### PLANNING ADVISORY COMMITTEE

December 14, 2022

Her Worship Mayor Donna Noade Reardon and Members of Common Council



The City of Saint John

Your Worship and Councillors:

**SUBJECT**: Section 59 Amendment Application

35 Water Street

On November 28, 2022, Common Council referred the above matter to the Planning Advisory Committee for a report and recommendation. The Committee considered the attached report at its December 13, 2022, meeting.

Mr. Chris Elias, of the Elias Management Group, appeared before the Committee and expressed agreement with Staff Recommendation.

In response to questions from Committee members, Mr. Elias noted they are seeking to right size the parking and do not want to be required to provide a set number of parking stalls in the interior parking garages within the development. He also noted that as the buildings are proceeding to final design, they are looking to animate the portions of the buildings facing the exterior parking area in the central portion of the site with uses such as residential units as opposed to internal parking structures within the building. This is consistent with the design review prepared for the original rezoning application to provide "eyes on the internal courtyard area." Mr. Elias noted the minimum parking stall requirement was for the number of spaces within the internal parking structures on site and that they are not replacing parking originally intended to be located within the parking structures with surface parking.

In response to questions from the Committee, Mark Reade, Senior Planner with Growth and Community Services, noted there is no set minimum or maximum number of surface parking spaces required for the site and that Zoning By-Law standards do not require lighting within surface parking lots.

No other persons appeared before the Committee and no letters were received regarding the application.

Following consideration of the presentations, and Staff report, the Committee adopted a motion recommending that Common Council adopt the staff recommendation.

#### **RECOMMENDATION:**

- 1. That Common Council repeal the Section 59 conditions imposed on the January 24, 2022, rezoning of the property located at 35 Water Street, also identified as PID Numbers 55221881, 55235105 and 55235113.
- 2. That the City, pursuant to the provisions of Section 59(1)(b) of the *Community Planning Act*, impose the following conditions on the parcel of land having an area of approximately 3.0 hectares, located at 35 Water Street, also identified as PID Numbers 55221881, 55235105 and 55235113 (collectively the "Rezoned Properties"):
  - a. That the development of the site be limited to the applicant's proposal for a mixed-use development having a maximum floor area of 69,700 square metres and a maximum of 677 dwelling units as generally outlined on the plans submitted with the original application.
  - b. That only the southeast and southwest buildings (noted as Phase 1 and Phase 2 on the plans submitted with the original rezoning) be permitted on the basis of this resolution and that prior to beginning construction on any future phases of this development, that the City shall grant further approvals and impose any additional conditions on such future phases of this development through an amendment to these conditions.
  - c. That the heights of the proposed buildings be between 6 storeys (25 metres) to 19 storeys (70 metres) as outlined on the plans submitted with the original rezoning application.
  - d. That the massing of the proposed development be generally as outlined on the plans submitted with the original rezoning application.
  - e. That the uses within the proposed development be limited to the following:
    - Commercial Uses, including but not limited to a Business Office, Retail, Commercial Entertainment, Personal Service, Restaurant, and Accommodation/Hotel

- Multiple Unit Dwelling(s)
- Community Centre
- Cultural Establishment
- A Parking Garage
- Surface Parking as outlined in the applicant's proposal for
- the site
- Publicly Accessible Greenspace
- The following as interim uses of undeveloped areas of the site as the phased development of the overall site is occurring:
  - o a farmers' market or seasonal retail use;
  - o special events and festivals held on the site on a temporary basis;
  - o work associated with the replacement of the existing seawall along the waterfront frontage of the site and siteworks including the associated placement of fill on the site;
  - o notwithstanding subsection 9.17(1) of the Zoning By-Law, the placement of any building or structure, such as, but not limited to, a construction camp with no overnight accommodation, an office trailer, a tool shed, scaffolding, or construction materials or equipment, provided that the materials stored on site for a period of longer than 14 days be screened from view from Water Street and adjacent properties by a fence enclosed with filter strips or similar means;
  - o a commercial parking lot including the rental of parking spaces on a monthly or hourly basis or additional surface parking for the development subject to the following:
    - paving of the parking area complete with painted lines delineating the parking stalls,
    - that a landscaped area having a minimum width of 2 metres be developed at the rear of the sidewalk along the Water Street frontage to provide a visual buffer of the proposed interim parking area; and
    - that the layout of the parking area and associated landscaping and/or screening to be shown on a site plan approved by the Development Officer;
  - work associated with the replacement of the existing seawall along the waterfront frontage of the

site and siteworks including the associated placement of fill on the site; and

- o a recreational use.
- f. That the design considerations outlined in the Wind Study for the development to mitigate the wind impacts on the pedestrian environment around the building entrances and for the proposed upper-level terraces be implemented through the detailed design of the development and that confirmation of the effects of these mitigative measures be provided to the Development Officer with the Building Permit application(s).
- g. That the detailed design of the angled parking area and raised sidewalk along the west side of Water Street be subject to the review and approval by the City to ensure appropriate design measures are employed for aspects including landscaping, wayfinding, accessibility, parking operations and pedestrian circulation.
- h. That the following cladding materials be prohibited in the development:
  - Vinyl siding,
  - Plywood,
  - Exterior insulation and finish systems where stucco is applied to rigid insulation
  - Vinyl windows
  - Cinder block
- i. That the development incorporates the following minimum glazing percentages:
  - Minimum Allowable glazing percentages Ground floor retail: 50-80%.
  - Minimum Allowable glazing percentages Above-grade: 25-60%.
- j. That the developer be permitted to deviate from the sequence of development of the Rezoned Properties as outlined on the phasing plan provided with the original rezoning, provided that the design of the building to be constructed has already been approved by Common Council through an amendment to these conditions, and that the developer's engineering team has confirmed that the next phase of development corresponds to the estimated water and sewer demands proposed for the site (all phases) and approved by the City at the initial rezoning stage.

Water and sewer demand calculations for each phase of the development must be prepared by the Developer's engineering consultant and approved by the City prior to construction of the respective phase.

- k. That the developer grant any easements and/or rights-of-way requested by the City at the City's sole discretion, for all municipal infrastructure within the Rezoned Properties and the relocated sidewalk along the west side of Water Street. The suitability of the width of the easements are subject to the review and acceptance of Saint John Water and the City.
- I. That the recommendations from the Traffic Impact Study prepared by CBCL Limited be completed. These improvements include:
  - o That a subsequent traffic assessment be completed following the initial phases of construction and the return of normal traffic conditions (after construction on the second building and prior to construction of the third building) to verify the results of the submitted study.
  - Study recommendations related to the installation of Traffic Signals in conjunction with Phase 4 of the proposed development (construction of the northeast, northwest, southeast and southwest buildings) be updated based on the updated traffic assessment.
  - o Construction of the elevated sidewalk associated with the southeast building to remove the need for pedestrians to walk adjacent to Water Street traffic from the angled Water Street parking spaces and the adjacent sidewalk.
- m. If any municipal infrastructure improvements are required to service this proposal, it will be the developer's full responsibility and cost to complete. Prior to determining this, detailed engineering plans and a design brief must be submitted by the owner/developer's engineering consultant to the City for review and approval by the City.

Respectfully submitted,

Alex Weaver-Crawford

Chair

Attachments



The City of Saint John

Date: December 8, 2022

To: Planning Advisory Committee

From: Growth & Community Services

Meeting: December 13, 2022

**SUBJECT** 

**Applicant:** Fundy Harbour Group

**Landowner:** Fundy Quay Developments Inc. and the City of Saint John

**Location:** 35 Water Street

**PID:** 55235113, 55235105 and 55221881

**Plan Designation:** Primary Centre

**Existing Zoning:** Waterfront Commercial Integrated Development (CWID)

**Application Type:** Section 59 Amendment

**Jurisdiction:** The Community Planning Act authorizes the Planning Advisory

Committee to give its views to Common Council concerning proposed amendments to Section 59 conditions imposed on a property. Common Council will consider the Committee's recommendation at a public hearing on **Monday**, **January 9**,

2023.

#### **EXECUTIVE SUMMARY**

The Fundy Quay project is a catalytic project for the City involving a key waterfront development site which has been actively pursued for many years, identified as one of the Big Moves in the Central Peninsula Secondary Plan (CPSP), and identified as a catalytic project by the City. The multi-phase mixed use development will include five buildings having a total floor area of 69,700

square metres plus an internal parkade and 677 dwelling units. The mix of uses will bring additional residential density to the Central Peninsula, which aligns with the goals of the Municipal Plan and the Secondary Plan and will bring additional animation to waterfront on a 24/7 basis through increased density and public space improvements including an extension of Harbour Passage, publicly accessible open space and through leveraging improvements to the adjacent market slip public space.

Building on the phased approach to the approval granted for the development, originally approved in early 2022, the proponent is seeking additional approvals to allow for the construction of either the southeast building, which was approved by Common Council in January 2022, or the southwest building. This approval is being sought to provide flexibility to the proponent providing them with the option to construct either of the two southern buildings to commence the development. To provide this flexibility and to also potentially provide for the construction of the building that is closest to the water first, the applicant is seeking an amendment to the Section 59 conditions to also allow for the construction of the southwest building which is approximately 30 metres in height.

The applicant is also seeking amendments to the Section 59 conditions including those related to interim uses and the amount of parking to be provided within the development.

Staff have assessed the proposal against the applicable policies of the Municipal and Secondary Plans and are recommending approval of the application to amend the Section 59 conditions.

