



PLANNING STAFF REPORT

SUBJECT: Miramichi Housing Solutions Inc. - 273 King George Hwy

MEETING DATE: October 15th 2024

AGENDA ITEM: 2024-9-1

1. Pursuant to Section 53(2)(i) of the NB *Community Planning Act*, and Section 2.9.4 (2) of the City of Miramichi Zoning By-law, the Planning Review and Adjustment Committee (PRAC) may authorize, for a temporary period not exceeding one (1) year, a development otherwise prohibited by the City of Miramichi Zoning By-law. The Applicant, Miramichi Housing Solutions Inc., is proposing to convert the existing house on the subject property, into an emergency “out of the cold” housing shelter, located at PID 40178824 (273 King George Hwy, Miramichi).
2. Pursuant to Section 110(1) of the Community Planning Act (C-19), the City of Miramichi has requested the views of the GMSC Planning Review and Adjustment Committee, on an application to amend:
 - a. **Schedule A:** Future Land use Map of the City of Miramichi’s Municipal Plan (By- law No. 109) to change the designations from "Residential" and “Commercial” to "Institutional"; and
 - b. **Schedule A:** Zoning Map of the City of Miramichi Zoning By-law (By- law No. 110) to change the zoning designations from "Low Density Residential (R-2)" and “Highway Commercial (HC)” to “Institutional (IN) - Specific Proposal Pursuant to Section 59 of the *Community Planning Act*”;

For the Subject Properties described as PIDs 40178824 & 40178816 (273 King George Hwy, Miramichi).

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Application Overview & Proposed Use

Temporary Use Application

A “Temporary Use” application has been submitted to Planning Services by Breakwater Consulting Ltd, on behalf of Miramichi Housing Solutions Inc., regarding the Subject Property described as PID 40178824 (273 King George Hwy, Miramichi). The Applicant is proposing to convert the existing house on the subject property, into an emergency “out of the cold” housing shelter. This use is proposed to assist those affected by homelessness. This use is not permitted under the Residential Low Density (R-2) zoning designation of the property.

The shelter will include 15-20 cots on the main level. The shelter will operate every night from 8 PM to 8 AM, with three staff members present each night. The proposed operation timeframe is December 2024 to April 2025. This use represents the initial phase of the applicant’s overall proposal.

Pursuant to Section 53(2)(i) of the NB Community Planning Act, and Section 2.9.4 (2) of the City of Miramichi Zoning By-law, the Planning Review and Adjustment Committee (PRAC) may authorize, for a temporary period not exceeding one (1) year, a development otherwise prohibited by the City of Miramichi Zoning By-law.

This subject property, along with adjacent PID 40178816, is also subject to a Municipal Plan and Zoning By-law amendment application (detailed below). The Applicant requires the temporary use approval in order to permit the development of the use on a portion of the subject property prior to any potential approval of the requested Municipal Plan and Zoning By-law amendments.



Municipal Plan and Zoning By-law Amendment Application

As part of the second phase of the Applicant's proposal, it is intended that the current garage located on PID 40178816 will be renovated to accommodate the emergency shelter (will move from the house, after the 2024-2025 winter season). The existing house will be renovated to accommodate Miramichi Housing Solution's adult shelter, which also includes office and programming spaces. These uses are also proposed to assist those affected by homelessness. The Owner will receive funding from the City of Miramichi and Province of New Brunswick to support their proposals. Below is a summary of the proposed uses.

Adult Shelter (Current House):

- 11 shelter beds including one accessible room (but up to 15 beds proposed)
- kitchen, dining room, and washrooms
- offices, intake room, and communal meeting room
- provision of services to clients
- 24/7/365 staffing of the property
- 2924 sq ft; no exterior changes proposed

Emergency Shelter (Current Garage):

- 16 shelter beds
- two full washrooms
- laundry area
- office
- out of the cold shelter, but also year-round drop-in space, and emergency cooling shelter in summer
- 1120sq ft, including 480sq ft proposed addition

Municipal Plan and Zoning By-law amendments are required in order to permit the proposed uses, and to permit the proposed emergency shelter beyond the one-year period allowed by a potential Temporary Use approval. There is some level of risk to this approval route considering that, if the temporary use application is approved by the PRAC allowing the applicant to proceed with the development and the rezoning is subsequently denied by City Council, the use would have to be discontinued (or otherwise changed to a use



permitted in the "Residential Low Density (R-2)" zone at the end of the one-year authorization period.

The Municipal Plan and Zoning By-law amendment application requests to change the municipal plan designations of the properties from "Residential" and "Commercial" to "Institutional"; and the zoning designations from "Low Density Residential (R-2)" and "Highway Commercial (HC)" to "Institutional (IN) - Specific Proposal Pursuant to Section 59 of the *Community Planning Act*". This particular zoning is sought when a proposed use is not permitted in any zone in the Zoning By-law, but can be permitted pursuant to terms and conditions under Section 59 of the *Act*.

