



NOTICE OF SPECIAL MEETING

There will be a Special Meeting of Council on **Thursday, April 22, 2021, at 12:00pm (noon)**. Due to COVID restrictions, public participation will be via a live broadcast accessible to the public through the Town of St. Stephen Facebook Page.

Items to be considered at this meeting will be:

- 1) Bylaw A-20, First Reading
- 2) Bylaw A-20, Second Reading
- 3) First Reading Municipal Plan Amendment M-2-01
- 4) Second Reading Municipal Plan Amendment M-2-01
- 5) Establishing the date for a Public Hearing of Objections for M-2-01 as May 13th, 2021 at 5pm
- 6) First Reading of Zoning Bylaw Amendment Z-2-01
- 7) Second Reading of Zoning Bylaw Amendment Z-2-01
- 8) Establishing the date for a Public Hearing of Objections for Z-2-01 as May 13th, 2021 at 5:05pm or conclusion of preceding hearing whichever is later

A handwritten signature in black ink, appearing to read "Jeff Renaud", is written over a horizontal line.

Jeff Renaud
CAO/Clerk

THE TOWN OF ST. STEPHEN
BY-LAW NO. A-20

A BY-LAW TO CONFER CERTAIN POWERS UPON THE OUTGOING COUNCIL IN 2021

WHEREAS, a general election for elected officers of the Town of St. Stephen will be conducted on May 10th, 2021; and

WHEREAS section 56(1) of the Local Governance Act limits the powers of the outgoing Council; and

WHEREAS the Town of St. Stephen has been advised by the Province of New Brunswick that the results of the May 10th, 2021 general election will be withheld for an indefinite period of time due to the impacts of COVID-19 pandemic upon areas of the province; and

WHEREAS the Town of St. Stephen desires to mitigate the risk imposed by the indefinite curtailing of Council's powers under section 56(1) of the Local Governance Act;

NOW THEREFORE, pursuant to the authority vested in it by the *Local Governance Act, SNB 2017, c 18*, the Council of the Town of St. Stephen, duly assembled, enacts as follows:

Public Interest

1. That the Council for the Town of St. Stephen declares that the indefinite limitation of the powers of the outgoing Council in 2021 is not in the public interest.

Conferring of Powers

2. That pursuant to section 56(3)(b) of the Local Governance Act, the outgoing Council created by the May 10th, 2021, general election shall not have its powers limited as indicated in section 56(1).

Limitation

3. This bylaw shall apply only until such time as the incoming council resulting from the May 10th, 2021 election has been duly sworn into office.

READ A FIRST TIME THIS ____ DAY OF APRIL, 2021

READ A SECOND TIME THIS ____ DAY OF APRIL, 2021

READ A THIRD AND FINAL TIME THIS ____ DAY OF APRIL, 2021

Town of St. Stephen

Planning Report to Council

To: Town of St. Stephen, Council

From: Alex Henderson, MCIP, RPP (NB)
Southwest New Brunswick Service Commission

Date: March 31st, 2021

Property: PID 01307024, 84 Prince William Street.

Owners: 624914 N.B. Inc.

Applicant: Todd Tuddenham

Zoning By-law: Z-2 – Light Industrial (I-2)

Municipal Plan By-law: M-2- Industrial

Summary: The applicant is requesting a rezoning on the front portion of their property from the I-2 (Light Industrial) Zone to the R-3 (Multiple Unit Resident) Zone – By-law Z-2. This rezoning also requires changing the properties designation on the Municipal Plan Generalized Future Land Use Map from Industrial to Residential – By-law M-2.

Background:

84 Prince William Street is currently used for warehouses and has an older mini-home/mobile home on site. The property does have a Petroleum Storage Site Report from the Department of Environment and Local Government, but is not a remediation site. The total property area is 5.18 hectares and has two driveway accesses.