#### **RECOMMENDATION**

- That Common Council repeal the Section 59 conditions imposed on the January 24, 2022, rezoning of the property located at 35 Water Street, also identified as PID Numbers 55221881, 55235105 and 55235113.
- 2. That the City, pursuant to the provisions of Section 59(1)(b) of the *Community Planning Act*, impose the following conditions on the parcel of land having an area of approximately 3.0 hectares, located at 35 Water Street, also identified as PID Numbers 55221881, 55235105 and 55235113 (collectively the "Rezoned Properties"):
  - a. That the development of the site be limited to the applicant's proposal for a mixed-use development having a maximum floor area of 69,700 square metres and a maximum of 677 dwelling units as generally outlined on the plans submitted with the original application.
  - b. That only the southeast and southwest buildings (noted as Phase 1 and Phase 2 on the plans submitted with the original rezoning) be permitted on the basis of this resolution and that prior to beginning construction on any future phases of this development, that the City shall grant further approvals and impose any

additional conditions on such future phases of this development through an amendment to these conditions.

- c. That the heights of the proposed buildings be between 6 storeys (25 metres) to 19 storeys (70 metres) as outlined on the plans submitted with the original rezoning application.
- d. That the massing of the proposed development be generally as outlined on the plans submitted with the original rezoning application.
- e. That the uses within the proposed development be limited to the following:
  - Commercial Uses, including but not limited to a Business Office, Retail, Commercial Entertainment, Personal Service, Restaurant, and Accommodation/Hotel
  - Multiple Unit Dwelling(s)
  - Community Centre
  - Cultural Establishment
  - A Parking Garage
  - Surface Parking as outlined in the applicant's proposal for the site
  - Publicly Accessible Greenspace
  - The following as interim uses of undeveloped areas of the site as the phased development of the overall site is occurring:
    - o a farmers' market or seasonal retail use;
    - o special events and festivals held on the site on a temporary basis;
    - o work associated with the replacement of the existing seawall along the waterfront frontage of the site and siteworks including the associated placement of fill on the site;
    - o notwithstanding subsection 9.17(1) of the Zoning By-Law, the placement of any building or structure, such as, but not limited to, a construction camp with no overnight accommodation, an office trailer, a tool shed, scaffolding, or construction materials or equipment, provided that the materials stored on site for a period of longer than 14 days be screened from view from Water Street and adjacent properties by a fence enclosed with filter strips or similar means:
    - o a commercial parking lot including the rental of parking spaces on a monthly or hourly basis or additional surface parking for the development subject to the following:
      - paving of the parking area complete with painted lines delineating the parking stalls;
      - that a landscaped area having a minimum width of 2
        metres be developed at the rear of the sidewalk along the
        Water Street frontage to provide a visual buffer of the
        proposed interim parking area; and

Fundy Harbour Group

- that the layout of the parking area and associated landscaping and/or screening to be shown on a site plan approved by the Development Officer;
- o work associated with the replacement of the existing seawall along the waterfront frontage of the site and siteworks including the associated placement of fill on the site; and
- o a recreational use.
- f. That the design considerations outlined in the Wind Study for the development to mitigate the wind impacts on the pedestrian environment around the building entrances and for the proposed upper-level terraces be implemented through the detailed design of the development and that confirmation of the effects of these mitigative measures be provided to the Development Officer with the Building Permit application(s).
- g. That the detailed design of the angled parking area and raised sidewalk along the west side of Water Street be subject to the review and approval by the City to ensure appropriate design measures are employed for aspects including landscaping, wayfinding, accessibility, parking operations and pedestrian circulation.
- h. That the following cladding materials be prohibited in the development:
  - Vinyl siding,
  - Plywood,
  - Exterior insulation and finish systems where stucco is applied to rigid insulation
  - Vinyl windows
  - Cinder block
- i. That the development incorporates the following minimum glazing percentages:
  - Minimum Allowable glazing percentages Ground floor retail: 50-80%.
  - Minimum Allowable glazing percentages Above-grade: 25-60%.
- j. That the developer be permitted to deviate from the sequence of development of the Rezoned Properties as outlined on the phasing plan provided with the original rezoning, provided that the design of the building to be constructed has already been approved by Common Council through an amendment to these conditions, and that the developer's engineering team has confirmed that the next phase of development corresponds to the estimated water and sewer demands proposed for the site (all phases) and approved by the City at the initial rezoning stage. Water and sewer demand calculations for each phase of the development must be prepared by the Developer's engineering consultant and approved by the City prior to construction of the respective phase.

- k. That the developer grant any easements and/or rights-of-way requested by the City at the City's sole discretion, for all municipal infrastructure within the Rezoned Properties and the relocated sidewalk along the west side of Water Street. The suitability of the width of the easements are subject to the review and acceptance of Saint John Water and the City.
- I. That the recommendations from the Traffic Impact Study prepared by CBCL Limited be completed. These improvements include:
  - That a subsequent traffic assessment be completed following the initial phases of construction and the return of normal traffic conditions (after construction on the second building and prior to construction of the third building) to verify the results of the submitted study.
  - o Study recommendations related to the installation of Traffic Signals in conjunction with Phase 4 of the proposed development (construction of the northeast, northwest, southeast and southwest buildings) be updated based on the updated traffic assessment.
  - O Construction of the elevated sidewalk associated with the southeast building to remove the need for pedestrians to walk adjacent to Water Street traffic from the angled Water Street parking spaces and the adjacent sidewalk.
- m. If any municipal infrastructure improvements are required to service this proposal, it will be the developer's full responsibility and cost to complete. Prior to determining this, detailed engineering plans and a design brief must be submitted by the owner/developer's engineering consultant to the City for review and approval by the City.

### **DECISION HISTORY**

On January 24, 2022, Common Council rezoned the site to Waterfront Commercial Integrated Development (CWID) and imposed the following Section 59 conditions related to the proposed Fundy Quay development:

- a. That the development of the site be limited to the applicant's proposal for a mixed-use development having a maximum floor area of 69,700 square metres plus an internal parkade including a minimum of 350 parking spaces and a maximum of 677 dwelling units as generally outlined on the plans submitted with the application.
- b. That only Phase 1 (the southeast building) of the development be permitted on the basis of this resolution and that prior to beginning construction on any future phases of this development, that the City shall grant further approvals and impose any additional conditions on such future phases of this development through an amendment to these conditions.

- c. That the heights of the proposed buildings be between 6 storeys (25 metres) to 19 storeys (70 metres) as outlined on the plans submitted with the application.
- d. That the massing of the proposed development be generally as outlined on the plans submitted with the application.
- e. That the uses within the proposed development be limited to the following:
  - Commercial Uses, including but not limited to a Business Office, Retail,
     Commercial Entertainment, Personal Service, Restaurant, and
     Accommodation/Hotel
  - Multiple Unit Dwelling(s)
  - Community Centre
  - Cultural Establishment
  - A Parking Garage
  - Surface Parking as outlined in the applicant's proposal for the site
  - Publicly Accessible Greenspace
  - The following as interim uses of undeveloped areas of the site as the phased development of the overall site is occurring:
    - o a farmers' market or seasonal retail use:
    - o special events and festivals held on the site on a temporary basis;
    - o work associated with the replacement of the existing seawall along the waterfront frontage of the site and siteworks including the associated placement of fill on the site; and
    - o a recreational use
- f. That the design considerations outlined in the Wind Study for the development to mitigate the wind impacts on the pedestrian environment around the building entrances and for the proposed upper-level terraces be implemented through the detailed design of the development and that confirmation of the effects of these mitigative measures be provided to the Development Officer with the Building Permit application.
- g. That the detailed design of the angled parking area and raised sidewalk along the west side of Water Street be subject to the review and approval by the City to ensure appropriate design measures are employed for aspects including landscaping, wayfinding, accessibility, parking operations and pedestrian circulation.
- h. That the following cladding materials be prohibited in the development:
  - Vinyl siding,
  - Plywood,
  - Exterior insulation and finish systems where stucco is applied to rigid insulation
  - Vinyl windows

- Cinder block
- i. That the development incorporates the following minimum glazing percentages:
  - Minimum Allowable glazing percentages Ground floor retail: 50-80%.
  - Minimum Allowable glazing percentages Above-grade: 25-60%.
- j. That the development of the Rezoned Properties be in accordance with the provided Phasing Plan and proposed water and sewer demands provided per phase. Any proposed changes to the master Phasing Plan must be provided to and approved by the City, including any proposed changes to the water and sewer demands. Prior to the start of each Phase of development, the developer's engineering team shall confirm that the next phase of development corresponds to the submitted master Phasing Plan and the estimated water and sewer demands proposed for the site (all phases). If the proposal has changed (phasing or demands), the Developer shall not proceed to the next proposed phase until they have re-submitted their engineered water and sewer demands to the City to compare against the overall master site development plan. Prior to proceeding with each phase, the developer's engineering team must confirm the proposed flows are within the proposed master development plan submitted to the City during this re-zoning.
- k. That the developer grant any easements and/or rights-of-way requested by the City at the City's sole discretion, for all municipal infrastructure within the Rezoned Properties of and the relocated sidewalk along the west side of Water Street. The suitability of the width of the easements are subject to the review and acceptance of Saint John Water and the City.
- I. That the recommendations from the Traffic Impact Study prepared by CBCL Limited be completed. These improvements include:
  - o That a subsequent traffic assessment be completed following the initial phases of construction and the return of normal traffic conditions (after Phase 2 and before Phase 3) to verify the results of the submitted study.
  - o Study recommendations related to the installation of Traffic Signals in conjunction with Phase 4 of the proposed development be updated based on the updated traffic assessment.
  - Construction of the elevated sidewalk during Phase 1 to remove the need for pedestrians to walk adjacent to Water Street traffic from the angled Water Street parking spaces and the adjacent sidewalk.
- m. If any municipal infrastructure improvements are required to service this proposal, it will be the developer's full responsibility and cost to complete. Prior to determining this, detailed engineering plans and a design brief must be submitted by the owner/developer's engineering consultant to the City for review and approval by the City.