Table 1: Application Overview

Property Area (Per Service NB)	PID 40178824: 1971m2 PID 40178816: 7320m2 Total: 9291m2 (2.27 acres)
Access	Privately maintained driveway, built over public (City-owned) but non-maintained right-of-way; connecting to King George Hwy
Servicing	PID 40178824: Municipal Water; Private Septic System
Current Zoning Designations	PID 40178824: Low Density Residential (R-2) PID 40178816: Highway Commercial (HC); WAWA Overlay (WW)
Proposed Zoning Designation	Institutional (IN) - Specific Proposal Pursuant to Section 59 of the <i>Community Planning Act</i> ; WAWA Overlay (WW)
Current Municipal Plan Designations	PID 40178824: Residential PID 40178816: Commercial
Proposed Municipal Plan Designation	Institutional
Existing Use	PID 40178824: Single unit dwelling (house) PID 40178816: Garage
Location Description	Mixed uses including established residential, commercial, and industrial

Figure 1: Location Maps

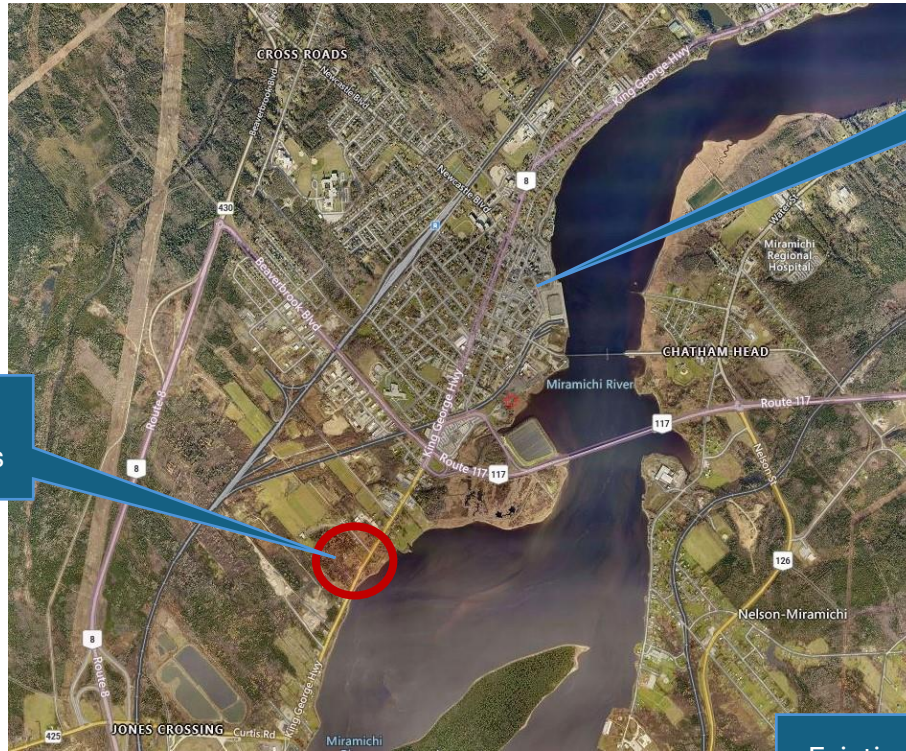


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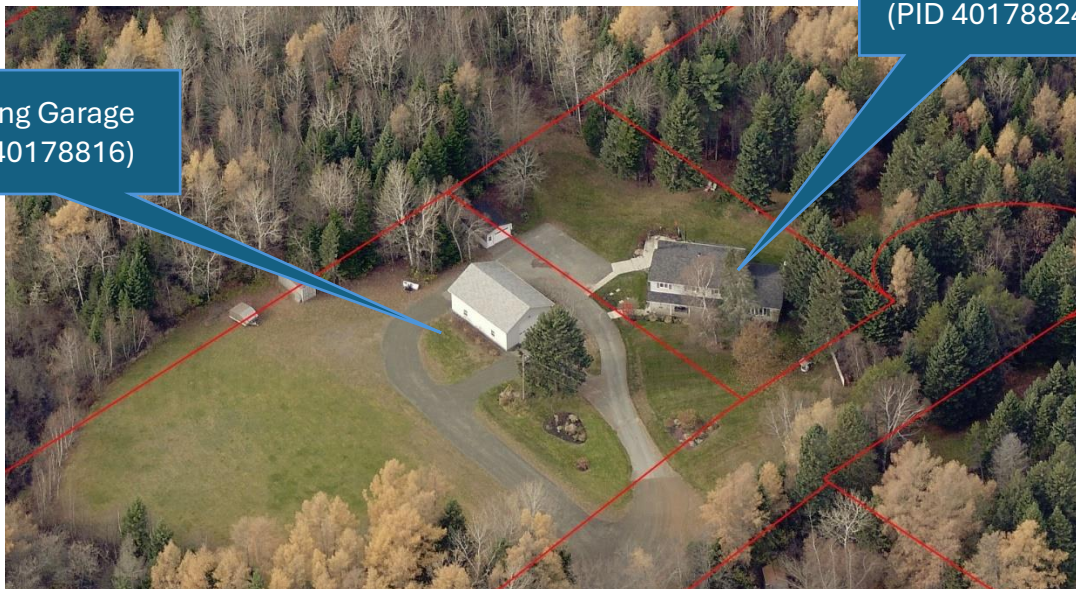
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Central
Newcastle

Subject
Properties



Existing Garage
(PID 40178816)

Existing House
(PID 40178824)



Planning Considerations

Municipal Plan & Zoning By-law

The Municipal Plan (By-law No. 109) sets out Miramichi City Council's long-term policies and proposals to guide future land use and development within the Municipality. The Plan is intended to be used by Council, City staff, GMRSC Planning Services and PRAC, developers, businesses, community organizations, and residents to guide day-to-day decisions affecting development.

