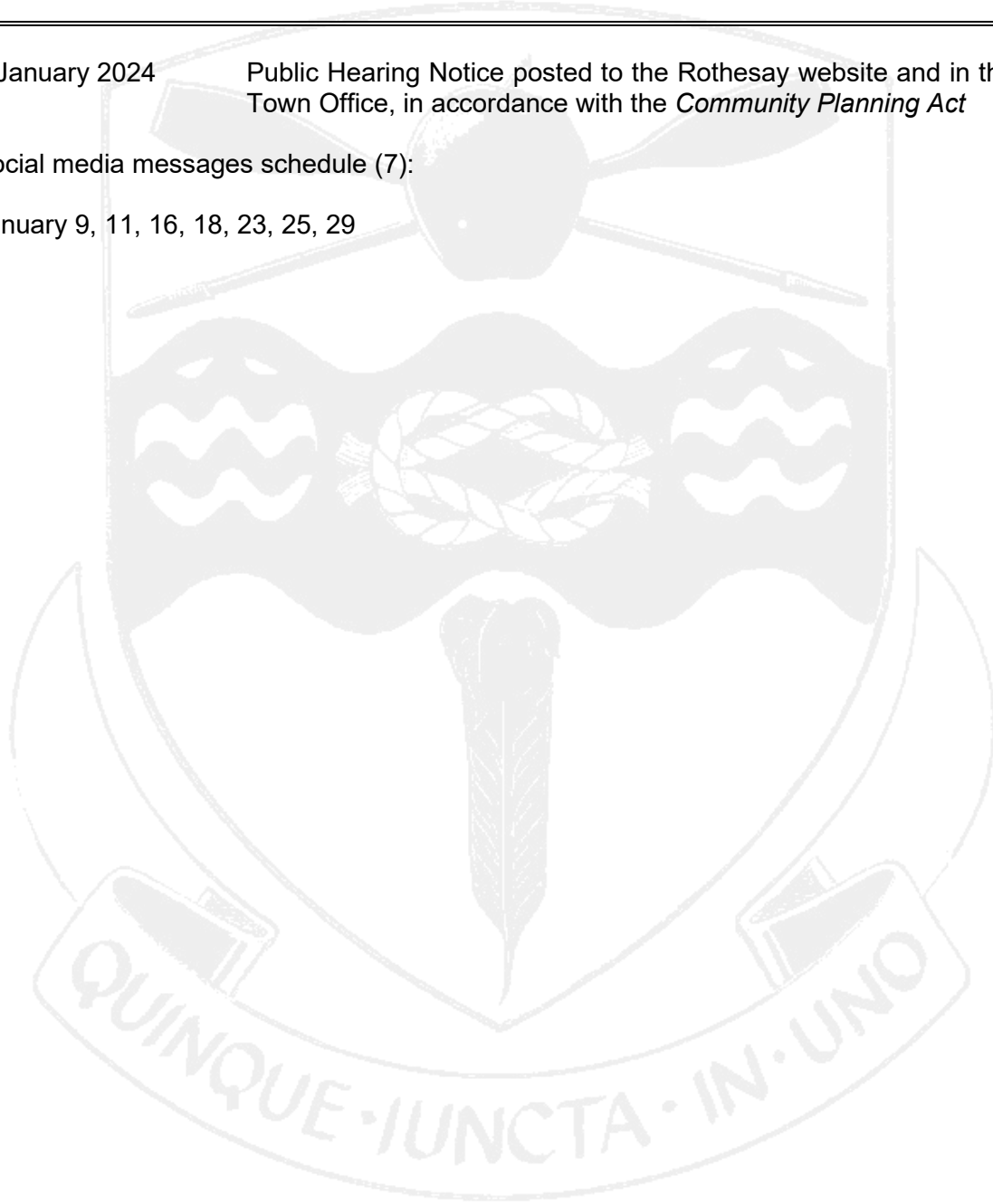


TO : Mayor and Council
FROM : Town Clerk Mary Jane Banks
DATE : 10 January 2024
RE : Social media messages for 45 Marr Road/6 Old Mill Lane
46-unit apartment building and 6-unit townhome development
PIDs 00245415 and 00118067

9 January 2024 Public Hearing Notice posted to the Rothesay website and in the Town Office, in accordance with the *Community Planning Act*

Social media messages schedule (7):

January 9, 11, 16, 18, 23, 25, 29



ROTHESAY

PUBLIC HEARING NOTICE

Monday, January 29, 2024 at 6:00 p.m.

9 January 2024

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 amendments to By-law 2-10, "Rothesay Zoning By-law" to rezone the properties located at 45 Marr Road and 6 Old Mill Lane (PIDs 00245415 & 00118067) to allow for the development of a 46-unit apartment building and a 6-unit town home development, subject to the enactment of By-law amendments and the terms of a Development Agreement.



Figure 1 - Subject Lands (45 Marr Road/6 Old Mill Lane)

ROTHESAY

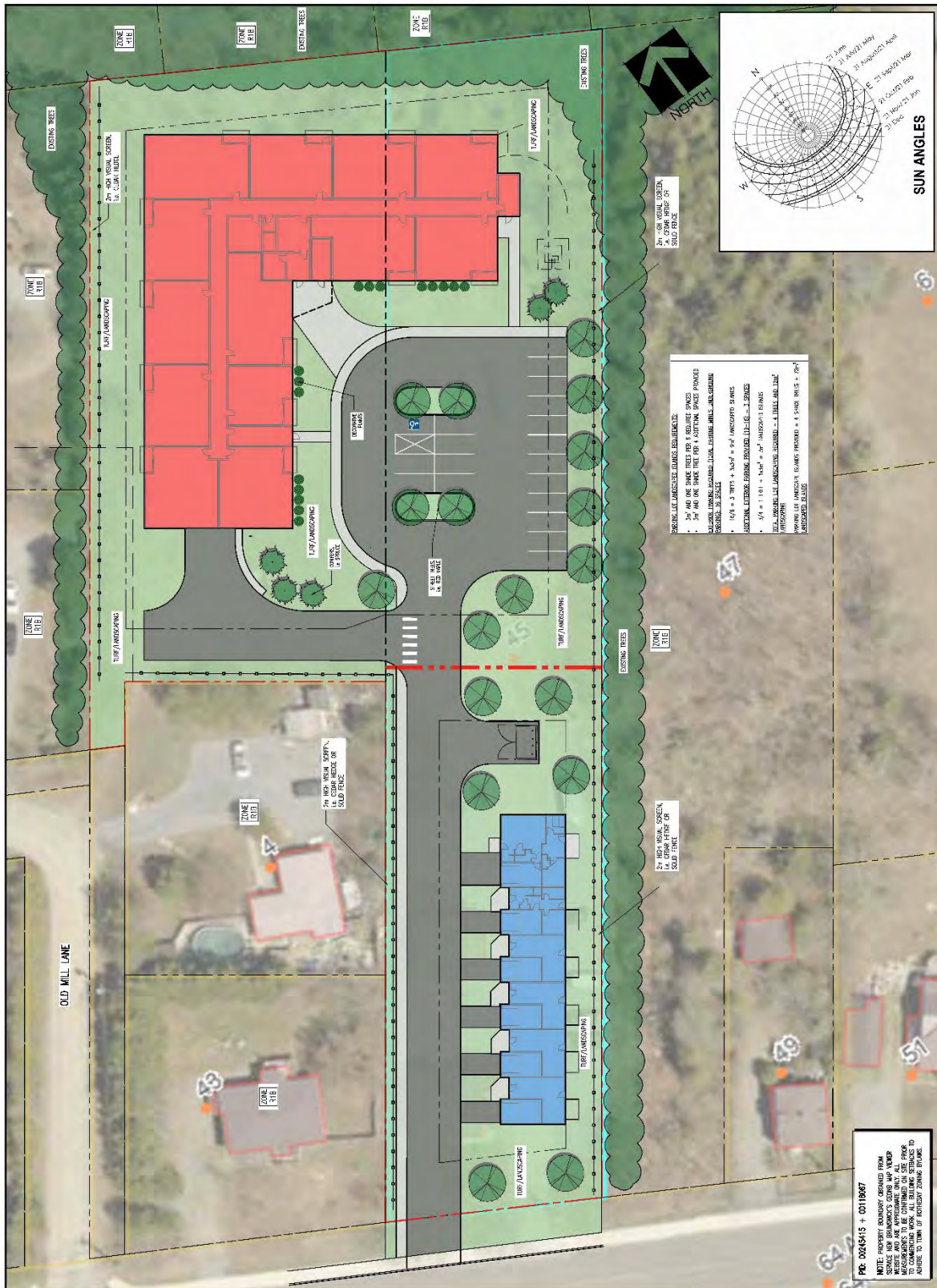


Figure 2 – Site Plan (46-unit building and 6 Town Homes)

The Public Hearing will be held **in-person** on **Monday, January 29, 2024 at 6:00 pm** in the Common Room, Rothesay Town Hall, 70 Hampton Road. 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/> the day of the hearing.

ROTHESAY



Written objections to the proposed amendment will be received by the undersigned until **12 noon on Wednesday, January 24, 2024** and will be provided to Council for the public hearing.

Anyone wishing to **speak at the Public Hearing may register** with the Clerk's office **no later than Wednesday, January 24, 2024 at 12 NOON**. Please contact the Clerk's office at 848-6600 or Rothesay@rothesay.ca for more information.

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 2-10-38
DRAFT	By-law 2-10-39
DRAFT	Development Agreement
28 December 2023	Staff Report to the Planning Advisory Committee

The Agenda package for the January 29th public hearing will be available here on the day of the hearing: <https://www.rothesay.ca/town-hall/agendas/>

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



**BY-LAW 2-10-38
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, S.N.B. Chapter 17, and amendments thereto, hereby amends By-Law 2-10 “Rothesay Zoning By-law” and enacts as follows:

That the shaded area shown on Schedule A, as attached to By-Law 2-10 “ROTHESAY ZONING BY-LAW” is hereby amended, as identified on the attached sketch labelled “Attachment A – Bylaw 2-10-38”.

The purpose of the amendment is to rezone lands located at 45 Marr Road (a portion of PID 00245415) from Single Family Residential – Standard (R1B) to Attached Residential (R3) to allow for the development a six (6) unit residential townhouse development subject to the execution of a Development Agreement in accordance with the Community Planning Act.

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

MAYOR

CLERK

Attachment A - Bylaw 2-10-38

2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL007

A portion of PID 00245415

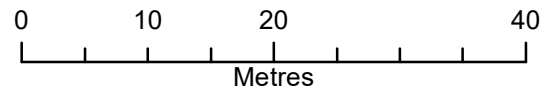


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1:600

Buildings

 Residential



The Town of Rothesay does not warrant the accuracy or completeness of the information, text, graphics, links or other items contained within the material.



**BY-LAW 2-10-39
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, S.N.B. Chapter 17, and amendments thereto, hereby amends By-Law 2-10 "Rothesay Zoning By-law" and enacts as follows:

That the shaded area shown on Attachment A, attached to By-Law 2-10 "ROTHESAY ZONING BY-LAW" is hereby amended, as identified on the attached sketch labelled "Attachment A – Bylaw 2-10-39".

The purpose of the amendment is to rezone lands located at 45 Marr Road (PID 00118067 and a portion of PID 00245415) from Single Family Residential – Standard (R1B) to Multi-Unit Residential (R4) to allow for the development a forty-six (46) unit apartment building development subject to the execution of a Development Agreement in accordance with the Community Planning Act.

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

MAYOR

CLERK

Attachment A - Bylaw 2-10-39
2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 009
PIDs 00118067 & a portion of 00245415

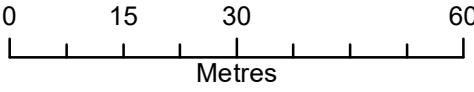


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Buildings

 Residential



The Town of Rothesay does not warrant the accuracy or completeness of the information, text, graphics, links or other items contained within the material.

Rothesay

DEVELOPMENT AGREEMENT

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

Parcel Identifier 245415, 118067
of Parcel Burdened
by Agreement:

Owner of Land Parcels: **Dr. Patrick Maloney Professional Corporation**
Patrick Maloney
Dan Zhou

all of

182 Elliott Road
Quispamsis, NB
E2G 2B8 (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 at 45 Marr Road and Old Mill Lane in Rothesay (PID 245415, PID118067) and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer is desirous of entering into a development agreement to allow for the development of six (6) townhouse and a forty-six (46) unit apartment building with underground parking on the Lands as described in Schedules B through D. (herein after called the "Project")

AND WHEREAS Rothesay Council did, on _____ 2024, authorize the Mayor and Clerk to enter into a Development Agreement with the Developer 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 number of residential units situated on the Lands shall not exceed forty-six (46) residential apartment units and six (6) townhouses.

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 and Renderings (6)
 - 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 (MOU) regarding the preference for the selection of tenants for the affordable housing and Universal Design Barrier-Free Apartments units that reflects a mutual commitment to housing low to moderate income people and persons with disabilities. The intent will be to have a mechanism where the preference for low to moderate income people and persons with disabilities is enabled for the affordable housing units and Universal Design Barrier-Free units. Under no circumstances, will the Developer be limited to marketing the units to the general public to maintain occupancy. This MOU would govern if the proposed project were not under the jurisdiction of a CMHC financing program that supports affordable housing or a provincial program for affordable housing.

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 eight (8) '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 2020 Statistic Canada data, being \$54,400, 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 the Town 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 the Town 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, the Town may demand and the Developer agrees to pay to the Town 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. The Town and the Developer agree to defer monitoring of the affordable housing aspects of this Agreement should the development become subject to 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 the Town.

Universal Design Barrier-Free Apartments

14. The Developer agrees to construct two (2) apartments utilizing Universal Design principles to achieve an accessible barrier-free standard to the satisfaction of the Development Officer in consultation with the Town's Building Inspector.
15. The Developer agrees that a building occupancy permit shall not be granted by the Town until the requirements set out in the preceding paragraph (14) are substantially completed and approved by the Town.

Architectural Guidelines

16. 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.

Storm Water

17. 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 with 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,
 - b. drainage from the underground and surface parking areas shall be directed through a hydrodynamic separator prior to release to the designated outlet from the site approved by the Town,
 - c. topsoil and turf applied to all areas not paved or otherwise hard surfaced.
18. 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.
19. The Developer agrees that all roof leaders, down spouts, and other storm water drains from the building, parking lot and landscape features shall be through an acceptable method of attenuation, approved by the Town Engineer and not directly to the town storm sewer and under no circumstances directed to the town sanitary collection system.
20. 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.

Traffic Signals – Cost Contribution

21. The Developer agrees to pay to the Town upon receipt of an invoice an amount not exceeding twenty percent (20%) of the actual cost incurred and expended by Rothesay for traffic signalization including, curbing,

sidewalks, road widening, traffic lights, poles, controllers, electrical equipment and appurtenances necessary for their installation and initial operation, installed at the intersection of Marr Road and Chapel Road.

22. 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 the Town not proceed with the traffic signalization at the intersection of Marr Road and Chapel Drive.
23. The Town and Developer agree that the design and construction of the intersection and related appurtenances shall be solely determined by the Town.

Water Supply

24. The Developer agrees to connect to the Town's nearest and existing water system at locations to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
25. The Town agrees to supply potable water for the purposes and for those purposes only for a maximum of fifty-two (52) residential dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.
26. The Developer agrees to pay the Town a fee for each connection of the buildings 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 prior to the issuance of the building permits.
27. 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.
28. 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.
29. 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. The size of the meter to be designed by the Developer's consulting engineer and approved by the Town with meter brand and model to be specified by the Town.
30. 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.
31. The Developer agrees that connection to the Town potable water system including water main and appurtenances 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.
32. 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

33. The Developer agrees to connect to the existing sanitary sewer system at locations to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
34. 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.
35. 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.
36. 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.
37. 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

38. 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.
39. 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

40. 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 Five Million Dollars (\$5,000,000.⁰⁰) 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 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 as described in this Agreement.

Notice

41. 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 **Dr. Patrick Maloney Professional Corporation, Patrick Maloney & Dan Zhou**, 182 ELLIOTT ROAD, QUISPAMISIS, NEW BRUNSWICK, E2G 2B8 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

42. 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

43. 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 31st December 2028 being a date approximately five years 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.
44. Notwithstanding the preceding paragraph (42) 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 1 June 2028, the construction of the building foundations has begun and that such construction is deemed by the Development Officer as being continued through to completion as continuously and expeditiously as deemed reasonable.
45. 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

46. 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.
47. 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 (100%) 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 to and in favour of the Town;
 - b. the Town 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 the Town on demand; 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

48. 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*, *Local Governance Act* or Common Law in order to ensure compliance with this Agreement.

Entire Agreement

49. 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

50. 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

51. 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.

LEFT BLANK

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 _____, 2024.

Witness:

Dr. Patrick Maloney Professional Corporation

Patrick Chistopher Maloney, Director

Patrick C. Maloney

Dan Zhou

Witness:

Rothsay:

Nancy E. Grant, Mayor

Mary Jane E. Banks, Clerk

DRAFT

SCHEDULE A

PID: | **118067**
| **245415**

GENERAL NOTES:
 1. THESE DRAWINGS ARE FOR PRELIMINARY DESIGN ONLY AND NOT FOR CONSTRUCTION.
 2. DRAWINGS ARE THE INTELLECTUAL PROPERTY OF POLYLINE DESIGNS INC. AND ALL COPYRIGHT IS RESERVED.
 3. THIS DRAWING MAY NOT BE USED IN WHOLE OR IN PART FOR ANY PROJECT OTHER THAN THAT DESIGNATED HEREIN.
 4. ALL REQUIRED PERMITS MUST BE OBTAINED BY OWNER PRIOR TO ANY CONSTRUCTION.

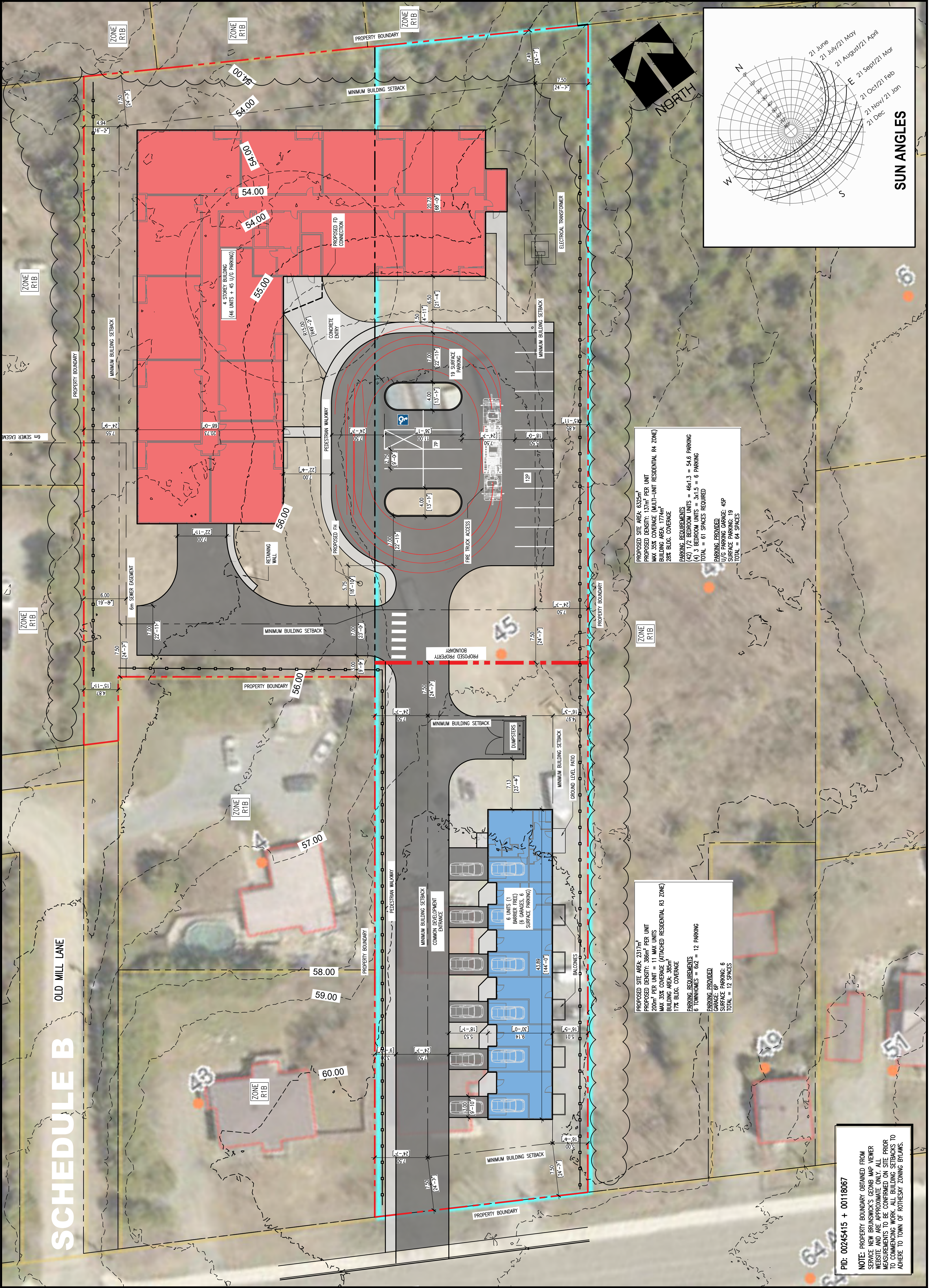
Rev.	Date	PAC SUBMISSION Description
A	12/12/2023	PAC SUBMISSION

ISSUED FOR PAC SUBMISSION
 December 13, 2023

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT
 45 MARR ROAD
 ROTHESAY, NEW BRUNSWICK

Drawing Title:
CONCEPTUAL SITE PLAN

Drawn By:	MD
Scale:	AS SHOWN
Project No.:	23-162
Date:	DEC. 2023

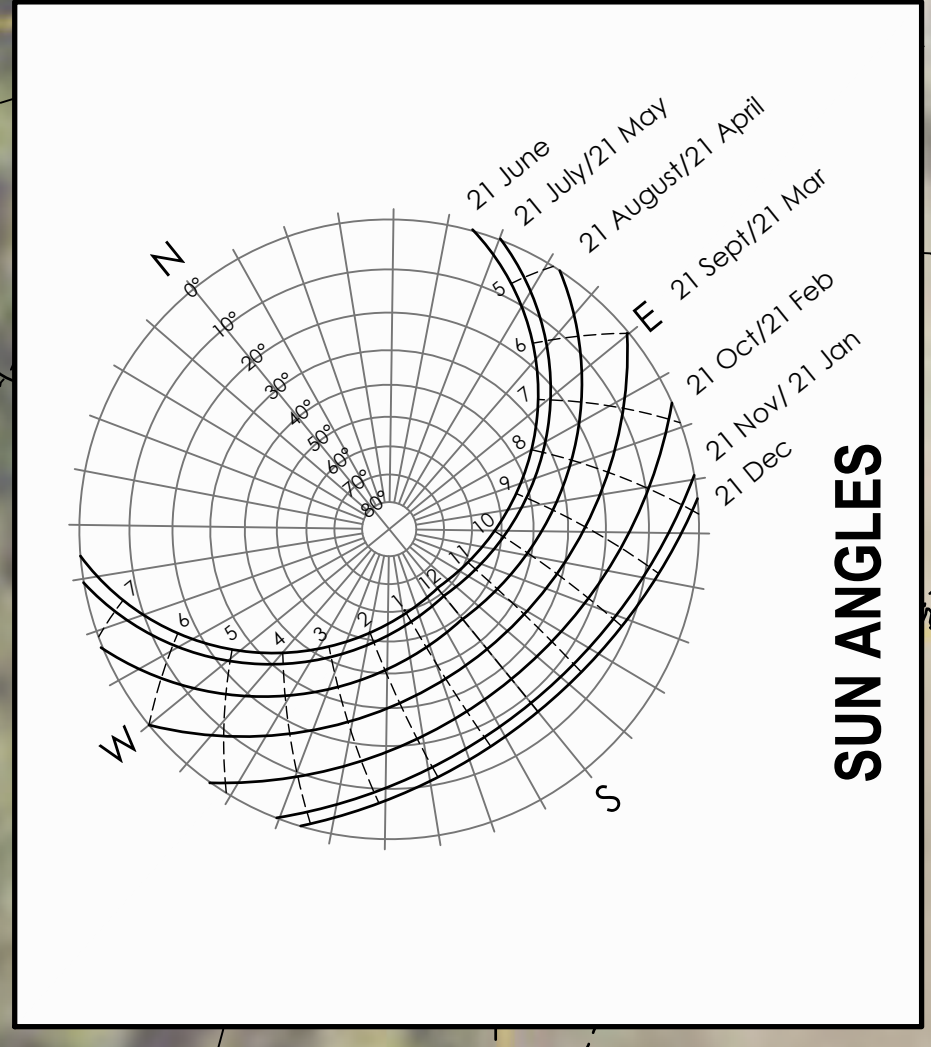


SCHEDULE B

OLD MILL LANE

PROPOSED SITE AREA: 6325m²
 PROPOSED DENSITY: 137m² PER UNIT
 MAX 33% COVERAGE (MULTI-UNIT RESIDENTIAL R4 ZONE)
 BUILDING AREA: 1774m²
 28% BLDG. COVERAGE
 PARKING REQUIREMENTS
 (4) 1/2 BEDROOM UNITS = 46x1.3 = 54.6 PARKING
 (4) 3 BEDROOM UNITS = 3x1.5 = 6 PARKING
 TOTAL = 61 SPACES REQUIRED
 PARKING PROVIDED
 1/2 PARKING GARAGE: 45P
 SURFACE PARKING: 19
 TOTAL = 64 SPACES

PROPOSED SITE AREA: 2317m²
 PROPOSED DENSITY: 386m² PER UNIT
 200m² PER UNIT = 11 MAX UNITS
 MAX 33% COVERAGE (ATTACHED RESIDENTIAL R3 ZONE)
 BUILDING AREA: 355m²
 17% BLDG. COVERAGE
 PARKING REQUIREMENTS
 6 TOWNHOMES = 6x2 = 12 PARKING
 PARKING PROVIDED
 GARAGE: 6P
 SURFACE PARKING: 6
 TOTAL = 12 SPACES



SUN ANGLES

PID: 00245415 + 00118067
 NOTE: PROPERTY BOUNDARY OBTAINED FROM SERVICE NEW BRUNSWICK'S CAD MAP VIEWER. WEBSITE AND ARE APPROXIMATE ONLY. ALL MEASUREMENTS TO BE CONFIRMED ON SITE PRIOR TO COMMENCING WORK. ALL BUILDING SETBACKS TO ADHERE TO TOWN OF ROTHESAY ZONING BYLAWS.