Common Council also amended Schedule G of the Zoning By-Law to permit building heights up to 70 metres. In conjunction with the rezoning application, the Planning Advisory Committee, at their meeting of December 14, 2022, granted a variance to Section 15.2(a) of the Central Peninsula Building Height and Massing Overlay (CPO) zone to allow for the proposed southeast building to be developed without the provision of 3-metre façade step backs at the 14 metre and 24 metre elevations.

### <u>ANALYSIS</u>

### **Proposal**

In 2019, the Elias Management Group (EMG) was selected as the successful proponent in response to a call for expressions by Envision Saint John (formerly Develop Saint John).

In conjunction with the selection of EMG, significant federal/provincial funding was secured, more than \$18 million, to address the major challenges in redeveloping the site. In addition to the repair and raising of the seawall and site remediation activities, tri-lateral funding will provide for a complete refurbishment of the adjacent Market Slip public space and extension of Harbour Passage around the perimeter of the Fundy Quay site.

Work is proceeding on the redevelopment of the City-owned public space formerly labelled as Loyalist Plaza. This work is scheduled to be completed by early 2023 and the associated extension to Harbour Passage before the end of 2023. Through the lease agreement, EMG is required to purchase the property by no later than the 25th year of the lease. Subdivision of the Harbour Passage extension lands will be required to ensure these lands are maintained under city ownership.

Five buildings are proposed for the site, with four of the buildings (referred to as the SE, SW, NW, and NE buildings) incorporating a mix of uses including residential, office, retail, personal service, restaurant, and accommodation. A fifth building, located proximate to the Waterfront, is envisioned to house uses such as a community centre, cultural establishments, and commercial entertainment. Structured parking will be incorporated into the buildings and publicly accessible green space will be provided. The proposed total gross floor area of the buildings is 69,700 sq. m. (750,000 sq. ft) including residential, commercial, and cultural uses, not including parkade areas. The development is anticipated to be constructed in five phases as follows.

Table 1. Anticipated Development Phasing (2021 Application)		
Phase	Building	Building Use
1	SE Building	165 Apt. Units + 11,384 ft <sup>2</sup> Retail
2	SW Building	111 Apt. Units + 18,875 ft <sup>2</sup> Retail
3	NW Building	173 Apt. Units + 16,653 ft <sup>2</sup> Retail + 66,613 ft <sup>2</sup> Office
4	NE Building	188 Apt. Units + 10,799 ft <sup>2</sup> Retail + 52,891 ft <sup>2</sup> Office
5	Community/Cultural	34,657 ft <sup>2</sup> Cultural Space (Potential for 40 units <sup>1</sup> )
Totals	637-677 Apartment Units	
	57,711 ft² Retail	
	119,504 ft² Office	
	34,657 ft² Cultural Space	

The proposed southwest building will be 6 stories in height and incorporate ground floor retail with parking within the podium and residential uses on upper stories. Commercial space will have a floor area of 1858 m² (20,000 ft²) and 110 residential units will be provided within the building. A total of 98 parking spaces will be provided in conjunction with the building (68 internal, 30 surface).

Cladding materials will incorporate brick, pre-cast concrete or masonry on the first storey with upper stories incorporating architectural tile or panels and glazing. This aligns with the existing Section 59 conditions which provide approved options for cladding materials within the development.

The applicant is currently working on the site and is completing the necessary civil works for the site servicing for the overall development.

Plans of the southwest building are provided in the Appendices.

### Site and Neighbourhood

The subject site is in the Uptown area of Saint John, abutting Water Street and a slip controlled by Port Saint John. A portion of the site was occupied by a four-storey office building and garage, used by the Coast Guard as an administration building. Following the City's acquisition of the site from the Federal Government, portions of the site were used for parking. The site was rezoned to Waterfront Commercial Integrated Development (CWID) in early 2022. The applicant has been actively working on installing the site services to support the development.

A slip is located south of the site with Port lands further to the south along Water Street being developed into a container village for future event programming including the Area 506 Festival. Market Square, Market Slip, and Loyalist Plaza are located north of the site, with Public Space improvements planned for Loyalist Plaza and the Market Slip area. A mix of residential and

<sup>&</sup>lt;sup>1</sup> Should no public entity come forward with interest in this site, a small mixed-use building is proposed to take its place.

commercial uses are located along the west side of Water Street and in the surrounding Uptown area.

### **Municipal Plan, Zoning, and Section 59 Amendment**

Municipal Plan and Central Peninsula Secondary Plan (CPSP)

The site, and the surrounding area, is located within the Uptown Primary Centre as designated by the Municipal Plan. This area is the City's highest intensity mixed-use development area and contains a mix of uses including major office and government developments and a wide range of other commercial uses, including specialty retail and the region's arts, cultural, and entertainment facilities. Development of high-density residential uses are also strongly encouraged in this area.

Development on the site is also governed by the Central Peninsula Secondary Plan (CPSP) adopted in 2020. The CPSP guides development and investment to ensure the area continues to function as the Greater Saint John Region's major mixed-used centre. With regards to the Secondary Plan, the site is in the Uptown Core and Central Waterfront area, with the CPSP establishing key directions for development in this area including the following:

- Mid-rise and tall buildings to accommodate full build-out and to capitalize on market and zoning provisions for commercial and residential density.
- Where appropriate, buildings will incorporate non-residential ground floor uses to maintain and enhance a vibrant, pedestrian-oriented urban environment, animating the public realm.
- Street wall heights are regulated through setbacks and stepbacks to maintain a comfortable, human-scaled built environment.
- Existing civic spaces are strengthened to support green space and recreation amenities in the core; new civic spaces along the waterfront will support increased access to the waterfront.
- New infill development will feature a mix of uses and high-quality design which will maintain and enhance urban form.
- A mix of structured and dense, on-street parking to accommodate residents, employees, and visitors.

Big Moves are also identified over the horizon of the CPSP for catalytic projects that would define key areas of the Central Peninsula. Two Big Moves relate to the proposed development:

- Develop the Central Waterfront as a key mixed use educational and cultural destination: Key components of this are the incremental development of the Coast Guard Site as a mixed-use cultural destination on the waterfront, and an enhanced streetscape along Water Street between King Street and the south end of the Marco Polo cruise terminal.
- Reinforce east-west connections between the two core anchors of the Waterfront and King's Square: This includes enhancing Loyalist Plaza as a contemporary public space through the installation of imaginative seating, planting, and other landscaping elements.

A detailed assessment of the proposal with respect to the policies of the Municipal Plan and CPSP is provided in Attachment 2.

The proposed development introduces a mixed-use concept on a key waterfront development site on the City's Central Peninsula. The increased residential density and commercial uses provide additional development and population within one of the City's key Primary Centres and conform to many key directions and policies in the Municipal Plan and Central Peninsula Secondary Plan. Based on the assessment provided in Attachment 2, Staff are of the opinion the proposed development conforms to the Municipal Plan and Secondary Plan.

#### Zoning and Section 59 Amendment

The applicant has requested amendments to the Section 59 conditions imposed on the earlier 2022 rezoning of the site. These focus on the following aspects:

- approval of Phase 2 of the development (the southwest building);
- removal of the minimum requirement for on-site parking;
- provision for interim uses associated with construction, laydown area, materials storage, surface parking and site offices; and
- provision for the developer to deviate from the phasing plan provided the phase being constructed has already been approved and that the City has determined that the estimated water and sewer demands are within the proposed flows are within the proposed master development plan.

These requested amendments are discussed in more detail below.

#### Approval of Phase 2/Southwest Building

The January 2022 rezoning and associated Section 59 conditions only permit the construction of the Phase 1 building in the southeast corner of the site fronting onto Water Street through condition b) of the current Section 59 conditions:

b. That only Phase 1 (the southeast building) of the development be permitted on the basis of this resolution and that prior to beginning construction on any future phases of this development, that the City shall grant further approvals and impose any additional conditions on such future phases of this development through an amendment to these conditions.

The applicant is seeking approval to allow for the construction of either the southeast building or the southwest building, originally anticipated to be constructed as the second phase of the development. The southeast building would be 16 storeys (60 metres) in height, with the southwest building having a height of 6 stories (approximately 30 metres) and would involve less complexity in construction owing to its lower height. To provide additional flexibility in the overall project, the developer has requested an amendment to allow for the construction of either of the southernmost buildings as the initial phase of the development. This would provide

for the construction of the building closest to the harbour as the development's initial phase. This would provide the developer with flexibility through allowing construction of two sizes of buildings in different locations of the site. Staff recommend that condition b) be amended to allow for the construction of either Phase 1 (southeast building) or Phase 2 (southwest building).

Drawings of the southwest building are provided in the appendices. The building will have commercial uses on the ground floor oriented to the northeast, south and southeast which will provide animation along the future extension of Harbor Passage and the internal area of the development facing the proposed cultural building. Interior parking will be oriented towards the internal surface parking and circulation area in the centre of the development with the upper floor residential units providing "eyes on the street" into the internal surface parking area.

Section 59 conditions imposed relating to cladding materials, allowable glazing (window) percentages on building facades, overall building massing and design elements from the wind study would remain in force as originally imposed in January 2022.

#### Minimum Required On-Site Parking

A minimum of 350 parking spaces located in an internal parkade are required in accordance with condition a) of the existing Section 59 conditions:

a. That the development of the site be limited to the applicant's proposal for a mixed-use development having a maximum floor area of 69,700 square metres plus an internal parkade including a minimum of 350 parking spaces and a maximum of 677 dwelling units as generally outlined on the plans submitted with the application.

