

Riverview Planning Advisory Committee

Wednesday, September 11, 2024

Staff Report

Subject / Objet: Rezoning from Rural Area (RA) to Manufactured Dwelling (MD)

File Number/ Numéro du fichier : 23-0241

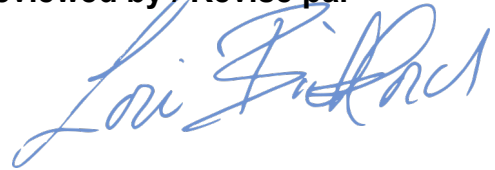
From / De :



Kirk Brewer

Planner / Urbaniste

Reviewed by / Révisé par



Lori Bickford

Planning Manager/Planner / Gestionnaire de
planification/Urbaniste

General Information / Information générale

Applicant / Requéant :

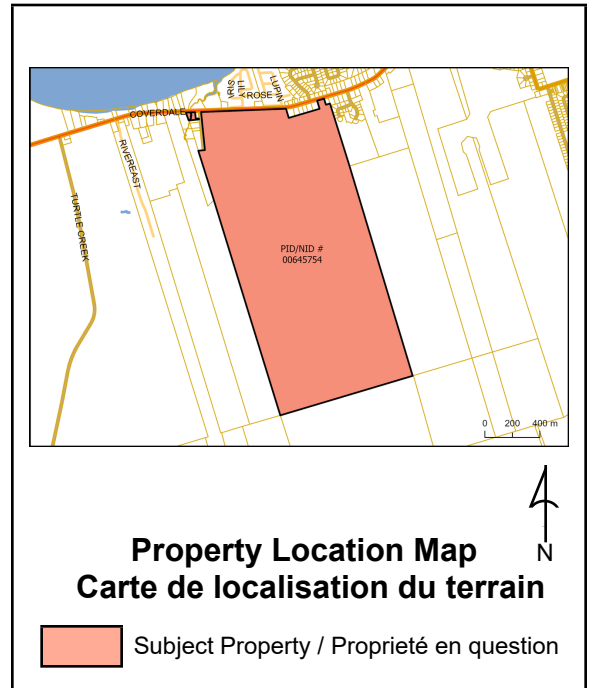
WSP Jessica Harper

Landowner / Propriétaire :

J D Irving Limited

Proposal / Demande :

To rezone a portion of the property from Rural Area to
Manufactured Dwelling for the purpose of developing a
manufactured dwelling community



Site Information /Information du site

PID / NID: 00645754

Lot Size / Grandeur du lot: 216.1 Hectares Area to be rezoned is approximately 62 acres

Location / Endroit :

Coverdale Road, Town of Riverview / Ville de Riverview

Current Use / Usage présent :

Vacant

Zoning / Zonage :

RA

Future Land Use / Usage futur :

Rural

Surrounding Use & Zoning / Usage des environs & Zonage :

MD (Existing Manufactured Dwelling Community), RA, RM (Low-Density Residential Neighbourhood)

Municipal Servicing / Services municipaux:

Development connected to Municipal water and sewer, but internal sewer and water systems privately owned and maintained

Access-Egress / Accès-Sortie :

Coverdale Road

Policies / Politiques**3.2 Growth Management**

Policy 3.2.1 It shall be the intention of Council to encourage an orderly and cost-effective approach to development by encouraging development to take place in the following manner:

- (a) encouraging growth within the Urban Growth Boundary, by rehabilitation and revitalization of existing building stock and existing built-up areas;
- (b) encouraging the in-fill of existing vacant lands within existing developments;
- (c) directing new developments within the existing piped serviced areas;
- (d) directing new developments in the areas most efficiently serviceable;
- (e) directing new residential development adjacent to existing development; and
- (f) encourage 'Smart Growth' approaches such as mixed-use development

Policy 3.2.2 It shall be the intention of Council to support the efficient and economic delivery of services, such as water, sanitary and storm sewers, and streets, as well as other municipal services, by establishing an Urban Growth Boundary on the Generalized Future Land Use map forming part of Schedule "A" of this Plan. Within the Urban Growth Boundary, no development permit shall be issued except where such a development has access to required municipal services.

Policy 3.2.3 It shall be the intention of Council to ensure that land use designations bear a reasonable relationship to demand within the context of a medium to long range planning horizon

Policy 3.2.4 It shall be the intention of Council, prior to any further expansion of the Urban Boundary, that the capacity of the existing sanitary collection, water distribution, and storm water systems be fully assessed and that a long-term, multi-phase infrastructure review be prepared and used to amend, where appropriate, any elements of the Urban Growth Boundary. Efforts will be made first to accommodate additional growth within the Urban Growth Boundary before expanding the boundary.