The portion the applicant is requesting to rezone is located along the frontage of Prince William but leaves the eastern driveway access in an industrial zone/designation. The applicant is applying for the rezoning/plan amendment in order to build two (2) twelve-unit (12) apartment buildings in two phases. They expect the first phase of construction to begin as soon as possible. They expect to have the second phase of construction to begin in 3-5 years.

The applicant is leaving 135' of space between the front wall of their current warehouse and the proposed boundary of the new R-3 (Multiple Unit Residential) zone, to allow for a potential future expansion of the warehouse southwards, towards Prince William Street. The applicant also wishes to maintain both driveway accesses for continued use by the warehouse.

Planning Comments:

Below are the existing policies in the St. Stephen Municipal Plan that are relevant and in support of the future land use map amendment and rezoning request.

Municipal Plan:

6.3 Industrial Development

“Policy ID-2 Council shall encourage the appropriate location of industrial operations within Town limits. Proposal 6) Council will encourage the relocation of industrial uses which are incompatible with surrounding land uses and shall:

...

b. Encourage the redevelopment of such lands for other more compatible uses.”

Planners note: Planning staff strongly encouraged the applicant to apply to rezone the majority of the frontage to residential. Staff did this in order to provide a practical buffer on the property between Prince William Street and the future industrial use expansion, while at the same time providing a contiguous zone between this property the neighboring property at 80 Prince William Street. This was done to implement this Municipal Plan policy & proposal.

4 Residential Policies

“**Policy RD-5** Council shall improve the quality and quantity of the Town’s rental stock.

Proposal 6) It will not be the intention of Council to pre-zone all lands for multiple-unit residential use. However, Council may consider the development of new multiple unit residential use by amendment to the zoning by-law. In considering such amendments, Council shall have regard for:

- a. The proximity of the proposed development to collector or arterial streets;
- b. The proximity of the proposed development to services such as commercial and institutional uses;
- c. That the proposed development be encouraged in suitable sites for in-fill development;
- d. That the proposed development be in close proximity to the Downtown, King Street and other employment or commercial nodes;
- e. That it occur in locations where all necessary water and sewer services, parks and recreation services, schools and other community facilities and protective services can readily and adequately be or expected to be provided;
- f. That the proposed development provides sufficient off-street parking, amenity areas and green space;
- g. That the proposed development incorporates site design features that adequately address such matters as safe access, buffering and landscaping, site grading and storm water management;
- h. That the architectural features of the proposed building are consistent or of higher standard than those of surrounding buildings;
- i. That the height be limited to four storeys;
- j. That the development will not cause capacities of existing municipal services to be exceeded;
- k. That there is adequate landscaped buffer areas on the periphery of the lot to screen the buildings and parking areas from adjacent low density residential development; and
- l. In addition to the notification required under the *Community Planning Act*, the adjacent residents within 100 meters of the property be informed of the proposed zoning amendment.”

Planners note: This development would implement the Municipal Plan’s policy to grow the rental housing stock. Council is required to assess whether the proposed development can meet all of the criteria laid out in Proposal 6) above.

External Consultation:

The CAO of the Town was consulted and believes the project to be a desirable development for the Town. The Operations Manager was consulted and believes there is sufficient service capacity at the site.

Discussion:

A proposed development of this nature is desirable for St. Stephen as it meets the Town's plan policy of re-purposing locations that pose compatibility issues for industrial sites as well as meeting the Town's plan policy of increasing the rental housing stock. In order for Council to approve this development, it must have regard for the conditions that it applies to the rezoning in accordance with Proposal 6) under policy RD-5. Council can set terms and conditions by resolution or by establishing a development agreement with the proponent at third reading. The following conditions are recommended by staff to meet these municipal plan requirements:

1. That a minimum four-meter-wide (4 m) buffer be established with conifer tree saplings, to the satisfaction of the Development Officer, so as to visually screen the uses on the I-2 (Light Industrial) zoned portion of the property in accordance with the site plan Schedule "B-1," prior to September 1st 2022;
2. That both access points and driveways connecting to Prince William Street be paved with asphalt, or other dust-proof material to the satisfaction of the Development Officer, in accordance with the site plan Schedule "B-1," prior to September 1st 2022;
3. That the overall development be carried out in substantial conformity to the site plan 'Schedule "B-1";
4. That one (1) twelve (12) unit apartment building and any required outdoor amenities or parking facilities be complete, or be substantially complete, to the satisfaction of the Building Inspector, by September 1st 2022;
5. That one (1) twelve (12) unit apartment building and any required outdoor amenities or parking facilities be complete, or be substantially complete, to the satisfaction of the Building Inspector, by September 1st 2026; and,
6. That the exterior design and cladding for both apartment buildings shall be carried out in substantial conformity with the architectural renderings Schedule "B-2," to the satisfaction of the Building Inspector.

Recommendation:

The Southwest New Brunswick Service Commission staff recommends that Council set a date for a public presentation of this municipal plan amendment and to request the views of PRAC on the amending By-laws M-2-01 and Z-2-01.



Alex Henderson, MCIP, RPP (NB), Planning Director, Southwest New Brunswick Service Commission

BY-LAW NO. M-2-01

**A BY-LAW TO AMEND BY-LAW NO. M-2, BEING MUNICIPAL PLAN
BY-LAW FOR THE TOWN OF ST. STEPHEN**

BE IT ENACTED by the Council of the Town of St. Stephen as follows:

1. By-law No. M-2, the Municipal Plan By-law for the Town of St. Stephen, is amended by changing the designation as shown on the Generalized Future Land Use Map attached to the said By-law as Schedule “A-1” thereof for the portion of lands shown on Schedule “1” attached hereto and forming part hereof, from Industrial designation to Residential designation.

Read the first time this day of

Read the second time this day of

Read the third time this day of

Allan MacEachern, Mayor

Jeff Renaud, Clerk

I, **Jeff Renaud**, of the Town of St. Stephen, in the County of Charlotte and Province of New Brunswick, Town Clerk, DO SOLEMNLY DECLARE:

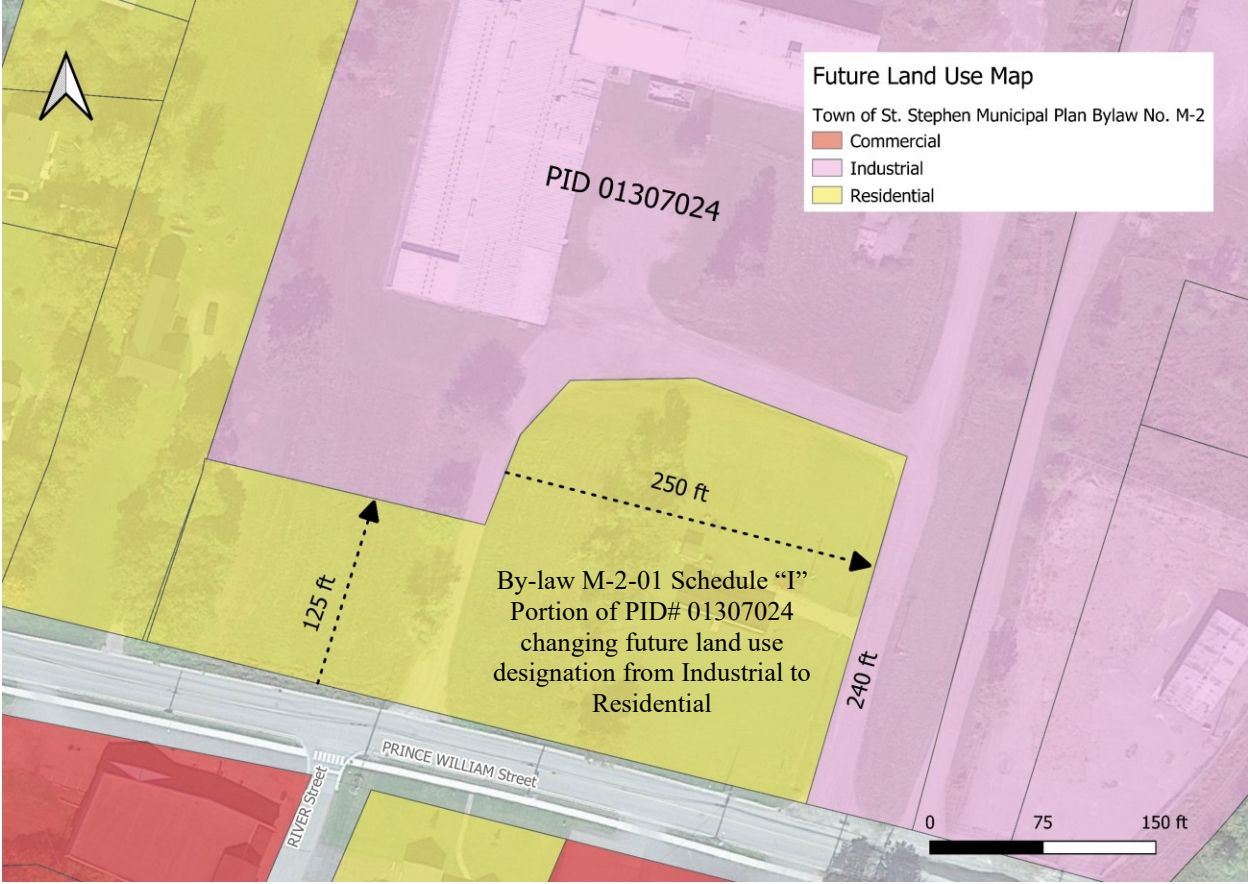
1. THAT I am the Town Clerk of the Town of St. Stephen, a municipal corporation, and have personal knowledge of the facts herein declared.
2. THAT the requirements of Sections 25, 110 of 111 of the *Community Planning Act* have been complied with in respect to Bylaw No. M-2-01, A By-law to amend By-law No. M-2, Being the Municipal Plan By-law for the Town of St. Stephen.
3. AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

DECLARED before me at the Town
of St. Stephen, in the County of
Charlotte and Province of New
Brunswick, this day of

COMMISSIONER OF OATHS

Jeff Renaud, Clerk

BY-LAW NO. M-2-01
Schedule "A-1"



BY-LAW NO. Z-2-01

A BY-LAW TO AMEND BY-LAW NO. Z-2, BEING ZONING BY-LAW FOR THE TOWN OF ST. STEPHEN

BE IT ENACTED by the Council of the Town of St. Stephen as follows:

1. By-law No. Z-2, the Zoning By-Law for the Town of St. Stephen, is amended by changing the zone as shown on the Zoning Map attached to the said By-law as Schedule “A” thereof for a portion of those lands shown on Schedule “1” attached hereto and forming part hereof, from I-2 (Light Industrial) Zone to R-3 (Multiple Unit Residential) Zone.

Read the first time this day of

Read the second time this day of

Read the third time this day of

Allan MacEachern, Mayor

Jeff Renaud, Clerk

I, **Jeff Renaud**, of the Town of St. Stephen, in the County of Charlotte and Province of New Brunswick, Town Clerk, DO SOLEMNLY DECLARE:

1. THAT I am the Town Clerk of the Town of St. Stephen, a municipal corporation, and have personal knowledge of the facts herein declared.
2. THAT the requirements of Sections 59, 110 and 111 of the *Community Planning Act* have been complied with in respect to Bylaw No. Z-2-01, A By-law to amend Bylaw No. Z-2, Being the Zoning By-law for the Town of St. Stephen.
3. AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

DECLARED before me at the Town
of St. Stephen, in the County of
Charlotte and Province of New
Brunswick, this day of

COMMISSIONER OF OATHS

Jeff Renaud, Clerk

Schedule "A"