The developer has requested the requirement to provide a minimum of 350 parking spaces within internal parking areas be removed from the Section 59 conditions. The developer is still intending to provide parking for the development through structured parking within the four main buildings and surface parking in the area between these four buildings but is seeking flexibility through not being required to provide a specific number of parking spaces. Staff note the overall concept approved by Common Council has structured parking provided within the development which is a best practice aligning with the policy direction of the Municipal Plan.

The site is in the City's Uptown Core close to amenities which reduces reliance on vehicle ownership. In addition, the site is located within the Uptown Parking Exemption Area established on Schedule C of the Zoning By-Law and as a result vehicle parking is not required. This approach of not requiring parking in central areas of a City is intended to support intensification, transit, and active transportation goals.

The requirement for a specific number of parking spaces was based on information provided with the initial rezoning application that had a set number of parking spaces.

Removal of the requirement to provide a minimum of 350 parking spaces to be housed in a parkade in the development would place the onus on the developer to provide enough parking to meet market demands associated with leasing of the residential units and commercial space within the development. In addition, Staff note that continued investment in transit and active transportation, will provide alternate transportation modes beyond the private automobile within Saint John and the Uptown Core. These improvements, in alignment with MoveSJ and the CPSP, will serve residents of this development, the broader Central Peninsula, and City. As the Uptown and City continue to develop, alternative travel modes beyond the personal, and often single-occupant vehicle such as transit, walking and cycling, will require increased reliance to meet future travel demand. Eliminating the specific requirement for a set number of parking spaces within the development serves to "future proof" the development from the anticipated future trend of decreased reliance on the personal automobile and potential for decreased vehicle ownership from future residents of the South Central Peninsula. For example, the empty nester cohort that could relocate to the residential component of the proposed development from a more suburban location may not necessarily require more than one vehicle. In addition, as continued intensification of the Uptown occurs and population increases, the critical mass to support the location of additional services, such as a grocery store, in the Uptown also increases which can further reduce vehicle reliance and associated parking demand. Should parking not be required in the future, the proponent has indicated that areas originally devoted as structured could be converted to residential or commercial uses.

Given this, Staff recommend condition a) be modified to relieve the developer from providing a minimum number of parking spaces within the development.

#### **Interim Uses**

Provision of interim uses related to construction uses such as a laydown area, materials storage, and site offices along with surface parking have also been requested by the developer. Condition e) of the Section 59 conditions provides for a range of permanent and interim uses on the site:

- e. That the uses within the proposed development be limited to the following:
  - Commercial Uses, including but not limited to a Business Office, Retail, Commercial Entertainment, Personal Service, Restaurant, and Accommodation/Hotel
  - Multiple Unit Dwelling(s)
  - Community Centre
  - Cultural Establishment
  - A Parking Garage
  - Surface Parking as outlined in the applicant's proposal for the site
  - Publicly Accessible Greenspace
  - The following as interim uses of undeveloped areas of the site as the phased development of the overall site is occurring:
    - o a farmers' market or seasonal retail use;
    - o special events and festivals held on the site on a temporary basis;

- o work associated with the replacement of the existing seawall along the waterfront frontage of the site and siteworks including the associated placement of fill on the site; and
- o a recreational use.

Subsection 9.17(1) of the Zoning By-Law provides for temporary buildings and structures associated with construction activity on a project site, however it also requires that those temporary buildings and structures be removed within 14 days following completion of the work. The intent of this is to allow for the placement of structures such as office trailers on a project site to support construction activities. In the case of the proposed development, it is a much larger project involving the construction of five buildings. Given this, the potential exists for materials to be stored on the subject site for a period exceeding 14 days such as during the period between the completion of one building and the commencement of construction of the subsequent building. Staff are of the opinion that this is reasonable, provided that the materials stored on site for a period of longer than 14 days be screened from view from Water Street and adjacent properties by a fence enclosed with filter strips or similar means.

The proponent has also requested that surface parking of the undeveloped areas of the site be permitted as an interim use during the overall development of the project. In discussions between the developer and planning staff, the developer has noted that the highest and best use of the site is not surface parking and Staff note this can provide flexibility in meeting overall parking demands for the development and the Uptown Core. Interim surface parking on the development site can serve as overflow parking for the development as reliance shifts from the private automobile to other travel modes.

Staff are of the opinion this is a reasonable approach on an interim basis subject to conditions requiring the following:

- paving of the parking area complete with painted lines delineating the parking stalls;
- that a landscaped area having a minimum width if 2 metres be developed at the rear of the sidewalk along the Water Street frontage to provide a visual buffer of the proposed interim parking area; and
- that the layout of the parking area and associated landscaping and/or screening to be shown on a site plan approved by the Development Officer.

Staff note these conditions align with past conditions imposed in association with commercial parking areas within the Uptown Core.

#### Phasing Plan

The developer has requested an amendment to the condition related to the phasing plan to allow for the developer to deviate from the phasing plan and construct components of the overall development provided the building to be constructed has already been approved by Common Council, and that the City has determined that the estimated water and sewer demands are within the proposed flows approved by Infrastructure Development.

Staff are of the opinion this request is reasonable and proposed an amendment to condition j) to allow for this approach. An amendment to condition l) is also recommended to tie the assessment for traffic signals at the Water Street/Site Access to the completion of the second building and completion of the northwest, northeast, southwest, and southeast buildings on site.

### **Development Timeline**

Staff are not recommending a condition to impose a timeline on the development as the developer is subject to an agreement with the City that governs the timeline of the development and the associated lease and eventual purchase of the site by the developer.

#### Conclusion

Staff recommend approval of the application as it conforms to the overall intent of the Municipal Plan and Secondary Plan and supports mixed-use intensification of a strategic development site in the Central Peninsula.

Given the analysis provided in this report, amendments to the Section 59 conditions are recommended.

### **ALTERNATIVES AND OTHER CONSIDERATIONS**

No alternatives were assessed.

### **ENGAGEMENT**

### **Proponent**

On September 27, 2021, the proponent presented the development concept, in conjunction with a public engagement event held in the Market Square Atrium on the refurbishment of the adjacent Market Slip public space.

#### **Public**

In accordance with the Committee's Rules of Procedure, notification of the proposal was sent to landowners within 100 metres of the subject property on November 30, 2022. Notice of the Public Hearing will be posted on the City of Saint John website prior to December 19, 2022.

#### APPROVALS AND CONTACT

Author	Manager/Senior Planner	Commissioner
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RPP		RPP

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Email: Mark.Reade@saintjohn.ca

Application: 22-0235

### **APPENDIX**

Map 1: Aerial Photography

Map 2: Future Land Use

Map 3: **Zoning** 

Attachment 1: Site Photography

Attachment 2: Municipal Plan Policy Review

Submission 1: Site Plan

Submission 2: Initial Phasing Plan from Rezoning Application

Submission 3: Southwest Building Plans and Renderings

## 35 Water Street - Airphoto



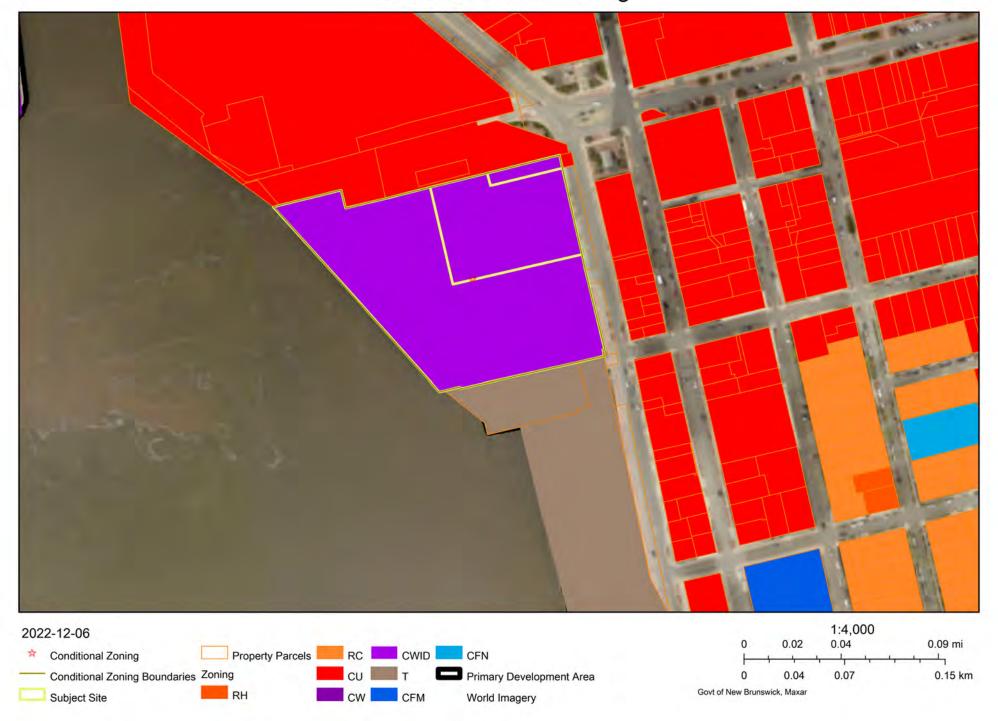


### 35 Water Street - Future Land Use





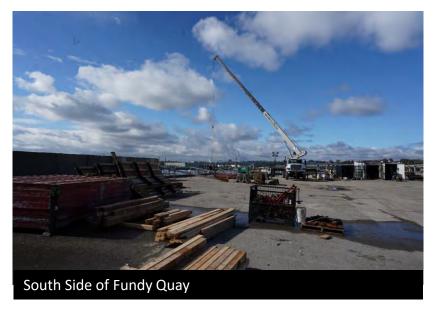
## 35 Water Street - Zoning











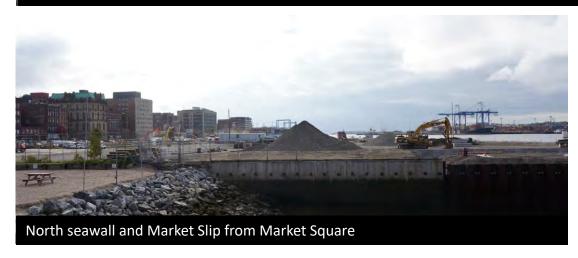


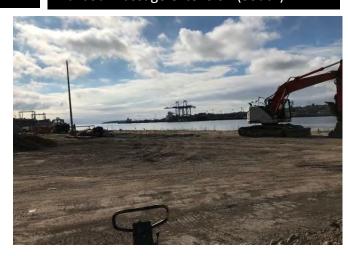


Harbour Passage extension (North)