Policy 3.2.5 Should it be determined that additional land supply is required in order to accommodate housing demand, an assessment of the costs and benefits of the proposed expansion shall be undertaken by the proponent(s) of the proposed expansion. The analysis shall consider both short term and long term (25 years) costs and benefits associated with the proposed expansion. Considerations shall include, but not be limited to:

- (a) anticipated impacts and costs/benefits associated with infrastructure and servicing requirements (roads, sewers, infrastructure requirements);
- (b) anticipated impacts and costs/benefits associated with parks, open space, recreation or other anticipated community facility requirements (e.g. schools, community centres, etc.);
- (c) anticipated impacts and costs/benefits associated with transit, fire, police and solid waste services;
- (d) potential environmental impacts and costs/benefits of the proposed expansion;
- (e) potential impacts on the timely completion of existing new neighbourhood areas within the urban boundary and the potential delay for the Town in recouping funds in existing infrastructure charge areas;
- (f) potential impacts of the proposed expansion on surrounding land uses.

Policy 3.2.6 It shall be the intention of Council to ensure that large lot or rural residential development be intended to cater to a rural lifestyle and as such, lots within them should not be so small as to lose their rural characteristics or to compete with urban-sized lots inside the town.

4.6 Private Roads

Policy 4.6.4 New lots shall not be created unless they have frontage on a public street. Exceptions will be provided in the Subdivision By-law for lands owned or to be acquired by the Town of Riverview, public utilities and in recognizing existing conditions.

Policy 4.6.5 Council shall discourage development on new private roads.

Policy 4.6.6 Council may, in extraordinary circumstances, allow the creation of new private roads if the following conditions are met:

- (a) The development on the private road does not impede any future developments or access to adjacent lands, with respect to streets, infrastructure or lands for public purposes; and
- (b) The private road is built to same standards as a public street as set in the Standard Municipal Specifications.

6.3 Manufactured Dwelling

Policy 6.3.1 It shall be the intention of Council to accommodate, within the Rural Designation, existing manufactured dwelling parks and subdivisions by establishing a manufactured dwelling (MD) zone permitting manufactured homes parks, subdivisions and single unit dwellings. It shall also be the intention of Council to permit, as a secondary use, an accessory dwelling unit, home occupation, a bed and breakfast, or a home daycare, where the use is not visible from the street side of property.

Proposal 6.3.2 It shall be the intention of Council to adopt manufactured dwelling standards in the Zoning By-law to ensure that parks are maintained to meet acceptable safety and aesthetic standards that reflect the Town's image as an attractive and safe place to raise a family.

Zoning and/or Subdivision Regulation / Réglementations de zonage et/ou de lotissement

A manufactured dwelling is a permitted use only in the Manufactured Dwelling zone.

“manufactured dwelling” means a factory-built structure, equipped with the necessary service connections and made to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit with or without a permanent foundation.

Internal Consultation & External Consultation / Consultations internes et externes

The application was reviewed by the Development Review Committee (Corporate Services, Engineering and Public Works, Fire Protections, and Planning/Development).

Engineering and Public Works;

- Requested traffic impact statement for surrounding intersections
- Indicated that existing servicing capacity should be adequate for the proposed density; servicing plans and design brief to be submitted at building permit stage

Discussion

JD Irving Limited is proposing to rezone a portion of their land to the Manufactured Dwelling zone for the purpose of developing a new 196-unit manufactured dwelling (mini home) community.

The subject property is located in West Riverview, just past Patricia Drive and opposite the River Garden Estates community. Manufactured dwellings are treated as an individual residential use under the Zoning By-law, and are only permitted in the Manufactured Dwelling zone. Generally, this type of development is managed as a land-lease community, where the entire property including all infrastructure is owned by a company, and residents own their homes but lease a portion of the land from the managing company.

Manufactured dwellings are substantially less expensive than traditional single unit dwellings and represent a particular price point in the housing spectrum (current 2-3 bedroom units throughout Greater Moncton are selling in the \$175,000 to \$215,000 range). The existing parks (Cross Creek, River Garden, River East) have seen steady growth in recent years (53 new units since the beginning of 2020) and are nearing capacity. This indicates that demand for this type of housing remains strong, particularly in light of soaring housing prices.

The Municipal Plan is relatively silent on the regulation of manufactured dwelling communities. It states that it is Council's intent to accommodate *existing* manufactured dwelling parks but offers no guidance on *new* parks. This leaves Staff and Council to use their own discretion on rezoning requests. As such, Staff have worked closely with the proponent to address questions with respect to public safety, servicing, connectivity, community development, and phasing to ensure that the residential park development represents current market dynamics and industry best practices.

The MD zone falls under the rural designation, which is outside the Town's Urban Growth Boundary. However, in this situation the Town's sewer and water services extend slightly beyond the boundary and

the proposal can be serviced without extending public services or relying on an on-site well and septic system. All servicing on-site will be privately owned, but will connect to the public system and will be billed based on the Town's fee formula. Engineering has requested a water transfer system be installed to ensure that if there is ever a problem with the private system, it will not impact the public system. This approach has been used successfully in the Cross Creek development on Pine Glen Road.