As part of the Plan Amendment and Rezoning application, it is requested that both subject properties be amended to the Institutional designation.

The proposed developments align with the following policies and proposals from the Municipal Plan:

"It is a policy of Council to: 1. Encourage the provision of housing for people with special needs, including senior citizens, group homes, and shelters, to integrate into appropriate residential areas of the City, near transit routes, community facilities, and other needed services" - Section 4 I

"It is a proposal of Council to: 2. Seek opportunities to develop pilot projects in collaboration with local housing groups and community organizations which target priority housing needs." - Section 4 P

"In the area designated "Institutional" on the Future Land Use Map, to permit the following range of uses subject to the relevant provisions of this Municipal Plan and the Zoning By-law:c. Mixed-uses consisting of land and facilities related where there is an existing or potential for an integrated or inter-related range of residential and institutional uses..." - Section 11 A I

The subject properties are located within 1-2km of shopping, institutions and services in the Newcastle area of the City, providing easy accessibility for those that need to make use of the proposed shelters.



Figure 2: City of Miramichi Zoning By-law and Municipal Plan Maps



The Applicant is requesting that the zoning designation of the subject properties be amended, and staff have identified that the proposed zoning designation of the properties is most appropriate as “Institutional (IN) - Specific Proposal Pursuant to Section 59 of the *Community Planning Act*”. This is because the proposed uses are not permitted in any zone of the City’s Zoning By-law – City Council must authorize the anticipated uses of the property using terms and conditions pursuant to Section 59 of the Act.

Based on the submitted plans from the Applicant, both phases of the proposed development meet all Zoning By-law requirements (only the second phase proposes any



site or exterior changes – an addition to the existing garage). Both phases of the development require a building permit.

The Subject Properties are located within Zone B of a Wellfield Protected Area. Previous staff reporting on these properties resulted in comments from the Department of Environment and Local Government, who stated that areas within the protected zone of a wellfield have prohibitions and limitations on chemical storage and land use activities. The Applicant should contact the Department prior to conducting any site work and during the planning of any projects.

The southern portion of PID 40178816 is affected by a watercourse and it's associated 30m buffer, as regulated by the Province of New Brunswick, Department of Environment. Any land alterations within 30m of a watercourse require consultation with this department and may require a Watercourse and Wetland Alteration permit, pursuant to the Watercourse and Wetland Alteration Regulation (90-80) - Clean Water Act.

Both subject properties are located within Zone C of a Designated Protected Wellfield Area, regulated under New Brunswick Regulation 2000-47 under the Clean Water Act. This zone is the least restrictive, in terms of permitted and restricted activities on a property, especially when buildings are connected to municipal services.

Neighbourhood Character & Impact

The subject properties are generally located west of the central Newcastle area of the City of Miramichi, and approximately 900m west of the interchange of King George Hwy and Rte 8/Rte 430. The primary land uses nearby the subject properties are single unit dwellings, primarily located within 200m along McArthur St, and King George Hwy. Other uses within 300m include a beef farm, waste transfer station/bottle depot (Trash Away), and Volunteer Miramichi.

Based on the Applicant's uses as proposed, it is possible that the proposed development could be in conflict with neighbouring land uses, particularly nearby homeowners. However, the subject properties provide a great deal of privacy, owing to their forested location off of the driveway.



The buildings on the properties cannot be seen from the street, and are also well-screened from all adjacent properties by thick vegetation. Screening also acts to minimize any noise impacts on adjacent properties.

Staff anticipate that the proposed use will generate a small increase in vehicular traffic, mostly from staff. A larger increase in foot traffic may be possible, but should not have a noticeable impact on adjacent property owners. It is anticipated that all pedestrian and vehicular traffic will occur along the driveway, which is well-screened from all adjacent properties.

View of the Public

Notification letters, including details on the temporary use variance application and the PRAC meeting, were mailed to 13 unique property owners, including the former owners of the subject properties. A radius of 100m from PID 40178824 was used, extended from the usual 30m, as authorized by the Planning Director and in accordance with the PRAC By-law and Operating Procedures. Notification signage was posted near the driveway to the subject property, along King George Hwy, in accordance with the PRAC By-law and Operating Procedures.

It is important to note that public notification of the Plan Amendment and Rezoning application is not required at this point in time, and will be undertaken by the City of Miramichi prior to the required Public Presentation and Hearing with City Council, at a later date.

Department and Agency Comments

Comments on this proposal were sought from multiple departments and agencies. The following comments were provided:

City of Miramichi Department of Public Works:

- Confirmed that the current home is serviced by Municipal Water but private septic; the current garage is not serviced



- The driveway has been developed over a municipal street, but is considered non-maintained and non-serviced. It is expected that the new property owners will continue to maintain the driveway notwithstanding any future agreements with the City.
- The City of Miramichi has an agreement with Miramichi Housing Solutions Inc. to upgrade the existing water line and install a new municipal sewer service to both the home and garage.
- The present services are adequate for the initial phase of development (temporary use variance for the out of the cold shelter).

New Brunswick Department of Environment:

- There are no concerns from a drinking water protection perspective, with a temporary use variance and proposed by-law amendments for these parcels.
- Confirmed that “The WAWA Reference Map indicates that a watercourse and its 30-metre buffer are present on PID 40178816.....Any alteration in or within 30 metres of a watercourse or a wetland based on DELG’s definitions will require a Watercourse and Wetland Alteration Permit (WAWA) permit.”