Harbour Passage extension (South)





### **Central Peninsula Secondary Plan**

Relevant Policy	Rationale
2.1.1 The Uptown Design Characteristics:  • Mid-rise and tall buildings to accommodate full build-out and to capitalize on market and zoning provisions for commercial and residential density.	The proposed southwest building has a height of approximately 30 metres (6 stories) which conforms to the amendment to the height map completed with the initial rezoning. This amendment provided for buildings up to 70 metres in height.  Residential uses will be located on the upper floors with the lower storey dedicated to parking and commercial uses.  The applicant has indicated that an affordable housing component for the Phase 1 Building is currently being explored. They intend to assess the viability of affordable housing during each subsequent building phase.
Prominent heritage buildings to inform new, contemporary built form elements and infill opportunities.	The applicant has submitted a full coloured rendering for the southwest building. The exterior design incorporates the previously approved cladding materials, aligns with the overall site design concept and the lower building height steps down to the water.
Where appropriate, buildings will incorporate non-residential ground floor uses to maintain and enhance a vibrant, pedestrian-oriented urban environment, animating the public realm.	The development will incorporate ground floor commercial uses.
New infill development will feature a mix of uses and high-quality design which will maintain and enhance urban form.	The proposed building will include residential and commercial uses.  Upper stories incorporate different cladding elements and design to provide differentiation between the podium and upper stories.
A mix of structured and dense, on-street parking to accommodate residents, employees, and visitors.	The building includes structured, interior parking, with surface parking provided in the interior core of the development.

Growth Concepts U-2 Develop the Central Waterfront as an educational and cultural destination 4. Promote the incremental development of Fundy Quay as a mixeduse cultural destination on the waterfront.	The proposed development of Fundy Quay aligns with the vision for the site established within the Neighbourhood Plan. Overall, the proposed development of the site features active ground floor commercial uses including patios. The mixed-uses proposed for the building reinforce the mixed-use nature of the site as a place people can live, work, and play within Uptown Saint John.
3.0 Building Design Goals  2. Use design to reinforce the human scale and sense of place.	2. Due to the location of the subject site, there is not an established setback or street wall pattern for the western side of Water Street. The proposed building steps down to the water and incorporates ground floor commercial uses oriented along the future Harbour Passage extension along the west and south of the building.  The proposed building design incorporates a base podium providing differentiation from the upper stories reinforcing the human scale along the future Harbour Passage extension.
3. Drive density to the neighbourhoods of the Central Peninsula to realize the growth targets.	<ul> <li>3. The entire development is proposing to include 677 housing units, with 110 units included in the southwest building. This will contribute to the goal established in the CPSP to establish 1,200 to 1,500 new residential units within the Central Peninsula.</li> <li>5. The design of the building acknowledges the prominence of the surrounding red brick heritage construction located in the adjacent Trinity Royal Heritage Conservation Area through utilizing a brick</li> </ul>
5. Recognizing the importance of the Uptown Neighbourhood as the City's Central Business District by ensuring high quality architecture and design elements in new and adaptive-reuse developments.	material on a portion of the ground floor façade facing the Harbour Passage extension.  The upper storeys, which are set back from the street, will feature a contemporary style of architecture that is subordinate in colour and texture to the design of the building podiums.
6. Bolster an animated public realm by dictating active ground floor uses in appropriate areas.	6. The building will feature ground floor commercial uses which will help ensure an active and animated public realm along the Harbour Passage extension.

7. Conserve and improve public waterfront access through ensuring development is responsive and contextually appropriate.  3.1 Built Form  BD-2 Protect public views to the water along key public streets and open spaces.	7. The proposed development will be occurring during a time when the City is undertaking a revitalization of Loyalist Plaza and is establishing an extension of Harbour Passage along the waterfront portion of the development site.  The design of the building incorporates ground floor commercial uses which will activate the space and will provide a connection between the public realm (waterfront and Harbour Passage) and the private commercial spaces.
<ul> <li>3.2 Building Height</li> <li>BD-4 Consider proposals for development that exceed the Zoning</li> <li>Bylaw provisions for height on the Central Peninsula through an amendment to the Zoning Bylaw. In evaluating such proposals consideration shall be given to the following criteria:</li> <li>The proposed height variance does not negatively impact pedestrian street conditions and sun exposure and wind impacts are considered through the design.</li> <li>The general intent and purpose of Plan SJ, this Secondary Plan,</li> </ul>	Schedule G (Central Peninsula Maximum Building Height Map) of the Zoning By-Law was amended as part of the initial rezoning to increase the overall building height from 28 metres to 42 metres on the subject property to allow for approximate heights of 25 to 70 metres.  The proponent has considered the effects the buildings will have on shadows cast onto adjacent public spaces including Water Street, Harbour Passage, and Loyalist Plaza. The largest impacts are seen in the December scenario, which will impact Loyalist Plaza and Water Street.
and supporting Bylaws is maintained.	In addition, a Wind Study was completed and submitted to assess any impact the new construction will have on the pedestrian realm, including Loyalist Plaza, Harbour Passage, and the surrounding streets/sidewalks. The Wind Study indicates that the proposed development will not create unsafe wind conditions for pedestrians. The site development will improve existing wind conditions on the development site and the surrounding area. Some areas will see an increase in the wind conditions; however, the Wind Study has outlined some design considerations which will serve to improve some of the wind locations. These design improvements are the subject of a Section 59 condition imposed on the original rezoning.
BD-5 Direct new tall buildings to areas where height currently exists,	The proposed development is located on Water Street between

Loyalist Plaza and a parking lot. On the eastern side of Water Street,

where height can be accommodated seamlessly, or where height is

insulated from existing neighbourhoods due to topography or other site conditions.	the buildings align with the proposed height of the 5-storey podiums that will feature in the new development.  The proposed development is located within proximity to other tall buildings which are centred at the intersection of King Street and Chipman Hill, and south of the Princess Street and Water Street intersection. Of note is the Saint John City Hall Building which is a 16-storeys, the Brunswick House Office Tower which is 14-storeys, the Hilton Saint John which is 11-storeys and Market Square Tower which is 12-storeys.
3.3 Building Envelope and Massing BD-7 Ensure the massing of buildings considers and protects the pedestrian street level experience, including sky views and sunlight penetration to the street while minimize wind.	The proponent has considered the effects the building will have on shadows cast onto adjacent public spaces including Water Street, Harbour Passage, and Loyalist Plaza. A Wind Study was completed to assess any impact the new construction will have on the pedestrian realm, including Loyalist Plaza, Harbour Passage, and the surrounding streets/sidewalks.
BD-8 Provide transitions in scale to Heritage Conservation Areas, low-rise residential areas, and the waterfront.	The proposed building steps down in height to the waterfront.

### <u>PlanSJ</u>

Applicable Policy	Rationale
Uptown Primary Centre Policy LU-13 Council shall encourage the following land uses to locate in the Uptown Primary Centre: b. Major arts, culture, leisure and entertainment facilities; c. Medium & high density residential, particularly in mixed-use developments; e. Specialty retailing; f. Restaurant and related establishments, including bars;	The proposed building is a mixed-use building incorporating ground floor commercial uses. These ground floor commercial uses are oriented towards Harbour Passage. This will help activate the area year-round and will provide multiple uses for both residents and visitors within this prominent location.
Policy LU-18 Ensure the Uptown is a vibrant urban environment that welcomes entertainment, dining opportunities, arts and cultural venues and events, and other people-oriented uses.	The proposed building will incorporate active ground floor commercial uses.
Policy LU-19 Ensure the Uptown maintains a compact urban form. This can be achieved by developing supportive land use regulations in the Zoning Bylaw to direct high intensity mixed-use development to areas that can support it, while maintaining the character of established lower intensity areas.	The overall development site will feature a variety of uses within the development footprint. The uses will include active commercial spaces, office space, accommodations, community/cultural spaces and 677 residential units.
Policy LU-23 Encourage the application of high-quality urban design standards for development within the Uptown Primary Centre by incorporating the Urban Design Principles, established in the Municipal Plan, which support mixed-use urban forms of development.	The design of the building acknowledges the prominence of the surrounding brick heritage construction through utilizing brick on portions of the podium façade.  The upper storeys incorporate a contemporary design and a neutral colour palette, which is subordinate to the building podium.