Municipal Plan policies speak to limiting new development outside the Growth Boundary while there is still land available within the boundary. However, due to the MD zone falling under a rural designation, this seems to indicate that manufactured dwellings are encouraged to locate outside the growth area. While it is true this development will occur on the fringe of the built-up area, it is within the limits of the future West Riverview Boulevard, and adjacent to existing established residential neighbourhoods (River Garden, Patricia Drive, and Smith Hill Estates). As a land lease community, this type of housing is not directly in competition with traditional residential subdivisions.

The street network will be privately owned. Generally, private streets are discouraged because it leads to gated communities that disrupt the public street network. However, some condominiums do have private internal laneways that function as private streets. The other concern is that if private roads become too costly for the property owner to maintain, they may request the Town to step in and take them over. In this situation, the individual residential lots will not be subdivided, and no private right-of-way will be created. The streets function within a single large PID and essentially act as driveways. However, they will be built to municipal standards to be approved by the Engineering department.

In manufactured dwelling communities, the private streets often form part of the development. This is the case in all of Riverview's manufactured dwelling parks. A condition has been included to indicate that all private infrastructure and services are to remain private and not become a public responsibility. At this location, the development will be bounded by Coverdale Road, and the future Whitepine Extension and West Riverview Boulevard. As such, the community will be served by the public street network and the internal private roads will not restrict movement for other road users. Though the street network will not follow the standard subdivision process, they will be required to provide temporary turnarounds as part of each development phase to ensure maneuverable areas for large vehicles such as snowplows and fire trucks.

With respect to the community design, the dwelling units will be placed perpendicular to the street system, which creates a denser community. Staff encouraged the proponent to consider placing the units parallel to the street, as is the case in Cross Creek, to ensure the front doors face the street similar to a traditional residential neighbourhood. However, due to the high cost of infrastructure required, the proponent indicated that this layout would reduce the number of units and require higher lot fees, which would contradict their effort to create more affordable housing. In the absence of policy guidance for this type of development, community design must be balanced with cost efficiency and other planning matters.

There will be a central community park space, with the potential for a small trail system to connect different areas of the development to the park. The park will also be privately owned and will not be paid for or maintained by the Town.

The primary connection to the public road network will be on Coverdale Road, opposite Lupin Ave. A second entrance was discussed further to the east, but it was deemed to not meet sight line requirements and was not acceptable by the Engineering Department. A pedestrian connection may be developed at some point in the future, but no vehicular access will be permitted to Coverdale Road from a second access.

A gated emergency entrance will be installed on the existing dirt road on the property in accordance with the Town's Emergency Access Policy to ensure that emergency services will have access to the community in case the primary entrance is blocked. The Town's Fire and Rescue department will be provided a key or passcode to ensure they can open the gate in case of emergency. The street layout provides for future connections to the planned West Riverview Boulevard and Whitepine Extension, whenever those road projects advance in the future.

The traffic impact analysis identified that a left turn lane would be required from Coverdale Road once it reached the 50-unit threshold. The Engineering department requested that the left turn be implemented during the first phase of development. This will involve slightly widening a roughly 265m long portion of Coverdale Road and installing culverts/pipes to manage the water currently managed by the open ditch system. The cost of the work is the developer's responsibility and will occur within the existing road right-of-way. The final design will be completed prior to any building permits being granted.

To ensure the privacy of the adjacent property owners in the under-development Smith Hill Estates neighbourhood and along Coverdale Road, a tree buffer (approximately 60 metres wide) is to remain between the two neighbourhoods. Additionally, the site plan proposes no development within any regulated wetland areas.

Manufactured dwelling communities are an alternative form of residential development that respond to a growing need for affordable housing options amid rapidly growing real estate prices. Staff have evaluated the proposal with respect to municipal policy, and best practices with respect to road infrastructure, connectivity, servicing, public safety, and compatibility with adjacent land uses and are in favour of the proposed development.

Statements of Public Interest

In 2023, the Provincial government adopted the Statements of Public Interest Regulation, which lays out five policy areas that must be considered in all planning documents. The policy areas are: Settlement Patterns, Agriculture, Climate Change, Flood and Natural Hazard Area, and Natural Resources. It is understood that not all policy areas will apply to all planning files.

The most pertinent statement in this case is settlement patterns, which aims to ensure efficient land use patterns and to control urban and rural sprawl. While this proposal is outside the urban growth boundary, it is still serviceable by municipal sewer and water and will not create any new public roads. A new conventional subdivision with individual lots on new public roads would require an extension to public services and an amendment to the growth boundary, which would not be recommended.

However, given that this is a private development that will be privately serviced with connection to the public system, there is no financial implication to the Town. This community will operate similarly to the Cross Creek community on Pine Glen Road. It is true that this will likely be a car dependent community, but it is no more true for this development than for adjacent residential development in the Patricia Drive area or Smith Hill Estates.

Finally, the Municipal Plan policies direct new manufactured dwelling communities to the rural area, and therefore this proposal complies with both provincial and municipal policy.