SCHEDULE C1

Polyline Designs
 BUILDING AND SITE DESIGN SERVICES

MONMOUTH OFFICE
 506.850.3630
 melissa@polylinedesigns.ca

SUSSEX OFFICE
 506.434.1157
 kelly@polylinedesigns.ca

WWW.POLYLINEDESIGNS.CA

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4. ALL REQUIRED PERMITS MUST BE OBTAINED BY OWNER PRIOR TO ANY CONSTRUCTION.

2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 020

Rev.	Date	Description
A	12/12/2023	PAC SUBMISSION

Stamp:
ISSUED FOR PAC SUBMISSION
 December 12, 2023

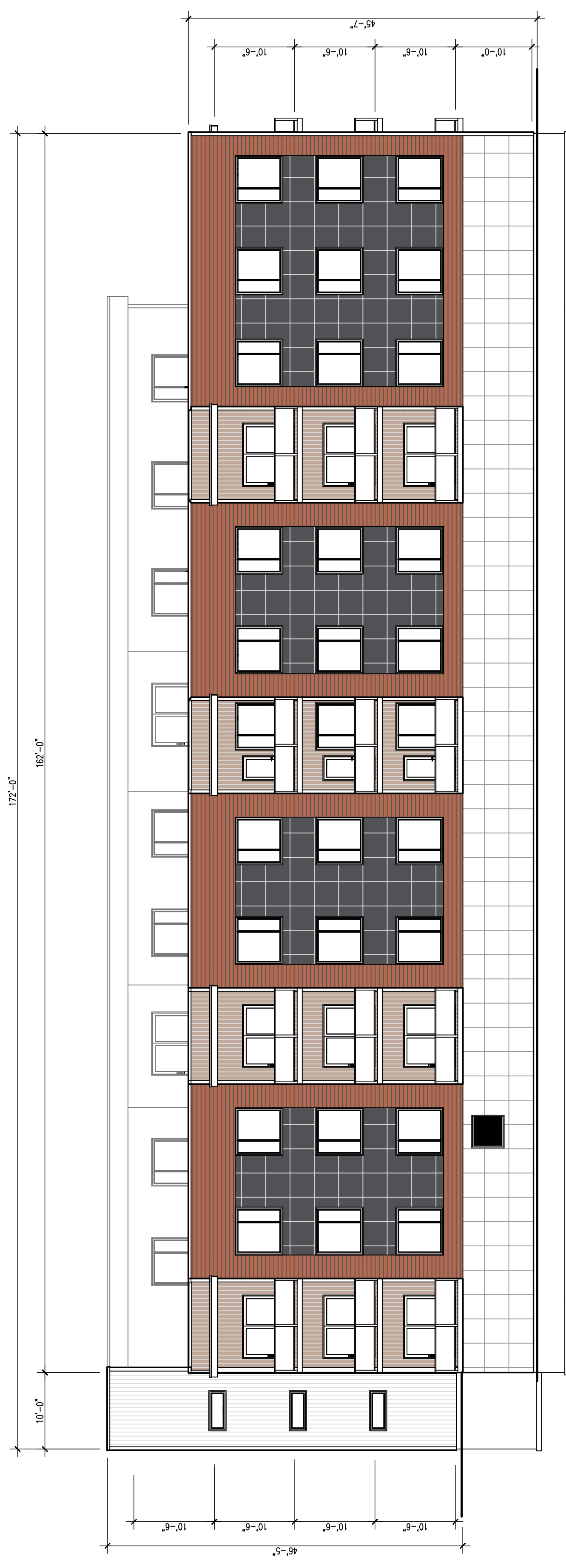
MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT

45 MARR ROAD
 ROTHESSAY, NEW BRUNSWICK

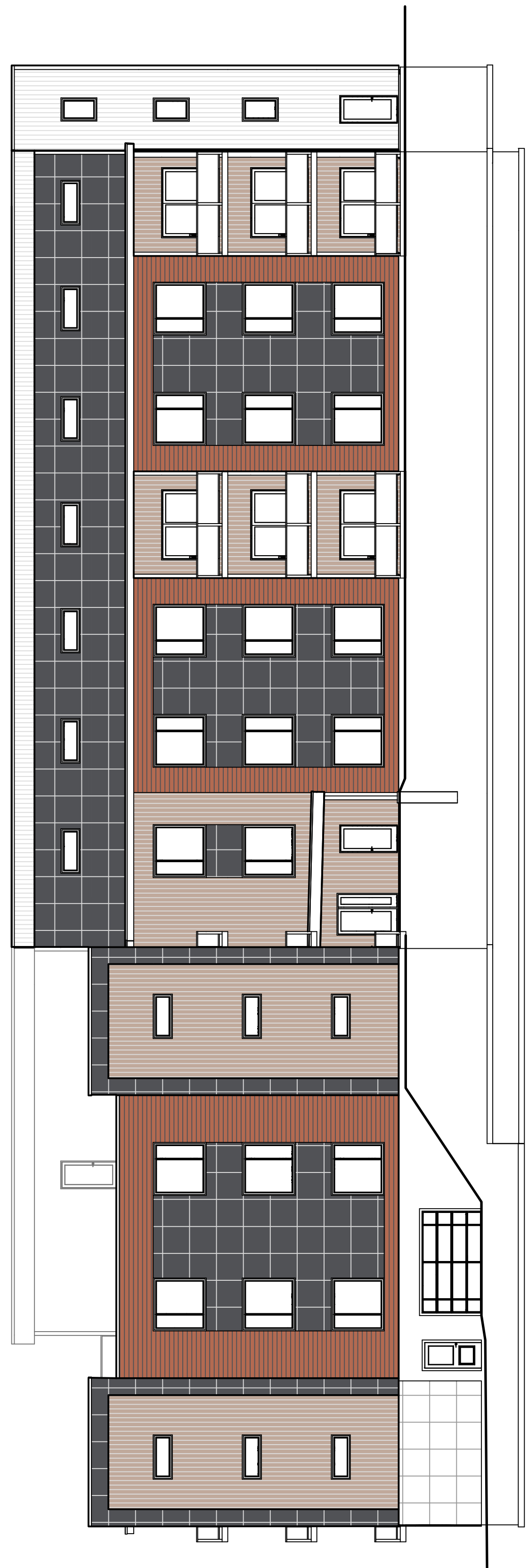
Drawing Title:
4 STOREY 46 UNIT APARTMENT BUILDING

Drawn By: MD
 Scale: AS SHOWN
 Project No: 23-162
 Date: DEC. 2023

A-5
 REV 0



2 APARTMENT BUILDING - NORTH ELEVATION
 SCALE: 3/32" = 1'-0"



1 APARTMENT BUILDING - SOUTH ELEVATION
 SCALE: 3/32" = 1'-0"

SCHEDULE C2

Polyline Designs
 BUILDING AND SITE DESIGN SERVICES

MONCTON OFFICE
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2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 021

Rev.	Date	Description
A	12/12/2023	PAC SUBMISSION

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 December 12, 2023

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT

4 5 M A R R R O A D
 ROTHESAY, NEW BRUNSWICK

Drawing Title:
4 STOREY 46 UNIT APARTMENT BUILDING

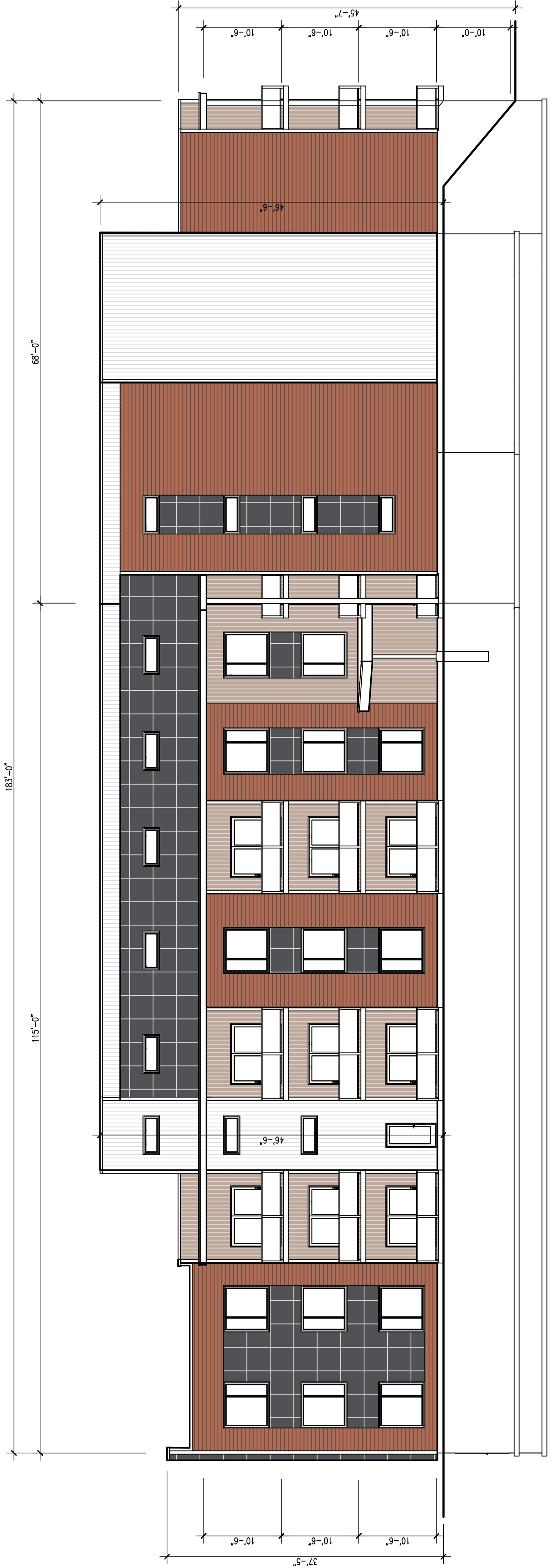
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Project No: 23-162

Date: DEC. 2023

A-6 REV 0

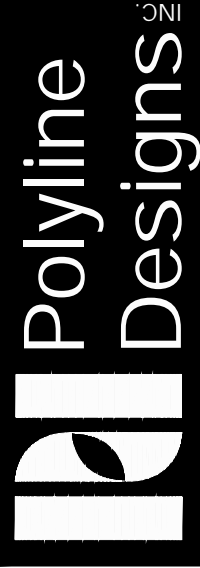
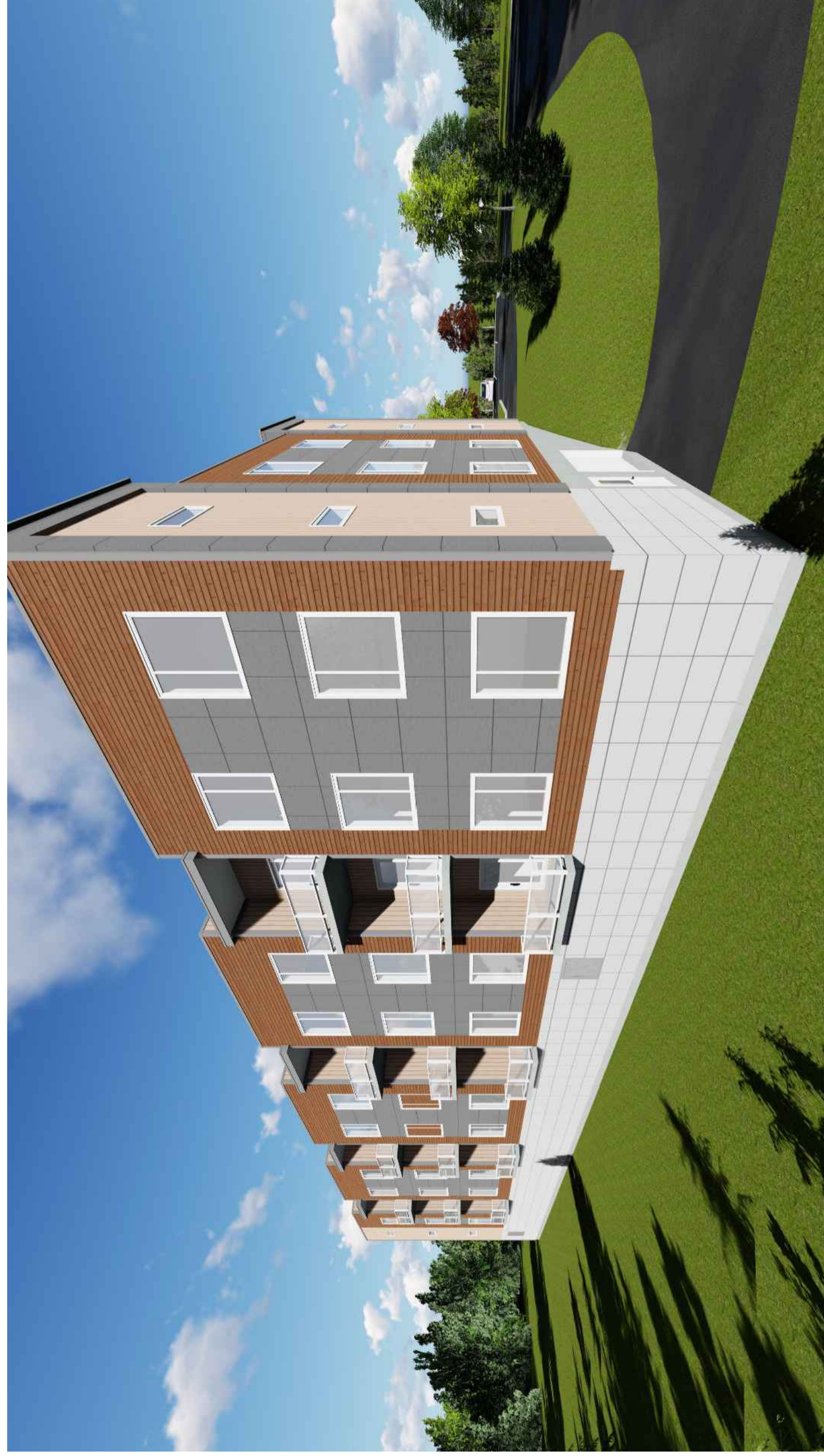
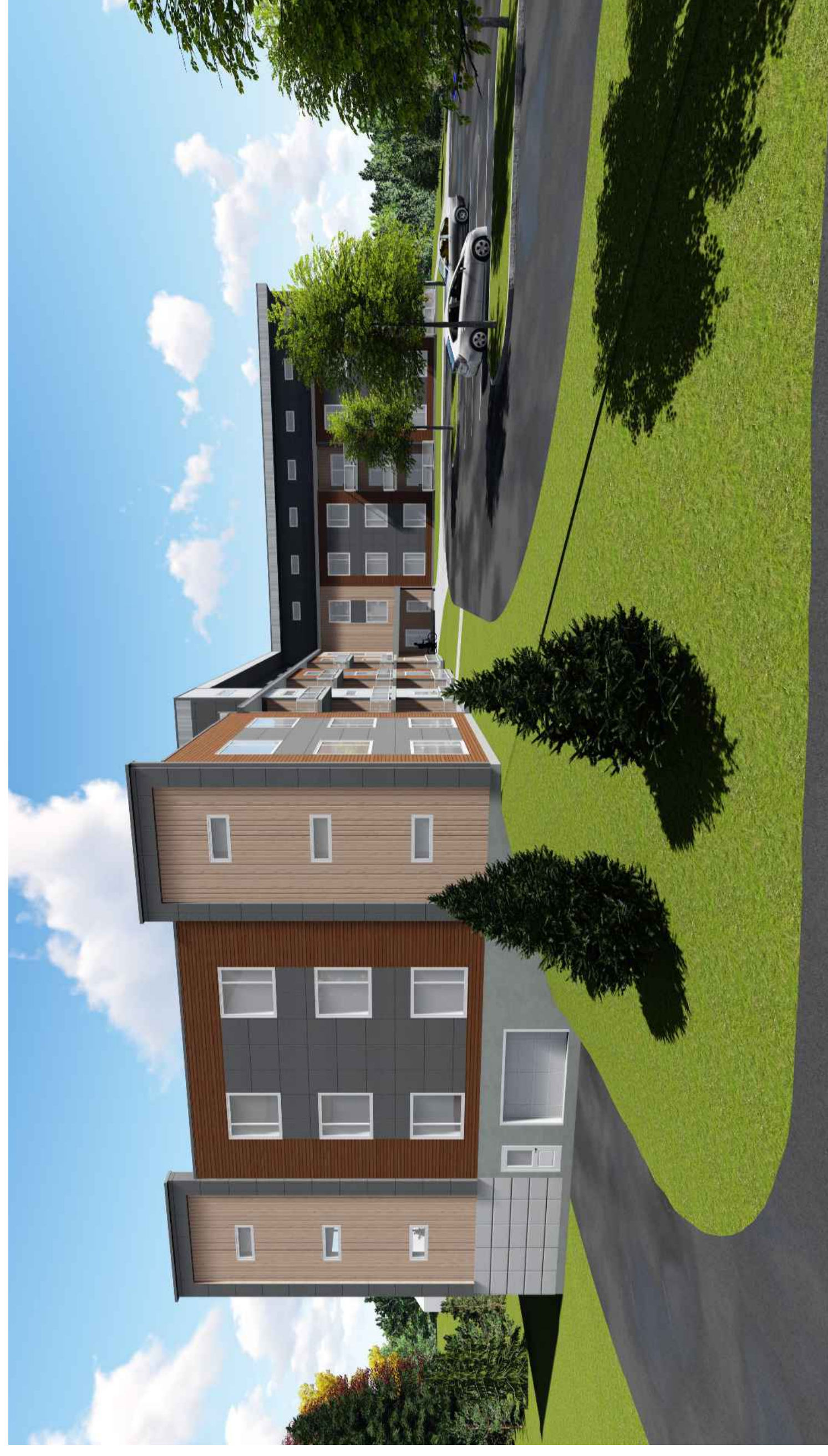
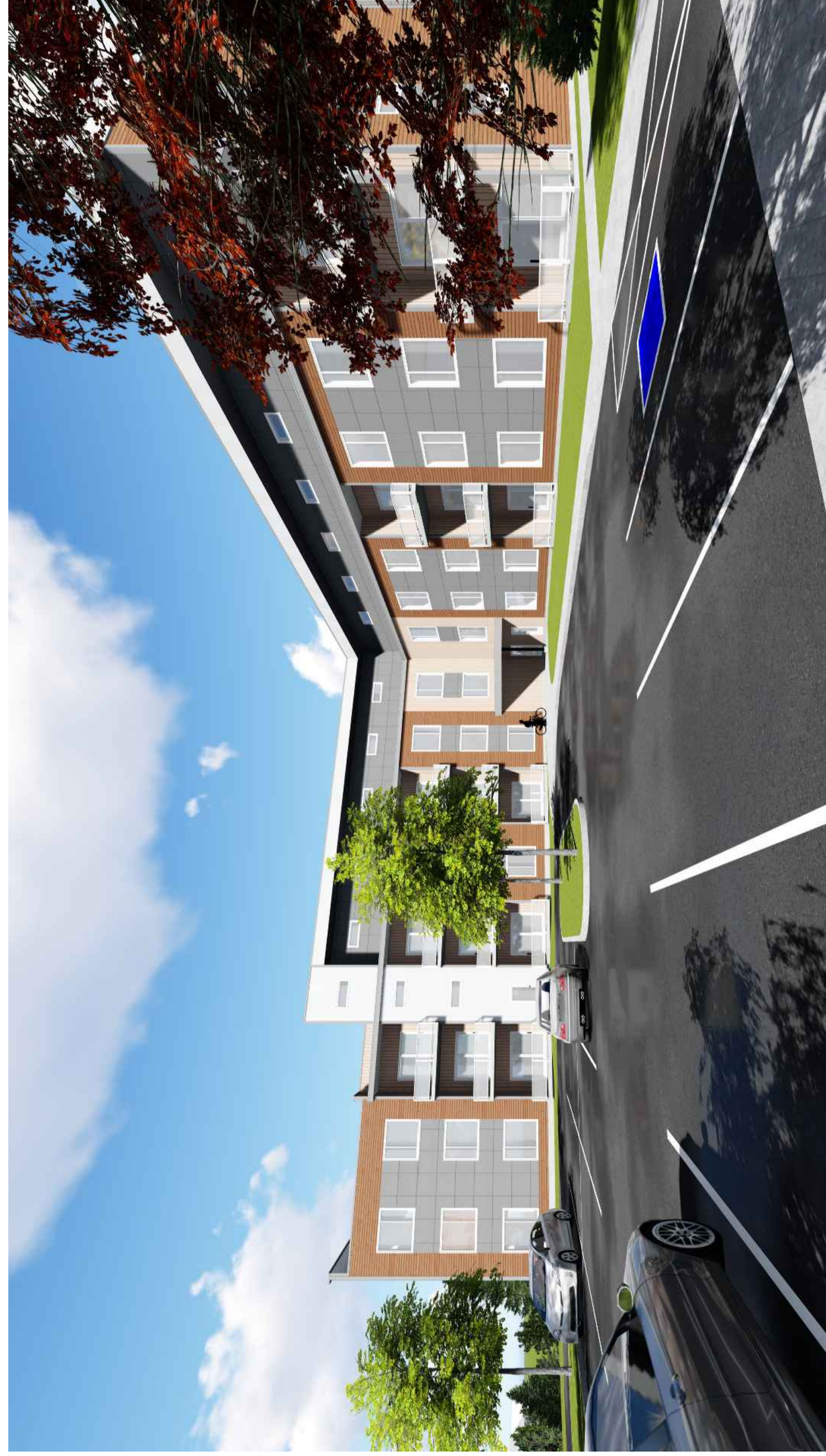


2 APARTMENT BUILDING - EAST ELEVATION
 SCALE: 3/32" = 1'-0"



1 APARTMENT BUILDING - WEST ELEVATION
 SCALE: 3/32" = 1'-0"

SCHEDULE C3



**Polyline
Designs**

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December 12, 2023

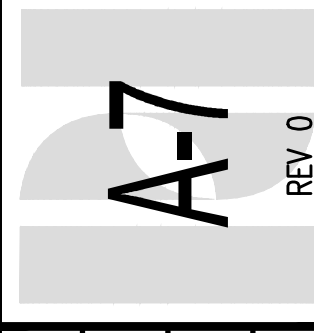
**MARR ROAD
MULTI-RESIDENTIAL
DEVELOPMENT**

4 5 M A R R R O A D
ROTHERSAY, NEW BRUNSWICK

Drawing Title:

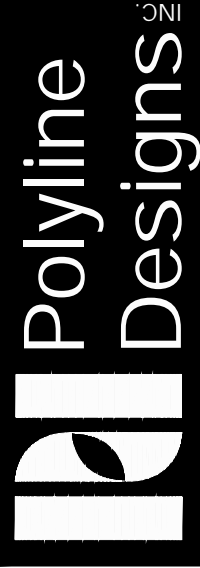
**4 STOREY
46 UNIT APARTMENT
BUILDING**

Drawn By:	MD
Scale:	AS SHOWN
Project No.:	23-162
Date:	DEC. 2023



APARTMENT BUILDING - 3D VISUALS

SCHEDULE C4



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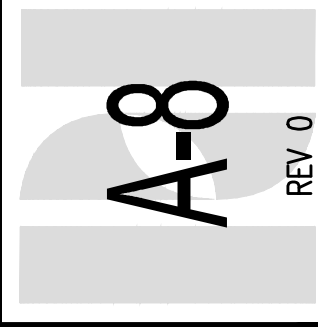
MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT

4 5 M A R R R O A D
 R O T H E S A Y , N E W B R U N S W I C K

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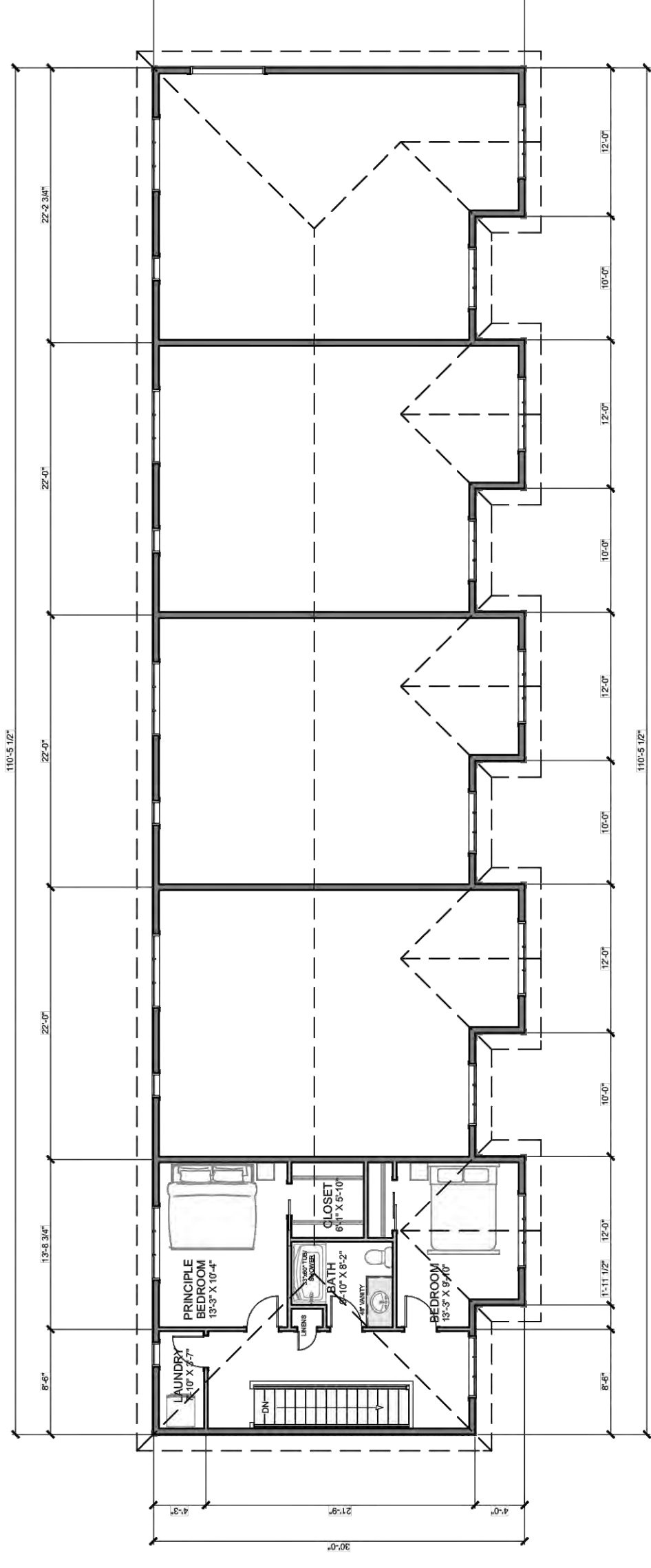
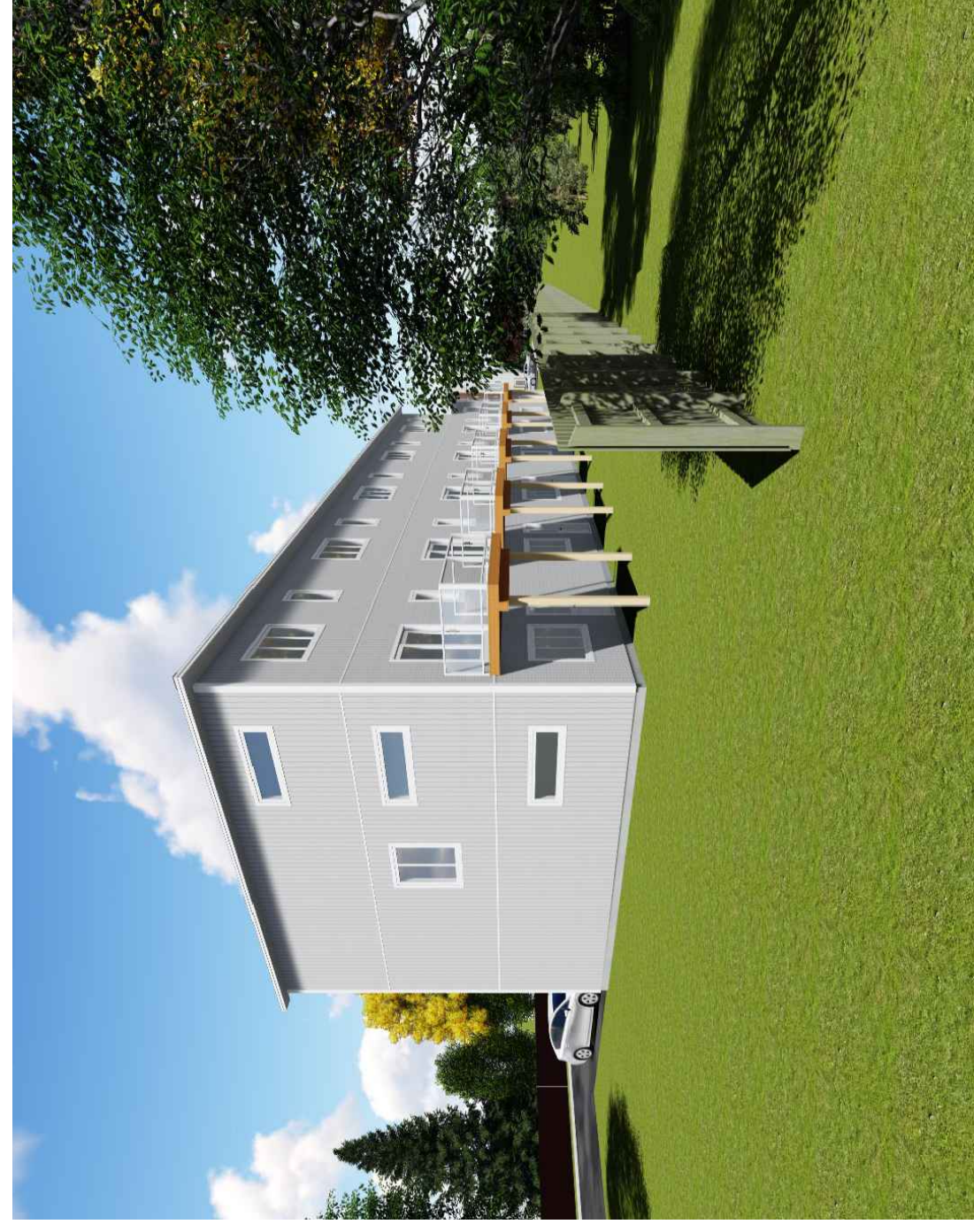
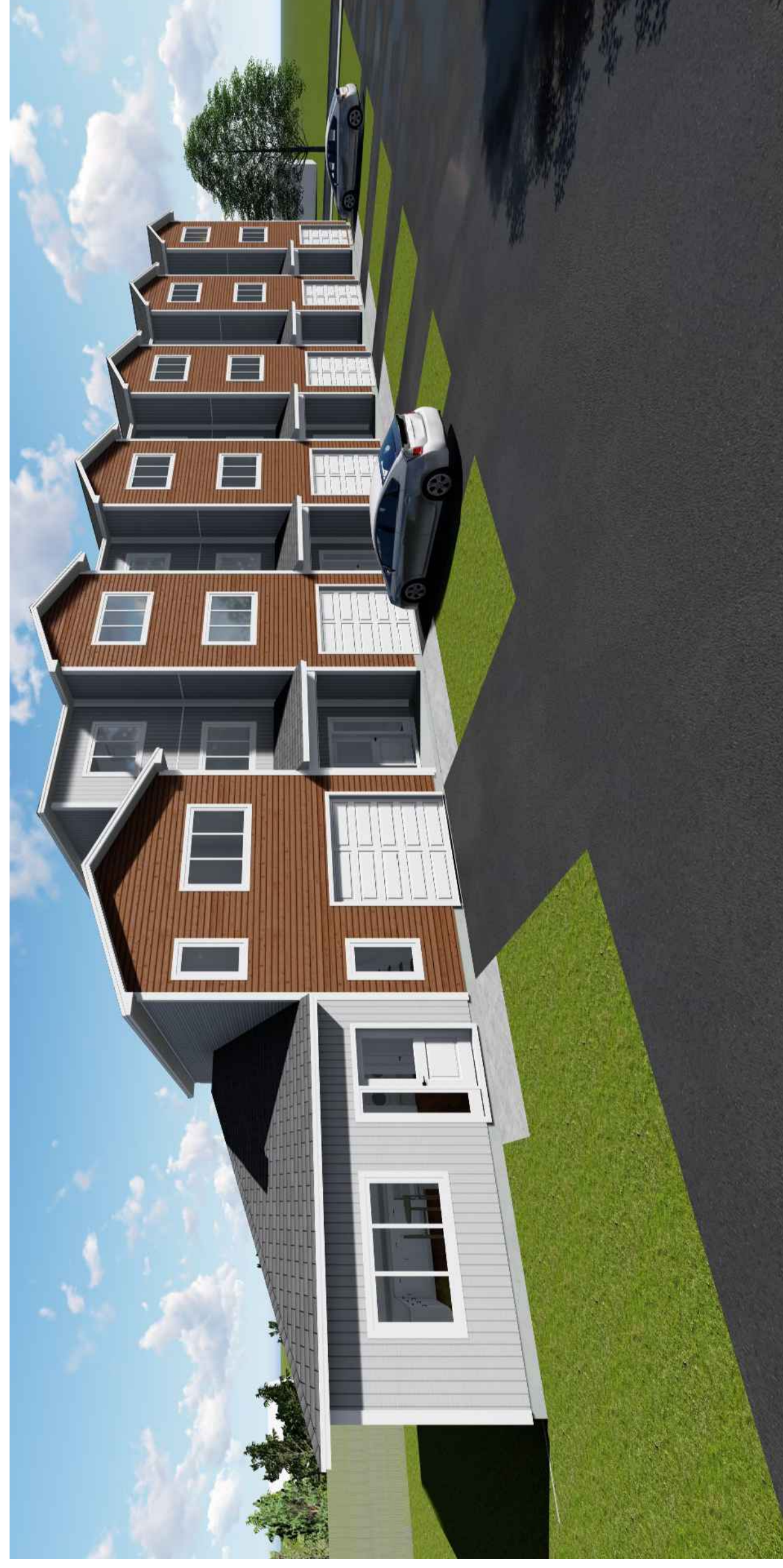
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Drawn By:	MD
Scale:	AS SHOWN
Project No.:	23-162
Date:	DEC. 2023



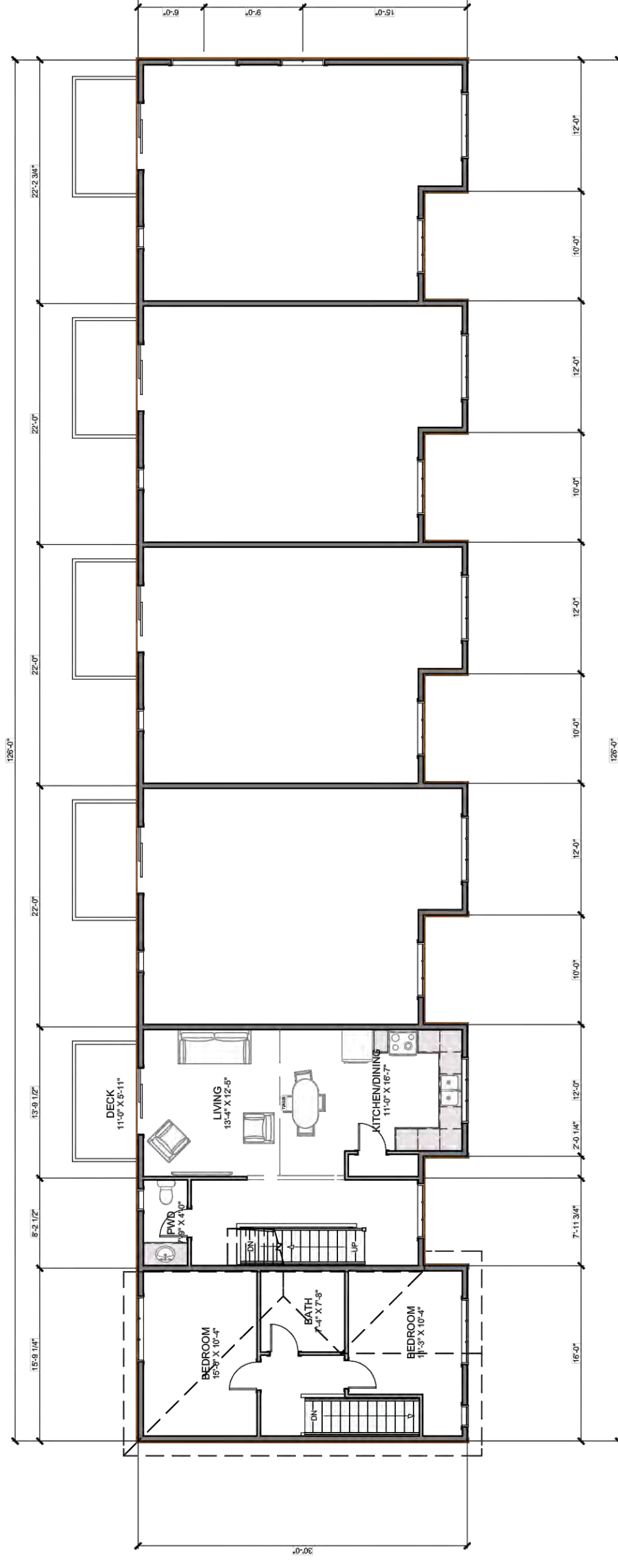
APARTMENT BUILDING - 3D VISUALS

SCHEDULE C5



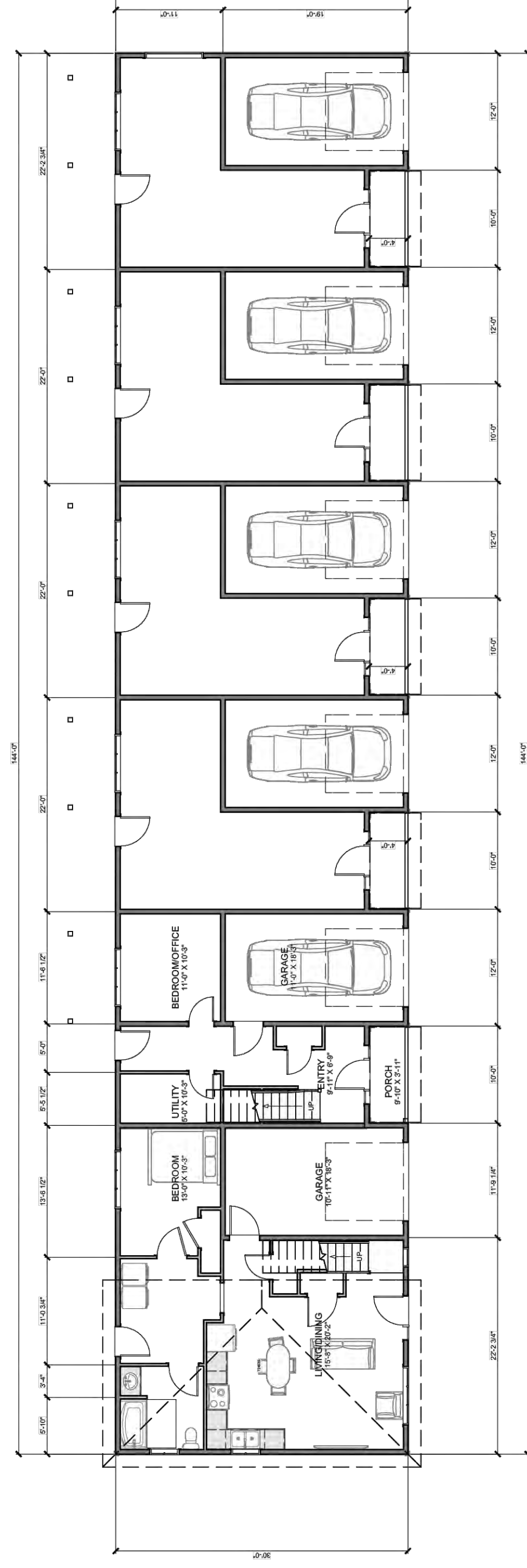
3 TOWNHOUSE - PRELIMINARY THIRD FLOOR PLAN

SCALE: 3/32" = 1'-0"



2 TOWNHOUSE - PRELIMINARY SECOND FLOOR PLAN

SCALE: 3/32" = 1'-0"



1 TOWNHOUSE - PRELIMINARY MAIN FLOOR PLAN

SCALE: 3/32" = 1'-0"

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December 12, 2023

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT
4 5 M A R R R O A D
ROTHERSAY, NEW BRUNSWICK

Drawing Title:
6 UNIT TOWNHOUSE FLOOR PLANS/ RENDERINGS

Drawn By:	MD
Scale:	AS SHOWN
Project No.:	23-162
Date:	DEC. 2023

A-9

REV 0

SCHEDULE C6



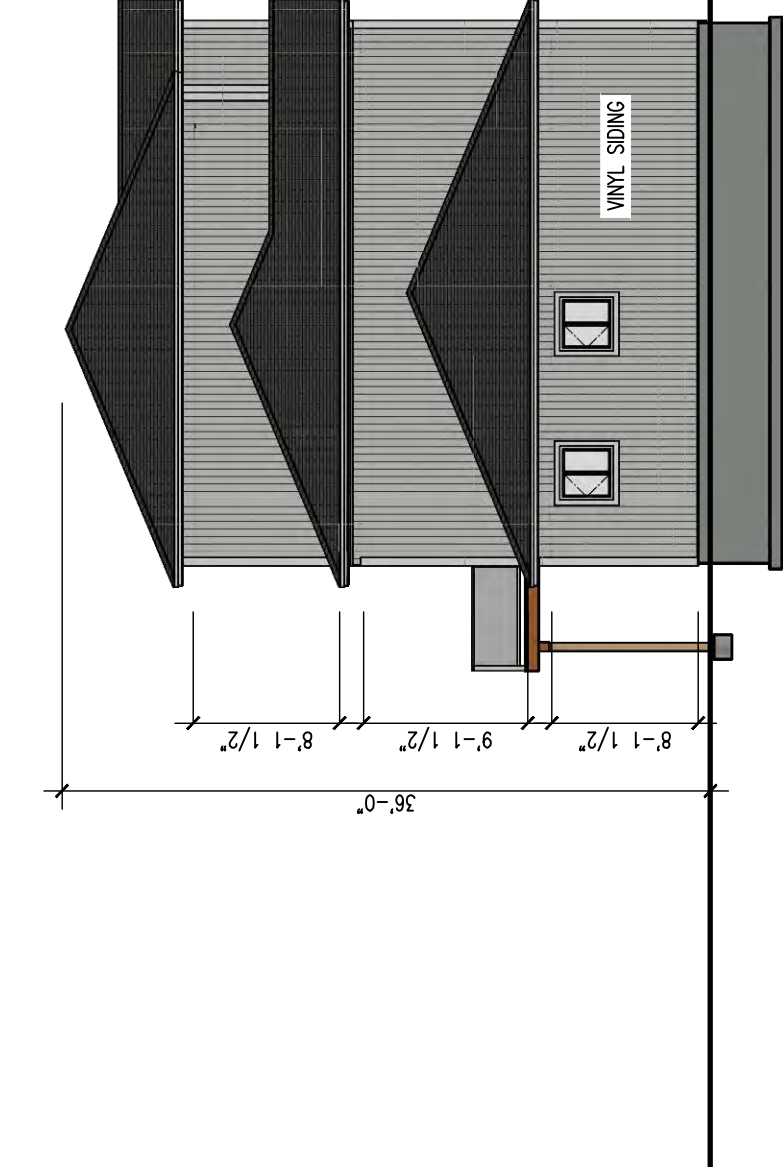
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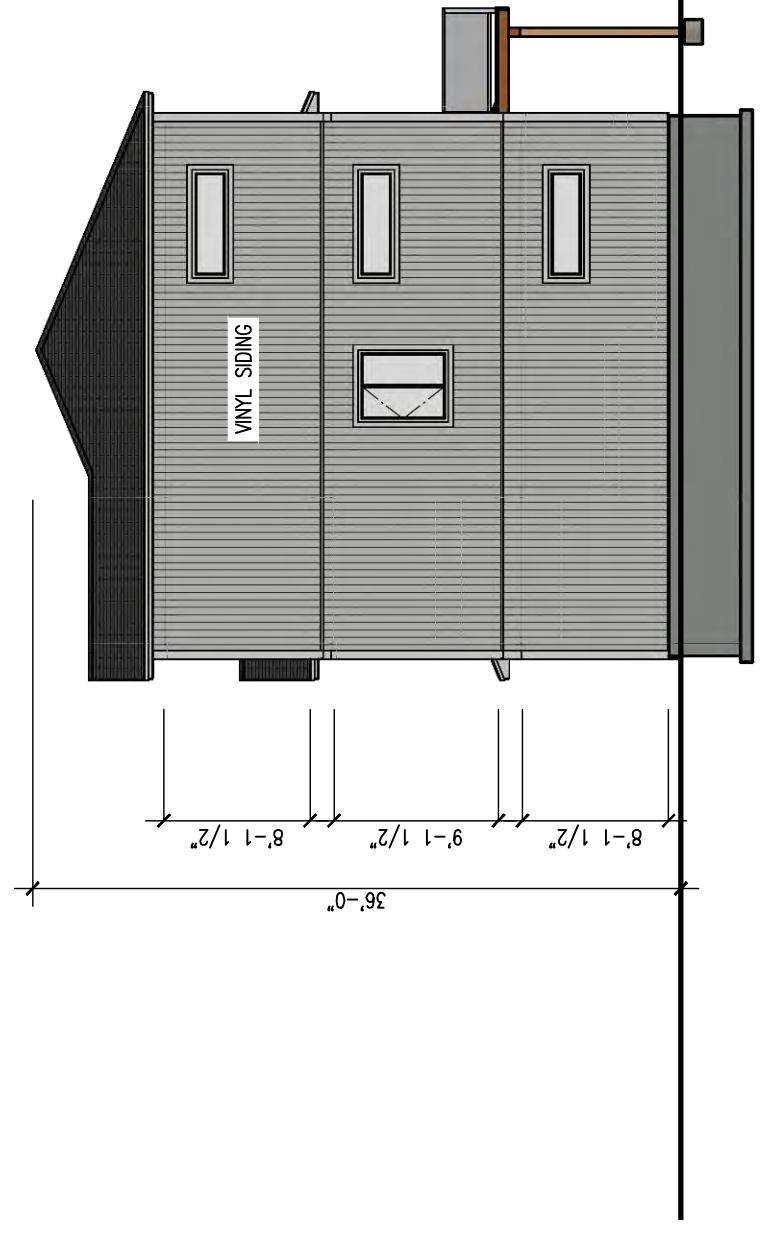
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4 TOWNHOUSE - NORTH ELEVATION
 SCALE: 3/32" = 1'-0"



2 TOWNHOUSE - EAST ELEVATION
 SCALE: 3/32" = 1'-0"



3 TOWNHOUSE - SOUTH ELEVATION
 SCALE: 3/32" = 1'-0"



1 TOWNHOUSE - WEST ELEVATION
 SCALE: 3/32" = 1'-0"

Stamp:

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 December 12, 2023

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT

4 5 M A R R R O A D
 R O T H E S A Y , N E W B R U N S W I C K

Drawing Title:

6 UNIT TOWNHOUSE ELEVATIONS

Drawn By:	MD
Scale:	AS SHOWN
Project No.:	23-162
Date:	DEC. 2023

A-10

REV 0

Rev.	Date	Description
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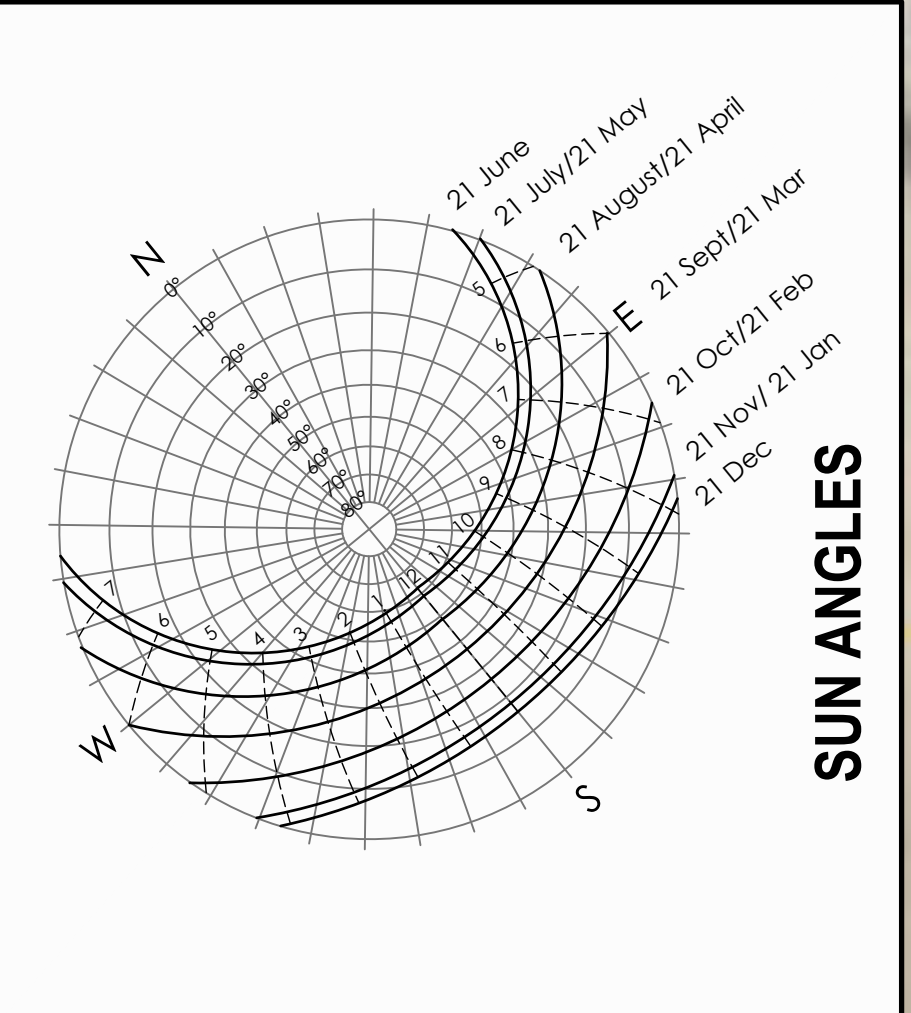
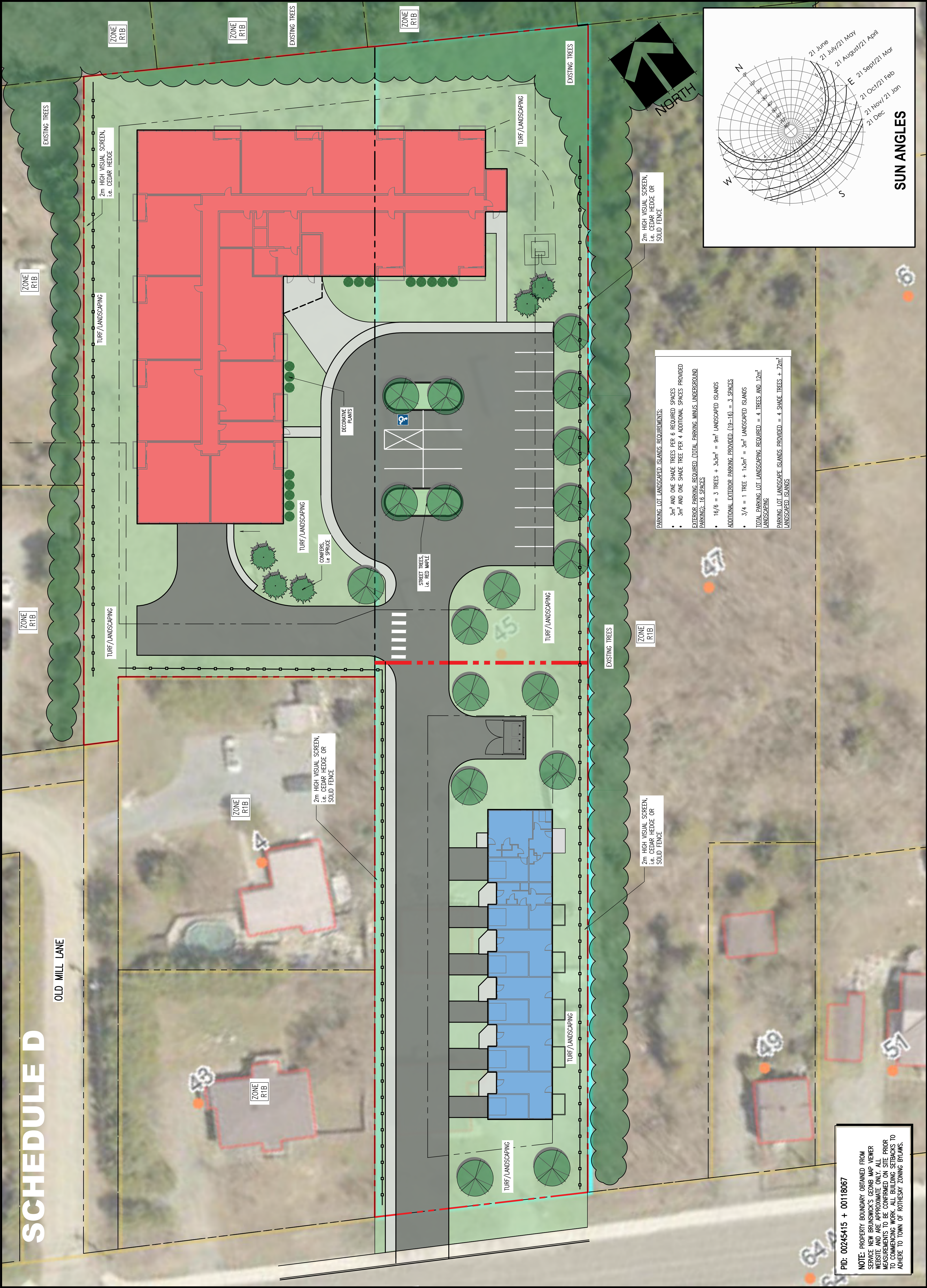
MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT

4 5 M A R R R O A D
 ROTHESAY, NEW BRUNSWICK

Drawing Title:
CONCEPTUAL LANDSCAPE PLAN

Drawn By: MD
 Scale: AS SHOWN
 Project No: 23-162
 Date: DEC. 2023

L-2
 REV 0



PARKING LOT LANDSCAPED ISLANDS REQUIREMENTS:

- 3m² AND ONE SHADE TREE PER 6 REQUIRED SPACES
- 5m² AND ONE SHADE TREE PER 4 ADDITIONAL SPACES PROVIDED

EXTERIOR PARKING REQUIRED (TOTAL PARKING MINUS UNDERGROUND PARKING): 16 SPACES

- 16/6 = 3 TREES + 3x3m² = 9m² LANDSCAPED ISLANDS

ADDITIONAL EXTERIOR PARKING PROVIDED (19-16) = 3 SPACES

- 3/4 = 1 TREE + 1x3m² = 3m² LANDSCAPED ISLANDS

TOTAL PARKING LOT LANDSCAPING REQUIRED = 4 TREES AND 12m² LANDSCAPING

PARKING LOT LANDSCAPE ISLANDS PROVIDED = 4 SHADE TREES + 72m² LANDSCAPED ISLANDS

SCHEDULE D

OLD MILL LANE

PID: 00245415 + 00118067

NOTE: PROPERTY BOUNDARY OBTAINED FROM SERVICE NEW BRUNSWICK'S CE98 MAP VIEWER WEBSITE AND ARE APPROXIMATE. ONLY ALL MEASUREMENTS TO BE CONFIRMED ON SITE PRIOR TO COMMENCING WORK. ALL BUILDING SETBACKS TO ADHERE TO TOWN OF ROTHESAY ZONING BYLAWS.

Stormwater Management Plan (to be added)

DRAFT

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

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

Deponent: Patrick C. Maloney
182 Elliott Road
Quispamsis, NB, E2G 2B8

Office Held by Deponent: Director

Corporation: Dr. Patrick Maloney Professional Corporation

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2024

I, PATRICK C. MALONEY, 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 "Patrick Maloney" 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 _____, 2024

BEFORE ME:
Commissioner of Oaths

PATRICK C. MALONEY

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: _____, 2024

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 _____, 2024)

BEFORE ME:)
)
)
)
Commissioner of Oaths)

_____)
MARY JANE E. BANKS



To: Chair and Members of Rothesay Planning Advisory Committee
From: Darcy Hudson
Assistant Development Officer
Date: Thursday, December 28, 2023
Subject: Rezoning 45 Marr Road/6 Old Mill Lane – (PIDs 00245415 & 00118067)

Applicant:	Mike Maloney	Property Owner:	Patrick Maloney
Mailing Address:	34 Sprucewood Ave Rothesay, N.B. E2E 2H3	Mailing Address:	182 Elliot Road Quispamsis, N.B. E2G 2B8
Property Location:	45 Marr Road/6 Old Mill Lane	PID:	00245415 & 00118067
Plan Designation:	Mixed Residential	Zone:	Single Family Residential R1B
Application For:	Rezoning to allow for a 1 four story (46 Unit) Apartment Building & a 6 Unit Townhouse		
Input from Other Sources:	Operations, KVFD, KRPF, Polling		

ORIGIN

An application from Mr. Mike Maloney on behalf of Dr. Patrick Maloney, to consider rezoning land located off Marr Road and Old Mill Lane (PIDs 00245415 & 00118067) from Single Family Residential [R1B] to Multi-Unit Residential (R4) to allow for the development of a 46-unit apartment building and a 6 Unit townhouse subject to the terms of a Development Agreement.

BACKGROUND

The properties are 8,643.56 square meters (2.14 acres) and currently zoned Single Family - Residential Standard zone (R1B). The property is designated COMMERCIAL in the Future Land Use map. The proposed use as a residential apartment building is not listed as a permitted use within the R1B zone. However, the Municipal Plan By-law 1-20 does contain policy direction (see Policy HDR-4 follows) that would allow Council to consider the application.



Figure 1 – Site plan of Proposed Marr Road Apt. Building and Townhouses.

*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**, 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.



Figure 2 – Property at 45 Marr Road/6 Old Mill Lane

ANALYSIS:

Policy HDR-4 High-density Residential	Staff Comment
Subject lands are adjacent to or in close proximity to collector or arterial streets and transit routes;	The proposed building is located 140 meters from Marr Road. A traffic impact statement is being prepared to determine any additional traffic enhancement or requirements.
The maximum density does not exceed 100 square meters of land per apartment unit;	The property is 8,643.53 square meters in area and proposed density at 46 units does not exceed the 100 square meters of land per apartment unit.
Subject lands are adequate in size relative to the intensity and scale of the proposed land development;	The proposed 4-story building would be located in a mixed-use development area containing single-family residential, High Density Residential, Commercial and Light Industrial uses.
The subject lands do not exceed 1 acre in total area (or 40 apartment units);	The density of 46 units would exceed the 40-apartment unit limit on 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. The applicant is proposing affordable and barrier free units and

Policy HDR-4 High-density Residential	Staff Comment
	therefore would be eligible for an increase in density (6 additional units).
Underground parking is provided;	The proposal includes underground parking for 45 vehicles and 18 surface parking spaces for 63 parking spaces. The total number of parking spaces complies with the zoning by-law calculated at 1.25 spaces per apartment unit.
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.	A Shadow Study has been completed and indicates that the shadows will not cast shadows on abutting properties or public road right-of-way that will detract from the quality, enjoyment, or use of space.
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;	The developer is preparing a traffic impact assessment. Staff intend to review the study by understanding how the apartment building development adheres to good planning principles to ensure safe and equal access to the transportation system by all users, including vehicles of residents and their guests, foot traffic of residents and their guests to and from the building to a public sidewalk or other destination (bank/restaurant), cyclists, and the loading and unloading commercial trucks (garbage, moving vans, delivery vehicles, etc.).
Excellence in site design best practices addressing features such as Crime Prevention through Environmental Design (CPTED) principles, urban design, and high quality landscaping; and	One of the key features of CPTED is the placement of physical features, activities and people in a way that maximizes visibility as a key concept directed toward keeping intruders easily observable, and therefore less likely to commit criminal acts. Features that maximize the visibility of people, parking areas and building entrances are unobstructed doors and windows, pedestrian-friendly sidewalks and streets, front porches and appropriate nighttime lighting.
A building design of high quality that is consistent with community values and architectural best practices.	Good design responds and contributes to the neighbourhood context. Staff review the building design based on the natural and built features of the local neighbourhood, and the relationship and the character they create when combined with the proposed building.

Policy HDR-4 High-density Residential	Staff Comment
	<p>The area has some challenges in that the NB Power infrastructure does not create an attractive view for residents; however, the proposed building will be an attractive enhancement for the area.</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 Marr Road and surrounding buildings.</p>

Polling Results

As standard procedure with all rezoning applications letters were sent to nearby residents to inform them of the application and soliciting their comment or feedback. As of Thursday, December 28, 2023 several emails were received by the Town in opposition to the application. One telephone call was received in support of the application.

RECOMMENDATION:

It is recommended THAT the Planning Advisory Committee:

- A. Recommend that Rothesay Council schedule a **PUBLIC HEARING** to consider the rezoning of 45 Marr Road and 6 Old Mill Lane (PIDs# 00245415 & 00118067) from the Single Family Residential R1B zone to the Multi-Unit Residential Zone [R4].

ATTACHMENTS:

- Map 1 Aerial Photo Location Map
- Map 2 Land Use Designation
- Attachment 1 Stormwater Review
- Attachment 2 Trip Generation Statement
- Attachment 3 Polling Results



Report Prepared by: Darcy Hudson, Assistant Development Officer
Date: Thursday, December 28, 2023





Future Land Use

- Commercial
- High Density
- Light Industrial
- Low Density
- Medium Density
- Park & Conservation

Future Land Use Map



506.433.4427 (Sussex)
506.652.1522 (Saint John)
info@dmse.ca
www.dmse.ca

2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 037



Ref: 23387-StormwaterReview

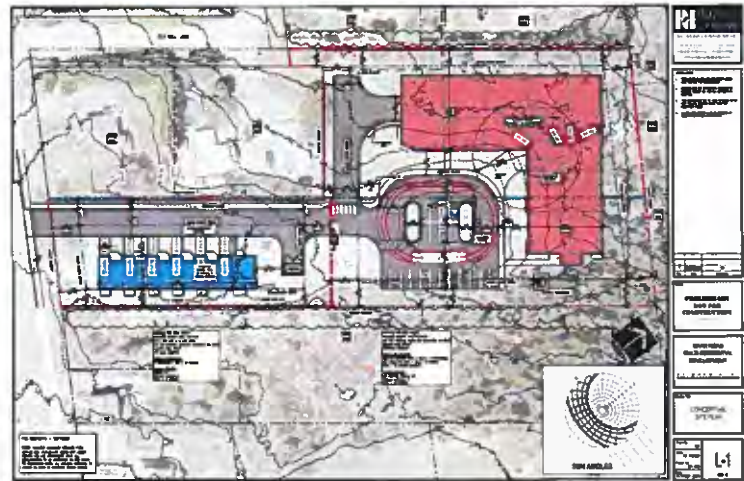
December 6, 2023

Mr. McLean,

Re: 45 Marr Road - Multi-Residential Development - Stormwater Review

Don-More Surveys & Engineering Ltd. (Don-More) has been engaged to perform a high level review of a proposed development at the above address relative to a stormwater management strategy.

We have been provided with a conceptual site plan prepared by Polyline Designs dated October, 2023 and this review is limited to details shown on this site plan.



Existing Site

The existing site is composed of two PIDs 00118067 and 00245415. The site is currently occupied by a single family home with a detached garage and a large laydown area towards the rear of the site.

The front portion of the site slopes away from Marr Road and to the west. This portion of the site sheet drains onto the adjacent property to the west.

The rear portion of the site sheet drains to the adjacent properties to the west and north

Stormwater Management Approach

The new site would be designed to perform stormwater management to limit peak flows to pre development levels. Water draining from the parking areas would be directed to a Stormscepter to provide treatment of water quality. Below are preliminary design ideas for how this will be achieved.

The proposed site plan shows townhouses located along the front portion of site. We would likely incorporate a swale along the rear of these to intercept flows from upstream, as well as

collecting the rear portion of the buildings. The street area could be collected in a storm sewer system.

Between the garbage enclosure area and the parking area for the larger building there is an area of undeveloped land. We would likely incorporate a storm pond in this area.

The parking lot would be designed as parking lot ponds by installing ICD's in the catch basins from this area so water ponds in the parking lot for a brief period of time.

The building has a flat roof. We would plan to detain water on the roof of the building using flow controllers on the roof drains. Typically we design this system to pond the equivalent of 100mm of water in a 100 year event.

Flow from the site would be discharged to the existing storm system on Old Mill Lane via the Local Government Services Easement through the adjacent property.

Following detailed design and once modelling of these approaches has been completed, if additional measures are required to reduce peak flows we would look at either additional traditional stormwater management ponds or underground storage under the parking areas.

Closing

We trust this is sufficient for your present needs. Please feel free to contact the undersigned at 506.636.2136 or at at@dmse.ca for any additional information or clarification.

Yours truly,

Don-More Surveys & Engineering Ltd.

Andrew Toole

Andrew Toole, NBLs, P.Eng.

December 21, 2023

Mike Maloney, BBA, BPR, CPF
Right Hook PR + Strategic Planning
34 Sprucewood Avenue
Rothesay, NB, E2E 2H3
Email: mike@righthookpr.com

Dear Mr. Maloney:

RE: Trip Generation Statement - 45 Marr Road, Rothesay

Project Understanding

We understand a trip generation statement is required by the town of Rothesay for the proposed residential development located at 45 Marr Road, Rothesay. The development is planned to include one, 46-unit apartment building and six townhouses, for a total of 52 residential units, as illustrated in **Figure 1**, and will be marketed towards seniors/retirees.

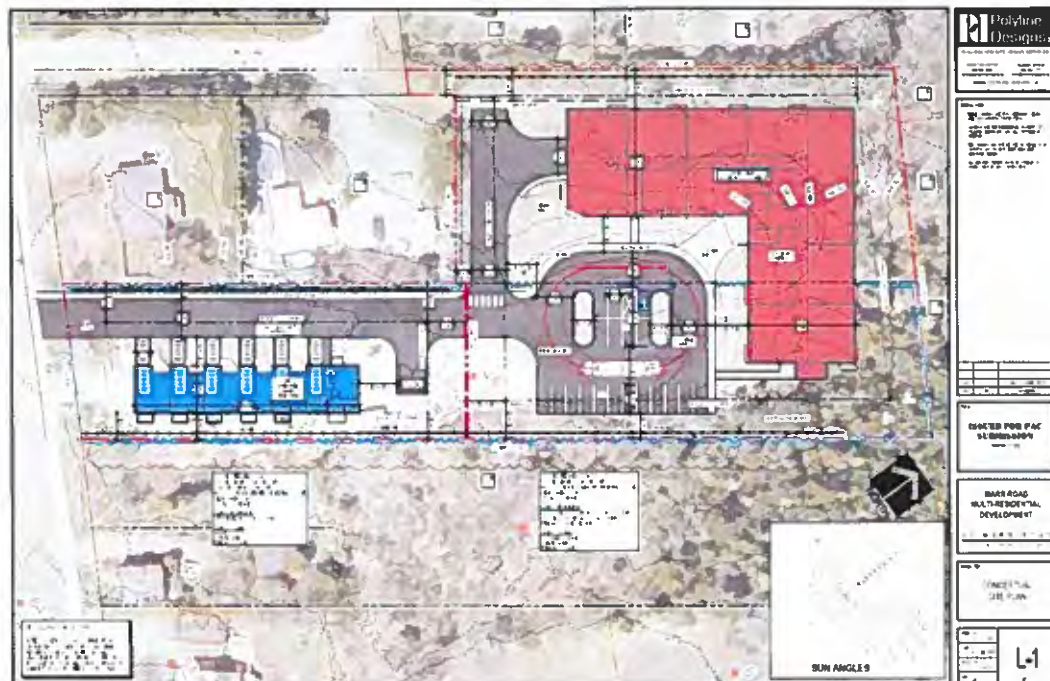


Figure 1: Proposed Site Plan

Mike Maloney
December 21, 2023

Trip Generation

To estimate the new morning (AM) and afternoon (PM) peak hour traffic generated by the proposed development, trip generation rates from the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition*, were used. Rates published in this manual are widely accepted by the traffic engineering community, as they are based on empirical data.

Since the proposed development will include both apartment units and townhouses marketed towards an older demographic profile (i.e., seniors/retirees), the following land use codes were selected from ITE's Trip Generation Manual to best reflect the proposed land uses:

- ▶ ITE LU Code 252 for "Senior Adult Housing – Multifamily (Apartment)
- ▶ ITE LU Code 251 for "Senior Adult Housing – Single-Family (Townhouses)

The trip generation rates include all vehicular movements entering and exiting the site. Trip generation rates were reviewed for both the weekday AM and PM peak hours of the adjacent road, as this would represent the peak traffic loading on the adjacent street (i.e., Marr Road). The location setting for "General Urban/Suburban" was selected as it generally reflects the setting of the development site. The estimated numbers of new AM and PM peak hour trips based on the proposed number of dwelling units are summarized in **Table 1**, and a summary of new site trips is provided in **Table 2**.

Table 1: ITE Trip Generation Summary

ITE Land Use Code 252 (Senior Adult Housing – Multifamily)							
46	Dwelling Unit	Rate	Inbound	Outbound	Trips In	Trips Out	Total Trips
	AM Peak Hour of Adjacent Street Traffic	0.20	34%	66%	4	7	11
	PM Peak Hour of Adjacent Street Traffic	0.25	56%	44%	7	6	13
ITE Land Use Code 251 (Senior Adult Housing – Single-Family)							
6	Dwelling Unit	Rate	Inbound	Outbound	Trips In	Trips Out	Total Trips
	AM Peak Hour of Adjacent Street Traffic	0.24	33%	67%	1	1	2
	PM Peak Hour of Adjacent Street Traffic	0.30	61%	39%	2	1	3

Mike Maloney
December 21, 2023

Table 2: Summary of New Site Trips

Time Period	Trips In	Trips Out	Total Trips
AM Peak Hour	5	8	13
PM Peak Hour	9	7	16

Based on the trip generation for the proposed site, a total of 13 and 16 new trips are expected during the weekday AM and PM peak hours, respectively.

Closing

Thank you for the opportunity to complete this Trip Generation Statement for your proposed development at 45 Marr Road.

We trust this information satisfies your current requirements, but if you have any comments or questions that arise from the review, please reach out to us at your earliest convenience.

Yours very truly,

CBCL Limited



Prepared by:
Emily Atwell, EIT
Transportation EIT & Urban Planner
Direct: (506) 639-6559
E-Mail: eatwell@cbcl.ca



Reviewed by:
Brendan McPhee, M.Sc.E., P.Eng.
Transportation Engineer
Direct: (506) 633-6650
E-Mail: bmcphoe@cbcl.ca

CC: Brian Moreau, P.Eng.

Report No: 232936.00

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Darcy Hudson

From: [REDACTED]
Sent: December 25, 2023 8:49 PM
To: Darcy Hudson
Subject: Fwd: Rezoning Application - 45 Marr Rd / 6 Mill lane

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

Please disregard the first email sent in error.

Mr. Hudson,

My name is [REDACTED] and I live at [REDACTED] in Rothesay with my wife [REDACTED]. I would like to register my opposition to the proposed bylaw change for 45 Marr Rd and 6 Old Mill Lane.

In 1987 we bought this land and built our house in the summer of 1988. The area behind our home is fairly heavily forested with lots of humps and hollows that help control the flow of water which naturally moves downhill. This natural setting, along with landscape work completed in our backyard has worked well at keeping water moving around the house in severe rain events.

This land for the most part, belongs to the home owners on the west side Robinson Street so there's little chance of any changes there.

The issue for me is this land in question.

Several years ago, another development was proposed for this same site. The neighbours were given a satisfactory time frame to respond to this and I'm aware of some, including myself, who opposed. Eventually the application, as I understand it, was denied.

Unfortunately for me, some site work had been done and at some point, a large parking lot was created on this land. The winter plowing pushed all the snow to the back of the lot.

During winter rain storms, usually in February, March and April, the rain, along with added snow melt, flow too fast and in too much volume, for the natural forest land and my initial landscaping to handle. This was a very noticeable change resulting in a wet basement a few times.

In 2019 I removed my back deck and reshaped my backyard to assist with this added water during these very common events. My yard is no longer flat but has a swale running through it and around the house. So be it, if it worked, I would have been happy. Unfortunately, some of the storms still created problems with water running up against my foundation and into the basement through the windows. As a last ditched effort to keep water out of the house, I had the 2 basement windows bricked in, removing all natural light from the basement.

I'm also concerned about the added noise these units will bring to the area. You are talking about adding 52 residential spaces in my backyard. The noise of construction and then, everyday life for those living there will become what we hear in our backyard.

Another point is that there are at least 7 other large units either recently completed, under construction or already approved, within 2kms of this address. Once all are up and running the traffic in the area, which has already had a noticeable increase, will be even worse.

The last point I will make is the apparent strategic timing of all this. I received my letter, that was dated December 19th, on Friday December 22, 2023. The letter advised that submissions had to be received by end of day on Wednesday December 27th. Given the Christmas Holiday that has given people one working day, Wednesday the 27th, to ask any questions of staff or any other research they may want to undertake, and then make their submission. That doesn't even account for the folks who may be away for the holidays unaware of what is happening in their backyard. Interesting.

Respectfully submitted,

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

From

Date: Mon, Dec 25, 2023 at 2:58 PM

Subject: Rezoning Application - 45 Marr Rd / 6 Mill lane

To: <darcyHUDSON@rothesay.ca>

Mr. Hudson,

My name is [redacted] I live at [redacted] in Rothesay with my wife [redacted] would like to register my opposition to the proposed bylaw for the A/N address.

In 1987 we bought this land and built our house in the summer of 1988. The area behind our home is fairly heavily forested with lots of humps and hollows that help control the flow of water which naturally moves down hill. This natural setting, along with landscape work completed in our backyard has worked well at keeping water moving around the house in severe rain events.

Darcy Hudson

From: -
Sent: December 27, 2023 3:55 PM
To: Darcy Hudson
Subject: 45 Marr road

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

Hi I live at 4 Old Mill Lane . I Am rejecting this proposal.

I do not want fenced in on 2 Sides of property.It zoned single family a 6 Old lane and we want that to stay that way or green space . As on the last proposal it was deemed they could put a garage or warehouse on 45 Marr road this project is far more that that .We take 10 to 15 minutes to get onto Marr now in morning. So how a minimum 50 cars going to get to the Marr Road on that blind hill . And there moving driveway closer to crest of hill . There all ready been Deaths an accident there because of it . And the 25 days a year you are totally blinded by the sun coming up that crest of hill . And if the next property add the New apartment buildings on the homestar property.It going to be worst again.

Get [Outlook for iO](#)

Darcy Hudson

From:
Sent: December 27, 2023 4:00 PM
To: Darcy Hudson
Cc:
Subject: RE: Rezoning of 45 Marr Rd and 6 Old Mill Lane

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

Attn: Darcy Hudson
Assistant Development Officer

Darcy,

I am writing you at this time to state my objection regarding the proposed development of 45 Marr Rd and 6 Old Mill Lane Rothesay, NB.