Policy LU-24 Encourage and facilitate commercial development opportunities at the street level by creating active and transparent storefronts, where appropriate.	The proposed building will incorporate active ground floor commercial uses, which will provide a variety of people-oriented uses that will be attractive for both residents and visitors.
Policy LU-25 Ensure major new development provides opportunities for improved pedestrian connections at the street level. Pedway extensions may be considered, only where appropriate.	The proposed development is situated within the Uptown area and incorporates an extension of Harbour Passage along the western and southern side of the southwest building.
4.1 Urban Design Goals  1. Ensure all development and significant redevelopment within the City contributes positively to the structure and urban form of the City through all aspects of its design.  And  3. Encourage attention to civic design, architectural quality and excellence to foster the creation of distinctive, contemporary development and redevelopment that is well-suited to its time and place.	Overall, the proposed development is situated on the Uptown Waterfront, adjacent to the Trinity Royal Heritage Conservation Area, which is located on the opposite side of Water Street.  The design of the southwest building acknowledges the prominence of the surrounding brick heritage construction through utilizing it as on a portion of the podium façade. Upper storeys incorporate a contemporary design and a neutral colour palette, which is subordinate to the traditional brick style design of the buildings' podiums.
4.2 The Public Realm Policy UD-9 Consider the following guidelines for the development and enhancement of the public realm in the Uptown Waterfront:  a. Maximize opportunities to provide direct public access or proximity to the water. Areas that are currently accessible will be protected and enhanced for public use. Harbour Passage will continue to be reinforced and enhanced as the spine of the public realm system. While it should be clear that Harbour Passage is a continuous trail, its character can vary in keeping with the quality and identity of the various sites it passes through. Over time, the majority of the Harbour Passage route will follow the water's edge;	The City is currently working on a redevelopment of the Loyalist Plaza site and will include the extension of Harbour Passage along the waterfront portion of the development site.

f. The quality and character of public spaces, landscapes and buildings in the Uptown Waterfront are essential to creating a memorable experience. Design buildings and open space projects to a very high standard with the use of quality materials and site furnishings to achieve durability and minimize maintenance costs, while also characterizing the Waterfront as an evocative and unique place;	The cladding identified for the southwest building will include a variety of materials such as brick, masonry or pre-cast concrete and architectural tile along with glazing.  The applicant has also provided a list of prohibited cladding materials which have been prohibited through the overall Section 59 conditions:  • Vinyl siding
q. Demonstrate a well-articulated building façade with a regular pattern of windows and a highly transparent ground floor façade on both the street and waterfront edges for all waterfront development.	<ul> <li>Plywood</li> <li>Exterior insulation and finished systems where stucco is applied to rigid insulation</li> <li>Vinyl windows</li> <li>Cinder block</li> </ul>
4.3 Urban Design & Built Form Policy UD-9 Ensure all development proposals generally conform to the following General Urban Design Principles:	The design of the southwest building steps back from the extension of Harbour Passage and provides commercial uses oriented towards Harbour Passage. Its lower height provides for a step down to the Harbour.
a. That new development respect and reinforce the existing and planned context in which it is located through appropriate setbacks, landscaping, buildings entrances, building massing, architectural style and building materials. Specifically, the built form of new development shall be designed to achieve the following objectives for specific areas of the City:	The upper storeys incorporate a contemporary design and a neutral colour palette, which is subordinate to the traditional brick style design of the buildings' podiums.
b. Locating building entrances facing the public street;	Although the building does not front onto a Public Street, ground floor commercial uses are oriented towards Harbour Passage.
c. Designing sites to incorporate existing natural features and topography;	The development site is located on the Uptown Waterfront. The overall site design proposes active ground floor commercial uses that will be located along the extension of Harbour Passage and will provide a direct connection between the public and private realms.

e. Incorporating innovations in built form, aesthetics and building function to encourage high quality contemporary design that will form the next generation of heritage;	The design of the initial building acknowledges the prominence of the surrounding brick heritage construction through utilizing it as a façade material choice for portions of the podium façades. The use of brick and other materials establish visual breaks the podium façade and promote a more positive pedestrian experience.  The upper storeys incorporate a contemporary design and a neutral colour palette, which is subordinate to the design of the building's podium.
f. Where appropriate and desirable, encouraging active pedestrian- oriented uses and a high level of transparency at grade to reinforce and help animate the public realm;	The proposed building will incorporate active ground floor commercial uses along Harbour Passage.
h. Using quality, durable building materials and a consistent level of design and detail for all elements of the building;	The cladding identified for the building will include a variety of materials.  The applicant has also provided a list of prohibited cladding materials:  Vinyl siding Plywood Exterior insulation and finished systems where stucco is applied to rigid insulation Vinyl windows Cinder block
i. Designing for visual interest by incorporating well-articulated building façades, landscaping, local history, public art and/or culture into sites and buildings;	The building podium façades incorporate a variety of materials which provides visual relief through differing materials. Upper storeys incorporate a contemporary design and a neutral colour palette, which is subordinate to the podium design.  The development will establish active ground floor uses that intersect with the public realm along the extension of Harbour Passage. A detailed landscaping plan, required at a future phase, will be required to enhance the connection between the active ground floor uses and the adjacent public pedestrian realm.

I. Designing sites and buildings according to the Crime Prevention through Environment Design (CPTED) principles to promote safety and security, in balance with other urban design goals; and	The 3 <sup>rd</sup> Party Design Review provides commentary and suggested improvements regarding the site design's alignment with CPTED principles.
m. Locating and screening parking and loading facilities so they are generally not visible from the street, particularly in Centres and Neighbourhood Intensification Areas;  And  n. Limit surface parking between the front of a building and the public street or sidewalk;  And  q. Generally locating surface parking, outdoor storage, loading and other service areas at the rear or side of the property and buffering or screening	The building includes structured, interior parking and surface parking which will accommodate the various users of the space.  The proposed site design strategically locates the service areas, including surface parking and loading zones, to less visible areas of the site. The surface parking is concealed by the buildings on the eastern, northern, and southern boundaries and part of the western boundary. The loading zone is co-located with the emergency access along the southern property boundary of the site.
these functions from adjacent properties and the public realm.  p. Design sites and building accesses that are barrier-free, convenient and have clear signage; and	The building will be constructed to meet the requirements of the National Building Code of Canada.

4.3.4 Urban Design Principles for the Uptown Waterfront Policy UD-13  Encourage waterfront locations within the Uptown Waterfront to be reserved for those uses that require, or benefit from, a waterfront setting. In considering waterfront development projects, Council shall give consideration to the following built form principles:	
c. Active public uses will be located at grade in new buildings which demonstrate a well-articulated building façade with a regular pattern of windows and a highly transparent ground floor façade on both the street and waterfront edges to provide an animated edge to public areas and an enhanced pedestrian atmosphere. Wherever possible, these uses will front onto Harbour Passage and pedestrian promenades as well to enhance their animation and safety;	The incorporation of active commercial ground floor uses will attract visitors and residents to the space and help animate the surrounding public spaces. In addition, the use of these spaces, in addition to other uses placed on the upper storeys, will provide a sense of safety to the public space users, as the private spaces will look-out on the public spaces. This aligns with CPTED principles.
e. Residential development within the Uptown Waterfront will provide a variety of housing options that are attractive to people of all ages and incomes	The proposed southwest building will include 110 housing units. The size and type of units will be established during the detailed design phase.
g. That new buildings will be strategically positioned to frame significant outdoor public spaces, helping to reduce the impact of waterfront climatic conditions, including sun, wind and fog;	The proposed development in located on the Uptown Waterfront directly adjacent to Harbour Passage. The proponent has considered the effects the building will have on shadows and a Wind Study was also completed.
h. That important public views to and from the Inner Harbour will be maintained and enhanced by organizing new development to frame existing public views and sight lines, towards the Harbour as well as back into the City, and to open up new public views and sight lines not currently available;	The proposed development will be occurring during a time when the City is undertaking a revitalization of Loyalist Plaza and is establishing an extension of Harbour Passage along the waterfront portion of the development site.  The design of the building incorporates ground floor commercial uses which will activate the space and will provide a connection between the public realm (waterfront and Harbour Passage) and the private commercial spaces.
i. That new development incorporates appropriate transitions in building heights, stepping down to the water's edge where appropriate;	The building design incorporates a podium and steps down to the Harbour.

j. Landmark or iconic buildings will be developed at strategic locations throughout the Uptown Waterfront. All such buildings with direct frontage onto the waterfront will be designed as evocative waterfront icons, identifiable from the water or from the City;	The proposed development will become a landmark on the waterfront due not only to its scale and height, but due to the role it will play in shaping the neighbourhood for future generations. The development is considered a Big Move or a Catalytic project within the Neighbourhood Plan due to its prominence, impact on the established neighbourhood and its mixture of uses including commercial, residential, and community/cultural spaces.
k. The architectural vernacular of the Uptown will be respected in development along the Waterfront, through compatibility in character and quality, materials, massing and scale;	The design of the building incorporates brick from the surrounding brick heritage construction through utilizing it on portions of the podium façade. Upper storeys incorporate a contemporary design and a neutral colour palette, which is subordinate to the podium design.
m. Uses that draw or serve the public, at many times of day and across seasons will be provided;	The proposed development will incorporate active ground floor uses along the extension of Harbour Passage.
n. 'Active building faces' are achieved by strategically locating public and/or private uses capable of animating public routes and spaces;	The incorporation of active commercial ground floor uses will attract visitors and residents to the space and help animate the surrounding public spaces. All uses that provide a visual connection between the private and public spaces will provide a sense of safety to the public space users.
p. Buildings will be highly transparent at grade in order to permit public views from the street side through to the Harbour side; and	The active ground floor spaces will incorporate glazing that ranges from 50-80% and all above grade floors will feature a glazing range of 25-60%. The final composition of glazing areas will be based on the uses allocated for the portion of the building and will be established during the detailed design for each building.
Policy UD-14 Encourage new waterfront development to actively promote environmental sustainability, taking into account changes in sea level caused by climate change. New development will also demonstrate leadership in the reduction of greenhouse gas emissions, and sustainable planning, design, building systems and construction practices.	The site is included in a City project which has raised the seawall to provide additional protections against sea level changes associated with climate change.

#### **5.1 Neighbourhoods & Housing Goals**

- 1. Provide an appropriate range of housing types, unit sizes, affordability and form of ownership at various densities and scales that meet the needs and income levels of current and future residents of the City.
- 2. Promote building designs and densities for new housing which efficiently use land, resources, infrastructure and public facilities, and support and contribute to safe, vibrant and pedestrian-friendly streetscapes and neighbourhoods.
- 3. Support opportunities to increase the quality of available housing, particularly with respect to the existing rental stock available in core neighbourhoods.