Legal Authority / Autorité légale

Community Planning Act 2017, c.19

110(1) Before making a by-law under this Act, a council shall request in writing the written views of the advisory committee or regional service commission on :

(a) a proposed by-law in respect of which the views have not been given previously,

Recommendation / Recommandation

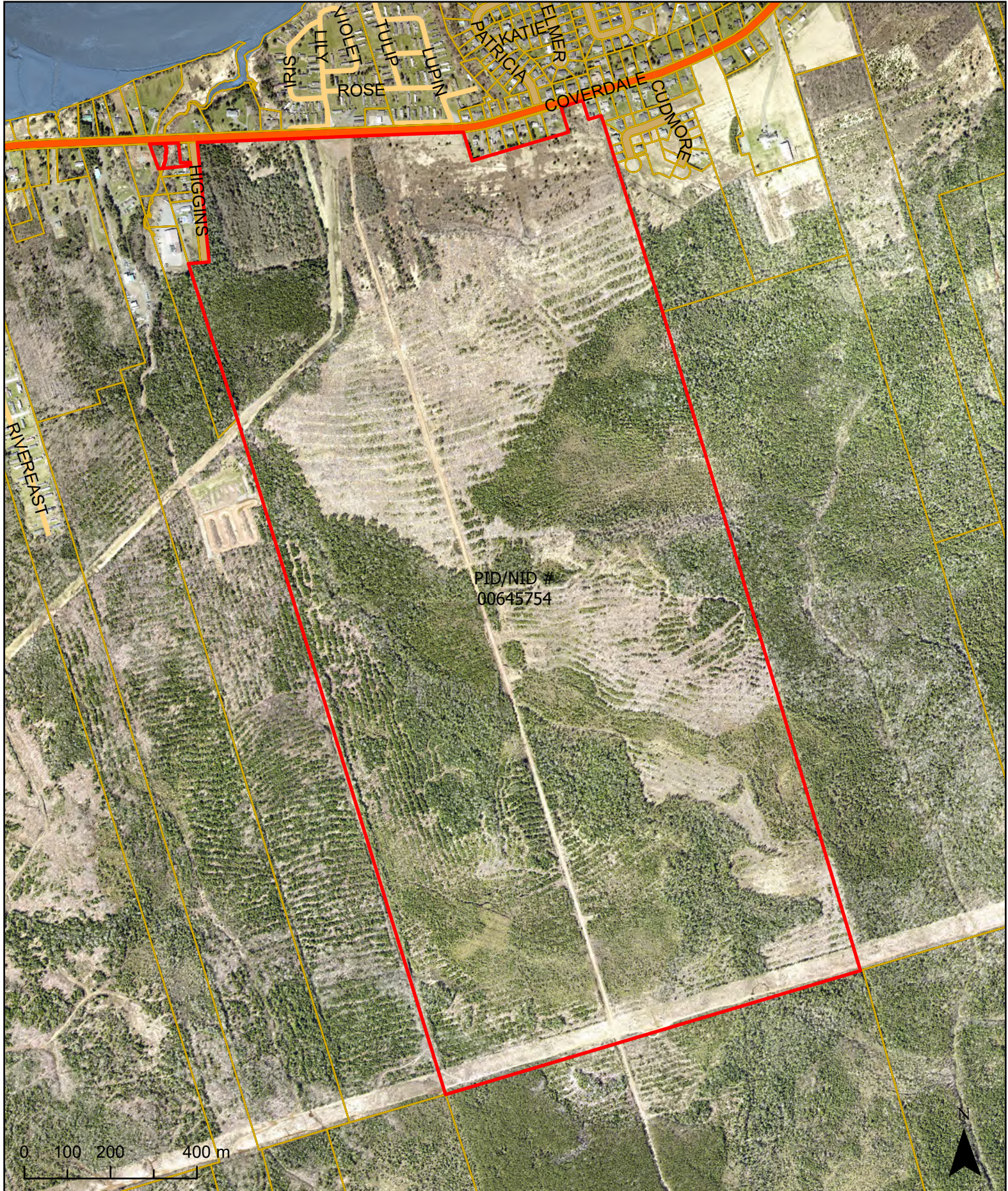
Staff recommends that the Riverview Planning Advisory Committee RECOMMEND that Riverview Town Council adopt By-law 300-7-17 in order to rezone a portion of PID 00645754 from RA - Rural Area to MD - Manufactured Dwelling subject to the following conditions:

- a) That the Lands must be developed as a manufactured dwelling community in substantial conformity with the site plan, phasing plan, and lot layout dated June 11, 2024, attached as Schedules A-17-1, 2, and 3 including maintaining the 60m buffer on the northern and eastern boundaries of the Lands;
- b) That the Development be considered a private development, and that the Owner be solely responsible at its sole cost, to install and maintain all infrastructure services on the Lands including, but not limited to, private streets, water and sanitary sewer infrastructure, street lamps, garbage collection and amenity space within the Development;
- c) That the private streets within the Development shall be designed and the construction supervised by a licenced professional engineer in the Province of New Brunswick, and installed by a qualified contractor with all applicable codes met and at the sole cost of the Owner;
- d) A left-hand turn lane shall be installed on Coverdale Road prior to occupancy of the Development by any residents and shall be built to the Town's standards and at the sole cost of the Owner;
- e) Temporary turnrounds shall be installed at the end of each street phase of the Development per Town specifications at the Owner's sole cost;
- f) That a gated emergency exit driveway be developed per the Town of Riverview Emergency Access Policy, and that a master key or access code to the gate be provided to the Town of Riverview Fire Department for emergency access;
- g) That the Development's water and sanitary sewer connection to the municipal system include a transfer vault and must be maintained by the Owner at its sole cost, based on industry best practices;
- h) That a stormwater management system be installed and maintained by the Owner on the Lands, at its sole cost, per the servicing strategy provided to and approved by the Town, and that the off site pre flow is maintained or reduced from pre-peak levels. The stormwater pond shall be installed prior to occupancy of the Development by any residents in Phase 1; and
- i) That a civic addressing plan for the Development be submitted prior to any building/development permits being issued.

Coverdale Road (PID/NID 00645754)

Riverview

Date: 7/10/2024





BY-LAW No. 300-7-17

**A BY-LAW TO AMEND THE
TOWN OF RIVERVIEW ZONING BY-LAW**

BE IT ENACTED by the Town Council of the Town of Riverview as follows:

The Town of Riverview Zoning By-Law, being By-Law No. 300-7, ordained and passed on October 22, 2018 and filed in the Albert County Registry Office on January 16, 2019 as number 38741691, is hereby amended as follows:

1. Schedule A, being the Town of Riverview Zoning Map, is amended as shown on the map dated July 10, 2024, attached hereto as Schedule A-17.

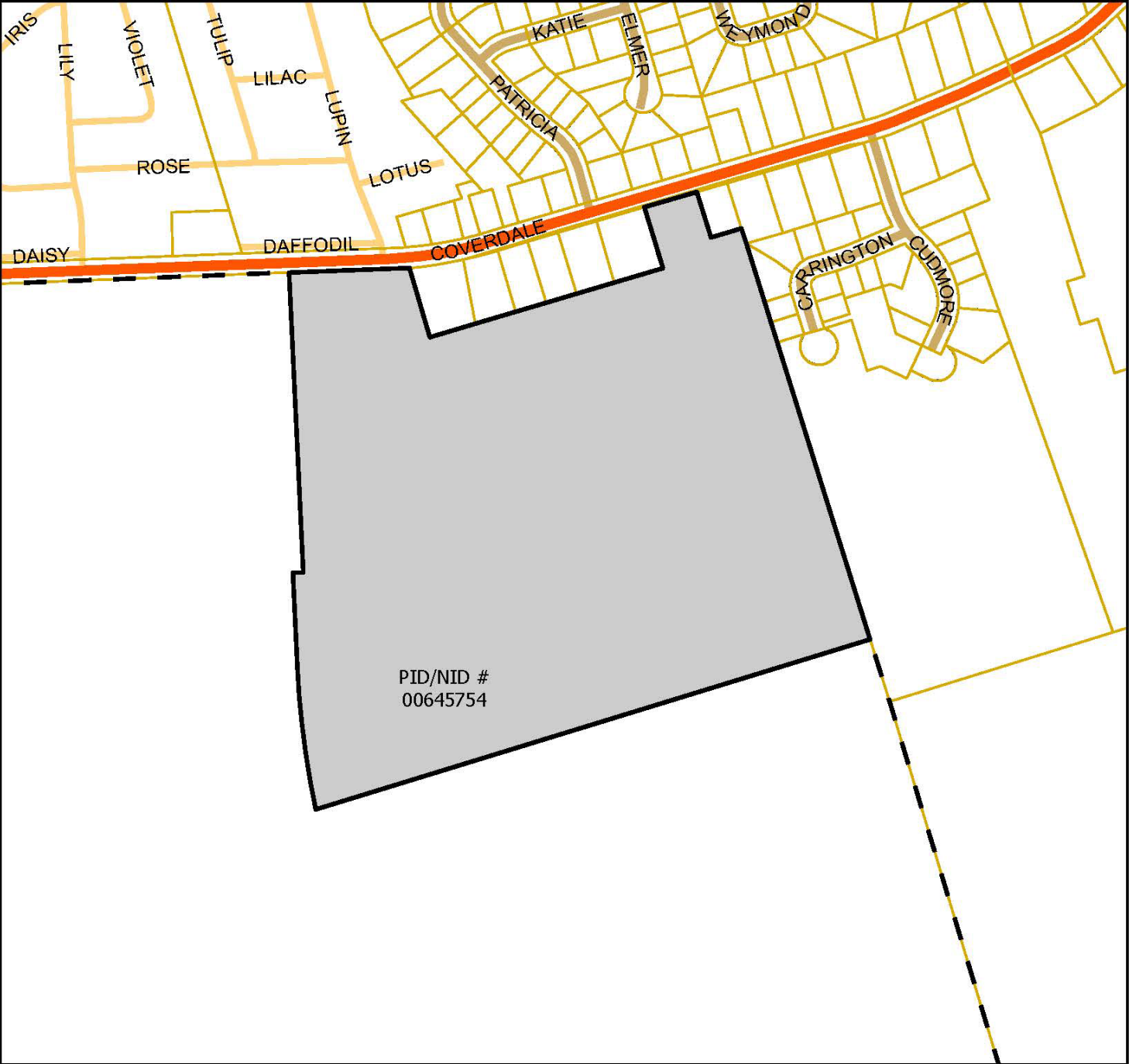
ENACTED this _____ day of _____, A.D. 2024.