Here are some of my concerns:

- We are close to apartments now, this will mean increased noise levels
- Water drainage concerns
- New Apartments and town houses on these parcels of land will definitely mean a significant increased level of traffic
- Marr Road is busy enough now and really can't handle any further traffic
- No Greenspace in this area now, this would eliminate the very little bit we currently have left
- Privacy
- Property values and appearances of property not pleasing to residential living
- Potential for increased Theft or crime activity

Where this rezoning application was requested at an already busy time of year for families and business, it feels like this process is being pushed through quickly and perhaps in a way to avoid the publics opportunity to express their concerns.

I understand a meeting is being held Tuesday January 2nd, 2024, at which time I understand the area residents should be given an opportunity to express their concerns.

Thank You,

8 Old Mill Lane
Rothesay NB
E2E 3K8

Darcy Hudson

From:
Sent: December 27, 2023 3:28 PM
To: Darcy Hudson
Subject: Rezoning on Old Mill -

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

Hi Darcy,

Firstly, thank you for bringing this rezoning application to my attention.

I will start by saying this process appears rushed, as your letter was written on December 19th and was delivered after the 21st. I had checked my mailbox after 5pm that day, and was surprised to find your letter with the timeline in my mail today, Dec 27th after the Christmas holiday.

Having received this letter during the holiday, and being left with very limited time to respond, I can't guarantee that my thoughts will be complete, as I am writing to you from my vehicle outside the mailbox at 3:01pm on December 27th.

My preliminary concerns are as follows:

1. Water - I have a shallow well. The construction of the building may (likely) contaminate the aquifer/reservoir from which we draw our water.

-how can this risk be mitigated or eliminated? I should not carry the financial cost of resolving this issue should it occur.

2. Flooding - Given the proximity of the building to my home, I think it is likely that run off from the roof and parking lot will drive water downhill and against the foundation of my home. The saturation of my yard, as well as my foundation is a concern to me, as I do not have significant issues with water ingress currently. As you know, pavement and steel/shingles do not absorb water. During the Winter and Spring, I have noticed the sewer system struggling to deal with the existing water runoff.

-how can this risk be eliminated or mitigated? So far, I have taken some steps to prevent water ingress to my home and have been successful. However, the construction of such a building will undoubtedly cause issues which may overwhelm my ability to deal with the water. I should not carry the financial burden for dealing with the water issues which may arise as a result of the buildings construction.

3. Privacy - a 5 story building will completely overshadow my home. The plans place the building extremely close to my yard such that it will dwarf the trees I rely on for privacy. As a result, my privacy will be significantly impacted, which will in turn reduce the value of my property.

-what precautions will be taken to preserve the integrity of my yard?

In short, my access to clean, drinkable water may be impacted, my home and yard may sustain damage (primarily from flooding or water flow running down from the apartment building), and my privacy and home security may be impacted as the building will not only be one of the tallest buildings in the town, but will also be a large housing complex.

Darcy Hudson

From:
Sent: December 27, 2023 4:01 PM
To: Darcy Hudson
Subject: Re: Rezoning on Old Mill - 10 Old Mill Lane

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Additionally, theft and vandalism are a concern. Theft and vandalism in the case of increased traffic and visibility.

As well, fire poses a risk in the case of fire from smoke damage or the spread of fire across the boundary of my lot. A medium sized apartment building which was under construction caught fire in Fredericton a few years ago, it was located in a residential area downtown and the heat and smoke damaged nearby homes.

On Wed, Dec 27, 2023 at 3:27 PM,

Hi Darcy,

Firstly, thank you for bringing this rezoning application to my attention.

I will start by saying this process appears rushed, as your letter was written on December 19th and was delivered after the 21st. I had checked my mailbox after 5pm that day, and was surprised to find your letter with the timeline in my mail today, Dec 27th after the Christmas holiday.

Having received this letter during the holiday, and being left with very limited time to respond, I can't guarantee that my thoughts will be complete, as I am writing to you from my vehicle outside the mailbox at 3:01pm on December 27th.

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-how can this risk be mitigated or eliminated? I should not carry the financial cost of resolving this issue should it occur.

2. Flooding - Given the proximity of the building to my home, I think it is likely that run off from the roof and parking lot will drive water downhill and against the foundation of my home. The saturation of my yard, as well as my foundation is a concern to me, as I do not have significant issues with water ingress currently. As you know, pavement and steel/shingles do not absorb water. During the Winter and Spring, I have noticed the sewer system struggling to deal with the existing water runoff.

-how can this risk be eliminated or mitigated? So far, I have taken some steps to prevent water ingress to my home and have been successful. However, the construction of such a building will undoubtedly cause issues which may overwhelm my ability to deal with the water. I should not carry the

Darcy Hudson

From:
Sent: December 27, 2023 11:51 AM
To: Darcy Hudson
Subject: Rezoning Application-45 Marr Road/6 Old Mill Lane

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

Hi Darcy,

I am the owner of the residence on 11 Old Mill Lane which is on a downward slope from the proposed building construction.

My intention is not to oppose new construction or the rights of a landowner but I do have some concerns with this proposed building.

The water run-off and potential for flooding on lower grade properties is of concern to me as is the possible contamination and

functionality of my well. I would like assurance that the existing infrastructure is capable of handling a building project of this scale.

A berm or a raised area of green space in a vertical way may be necessary for proper drainage.

Thank You

Darcy Hudson

From:
Sent: December 27, 2023 2:36 PM
To: Darcy Hudson
Subject: Rezoning...45 Marr, 6 Old Mill.

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

Hi Darcy, I have several concerns about this rezoning application and the subsequent construction activity.

1. Surface water drainage. As the land above my property at 22 Robinson has been developed steadily over the years since I moved in, there has been a significant increase in surface water flooding on my property. This has necessitated landscaping and earth berms to be applied to my property to keep water away from the house. This further conversion of woodland to hard standing will only add to my problems unless serious attention is paid to surface water handling at this new development.

2. Noise. Over the past few years, the noise from the ongoing construction between Robinson and Marr, as well as the apartments on Chapel has been a nuisance which has become more evident since I retired. I can no longer enjoy a peaceful afternoon on my deck due to the construction equipment and activity continuously in progress. This development is closer than any others and needs to be controlled for noise.

3. Population growth. I'm no expert on urban development, but I see an extremely rapid increase in local population and population density in the last few years. I can think of at least 6 major high density projects already completed or in progress, and I am concerned that we do not have the infrastructure in place to deal with this rapid growth. Our police, fire and ambulance services are already very busy, along with all the other social and domestic needs of the community. Thanks for the opportunity to comment. I trust my time has been well spent.

Regards

22 Robinson St.

Sent from my iPad

Darcy Hudson

From: ---
Sent: December 26, 2023 10:25 PM
To: Darcy Hudson
Cc:
Subject: REZONING APPLICATION - 45 MARR ROAD/6OLD MILL LANE

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

Dear Mr. Hudson

My wife and I just received your letter dated on Dec 19, 2023 regarding the rezoning application at 45 Marr Rd & 6 Old Mill Lane.

This email is a response to that letter since I am strongly opposed to this rezoning.

First of all, we live at 26 Robinson St and this rezoning would be directly in my back yard. Since we moved in, approximately 7 years ago, each spring we have experienced a lot of water run off in our back yard because the area in which you are talking about is at a higher elevation than our property. The winter snow and heavy rain falls build up in that area (and the area above it) and because we are slightly below that grade (level), all of that water runs downhill and into my backyard. This is not a slow trickle of water, but it runs quite rapidly for months because there is sooooo much water/snow melting. My home has come close to having my basement flooded a few times because the water could not drain fast enough. Because of this water buildup, I was forced to build up a portion of my backyard in order for the water to run AWAY from my home. My, and my neighbor's, backyard is usually saturated with water for the entire spring and into early summer. It us usually June or July (and sometimes August) before the water has dried up enough to go onto the lawn in my backyard. This water is the result of all of the water which is accumulating in the woods and along that stretch of Marr Rd.

I had to build similar to a "French drain" in order to keep the water from building up between my neighbor and I and to prevent basement flooding.

Now, if you are to build a 46 unit apartment building and a 6 unit Garden home area, I know EXACTLY where all of that snow (and water) will be plowed.....directly into the woods in my backyard. Now I will have even more snow and run off water in my backyard forcing me to do something more in order to keep my basement from flooding.

Secondly, if you are to allow this rezoning and a 46 unit apartment complex to be built, you are forcing an even more dangerous traffic pattern on Marr Rd. The extra traffic that will hit Marr Rd at peak times of the day will be even more dangerous on Marr Rd. May I remind you of where this area is.....it's at the top of a blind hill where oncoming traffic (in both directions) will have trouble seeing the traffic trying to enter Marr Rd.

May I also remind you that the town of Rothesay allowed an apartment complex to be built at the west end of Chapel Rd, which is still under construction but almost completed. When the developer asked for this permit, traffic pattern issues were brought up at that time as well. The developer said that they would install a traffic light at the corner of Marr Rd and Chapel Rd. THIS HAS NOT HAPPENED. I am not looking forward to the extra traffic jams and "close calls" that will occur when the extra traffic from the new unit on Chapel Rd hits this corner. Now, the town of Rothesay is inviting an even more serious safety concern (the extra traffic at 45 Marr Rd). What is the solution, another traffic light, that doesn't exist?

I certainly can understand that the town of Rothesay and all surrounding areas are in a struggle to find housing for MANY individuals and I am certainly onboard with the cause. However, to build a 46 unit complex on one of the busiest streets in Rothesay is NOT the solution. Building the units on another street which is less busy, more room to build, and not causing more flooding to existing properties makes much more sense. The developers are taking advantage of this

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL051

area because they can retrieve MAXIMUM rent since it is on a "high traffic area". This makes PERFECT BUSINESS SENSE but NOT AT THE COST OF FLOODING OTHER PROPERTIES AND CREATING A TRAFFIC SAFETY CONCERN.

In my opinion, the town of Rothesay does not have the infrastructure to handle the extra water run off (as my backyard shows) AND you are introducing another serious traffic safety concern by allowing this rezoning to happen.

I look forward to seeing you and others at your town hall meeting on Tuesday January 2, 2024. I promise you, I will be there.

thanks

Darcy Hudson

From:
Sent: December 27, 2023 11:33 PM
To: Darcy Hudson
Cc:
Subject: Rezoning Application - 45 Marr Road / 6 Old Mill Lane

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

Hello Mr. Hudson,
I'm writing in response to the letter that I received this evening for the rezoning application for 45 Marr Road / 6 Old Mill Lane.

I see from the correspondence that concerns were supposed to be submitted to you by 4:00 today (Wednesday, December 27). I know I missed the deadline but I'm reaching out to share my concerns over this rezoning application anyway.

I live at 43 Marr Road. My husband and I purchased our house four years ago and find this residential, single family home area to be relatively quiet, even with the traffic on Marr Road. We purchased this property because of the proximity to all of our favourite things in Rothesay, but also because of the privacy and green spaces our lot gives us.

This proposal is going to add more volume of noise to this area, as well as take away a lot of the green space(s) we currently enjoy. While the zoning proposal you mailed to us doesn't include the plans from the developer, we are aware that the rendering shows a new driveway placed at 45 Marr Road, immediately adjacent to our property line. Old Mill Lane will presumably need to be widened to handle increased traffic as well, impacting the other side of our property.

We are concerned with what this change will do to our property line, on both sides of our property, not to mention the loss of the two beautiful maple trees that are currently at 45 Marr Road. The landscape will be changed dramatically if this proposal is approved.

The proposed garden homes and apartment complex are going to have these structures towering over top of us, which will greatly impact our privacy. Based on the rendering we have, I assume 46 apartments will require four stories; and the garden homes including lower level garage space will be two or three stories. (Is a four story building in an existing residential area even allowed?)

I would be remiss if I didn't mention the concerns over drainage, water and sewage lines.

What is their plan for snow removal? Where are the piles of snow going to be on their property? With the garden homes right beside our lot and apartment complex behind - we have concerns about the runoff (water, salt & sand) in the spring.

What will happen to the natural stream that is between 45 and 47 Marr Road? If that stream is interfered with, we may see groundwater moving our way.

How will this impact our property taxes?

And on top of all of that of course, is increased truck traffic, noise and dust & debris associated with a project of this scale.

Thank you for forwarding our concerns to the Rothesay Planning Advisory Committee.

DATE: 01/29/2024

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

NO.	DATE	DESCRIPTION
1	01/29/2024	ISSUED FOR PAC SUBMISSION

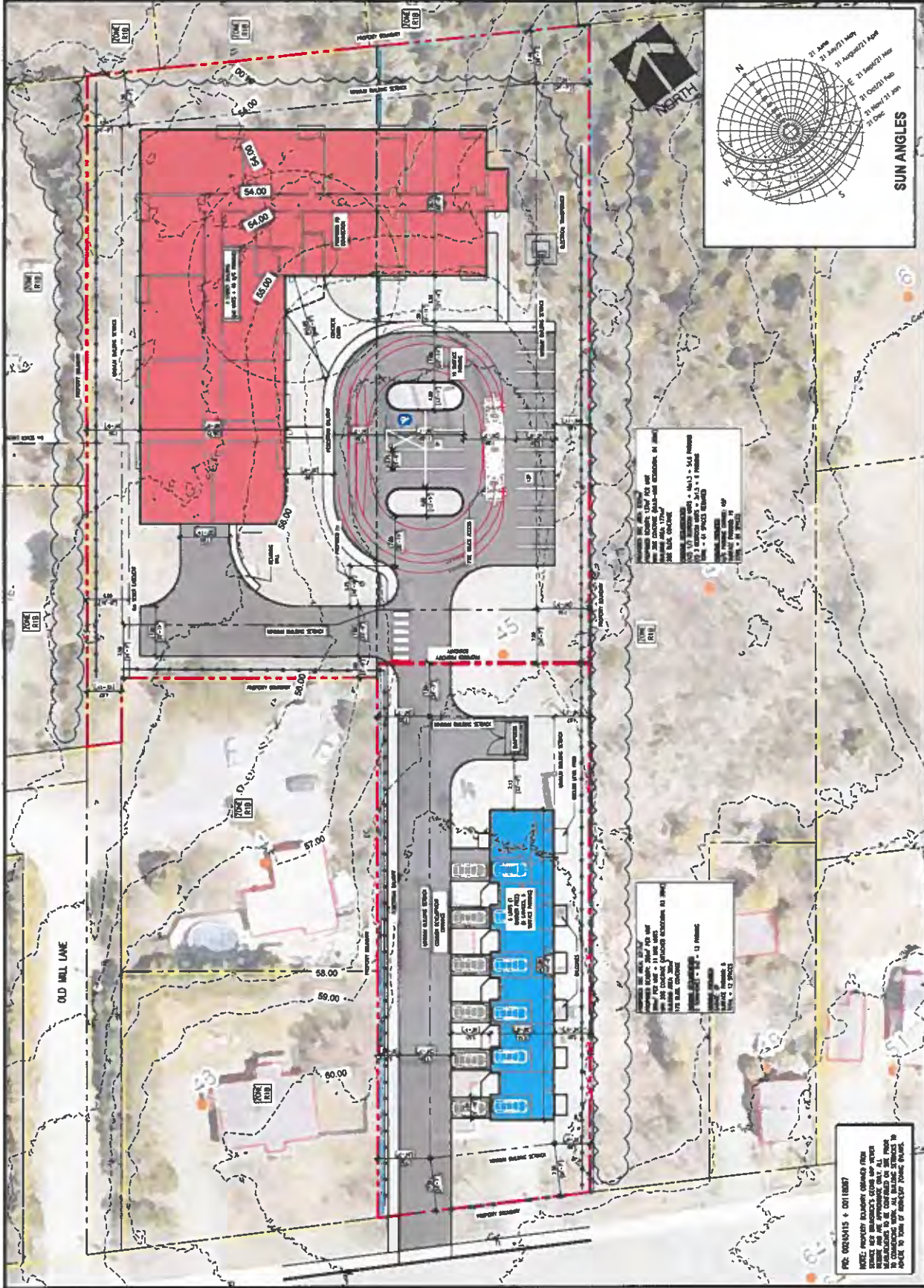
ISSUED FOR PAC SUBMISSION

MARR ROAD MULTIRESIDENTIAL DEVELOPMENT

**4.5 MARR ROAD
 POTREBY REMEDIAL SERVICE**

CONCEPTUAL SITE PLAN

Scale: 1" = 10'-0"
 Date: 01/29/2024
 Project No: 23-182
 Rev: 001



CONTRACT NOTES

1. THIS CONTRACT IS FOR PRELIMINARY DESIGN ONLY AND IS NOT TO BE CONSIDERED A FINAL CONTRACT.
2. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
3. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEY DATA AND RECORDS.
4. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS AND SURVEY DATA.
5. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS AND SURVEY DATA.

No.	Date	Description
A	12/17/2023	PAC SUBMISSION

ISSUED FOR PAC SUBMISSION
 December 17, 2023

MARR ROAD MULTIRESIDENCIAL DEVELOPMENT
 4.5 MARR ROAD
 ROTTERDAM, NEW BRUNSWICK

CONCEPTUAL LANDSCAPE PLAN

Drawn By: [Name]

Scale: 1" = 10'-0"
 Project No: 23-112
 Date: DEC. 2023

2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing F5 L655

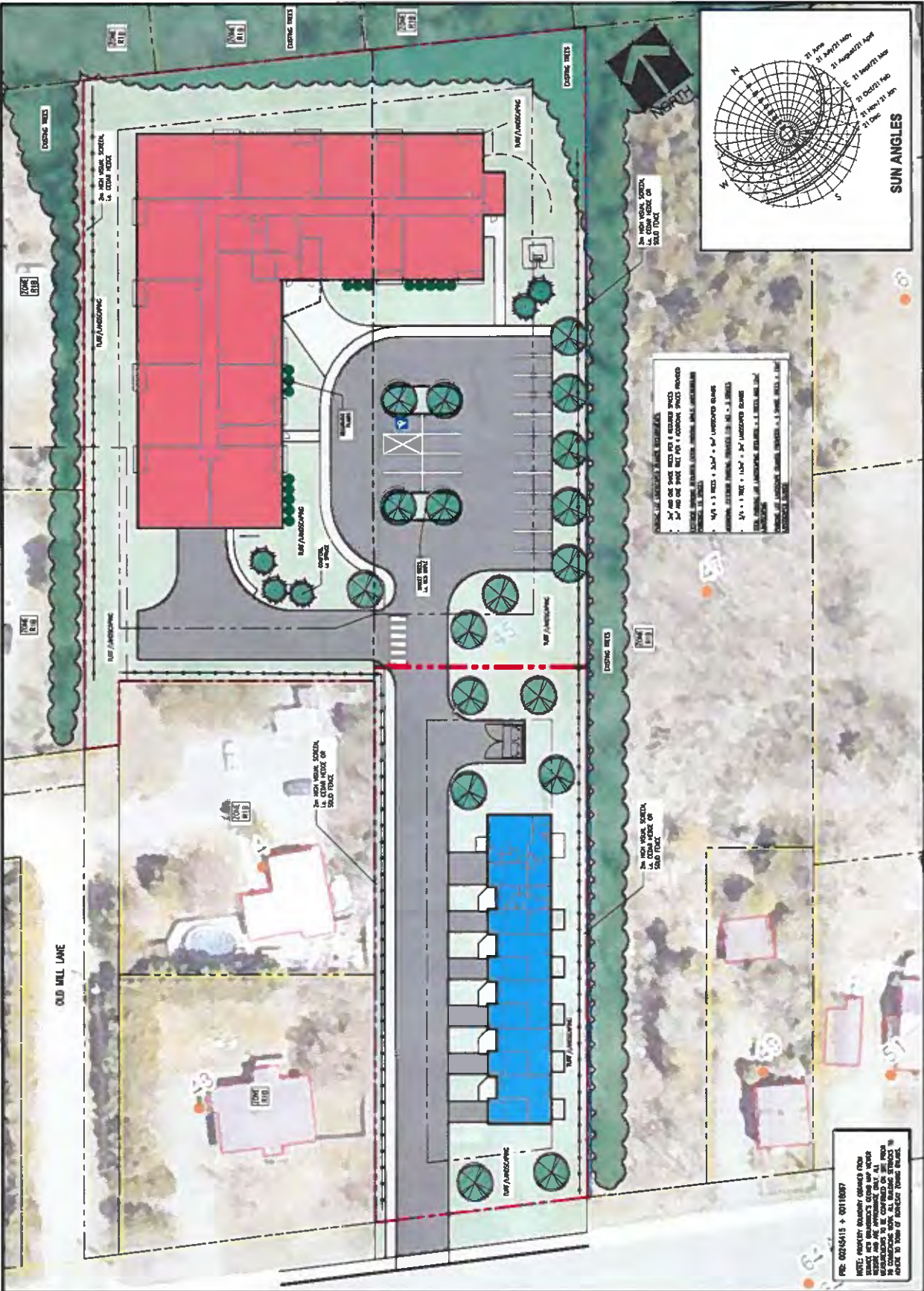


FIG. 002/04/15 + 011/00/07
 NOTES: ALL TREE SPECIFICATIONS ARE BASED ON THE LATEST AVAILABLE DATA. ALL TREE SPECIFICATIONS ARE BASED ON THE LATEST AVAILABLE DATA. ALL TREE SPECIFICATIONS ARE BASED ON THE LATEST AVAILABLE DATA.

Polyline Designs
 BUILDING AND SITE DESIGN SERVICES
 10000 W. 10th Ave. Suite 100
 Golden, CO 80401
 (303) 440-1111
 WWW.POLYLINEDESIGNS.COM

DATE: 08/21/2024
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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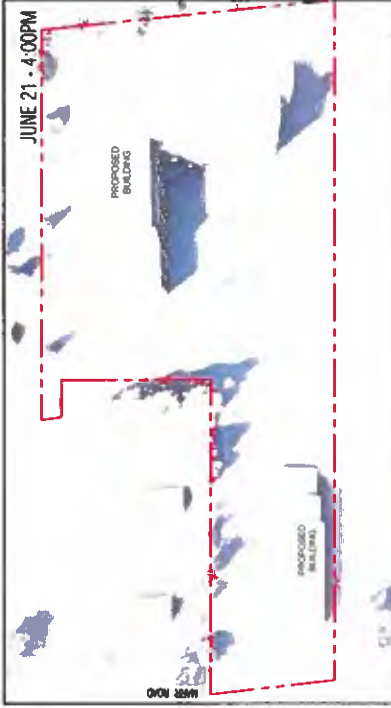
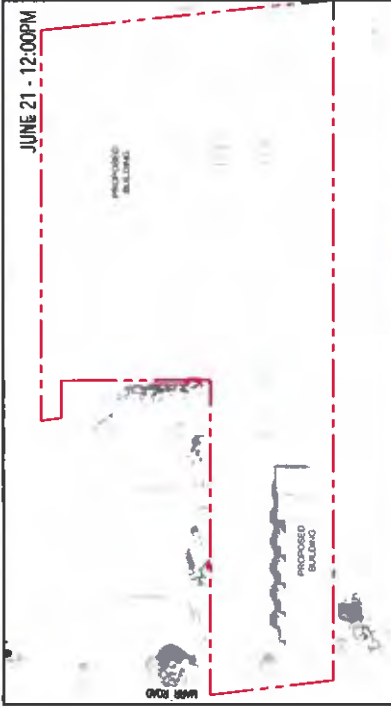
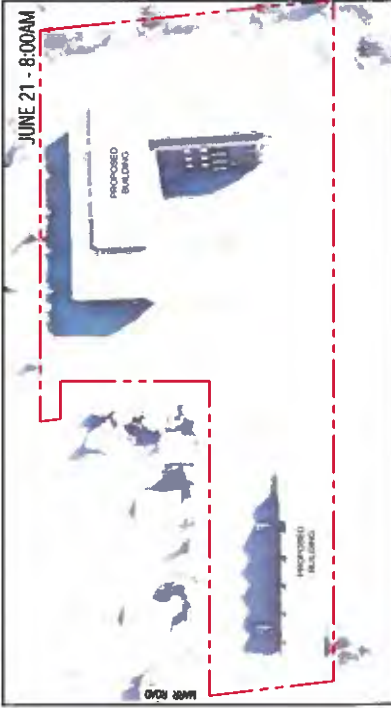
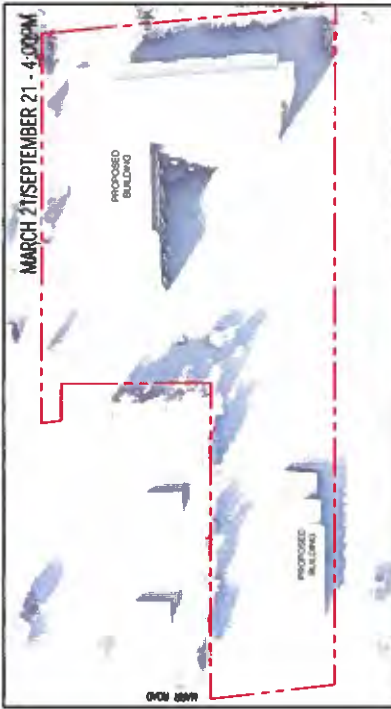
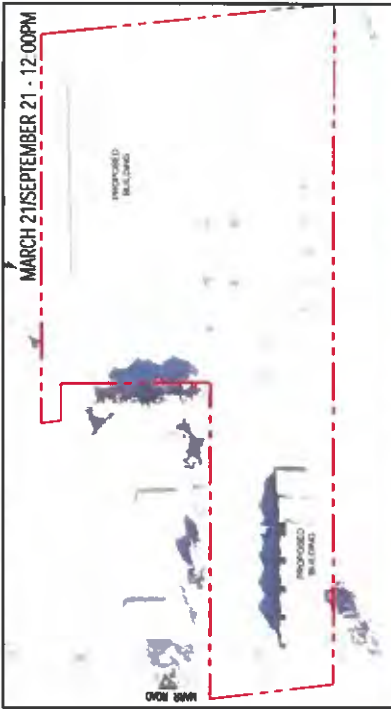
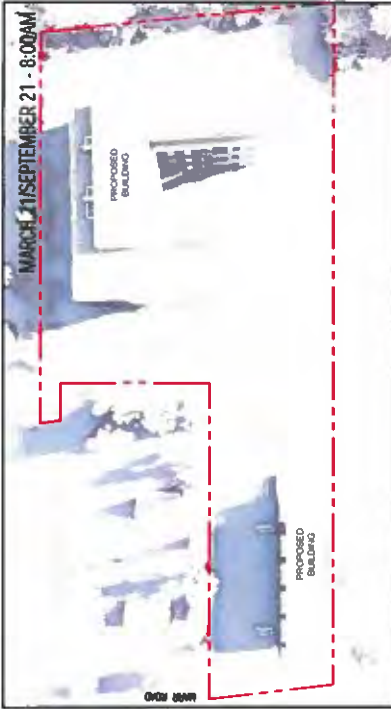
NO.	DATE	DESCRIPTION
1	08/21/2024	ISSUED FOR PAC SUBMISSION