The proposed mixed-use building is an infill development which utilizes existing city infrastructure including streets and water and sewer line. The development site is also located near public transit, community spaces (Loyalist Plaza, Harbour Passage), and other public facilities (e.g. Public Library and Canada Games Aquatic Centre).

Overall, the proposed development will incorporate commercial and community/cultural space with 677 residential units. The ground floor commercial uses will help ensure a vibrant and active streetscape. The introduction of new residential units will continue to support the growth of the Uptown neighbourhood.

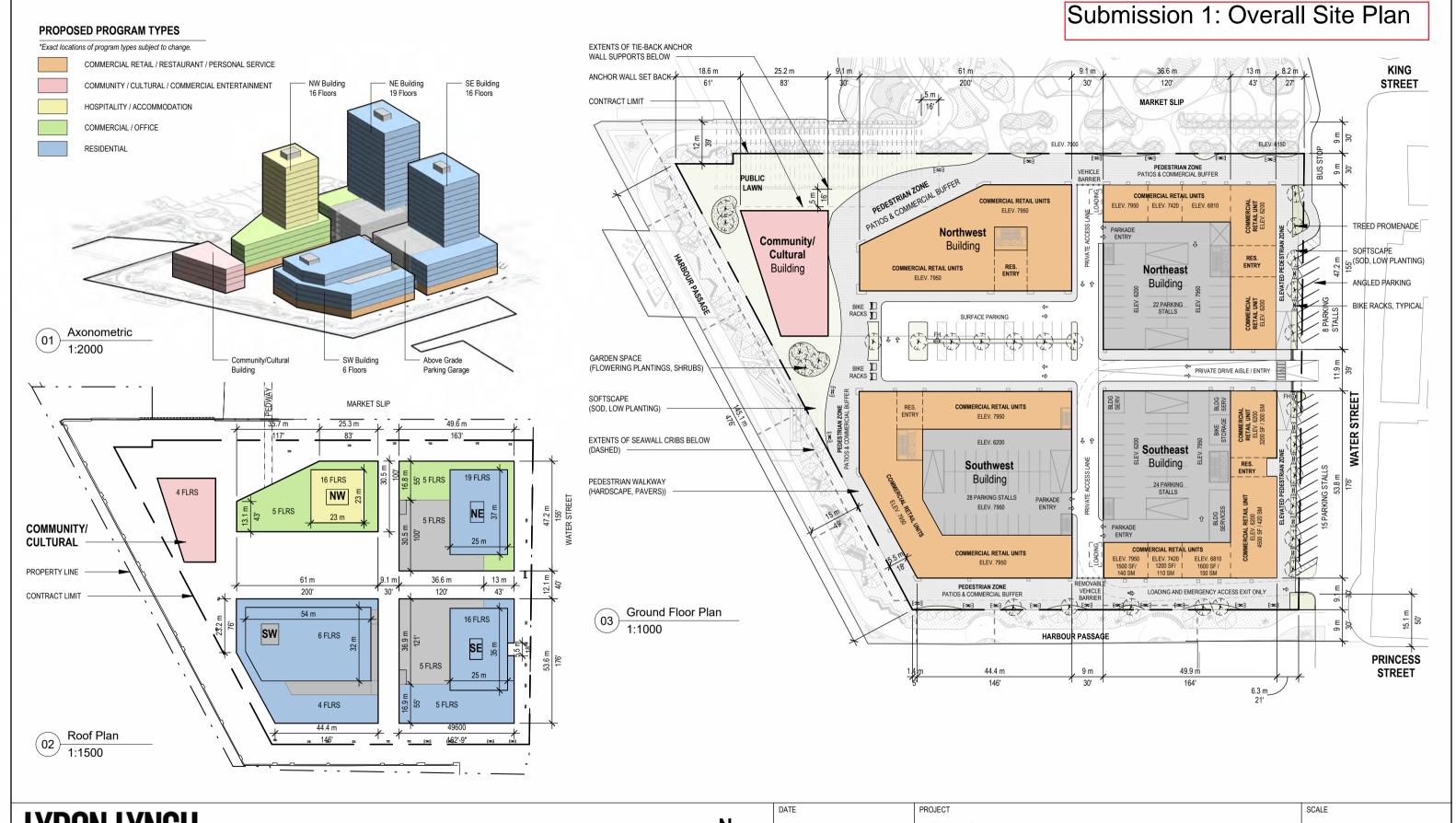
The applicant has indicated that an affordable housing component is currently being explored. They intend to assess the viability of affordable housing during each subsequent building phase.

#### 8.7 Parking

#### Policy TM-61

Encourage the construction of underground parking and multi-level parking structures for new developments, and where possible such parking facilities should provide publicly accessible parking as well. Council shall encourage facilities facing public streets and/or Harbour Passage to have active uses or well-designed façades at grade to ensure an attractive pedestrian atmosphere.

The building will feature interior parking that will not be visible to the public. The parking provided will be for the use of the building tenants. A variety of public parking options are available within the vicinity of this development including on-street parking and public parking lots.

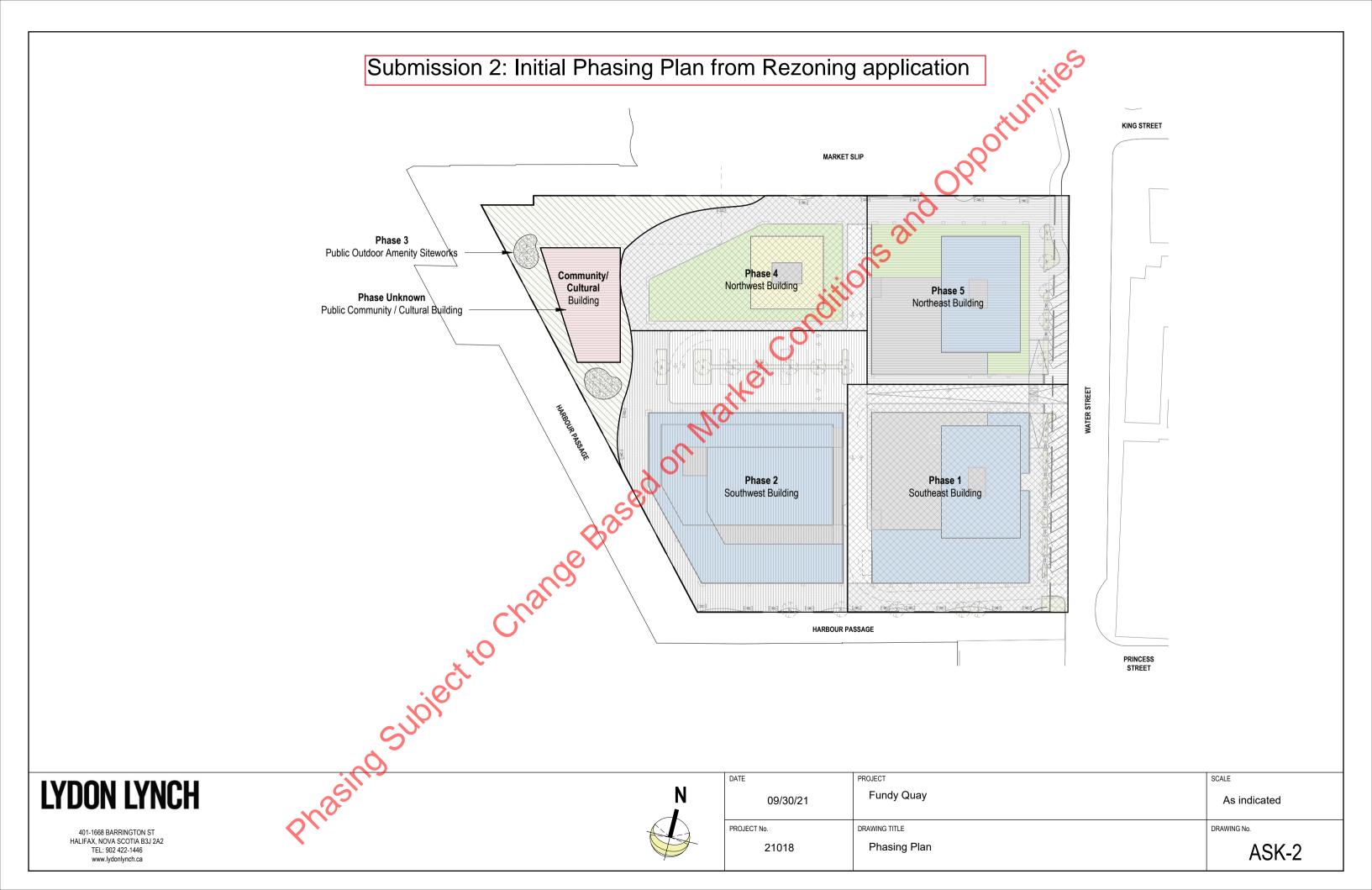


# LYDON LYNCH

401-1668 BARRINGTON ST HALIFAX, NOVA SCOTIA B3J 2A2 TEL: 902 422-1446 www.lydonlynch.ca



09/30/21	Fundy Quay	As indicated	
PROJECT No.	DRAWING TITLE	DRAWING No.	
21018	Master Plan for ReZoning	A-1	