MAYOR
Andrew Leblanc

TOWN CLERK
Karyann Ostroski

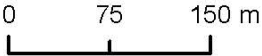
First Reading
Second Reading
Third Reading

Schedule/Annexe A-17
Riverview
ZONING MAP / CARTE DE ZONAGE
Date: 7/10/2024



Legend

 Rezone from RA - Rural Area to MD - Manufactured Dwelling



THIS AGREEMENT MADE THIS _____ DAY OF _____, 2024

BETWEEN: **THE TOWN OF RIVERVIEW**, a municipal corporation,
incorporated under the Legislative Assembly of the Province of New Brunswick
and located at 30 Honour House Court, Riverview, County of Albert, Province
of New Brunswick, E1B 3Y9,

hereinafter called the “Town” Of the First Part;

-and-

J.D. IRVING, LIMITED, a corporation duly incorporated and maintained under
the laws of the Province of New Brunswick, maintaining an office at 35 Micmac
Blvd, Suite 100, Dartmouth, Halifax Regional Municipality, County of Halifax,
Province of Nova Scotia B3A 4Y8

hereinafter called the “Owner” Of the Second Part

WHEREAS the Owner has applied to rezone a portion of the property located within the boundaries of
the Town on Coverdale Road bearing PID 00645754 as shown on Schedules A-17-1 and A-17-2
(hereinafter the “Lands”) from “RA” (Rural Area) to “MD” (Manufactured Dwelling), for the purpose of
a manufactured dwelling community;

AND WHEREAS the proposed purpose is not a permitted use under the present zoning of the Lands;

AND WHEREAS the Planning Advisory Committee has recommended that the Town rezone said Lands
in accordance with, and subject to the provisions contained in section 59 of the *Community Planning Act*,
and subject to certain terms and conditions herein set forth;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the
parties agree as follows:

1. The Owner’s Covenants

The Owner covenants and agrees to develop the Lands in compliance with the following terms and
conditions:

- a) That the Lands must be developed as a manufactured dwelling community in substantial
conformity with the site plan, phasing plan, and lot layout dated June 11, 2024, attached
hereto as Schedules A-17-1, 2, and 3, (the “Development”) including maintaining the 60m
buffer on the northern and eastern boundaries of the Lands;
- b) That the Development be considered a private development, and that the Owner be solely
responsible at its sole cost, to install and maintain all infrastructure services on the Lands
including, but not limited to, private streets, water and sanitary sewer infrastructure,
streetlamps, garbage collection and amenity space within the Development;
- c) That the private streets within the Development shall be designed and the construction
supervised by a licenced professional engineer in the Province of New Brunswick, and
installed by a qualified contractor with all applicable codes met and at the sole cost of the
Owner;
- d) A left-hand turn lane shall be installed on Coverdale Road prior to occupancy of the
Development by any residents and shall be built to the Town’s standards and at the sole cost
of the Owner;
- e) Temporary turnrounds shall be installed at the end of each street phase of the Development
per Town specifications at the Owner’s sole cost;
- f) That a gated emergency exit driveway be developed per the Town of Riverview Emergency
Access Policy, and that a master key or access code to the gate be provided to the Town of
Riverview Fire Department for emergency access;

- ~~f~~g) That the Development’s water and sanitary sewer connection to the municipal system include a transfer vault and must be maintained by the Owner at its sole cost, based on industry best practices;
- ~~g~~h) That a stormwater management system be installed and maintained by the Owner on the Lands, at its sole cost, per the servicing strategy provided to and approved by the Town, and that the off site pre flow is maintained or reduced from pre-peak levels. The stormwater pond shall be installed prior to occupancy of the Development by any residents in Phase 1; and
- ~~h~~i) That a civic addressing plan for the Development be submitted prior to any building/development permits being issued.

2. The Town’s Covenants

The Town covenants with the Owner as follows:

- a) That the Town will undertake to carry out all necessary procedures for the zoning amendment to have the Lands zoned to “MD” (Manufactured Dwelling) subject to terms herein contained and for the purposes stated herein.