ISSUED FOR PAC SUBMISSION
 08/21/2024

MARR ROAD MULTIRESIDENTIAL DEVELOPMENT
 4.5 MARR ROAD
 HIGHLAND COUNTY, CO

SHADOW STUDY

L-3
 SHEET 0 OF 0



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 10000 W. CENTRAL EXPRESSWAY, SUITE 100
 DALLAS, TEXAS 75243
 WWW.POLYTIMEDSIGNS.COM

NOTES:

1. CHECK ALL DIMENSIONS AND LOCATIONS AGAINST THE PERMITS AND ALL APPLICABLE CODES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

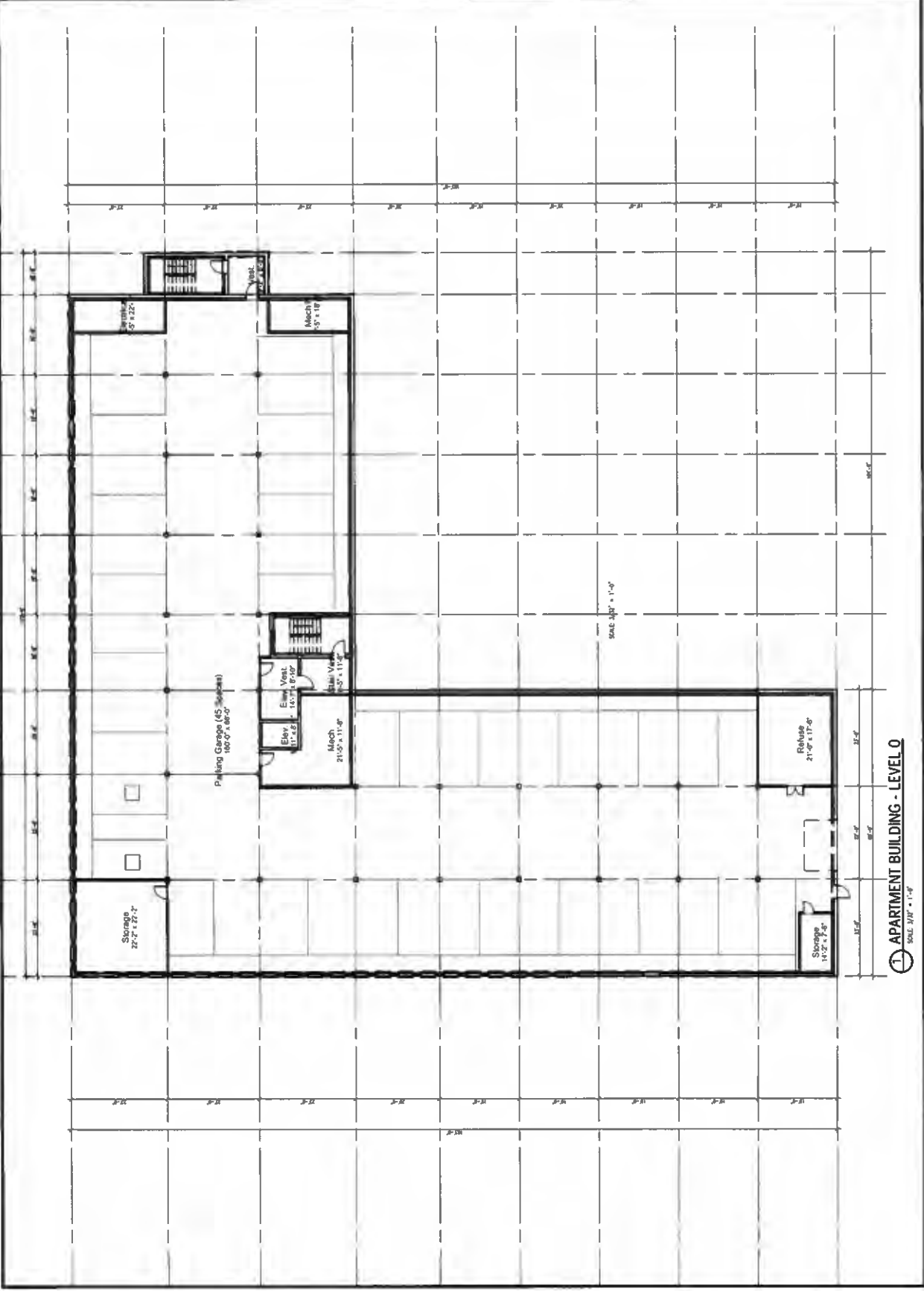
NO.	DATE	DESCRIPTION
1	12/17/2023	PAC SUBMISSION

ISSUED FOR PAC SUBMISSION
 December 12, 2023

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT
 4.5 MARR ROAD
 DALLAS, TEXAS 75243

4 STOREY 46 UNIT APARTMENT BUILDING

A-1
 REV 0



APARTMENT BUILDING - LEVEL 0
 SCALE: 3/8" = 1'-0"

Polyline Designs
 BUILDING AND LIFE DESIGN SERVICES
 10000 S. MARR ROAD
 SUITE 100
 MARRIAGE TREE, CALIFORNIA 92543
 WWW.POLYLINEDESIGNS.COM

NOTES:

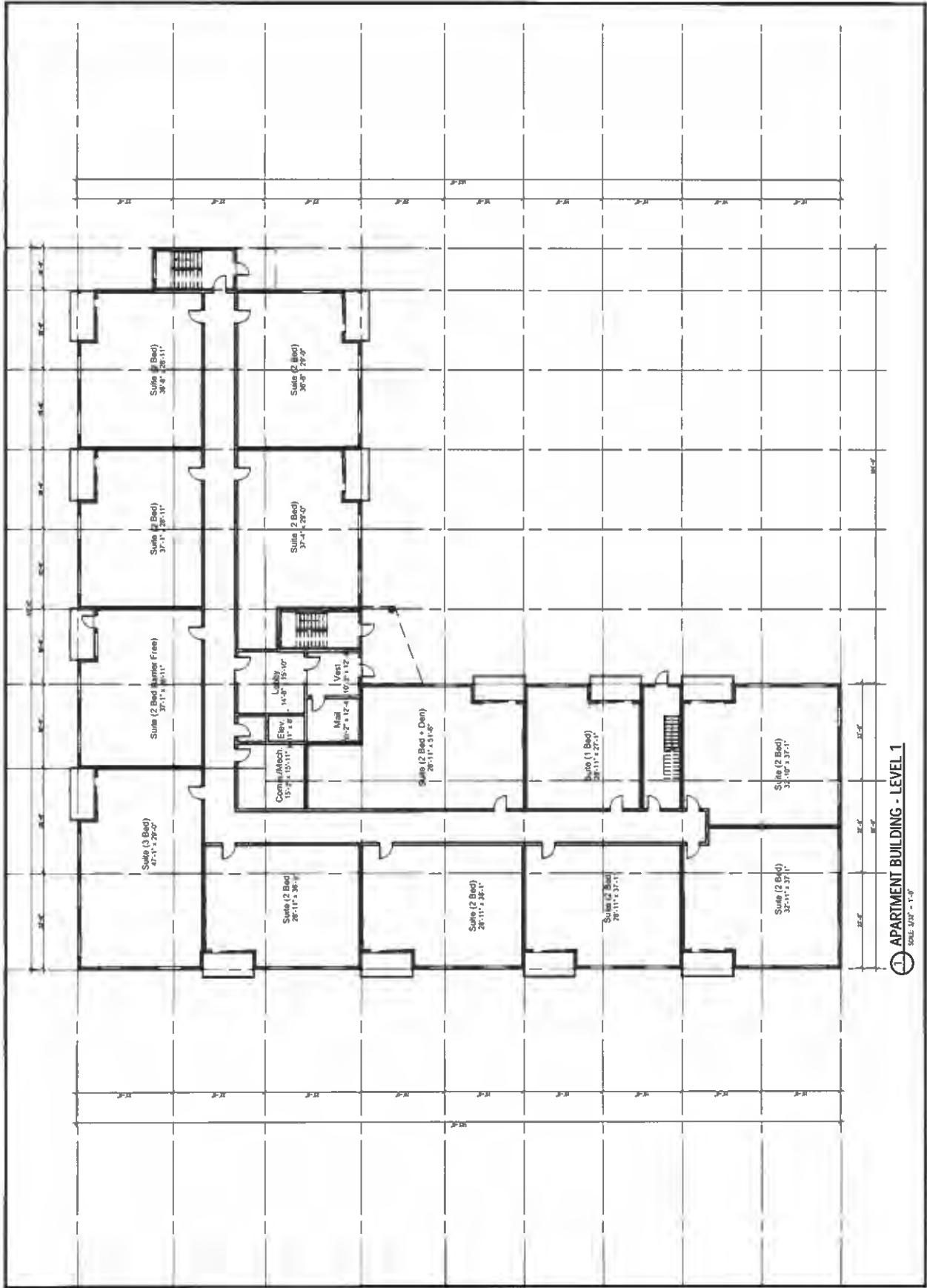
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. FINISH FLOOR TO FINISH FLOOR.
3. SEE MECHANICAL AND ELECTRICAL SCHEDULES FOR ALL MECHANICAL AND ELECTRICAL WORK.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

ISSUED FOR PAC SUBMISSION
 DRAWING NO. 24-101

MARR ROAD MULTIRESIDENTIAL DEVELOPMENT
 45 MARR ROAD
 ROTHESBAY BEACH, CALIFORNIA

4 STOREY 46 UNIT APARTMENT BUILDING

A-2
 SHEET NO. 25-102
 DATE: DEC. 2023



1 APARTMENT BUILDING - LEVEL 1
 SCALE: 3/32" = 1'-0"

Polyline Designs
 BUILDING AND SITE DESIGN SERVICES
 10000 CENTER DRIVE
 SUITE 100
 SAN JOSE, CA 95131
 WWW.POLYLINEDESIGNS.COM

NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE ORDINANCES.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE AND ALL APPLICABLE ORDINANCES.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND ALL APPLICABLE ORDINANCES.

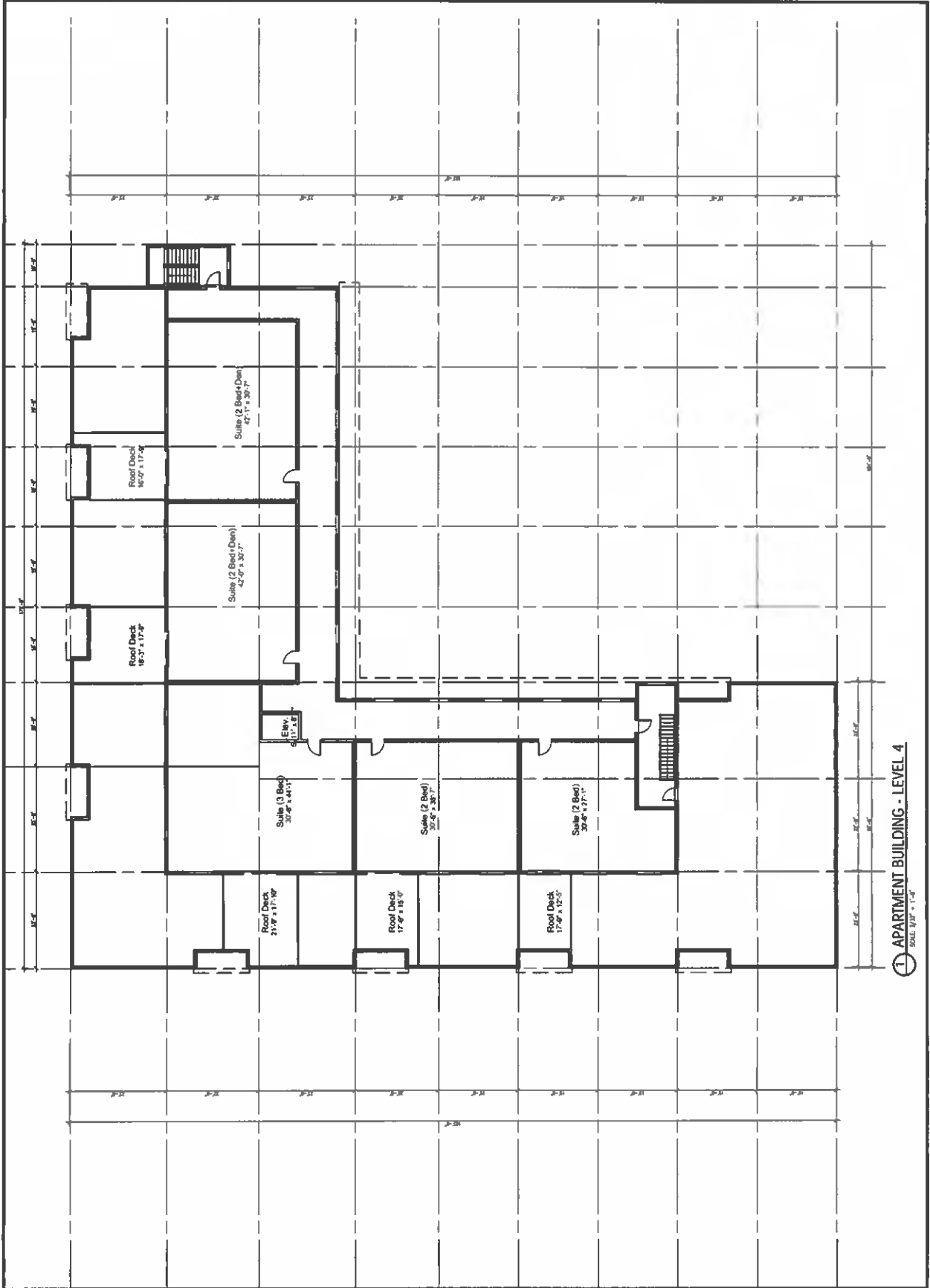
NO.	DATE	DESCRIPTION
1	12/12/2023	PRE-SUBMISSION

ISSUED FOR PAC SUBMISSION

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT
 45 MARR ROAD
 REDHAYNE, NEW SWICZ

4 STOREY
 46 UNIT APARTMENT BUILDING

Scale: 1/8" = 1'-0"
 Project No: 23-162
 Rev: 0
 Date: DEC. 2023



2024 January 29 45 Marr Rd/6 Old Mill Ln Clearing AL 600



2 APARTMENT BUILDING - NORTH ELEVATION
 SCALE: 3/32" = 1'-0"



1 APARTMENT BUILDING - SOUTH ELEVATION
 SCALE: 3/32" = 1'-0"

Polyline Designs
 BUILDING AND SITE DESIGN SERVICES
 10000 S. GARDEN AVENUE
 SUITE 100
 GARDEN CITY, CA 92345
 WWW.POLYLINEDESIGNS.COM

ISSUED FOR PAC SUBMISSION
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

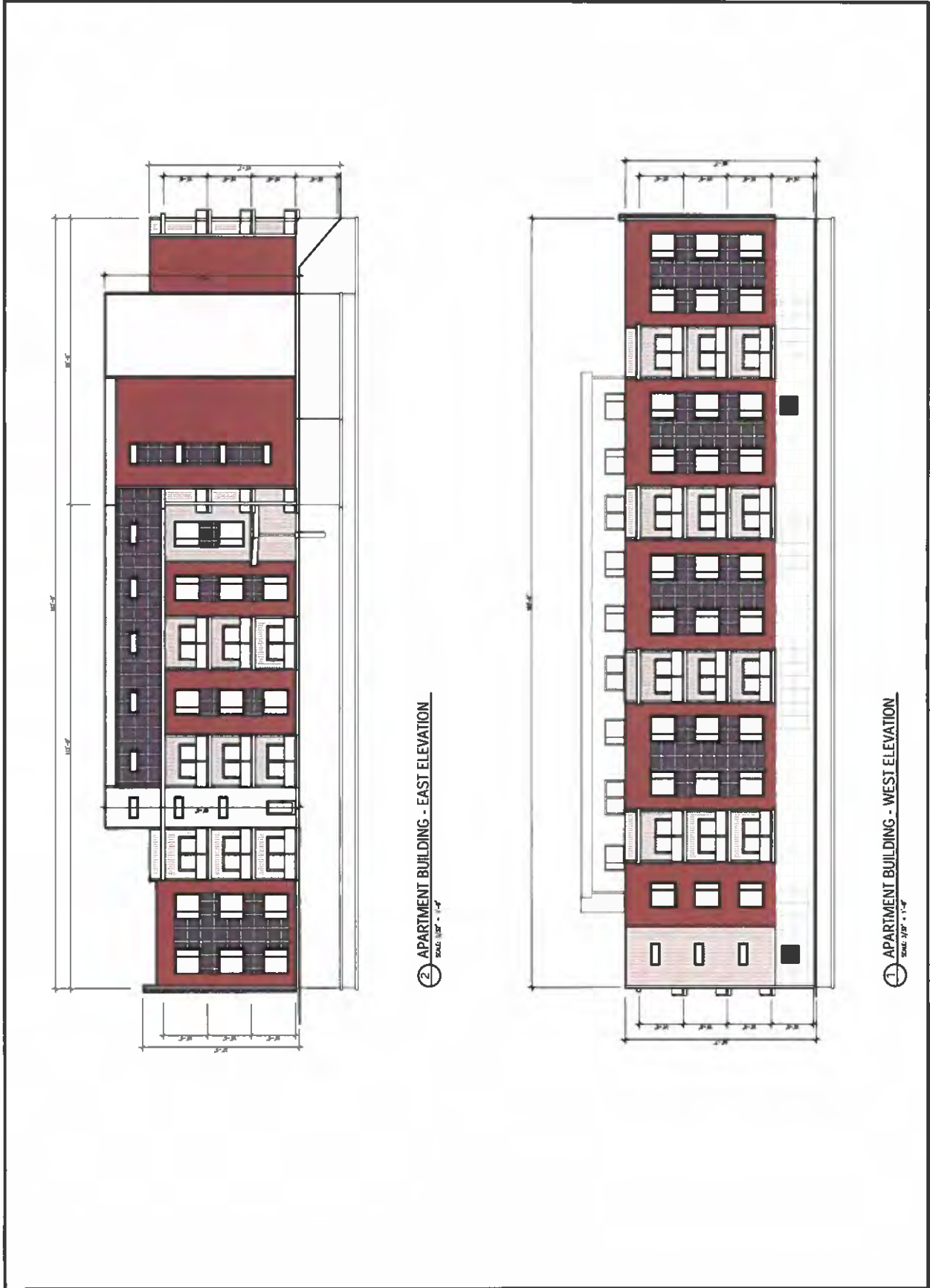
NO.	DATE	DESCRIPTION
1	12/17/2023	PAC SUBMISSION

ISSUED FOR PAC SUBMISSION
 12/17/2023

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT
 4.5 MARR ROAD
 BREA, CA 92621

4 STOREY 46 UNIT APARTMENT BUILDING

A-6
 SHEET NO. 001 OF 002



2. APARTMENT BUILDING - EAST ELEVATION
 SCALE: 1/8" = 1'-0"

1. APARTMENT BUILDING - WEST ELEVATION
 SCALE: 1/8" = 1'-0"

IMPORTANT NOTES:
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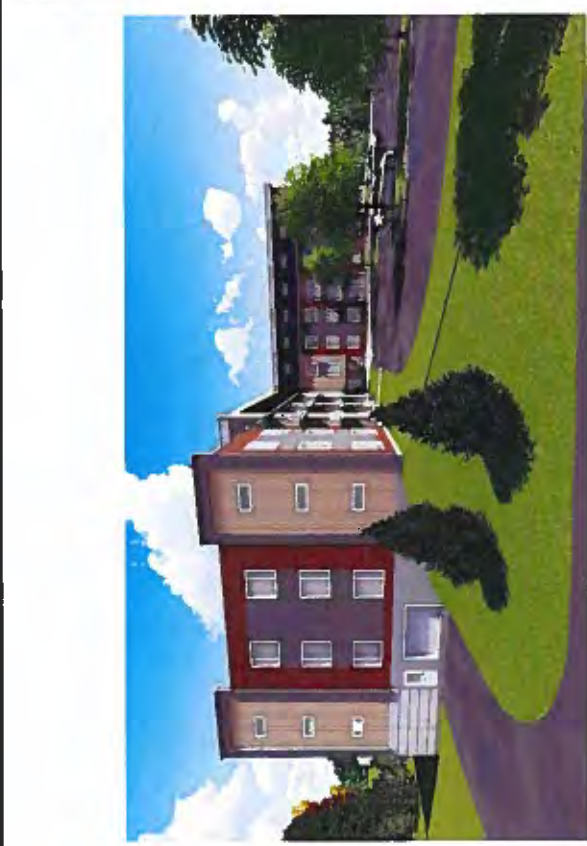
NO.	DATE	DESCRIPTION
1	10/27/2021	FINAL SUBMISSION

ISSUED FOR PAC SUBMISSION
 2021 JANUARY 29 45 MARR RD/6 OLD MILL LN HEARING # 2021-063

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT
 45 MARR ROAD
 MARIETTA, GA 30067

4 STOREY 46 UNIT APARTMENT BUILDING

A-7
 SHEET # 140
 DATE AS SHOWN
 PROJECT NO. 21-182
 DATE DEC. 2021



APARTMENT BUILDING - 3D VISUALS

ISSUED FOR PAC SUBMISSION
 4.5 MARR ROAD
 MULTI-RESIDENTIAL DEVELOPMENT
 46 UNIT APARTMENT BUILDING

ISSUED FOR PAC SUBMISSION
 4.5 MARR ROAD
 MULTI-RESIDENTIAL DEVELOPMENT
 46 UNIT APARTMENT BUILDING

ISSUED FOR PAC SUBMISSION
 4.5 MARR ROAD
 MULTI-RESIDENTIAL DEVELOPMENT
 46 UNIT APARTMENT BUILDING

ISSUED FOR PAC SUBMISSION
 4.5 MARR ROAD
 MULTI-RESIDENTIAL DEVELOPMENT
 46 UNIT APARTMENT BUILDING

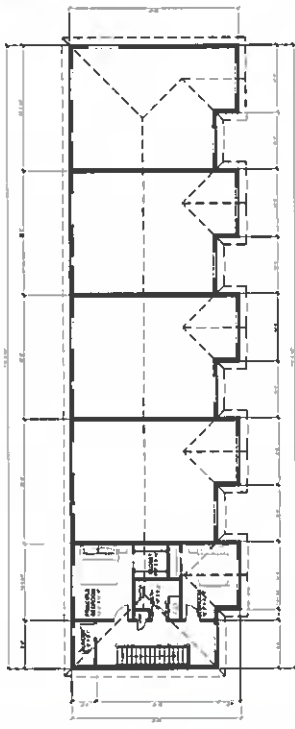
ISSUED FOR PAC SUBMISSION
 4.5 MARR ROAD
 MULTI-RESIDENTIAL DEVELOPMENT
 46 UNIT APARTMENT BUILDING



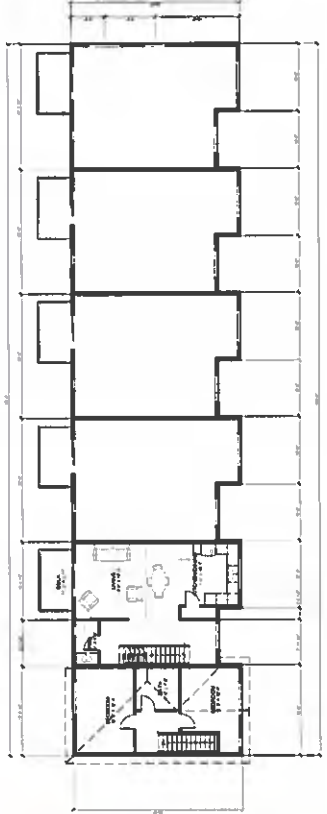
APARTMENT BUILDING - 3D VISUALS

2024 January 29 45 Marr Rd/6 Old Mill Ln Clearing 2516 L064

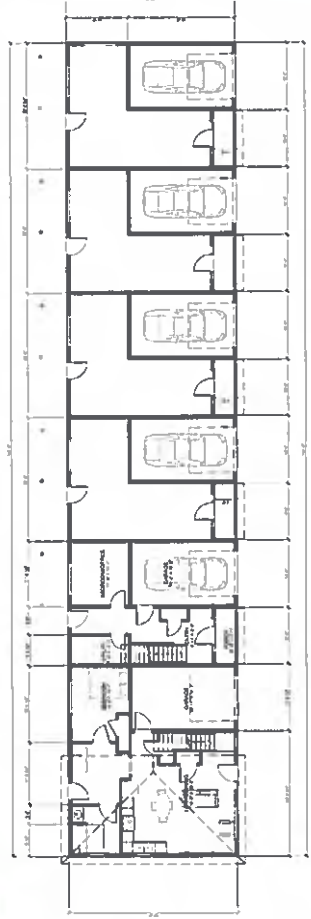
2024 January 29 45 Marr Rd/6 Old Mill Ln Marr Marietta GA 30148



3 TOWNHOUSE - PRELIMINARY THIRD FLOOR PLAN
 SCALE: 3/8" = 1'-0"



2 TOWNHOUSE - PRELIMINARY SECOND FLOOR PLAN
 SCALE: 3/8" = 1'-0"



1 TOWNHOUSE - PRELIMINARY MAIN FLOOR PLAN
 SCALE: 3/8" = 1'-0"

- OWNER NOTES:**
1. THIS CONTRACT IS FOR PROVISIONAL DESIGN ONLY AND NOT FOR CONSTRUCTION.
 2. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 3. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.
 4. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.