## Submission 3: Southwest Building Plans and Renderings

# FUNDY QUAY DEVELOPMENT UPDATE SUBMISSION SOUTHWEST BUILDING

35 WATER STREET SAINT JOHN, NB

20,000 SF COMMERCIAL SPACE (1 STOREY) ±100,000 SF RESIDENTIAL AREA (5 STOREYS) 120,000 SF TREATED FLOOR AREA

+30,000 SF PARKING (1.5 STOREYS)
150,000 SF TOTAL AREA

110 RESIDENTIAL SUITES

6 STOREYS

68 PARKING STALLS (PARKADE) 30 PARKING STALLS (SURFACE)

Bike Parking protected: 18 bike stalls

protected: 68 parkade storage lockers exterior: 14 stalls retail / visitor

Amenity space 5sqm / unit = 550 sqm

100 sqm interior amenity 450 sqm rooftop amenity

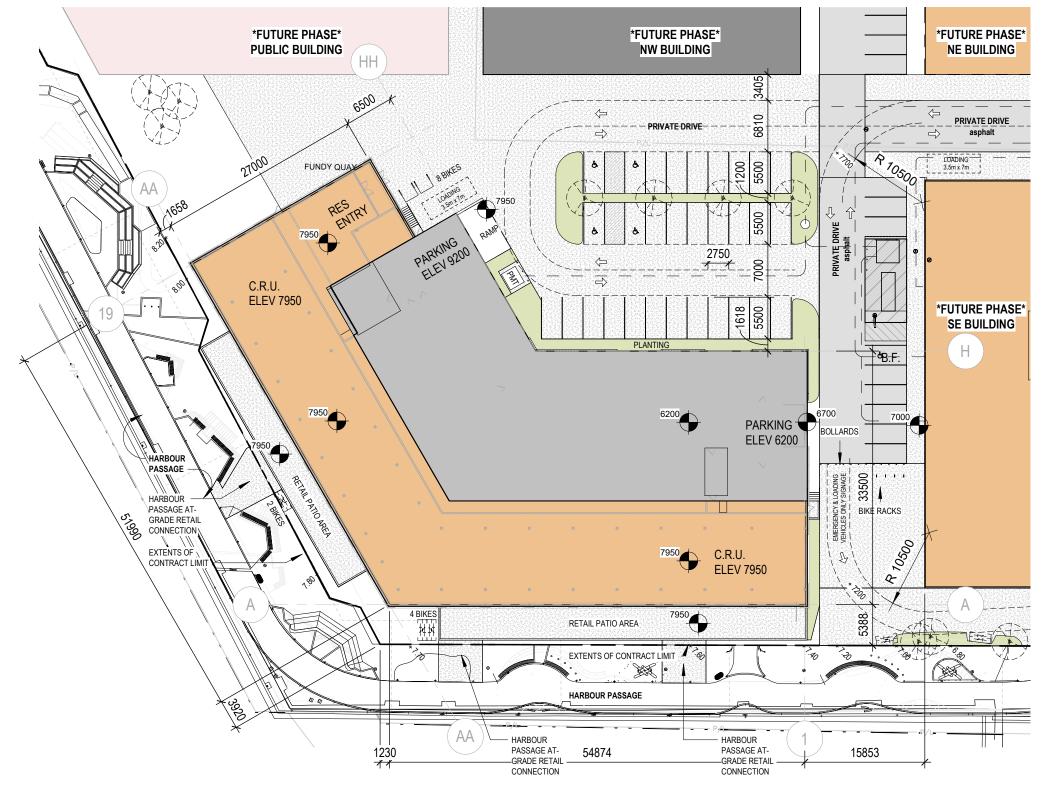
20,000 SF COMMERCIAL SPACE (1 STOREY) +100,000 SF RESIDENTIAL AREA (5 STOREYS) 120,000 SF TREATED FLOOR AREA

+30,000 SF PARKING (1.5 STOREYS) 150,000 SF TOTAL AREA

110 RESIDENTIAL SUITES

6 STOREYS

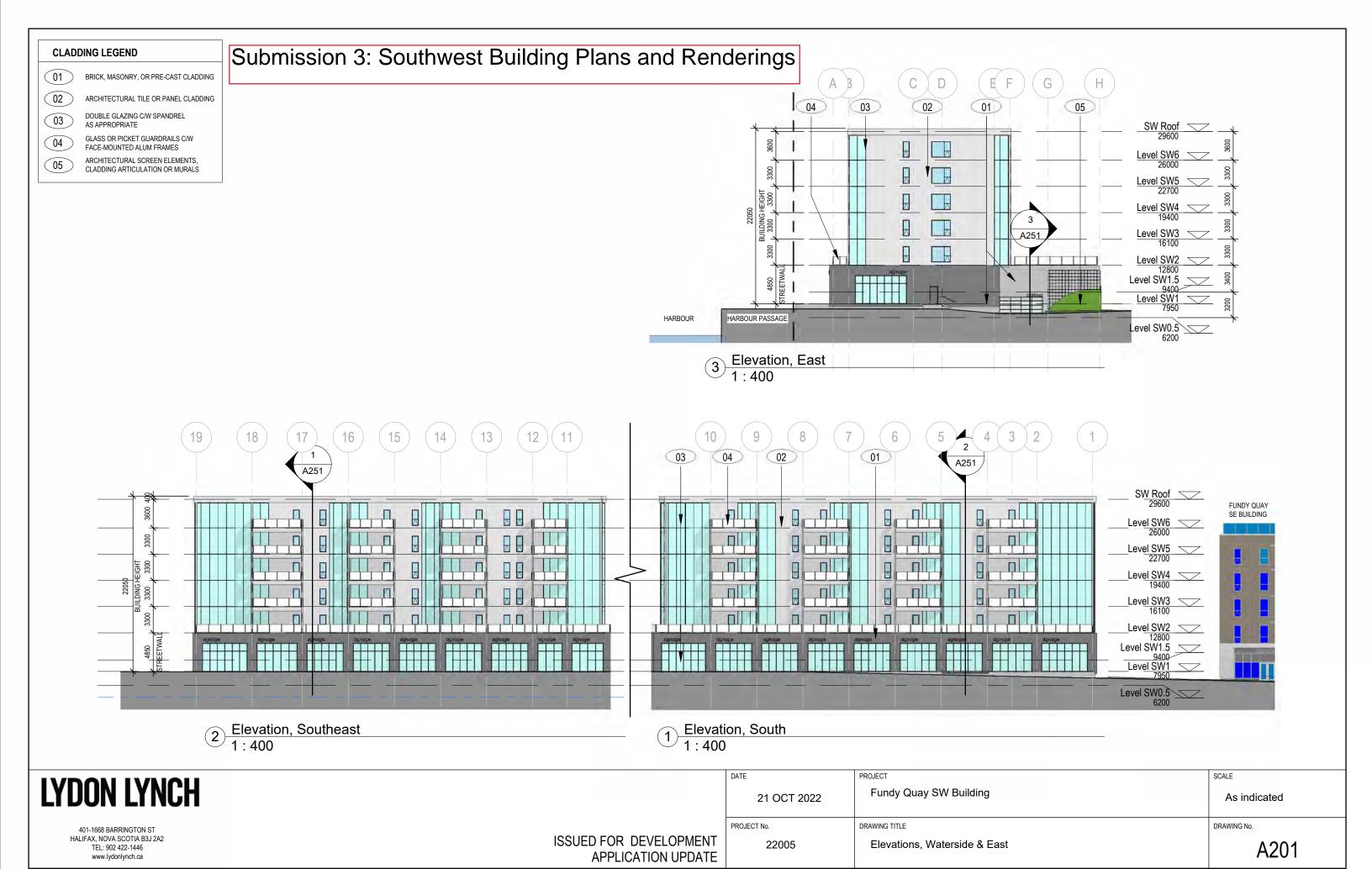
68 PARKING STALLS (PARKADE) 30 PARKING STALLS (SURFACE)



# LYDON LYNCH

401-1668 BARRINGTON ST HALIFAX, NOVA SCOTIA B3J 2A2 TEL: 902 422-1446 www.lydonlynch.ca ISSUED FOR DEVELOPMENT APPLICATION UPDATE

DATE	PROJECT	SCALE		
21 OCT 2022	Fundy Quay SW Building	1 : 500		
PROJECT No.	DRAWING TITLE	DRAWING No.		
22005	Site Plan DP	A102		



#### Submission 3: Southwest Building Plans and Renderings **CLADDING LEGEND** 〔01〕 BRICK, MASONRY, OR PRE-CAST CLADDING 02 ARCHITECTURAL TILE OR PANEL CLADDING HH GG FF EE (DD (CC) BB AA DOUBLE GLAZING C/W SPANDREL (03) AS APPROPRIATE 02 01 03 GLASS OR PICKET GUARDRAILS C/W (04) FACE-MOUNTED ALUM FRAMES SW Roof ARCHITECTURAL SCREEN ELEMENTS, 29600 05 CLADDING ARTICULATION OR MURALS Level SW6 \_\_\_\_ Le<u>vel SW5</u> \_\_\_\_\_ Le<u>vel S</u>W4 \_\_\_\_\_ Level SW3 Level SW2 Level SW1 Level SW1 HARBOUR 7950 HARBOUR PASSAGE Elevation, Northwest 1:400 A251 A251 19 15 16 18 02 05 (01) 03 04 \_SW <u>Roof</u> \_\_\_\_\_ **FUNDY QUAY** Level SW6 SE BUILDING Level SW5 Level SW4 Level SW3 \_\_\_\_\_ Level SW2 12800 Level SW1.5 Level SW1 Level SW0.5 6200 Elevation, Northeast Elevation, North 1:400 1:400 DATE LYDON LYNCH Fundy Quay SW Building 21 OCT 2022 As indicated PROJECT No. 401-1668 BARRINGTON ST HALIFAX, NOVA SCOTIA B3J 2A2 ISSUED FOR DEVELOPMENT 22005 Elevation, Cityside & Northwest A202 TEL: 902 422-1446 APPLICATION UPDATE www.lydonlynch.ca