Staff Recommendation

1. Pursuant to Section 53(2)(i) of the NB Community Planning Act, and Section 2.9.4 (2) of the City of Miramichi Zoning By-law, the Planning Review and Adjustment Committee (PRAC) approves authorization, to allow for the proposed redevelopment of the existing home to an emergency “out of the cold” housing shelter, for a temporary period not exceeding one (1) year, on the subject property described as PID 40178824 (273 King George Hwy, Miramichi).
2. Pursuant to Section 110(1) of the Community Planning Act (C-19), it is the view of the Planning Review and Adjustment Committee of the Greater Miramichi Service Commission, that the City of Miramichi amend:
 - a. Schedule A: Future Land Use Map of the City of Miramichi Municipal Plan (By-law No. 109) to change the designations from “Residential” and “Commercial” to “Institutional”; and



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- b. Schedule A: Zoning Map of the City of Miramichi Zoning By-law (By-law No. 110) to change the zoning designations from "Low Density Residential (R-2)" and "Highway Commercial (HC)" to "Institutional (IN) - Specific Proposal Pursuant to Section 59 of the *Community Planning Act*";

For the subject properties described as PIDs 40178824 & 40178816 , to enable the redevelopment of the house and garage on the properties, into an adult housing shelter, and emergency/drop-in shelter respectively, subject to the following terms and conditions pursuant to Section 59 of the Act:

1. That the subject properties be legally consolidated to form one lot, to the satisfaction of the development Officer; and
2. That the uses of the properties be limited to the proposed adult shelter and emergency/drop-in shelter. No construction of new buildings on the properties shall be permitted with the exception of accessory/storage buildings in accordance with the City of Miramichi Zoning By-law. Limited building additions shall be permitted at the discretion of the Development Officer.

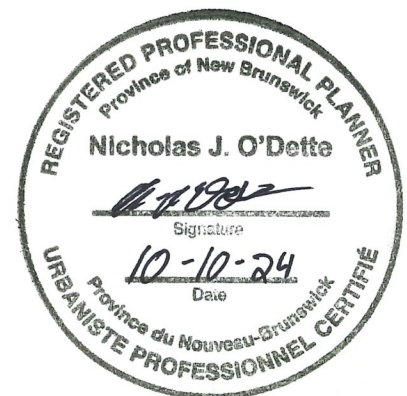
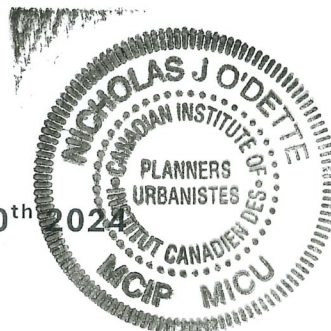
Attachments

1. Site Photos
2. Applicant's submitted plans
3. Applicant's press release
4. Letters from Public

Report Prepared: October 10th 2024

Prepared By:

Nic O'Dette, RPP, MCIP
Planning Services Manager



Nic O'Dette

Reviewed and Approved By:

Wilson Bell, RPP, MCIP
Planning Director/CEO

Wilson W. Bell



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Looking north along the driveway towards the subject properties



Looking west from the driveway towards Volunteer Miramichi



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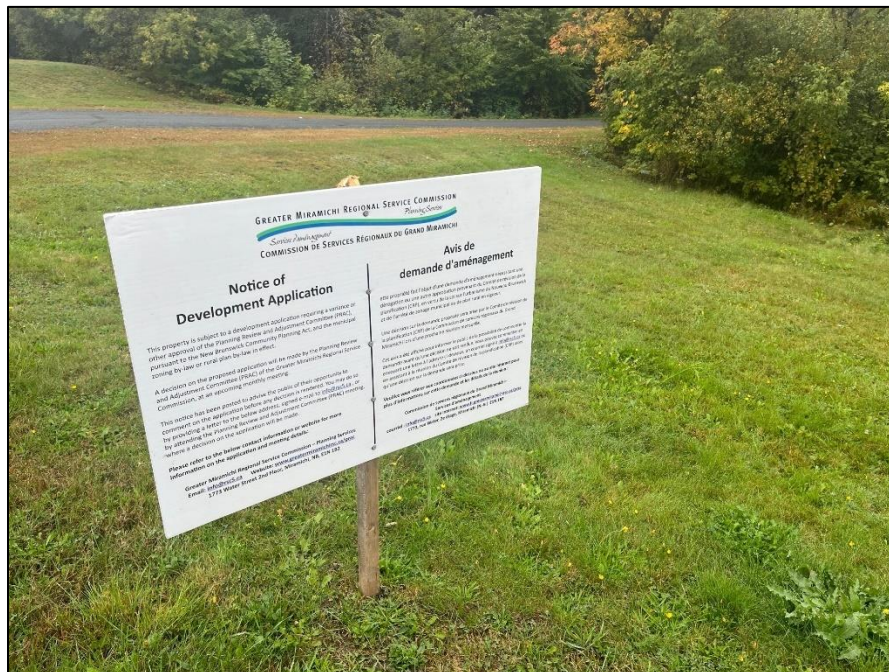
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Looking east along King George Hwy (towards central Newcastle)