3. Notices

Any notices under this agreement shall be sufficiently given by personal delivery by registered mail, postage prepaid, and mailed in a Canadian Post Office, addressed:

Owner	Town
J.D. IRVING, LIMITED 35 MICMAC BLVD, SUITE 100 DARTMOUTH, NS B3A 4Y8 ATTENTION: STEFAN HODDINOTT	TOWN OF RIVERVIEW ATTN: TOWN CLERK 30 HONOUR HOUSE COURT RIVERVIEW, NB E1B 3Y9

4. The Owner acknowledges and agrees that notwithstanding anything contained herein, the approval of the Town to the amendment to the zoning of the land is wholly conditional upon compliance by the Owner with the terms and conditions herein, and further shall be of no effect until the zoning amendment is perfected pursuant to subsection 59(2) of the *Community Planning Act* of New Brunswick.

5. Successors

THIS AGREEMENT enures to the benefit of, and binds the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF the Town and the Owner have caused their authorized officers and themselves to execute this agreement and to affix their seals, the day and year first above written;

SIGNED, SEALED AND DELIVERED

THE TOWN OF RIVERVIEW

MAYOR

CLERK

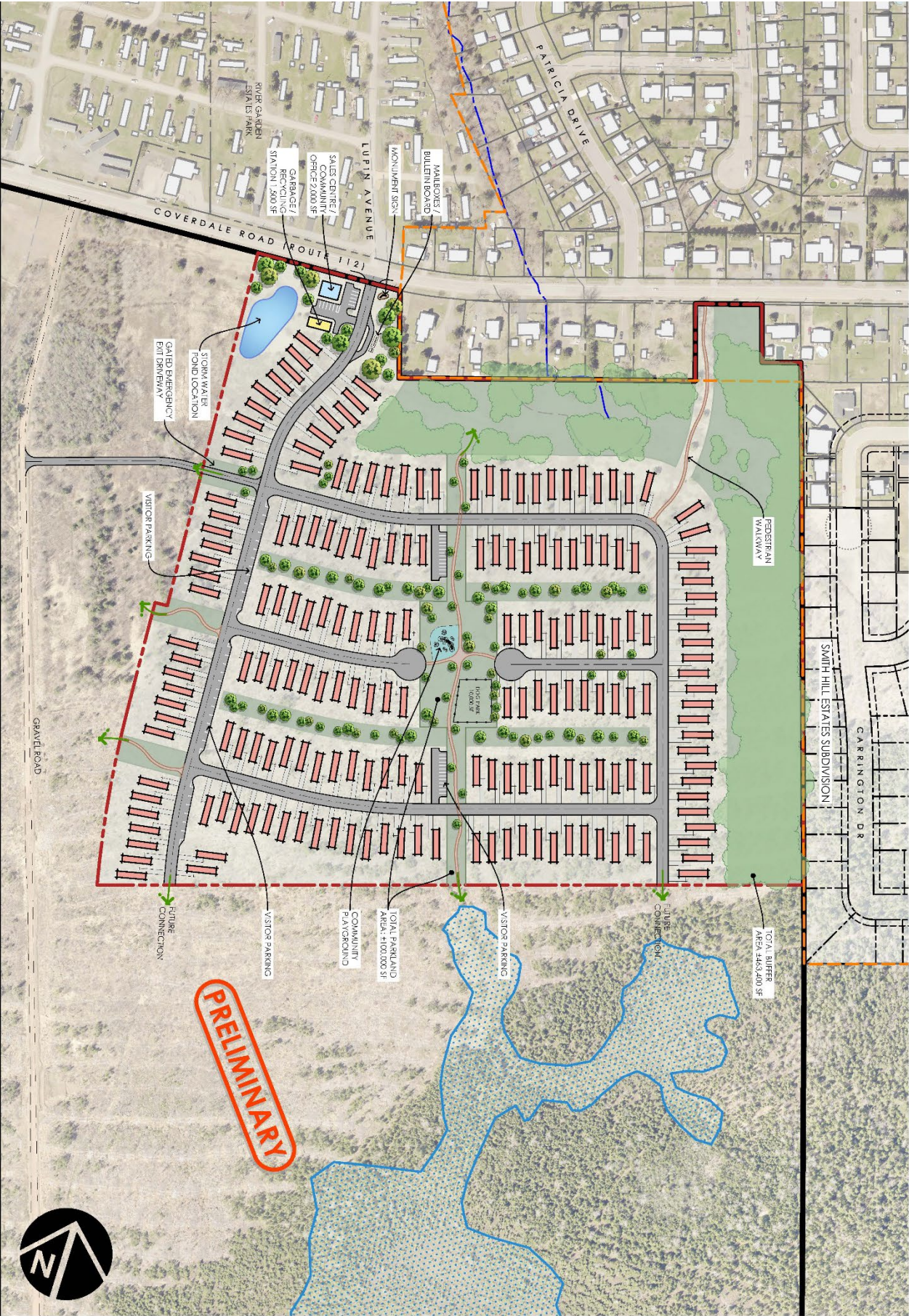
J.D. IRVING, LIMITED

Per:

Per:

DRAFT

SCHEDULE A-17-1



- LEGEND**
- Boundary (PID: 0064572)
 - Site Boundary
 - Adjacent Property Bour
 - Wetland
 - Urban Growth Boundary

SITE SUMMARY:

- PID: 00645724
- Site Area: 21.9 Ha
- Total Land Area: 21.61 Ha
- Existing Zone: RM / RA
- No. of Units: 196 dwellings
- Main Driveway Length: 1,756m
- Emergency Driveway Length: 187m

NOTES:

- Subject to survey. Property lines on topographic features are approxi-
- only.
- Site subject to by-law review and regulations.