No.	Date	Description
A	07/17/2023	PAC SUBMISSION

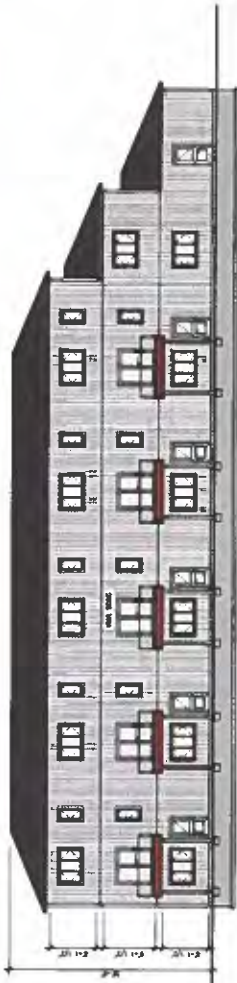
ISSUED FOR PAC SUBMISSION
 December 12, 2023

MARR ROAD MULTI-RESIDENTIAL DEVELOPMENT
 4.5 MARR ROAD
 HENDERSON, NEW HAMPSHIRE

6 UNIT TOWNHOUSE ELEVATIONS

Drawn By: [Blank]
 Scale: AS SHOWN
 Project No.: 23-112
 Date: DEC. 2023

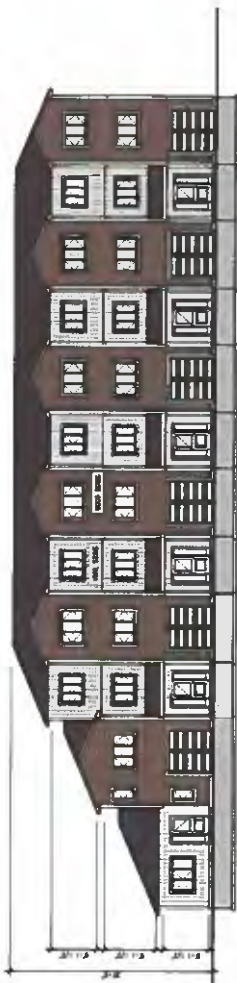
A-10
 REV. 0



② TOWNHOUSE - EAST ELEVATION
 SCALE: 3/8" = 1'-0"



④ TOWNHOUSE - NORTH ELEVATION
 SCALE: 3/8" = 1'-0"



① TOWNHOUSE - WEST ELEVATION
 SCALE: 3/8" = 1'-0"



③ TOWNHOUSE - SOUTH ELEVATION
 SCALE: 3/8" = 1'-0"

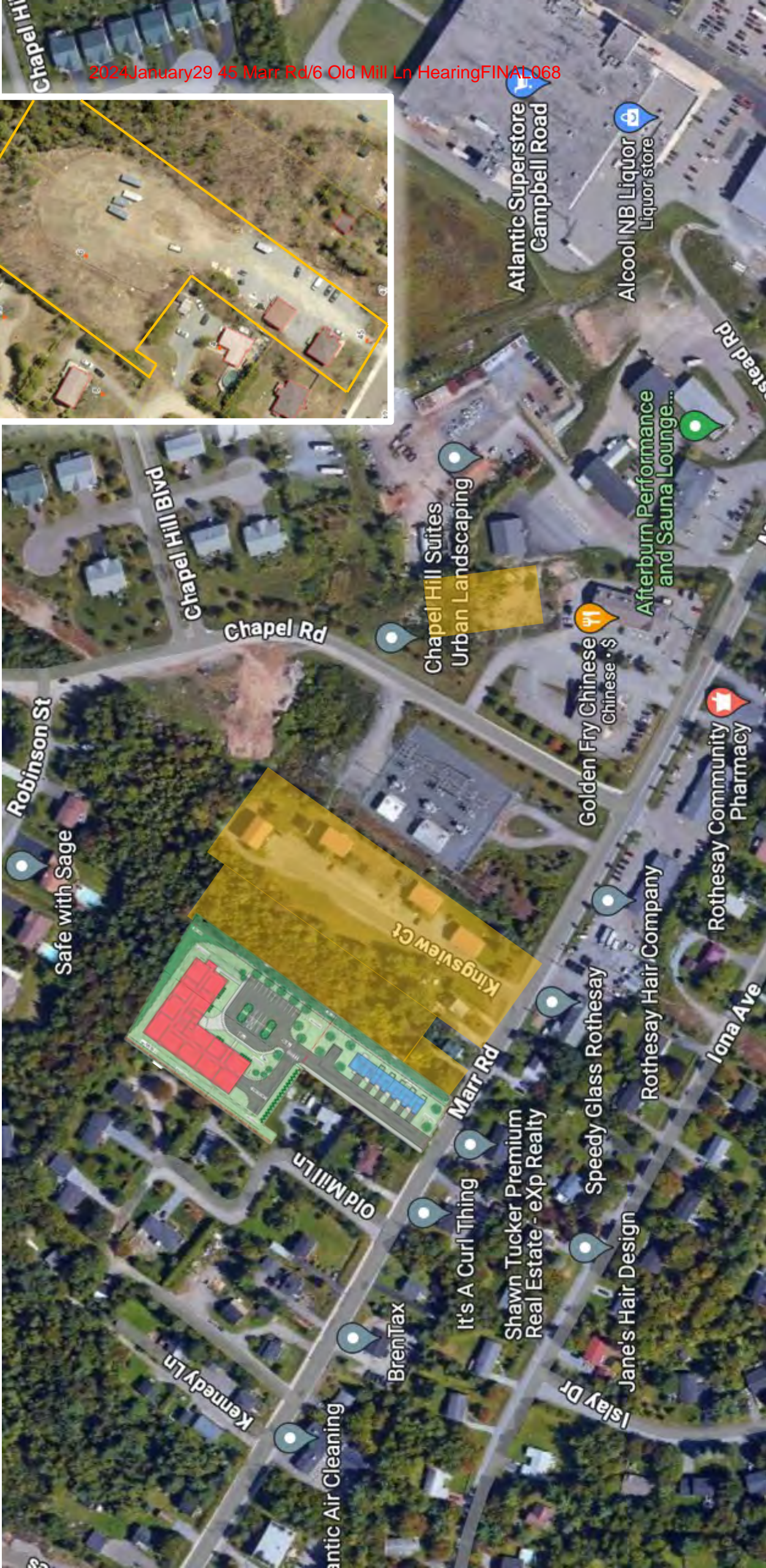
45 Marr Road / 6 Old Mill Lane

2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 067



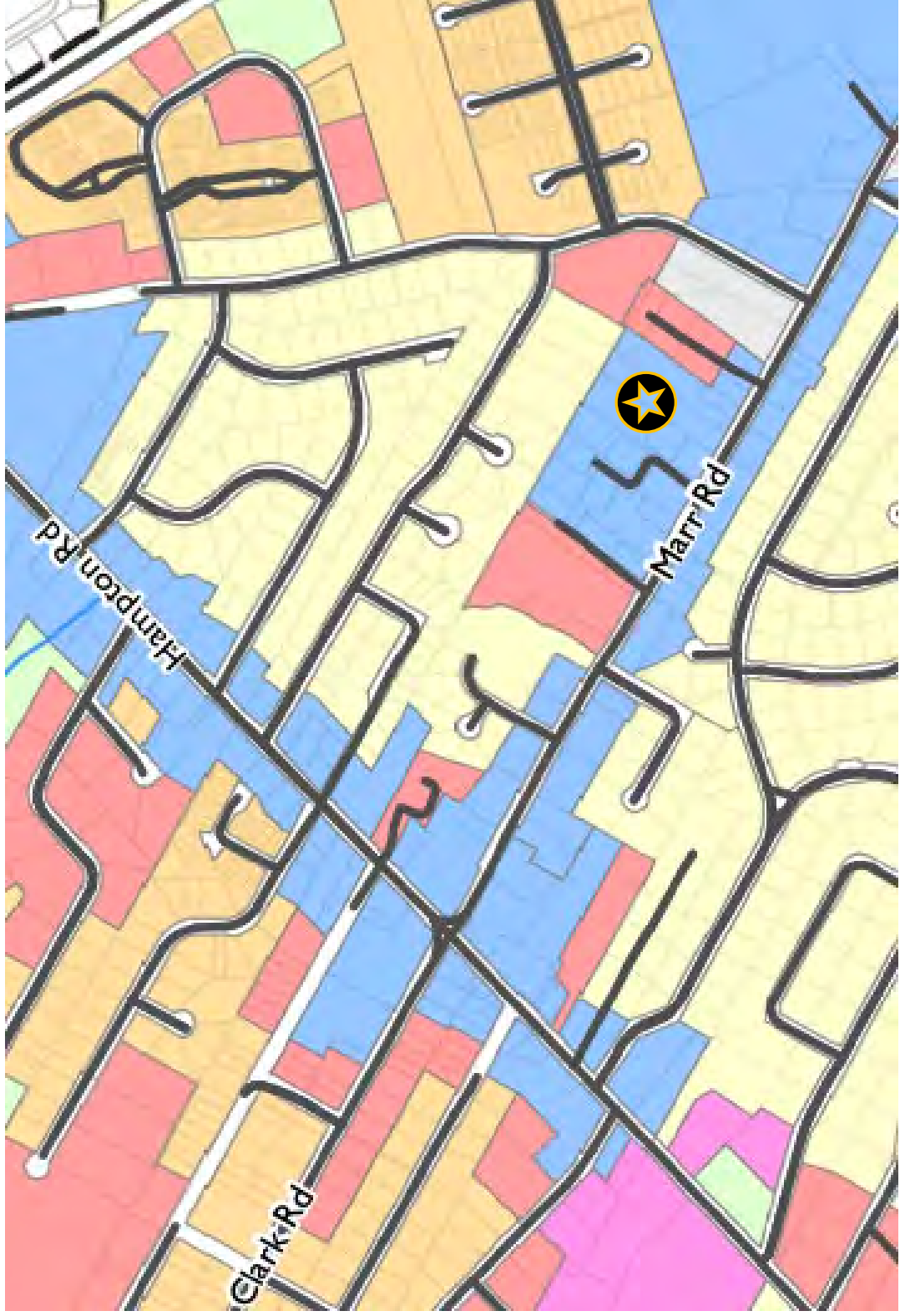
Proposed Site

2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 068



Aligned with Municipal Plan

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL069

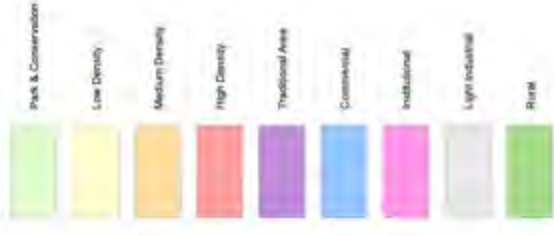


Water/Sewer Ready

Rothesay



Municipal Plan
Future Land Use Map



Date: February 17, 2021
Map Consolidated to February 17, 2021

Apartment Overview

4 Story Building

Senior-Focused

- 46 Units
- 1100 - 1500 sq ft
- 1, 2, and 3 bedrooms
- 8 Affordable Units
- 3 Barrier Free Units
- Underground Parking
- Inset Top Floor

Front



Front / South



Rear



Rear



Rear



Townhouse Overview



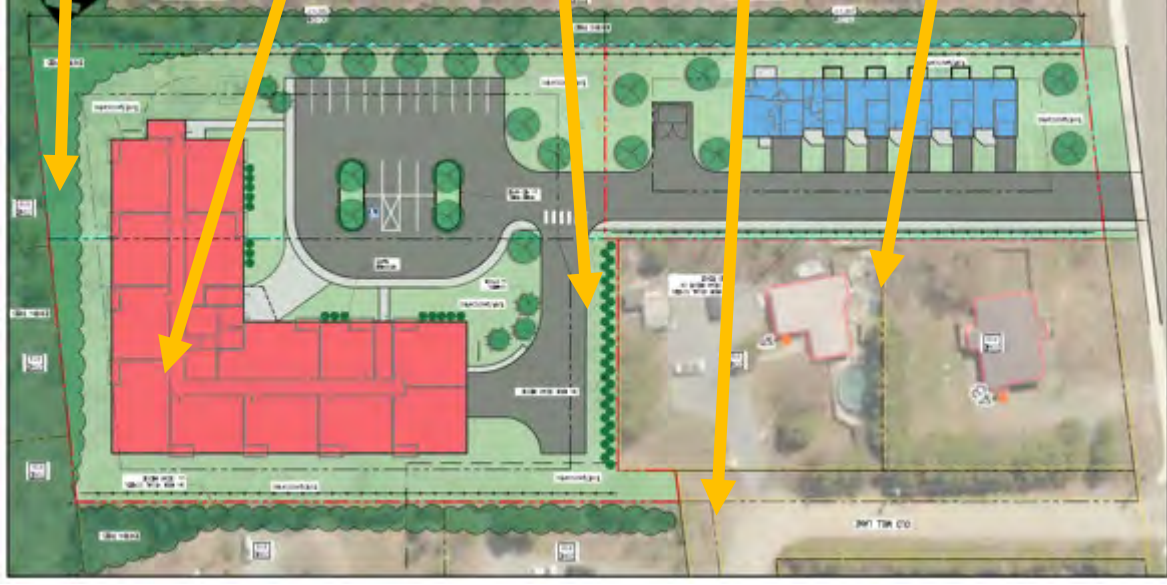
6 Rentable Townhouses

- 3 bed / 2 bath
- Seniors and Families
- 1 Barrier Free Unit

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL071



Key Design Choices



50% Green Space

Site maximizes green space while adding improved views from street and sidewalk (4,385m² green space of 8,790m² property)

Lower Height

Apartment built on lowest grade of the property to **reduce height** and maintain privacy.

More Trees

Building setback allows for **tree line** between building and 4 Old Mill Lane.

Less Traffic

Building cornered so there is **no access** through Old Mill Lane.

More Sun and Privacy

Townhouses “flipped” to other side of property (and existing structures removed) to add **privacy and sunlight** for 43 Marr Road and 4 Old Mill Lane.

2024 January 29 45 Marr Rd / 6 Old Mill Ln Hearing FINAL 072

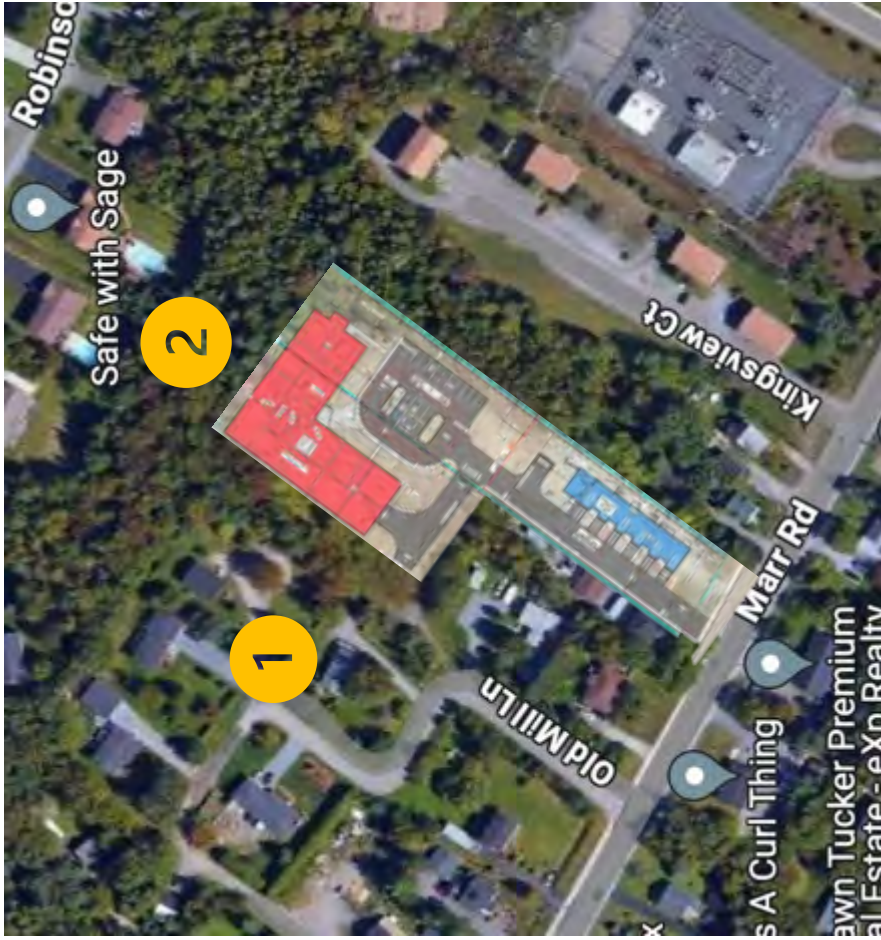


Top floor setback adds **extra layer of privacy** for neighbours while allowing for additional patio space.



Townhouses provide **neighbourhood feel** from street and for surrounding residents.

Aerial Study



“The images were taken to determine the view that would be obtained from a 4-story apartment building. The aerial images - taken at an altitude of between 40 and 55 feet clearly show the **privacy concerns of nearby residents is unfounded**. Tree and brush cover prevent any direct views of nearby properties.”

- 12 O'clock Drone Services

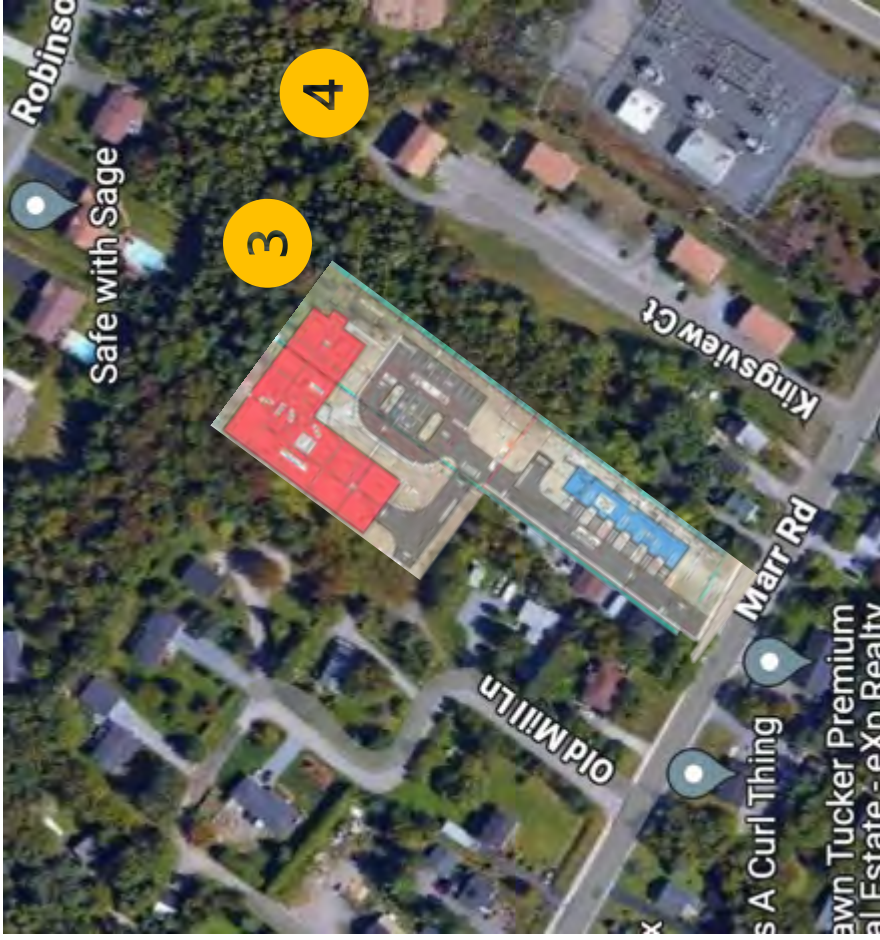
2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 073

1

2



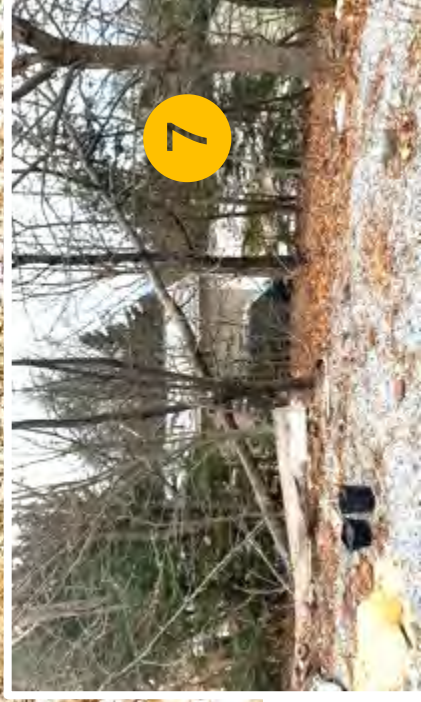
Aerial Study



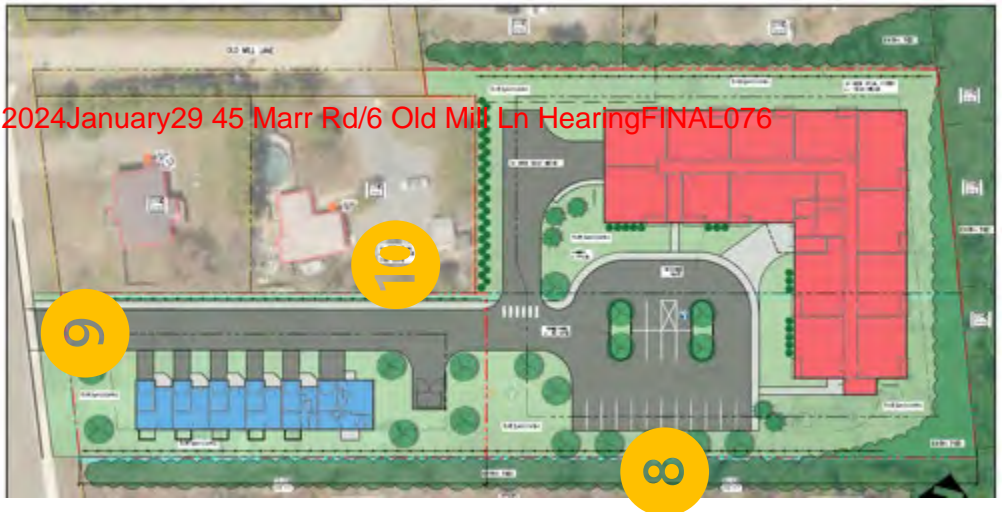
2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 074



Site Views



Site Views



2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL076

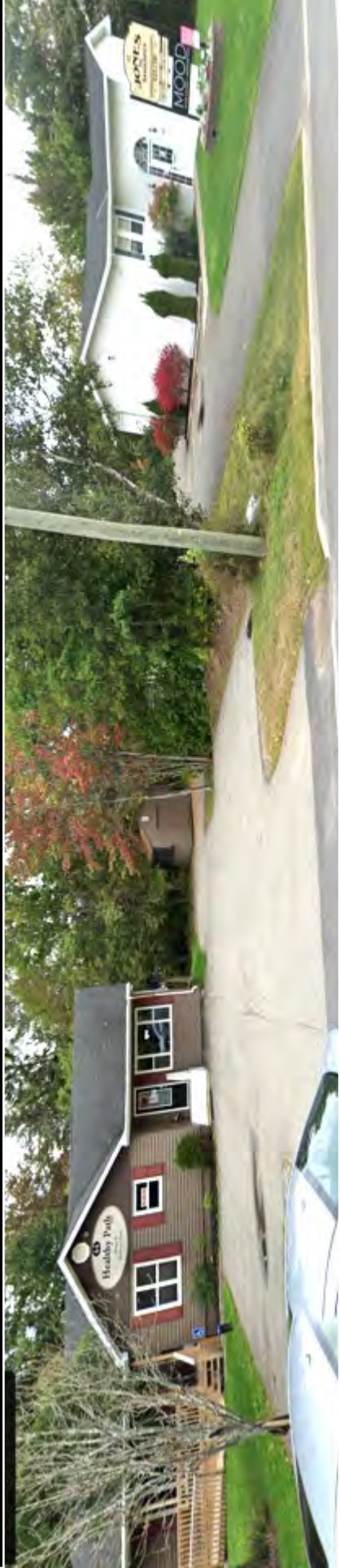
Site Overview



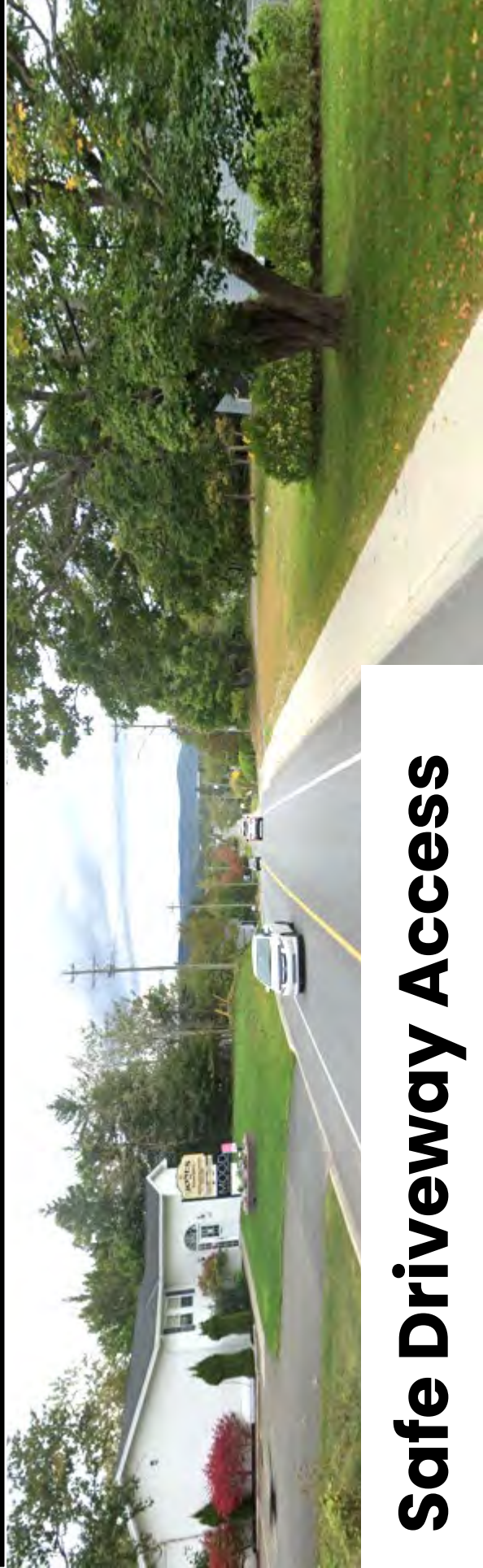
LEFT
Toward Superstore



STRAIGHT



RIGHT
Toward Hampton Road



Safe Driveway Access

Current Stormwater

- ZERO PERCENT of water managed
- Water flowing to Old Mill storm water system – but *passes through neighbouring lawns and yards* first
- Property like an “upside down bowl”
- Without infrastructure, residents will *continue to experience issues*



Stormwater Plan

- Transform property into a “right side up bowl” where we control the flow and direction
- Water captured / stored beneath parking lots, holding pond, and on roof
- **Controlled release** to Marr Road and Old Mill
- **Snow melt captured** within system



2024 January 29 45 Marr Rd/6 Old Mill Ln Hearing FINAL 080

Vegetation

Roof Storage

Underground Storage

Retention Pond



Old Mill Stormwater Access



“The plan looks solid..... I agree that your calcs will show no change in the flow through that pipe if we buffer onsite.”