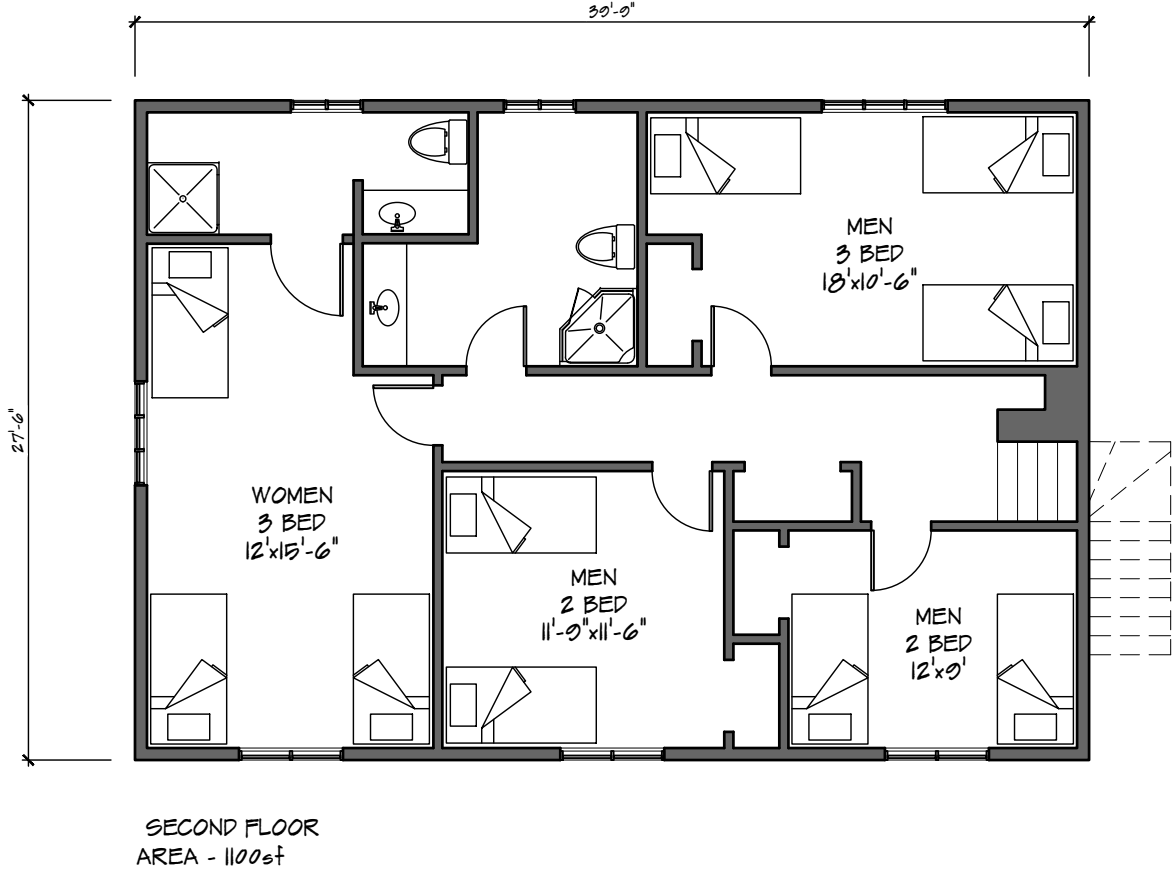
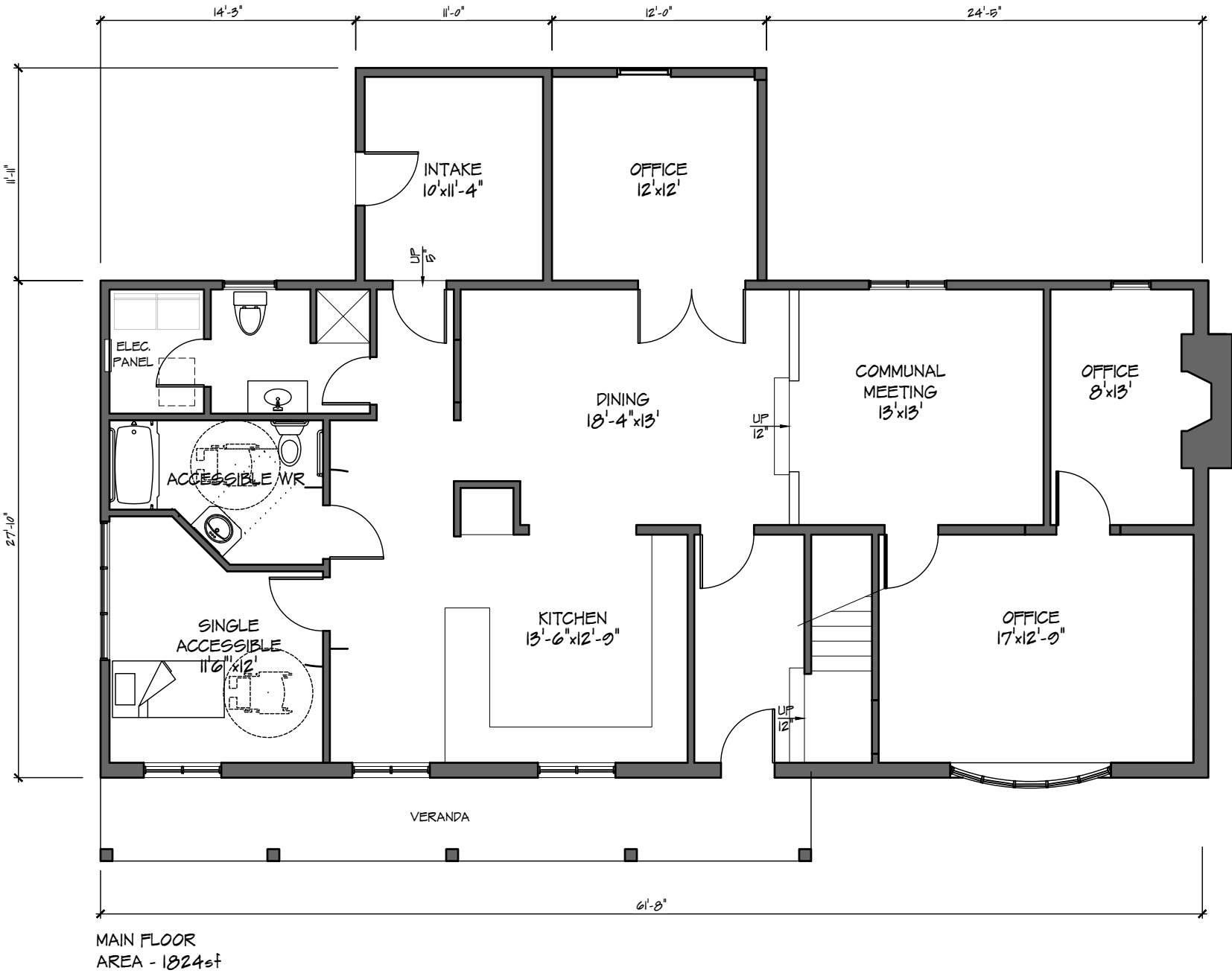
View of notice sign and driveway.



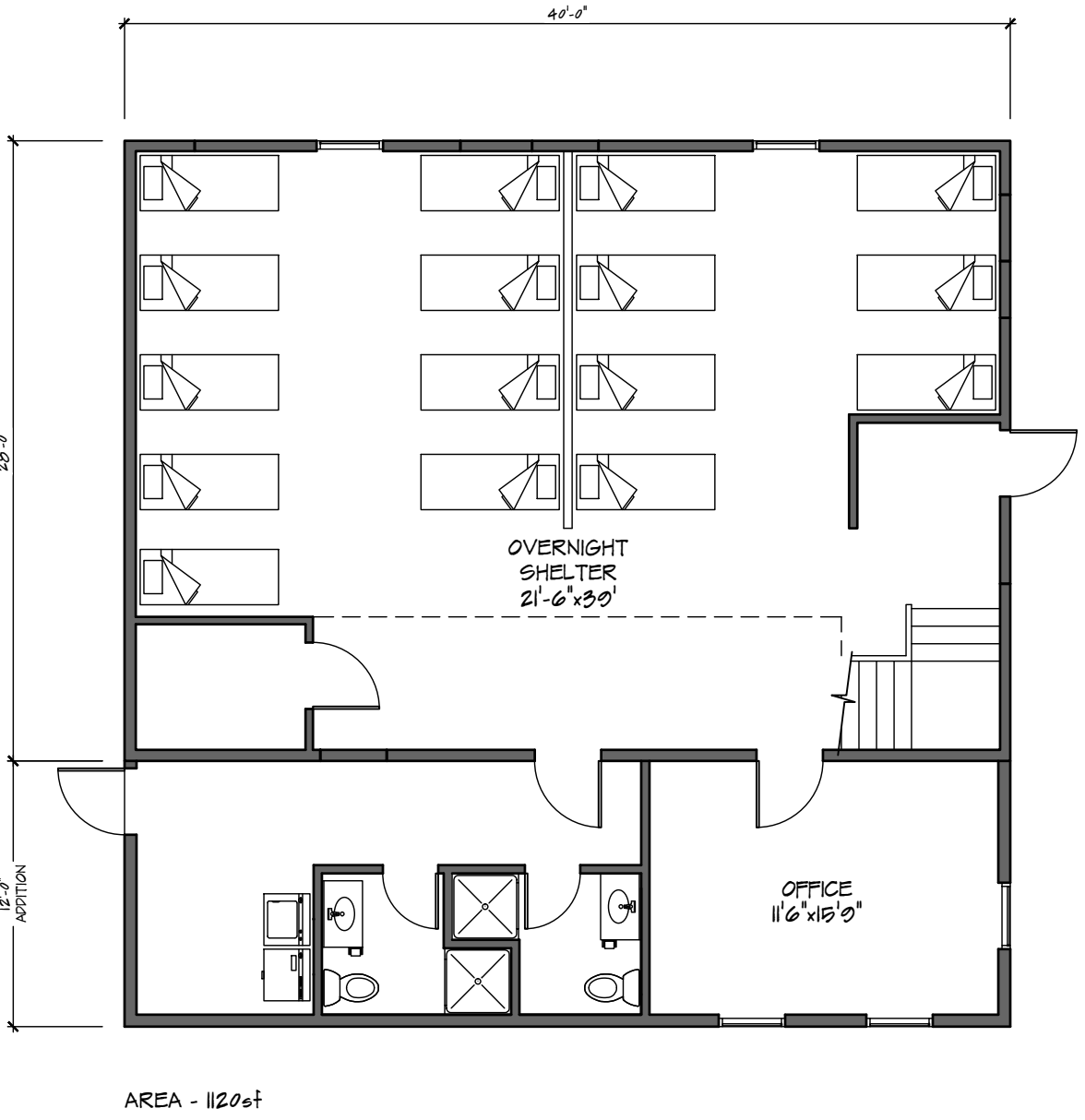
SITE PLAN

ZONING REQUIREMENTS HIGHWAY COMMERCIAL (HC)		
	REQUIRED	PROVIDED
MAIN USES	-	-
MIN LOT AREA	216m ²	6028m ²
MIN LOT FRONTAGE	30m	89m
MIN LOT DEPTH	30m	64m
MIN FRONT YARD	*	3.4m
MIN SIDE YARD	6.1m	3.6m (MIN)
MIN REAR YARD	6.1m	18m
MAX LOT COVERAGE	40%	1%
MAX BUILDING HEIGHT	17m	6.2m
MAX COVERAGE OF HARDCAPED AREA	25% LOT AREA	10%
PARKING	1 STALL / APT	-

ZONING REQUIREMENTS RESIDENTIAL LOW DENSITY (R-2)		
	REQUIRED	PROVIDED
MAIN USES	RESID. FACILITY	RESID. FACILITY
MIN LOT AREA	450m ²	2153m ²
MIN LOT FRONTAGE	18m	55m
MIN LOT DEPTH	30m	57m
MIN FRONT YARD	*	5.7m
MIN SIDE YARD	2.4m	1.4m (MIN)
MIN REAR YARD	6.1m	10.7m
MAX LOT COVERAGE	40%	7%
MAX BUILDING HEIGHT	11m	9m
MAX COVERAGE OF HARDCAPED AREA	25% LOT AREA	10%
PARKING	2 per 3 BEDS	TBD



PHASE 1



PHASE 2

PRELIMINARY ONLY
NOT TO BE USED FOR CONSTRUCTION

Notes



EMERGENCY SHELTER
REZONING PROPOSAL
273 KING GEORGE, MIRAMICHI, NB

Project title		Scale
Revisions		Date
Drawing title		Date printed
Drawing no.		Set number
Drawing title		Set number
Drawing no.		Set number

October 7, 2024



Miramichi Housing Solutions Inc.

Solutions - Opportunities - Hope

Solutions - Opportunités - Espoir

Miramichi Housing Solutions Inc Expansion of Adult Services: Purchase of Property to Continue to Address Homelessness in Miramichi.

We are pleased to announce the purchase of 273 King George Highway in Miramichi to assist those affected by homelessness, this project represents a significant step forward in addressing the homelessness crisis in our community.

At present, over 100 Miramichi community members regularly face homelessness. In recent years we have cooperated with our partners to provide many services, including outreach, a six-bed adult emergency shelter, winter warming shelters, and out of the cold shelters. These have all provided essential supports, but it was also clear that the community's need exceeded what we were able to offer.

Last winter, the Out of the Cold shelter, formerly situated on Jane Street, provided shelter to 72 unique individuals. Additionally, our shelter on Regina Street, which includes 6 regular beds and one emergency bed, was consistently full every night. Over the past few months, our Regina Street shelter has been consistently at maximum capacity (7), resulting in Miramichi Housing Solutions having to turn away 10-15 people each week.