– Brett McLean, Dir of Operations, Town of Rothesay
Jan 17, 2024



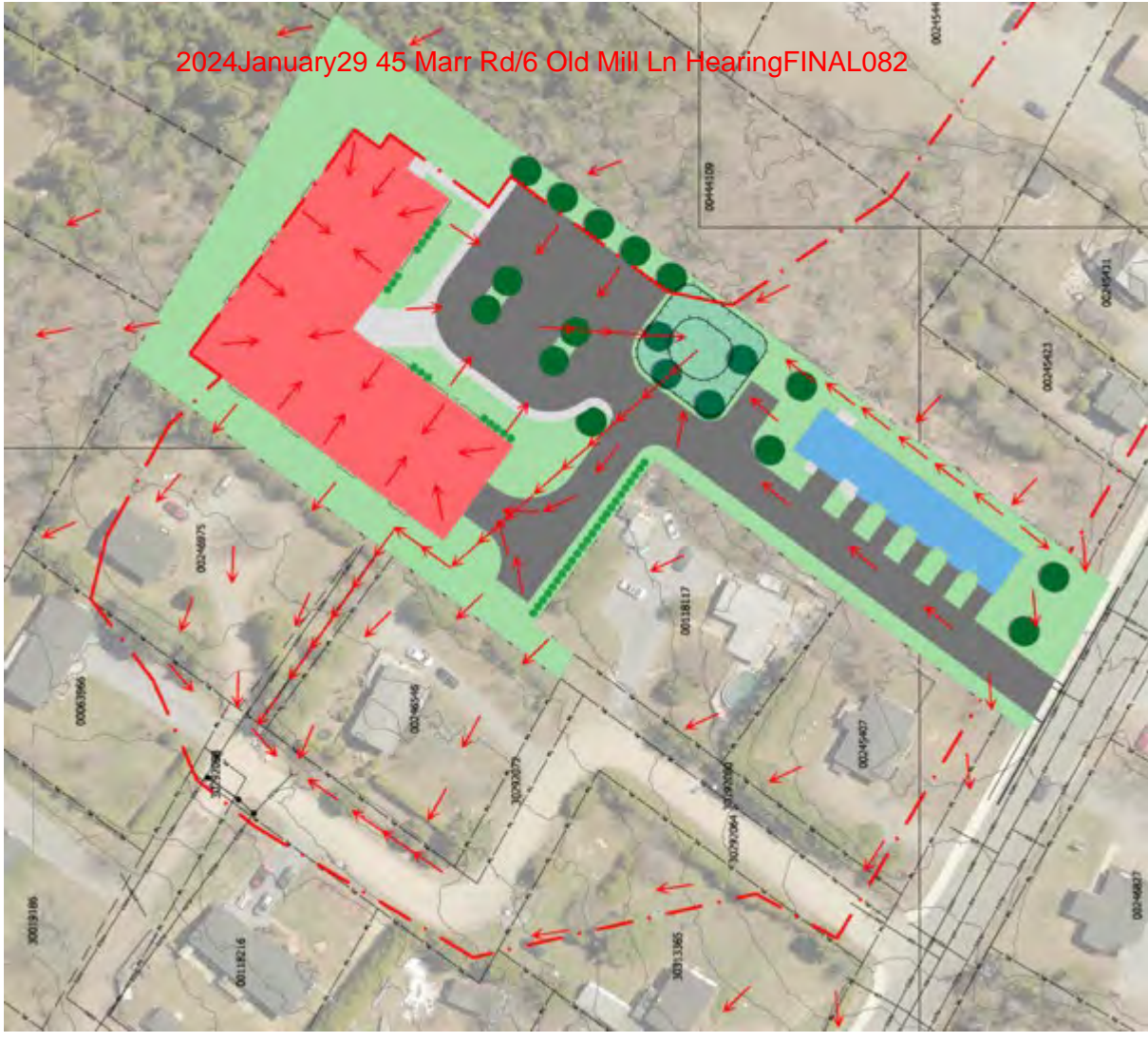
Gold Standard

- ✓ No change to where water is going or how much
- ✓ Project will actually **reduce** flow to Old Mill
- ✓ Continues through **town property** along with other public water as it has for years
- ✓ Implied Easement - **standard practice**
- ✓ Any downstream issues created by residents on their private property are **separate from this project**.



Results

- Once complete, **100% of water will be managed**
- Actively prevent “surges” from extraordinary weather events
- Neighbours should notice immediate improvement in their yards



Traffic



Table 2: Summary of New Site Trips

Time Period	Trips In	Trips Out	Total Trips
AM Peak Hour	5	8	13
PM Peak Hour	9	7	16

Based on the trip generation for the proposed site, a total of 13 and 16 new trips are expected during the weekday AM and PM peak hours, respectively.

Point of comparison:

Magnolia Lane Apartments (35 units)

Table 1: ITE Trip Generation Summary

ITE Land Use Code 252 (Senior Adult Housing - Multi-family)							
46	Dwelling Unit	Rate	Inbound	Outbound	Trips In	Trips Out	Total Trips
	AM Peak Hour of Adjacent Street Traffic	0.20	34%	66%	4	7	11
	PM Peak Hour of Adjacent Street Traffic	0.25	56%	44%	7	6	13
ITE Land Use Code 251 (Senior Adult Housing - Single-Family)							
6	Dwelling Unit	Rate	Inbound	Outbound	Trips In	Trips Out	Total Trips
	AM Peak Hour of Adjacent Street Traffic	0.24	33%	67%	1	1	2
	PM Peak Hour of Adjacent Street Traffic	0.30	61%	39%	2	1	3

MORNING

Thursday, Jan 18

8:00-9:00 am

In 1

Out 2

3 Trips

EVENING

Tuesday, Jan 23

4:15-5:15 pm

In 7

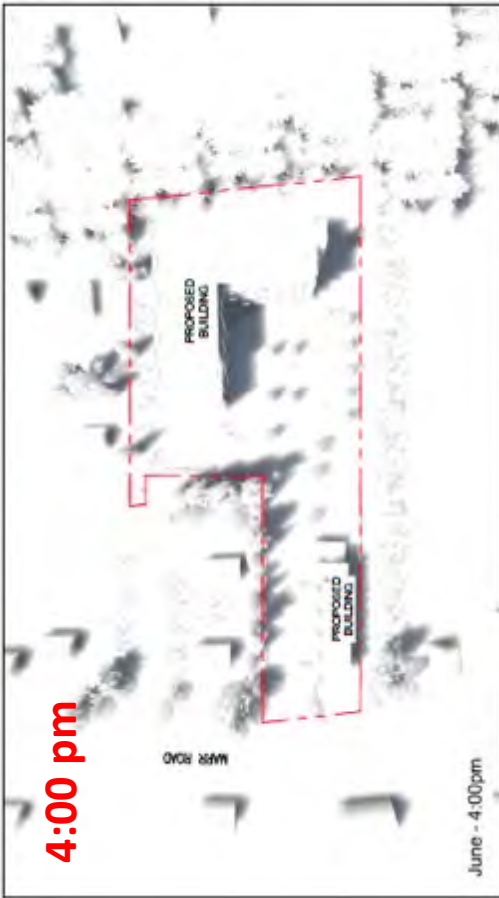
Out 8

15 Trips

Shadows

June

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL084



Shadows

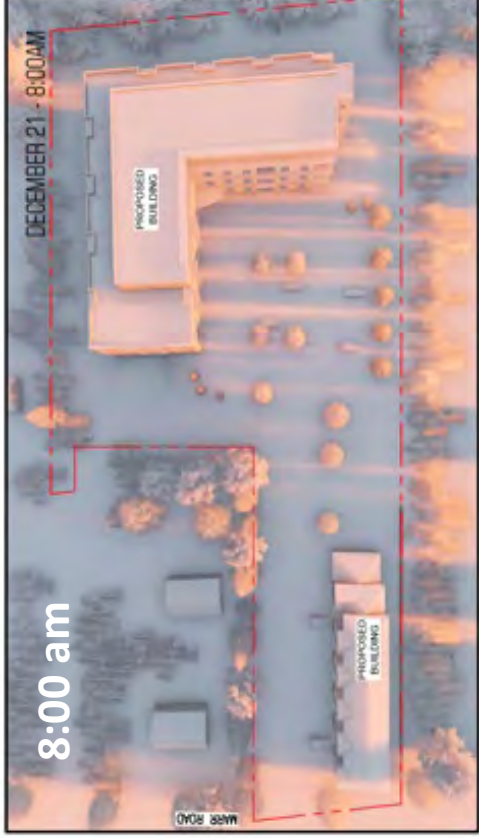


Taken Jan 22, 8:36 am

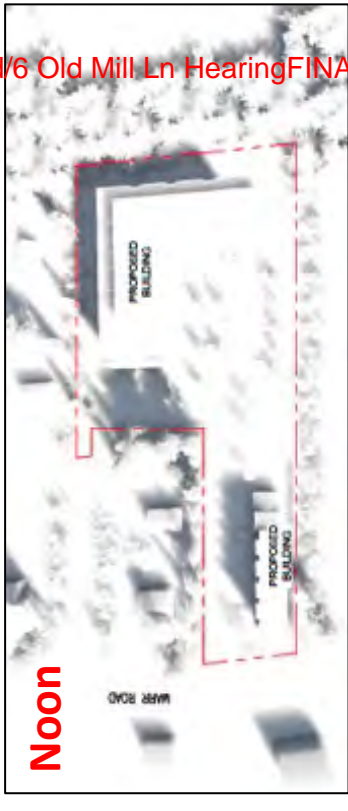


Taken Jan 14, 10:10 am

Existing structures will be removed, providing additional sunlight to 43 Marr Road and 4 Old Mill Lane residences



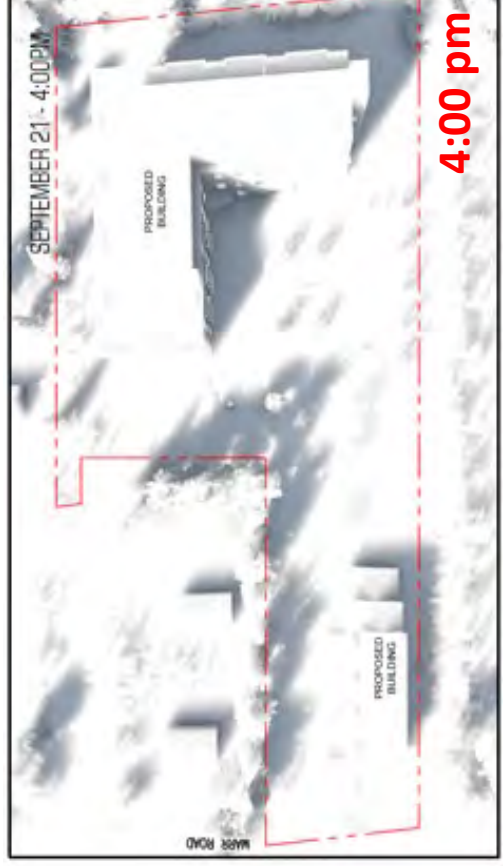
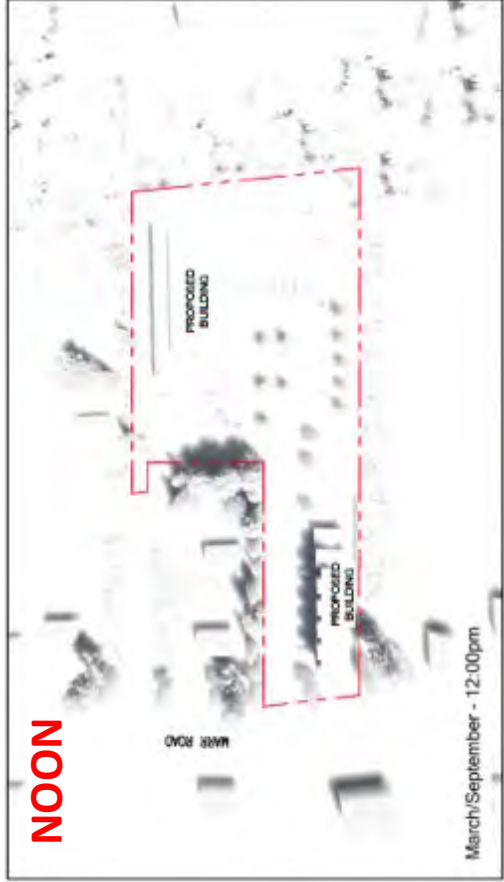
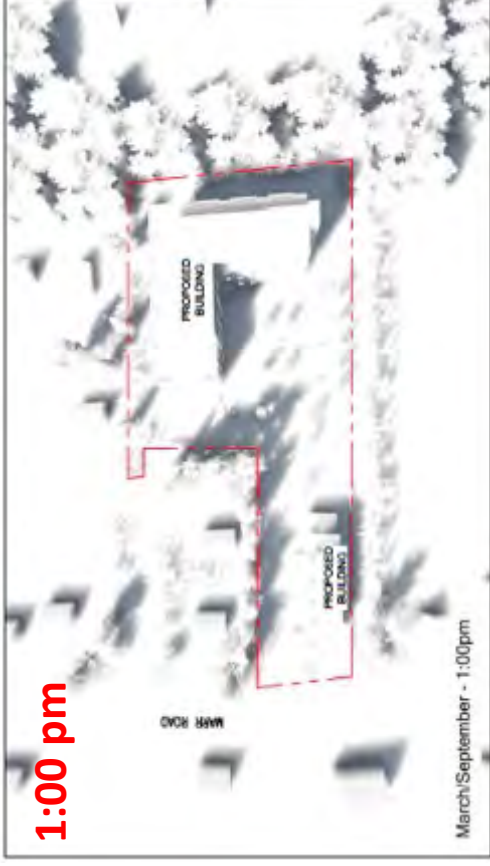
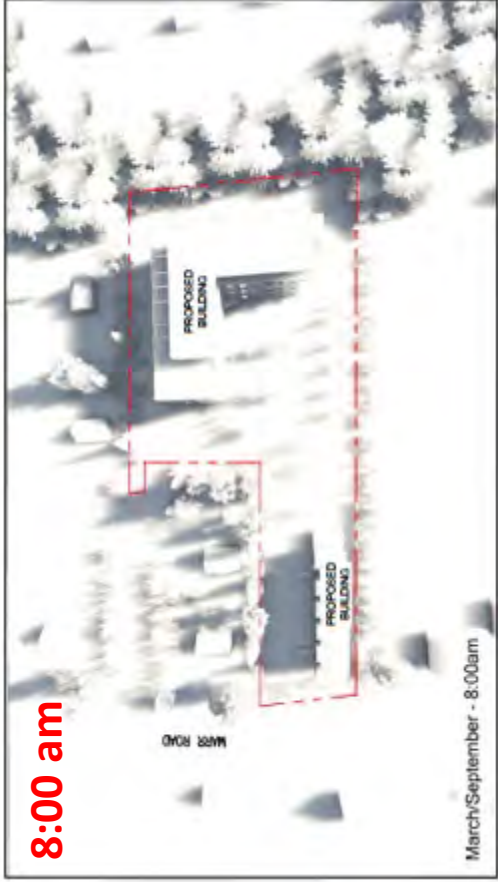
December



Shadows

September / March

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL086





Thank You

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL088

From: [Mary Jane Banks](#)
To: [Mary Jane Banks](#)
Subject: FW: 45 MARR ROAD AND 6 OLD MILL LANE
Date: January 24, 2024 11:37:42 AM

From:
Sent: Monday, January 15, 2024 5:28 PM
To: Rothesay Info <Rothesay@rothesay.ca>
Subject: RE: 45 MARR ROAD AND 6 OLD MILL LANE

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

Hello Ms. Banks,

I am writing in support of the proposed development at 45 Marr Rd and 6 Old Mill Lane. I have lived in the town of Rothesay since 2006 and enjoy the community very much. Since 2021, I have lived on Rosedale Avenue, which is in the same general area as the proposed development. It is a great location, where I can walk to many amenities including doctors appointments, dentists appointments, groceries, restaurants and more.

There is a significant need for this type of development with well maintained high density units suitable for our aging population so they can vacate their single family homes, opening up the market to younger folks looking to settle and raise families.

According to Rothesay's Municipal Plan, this area is shown on the Future Land Use mapping as Commercial. I would prefer to see a mix of Commercial and the type of development created by Mr. Mike Maloney and Mr. Patrick Maloney. Upon review of the information, they have also begun the design work for traffic planning, storm, sanitary and water system connection.

I support this development assuming that:

1. Water and Sanitary services connect to the existing infrastructure on the Marr Road.
2. The stormwater design is completed by a Professional Engineer, based on the concepts provided in the development package.

Thank you for the opportunity to provide comments.

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL089

From: [Mary Jane Banks](#)
To: [Mary Jane Banks](#)
Subject: FW: Concerns with the rezoning & construction of 45 Marr Rd/ 6 Old Mill Lane
Date: January 24, 2024 11:42:55 AM

From:
Sent: Wednesday, January 10, 2024 5:34 PM
To: Darcy Hudson <darcyhudson@rothesay.ca>
Subject: Re: Concerns with the rezoning & construction of 45 Marr Rd/ 6 Old Mill Lane

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I would like to add as well that I believe that this project will significantly impact the traffic flow in our area, exacerbating the existing difficulties residents face when trying to navigate exiting to Marr Road off Chapel or surround streets.

This area is already heavily congested during peak hours, making it challenging to enter or exit our properties safely. The addition of 46 units will undoubtedly bring more vehicles into the area, further straining the existing infrastructure and exacerbating the slowed traffic we currently face, not to mention when construction season is in full effect each year, further impacting a busy area.

Moreover, the increased traffic entrance to our street could lead to safety hazards for both pedestrians and drivers. With an influx of vehicles, there is a higher risk of accidents, especially at intersections and areas with limited visibility. Additionally, the added congestion may impede emergency vehicles' access, potentially compromising their ability to respond quickly in case of emergencies.

From:
Sent: January 10, 2024 5:51 PM
To: darcyhudson@rothesay.ca <darcyhudson@rothesay.ca>
Subject: Concerns with the rezoning & construction of 45 Marr Rd/ 6 Old Mill Lane

Dear Town of Quispamsis and/or Darcy Hudson,

I hope this letter finds you well. I am writing to express my deep concerns regarding the new building project that is planned near our home. While I understand the need for progress, development, and housing, I believe that this project poses significant risks and challenges to our community.

Firstly, I would like to address the concern about property devaluation. The introduction of a new

building in such close proximity to established residential areas, specifically how close this is to our property line, will lead to a decrease in property value. This will have a detrimental impact on homeowners who have made **significant investments** in their properties. It is crucial that the town thoroughly evaluates the potential impact on property values and takes necessary steps to mitigate any negative consequences.

Furthermore, the proposed project raises concerns about the **loss of privacy in our backyard**. Our outdoor spaces are cherished for their *tranquillity*, and the construction of a nearby building, a 46 unit one + Garden Home at that, will significantly diminish this privacy. This will greatly affect the level of peace that current residents, as well as future resident prospects, enjoy in this neighbourhood.

The increased risk of flooding to our backyard is another issue that cannot be ignored. It is essential that the town conducts a comprehensive assessment of the project's impact on stormwater management and drainage systems. Any risks of flooding or increasing the amount of water in our yard anymore than it already is, will furthermore devalue property, as well as impact neighbouring backyards and the likelihood of property damages.

Lastly, the potential increase in **loitering in the woods** behind our house is a significant concern for our community's safety and security. The introduction of a new building may *attract* individuals with intentions that disrupt the peaceful atmosphere, potentially leading to criminal activities or unwanted behavior and trespassing. We already see trespassing, and the construction of this property will **directly increase** the amount of loitering, making the community's backyards a place of anxiety and unknowns, rather than a safe space for their family

In conclusion, I strongly urge the town to reconsider this new building project in light of the concerns raised by concerned residents. It is vital that the town prioritizes the well-being and interests of its **current residents**, and takes into account all of the potential negative impacts on our properties, privacy, and overall quality of life.

Thank you for your attention to this matter.

Sincerely,

28 Robinson Street, Rothesay

2024January29 45 Marr Rd/6 Old Mill Ln HearingFINAL091

From: [Mary Jane Banks](#)
To: [Mary Jane Banks](#)
Subject: FW: Rezoning Application-45 Marr Road/6 Old Mill Lane
Date: January 24, 2024 11:39:05 AM

From:
Sent: Wednesday, January 24, 2024 7:30 AM
To: Rothesay Info <rothesay@rothesay.ca>
Subject: FW: Rezoning Application-45 Marr Road/6 Old Mill Lane

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

Hi Mary Jane,

My name is _____ and I am the owner of the residence on 11 Old Mill Lane. I have a few more concerns after attending

The meeting with the planning and advisory committee in December regarding the Rezoning Application-45 Marr Road/6 Old Mill Lane.

When I purchased my home in 2005, the fact that the adjacent property was not zoned for large apartment complexes was a factor

in my decision to buy and relocate to the Kennebecasis Valley from Saint John.

A large apartment complex that eclipses the entire subdivision of Old Mill Lane will negatively affect the resale values in this neighborhood.

The privacy of our homes will be eliminated as we will be looking into the windows of a 4 storey apartment complex.

Another concern I have is the traffic congestion on the Marr Road. Adding a minimum of 46 vehicles(as many as 92 based on 2 car tenants)

The adjacent access road just mere meters from Old Mill Lane will prove near impossible to maneuver when there are vehicles exiting on both lanes

simultaneously attempting to get onto the already badly congested Marr Road.

Finally, the sewerage system that runs through Old Mill Lane was designed in the 1970's I presume was only for five or six houses and I am

concerned that it may not have the capacity to handle essentially 46 more homes and any backups

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would flood out Old Mill Lane.

Please provide this email to Council for the Public Hearing on January 29,2024.

Thank You

From:

Sent: December 27, 2023 11:51 AM

To: 'darcyHUDSON@rothesay.ca'

Subject: Rezoning Application-45 Marr Road/6 Old Mill Lane

Hi Darcy,

I am the owner of the residence on 11 Old Mill Lane which is on a downward slope from the proposed building construction.

My intention is not to oppose new construction or the rights of a landowner but I do have some concerns with this proposed building.

The water run-off and potential for flooding on lower grade properties is of concern to me as is the possible contamination and

functionality of my well. I would like assurance that the existing infrastructure is capable of handling a building project of this scale.

A berm or a raised area of green space in a vertical way may be necessary for proper drainage.

Thank You