As a result, we have been searching for a more suitable property for some time. We became interested in 273 King George Highway for several reasons. The location respects undertakings we have made that the Out of the Cold will not be located in the Newcastle Business District, and that a previous Jane Street/Bridge Street site would not be used after April 2024. The entrance to 273 King George Highway is private, and the property is surrounded by a screen of trees, providing privacy for our guests and neighbours. While private, the property is close to central Newcastle, Miramichi Regional Hospital, and other locations that provide the essential services needed by our clients. The property also has ample space and storage.

Perhaps most importantly, 273 King George Highway provides what many of our service users lack: a home. We intend that this beautiful property will remain so, giving clients in distress a peaceful, quiet, stable environment. We intend to accomplish this by modifications to the existing house, and an adjacent commercial garage, resulting in improved services while not expanding much beyond these structures as they currently exist.

We envision these changes occurring in two phases. In the first, during the coming months the house will be refurbished to allow it to serve as Miramichi's Out of the Cold Shelter for the winter of 2024-2025. While exact dates and details are yet to be determined, the Out of the Cold

will likely operate during nights from December 2024 to April 2025. The house will be staffed by three people during these times, to ensure the needs of our guests, and the safety and security of service users and the surrounding community. The property will feature a comprehensive surveillance system and on-site management available during the day for assistance. Miramichi Housing Solutions prioritizes treating everyone with kindness and respect, and we maintain a strict zero-tolerance policy for harassment and abuse. While we do not permit alcohol or drugs on site, we will not turn away individuals under the influence unless they pose a safety risk to themselves or others. We are committed to supporting individuals from all backgrounds. Everyone deserves warmth, a safe place to sleep, nutritious meals, and a positive, supportive environment.

Following the end of the Out of the Cold service in the spring of 2025, the second phase of work will begin. At that time, the large garage will be refurbished so that it can act as Miramichi's ongoing Out of the Cold space during winters beginning in 2025-2026. This space can also be used as a summer cooling shelter and will provide a drop-in centre where clients can relax, or use washrooms, showers and other services with dignity and privacy. The house will also be further refurbished, allowing this to become Miramichi's permanent adult emergency shelter. This in turn will allow Miramichi Housing Solutions to close its current adult emergency shelter on Regina Street, in favour of a 10-15 bed shelter at 273 King George Highway.

There will be space for clients to live and sleep, but also for all manner of services to be provided, including case management, where folks can build on life skills, relationships, have a sense of community and dignity.

This consolidation and improvement of operations will also mean that the property will thereafter be staffed 24 hours a day, 365 days a year.

Miramichi Housing Solutions intends to be a good neighbour, and we trust that this communication will be taken in that spirit. We realize that more will be needed to build and maintain that trust and will be reaching out to nearby properties in the days to come. Zoning applications to facilitate these changes are also ongoing, and we look forward to engaging with our community around these plans.

For further information, please reach out to Miramichi Housing Solutions at the following:

Contact Number: 506-625-1712

Email: director@miramichihousingsolutions.ca



October 7, 2024

Greater Miramichi Regional Service Commission
1773 Water Street
2nd Floor
Miramichi, NB
E1N 1B2
Email: nodette@gmsc.ca

Letter of Support for Temporary Use Variance Application – Miramichi Housing Solutions Out-of-the-Cold Shelter at 273 King George Highway

Dear Members of the Planning Review and Adjustment Committee,

On behalf of The John Howard Society of Miramichi, I am writing to express our support for **Miramichi Housing Solutions' Temporary Use Variance application for 273 King George Highway**. This variance would allow the operation of an **Out-of-the-Cold emergency shelter** for the **winter of 2024-2025**, with the possibility of developing a permanent adult shelter in the future.

The homelessness crisis in Miramichi remains a significant challenge, with existing shelters at capacity. This new facility would help address the pressing need for additional shelter services, offering a critical resource to over **100 vulnerable members in our community**.

The location is well-suited, providing proximity to essential services while offering privacy for those in need. The plan for 24/7 staffing and safety measures will help ensure a secure environment for both clients and the surrounding neighbourhood.

We believe that moving forward with this initiative will have a positive impact on the community, providing necessary support to individuals facing homelessness and helping to alleviate strain on other local services.

Thank you for considering this important application. Do not hesitate to contact me at fsharpe@jhsmiramichi.ca should you need further information.

Sincerely,

Flora Sharpe
The John Howard Society of Miramichi
(506)623-4950
fsharpe@jhsmiramichi.ca

Greater Miramichi Service Commission

RECEIVED
OCT 07 2024

Mr. N. Odette

Subject: Property, PID40178824 (273 King George Hwy)

My name is Ron Hachey, I reside at 309 King George Hwy and have some concerns regarding the proposed usage of lot 273 King George Hwy as an emergency housing shelter. Myself as well as other members of our community have since July tried to get information about what type of facility was being proposed for this property. We have been advised the 1.1 million dollars has been set aside to purchase and renovate the property following contact with MLA Michelle Conroy and attending a subsequent City of Miramichi council meeting. While I am not against this type of endeavor, I am concerned with the lack of information. I would like to see in writing, authorized by City Council, the Provincial Government or Housing Solutions a copy of the Rules and Regulations that will be incorporated with this facility. Example: hours of operation, number of residents to be housed, type of security to be provided (ensuring the residents will be safe), assured that a tent city will not be resurrected at this location or in the immediate vicinity. If a signed document can not be provided to the residents, what assurances can we expect, word of mouth isn't worth the lip service provided. I have been in touch with Housing Solutions regarding this subject but haven't been able to arrange a meeting time as yet, hopefully sometime the week of Oct 7th. Once again, I and/or some of the residents although not happy with decision to put the facility in this area and have proposed a couple of alternatives, we can live with decision if we have something in writing and approved by the local authorities to fall back on. Because if this facility starts to operate outside of the rules we want to be able to contact the appropriate authority and have them fix the problem or shut the facility down until fixed. I will be attending your meeting on the 15th, and if what I have addressed in this letter isn't understood to have the opportunity to state my concerns in person. Although I do not live within the 100 meters of the facility and didn't receive a notice, I do have many concerns as an area resident.

Regards, Ron Hachey

309 King George Hwy Miramichi N.B.

X

Ron Hachey

CC: to Mayor and City Council of Miramichi

RECEIVED
OCT 09 2024

247 King Geo Hwy
Miramichi, N.B.
E1V 1L1

03 Oct 24

G M LC

Development Services
Miramichi, N.B.
E1V 1B2

Re: Notice of "Temporary Use" Variance
Application - 273 King Geo Hwy.

I am not in favor of a
shelter use on this property
for safety reasons. Fires are my
main concern. It is in a
wooded area and very dangerous
location for fires. This is especially
dangerous for discarded cigarette
butts etc.

I would appreciate a copy
in writing of The PRAC's decision.

Thank you for your
consideration in this matter.

Yours truly
Ann Robinson

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OCT 09 2024

251 King George Hwy.
Miramar, FL
EIV 141

Greater Miami Service Commission
Att: Ric O'Dette
Development Services

I am not in favor of a homeless
shelter going at 273 King George Highway.
My concern is for safety reasons.
The house is completely surrounded
by woods and as a Senior, I
am nervous about this.

Minel Tozer