SOURCES:

- Plan based on WSP file: 21.1.1342.
- Coverdale Rd Development To Cl
- [2023-09-22].dwg

SCALE:



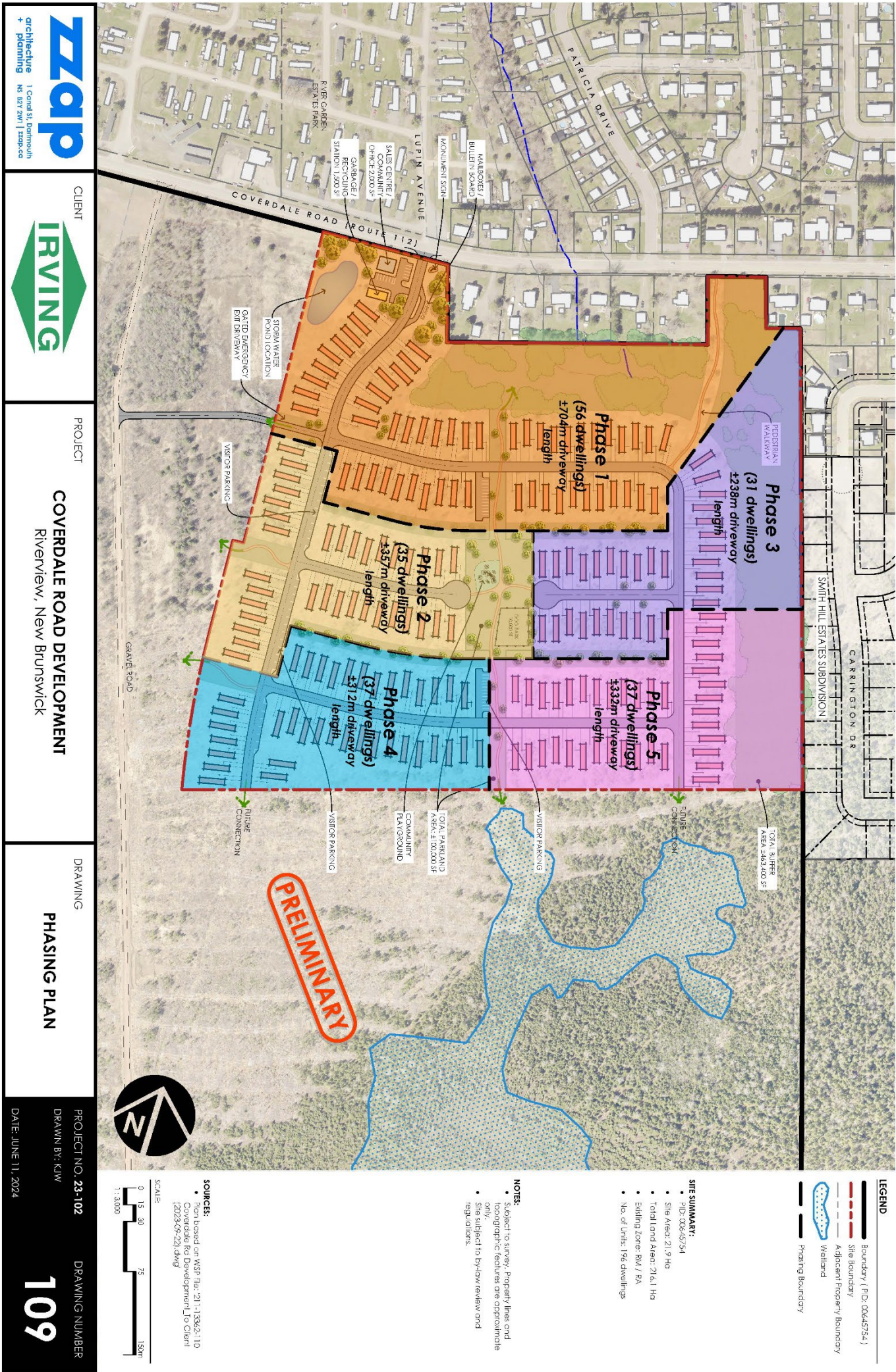
CLIENT PROJECT
COVERDALE ROAD DEVELOPMENT
Riverview, New Brunswick

DRAWING
SITE PLAN

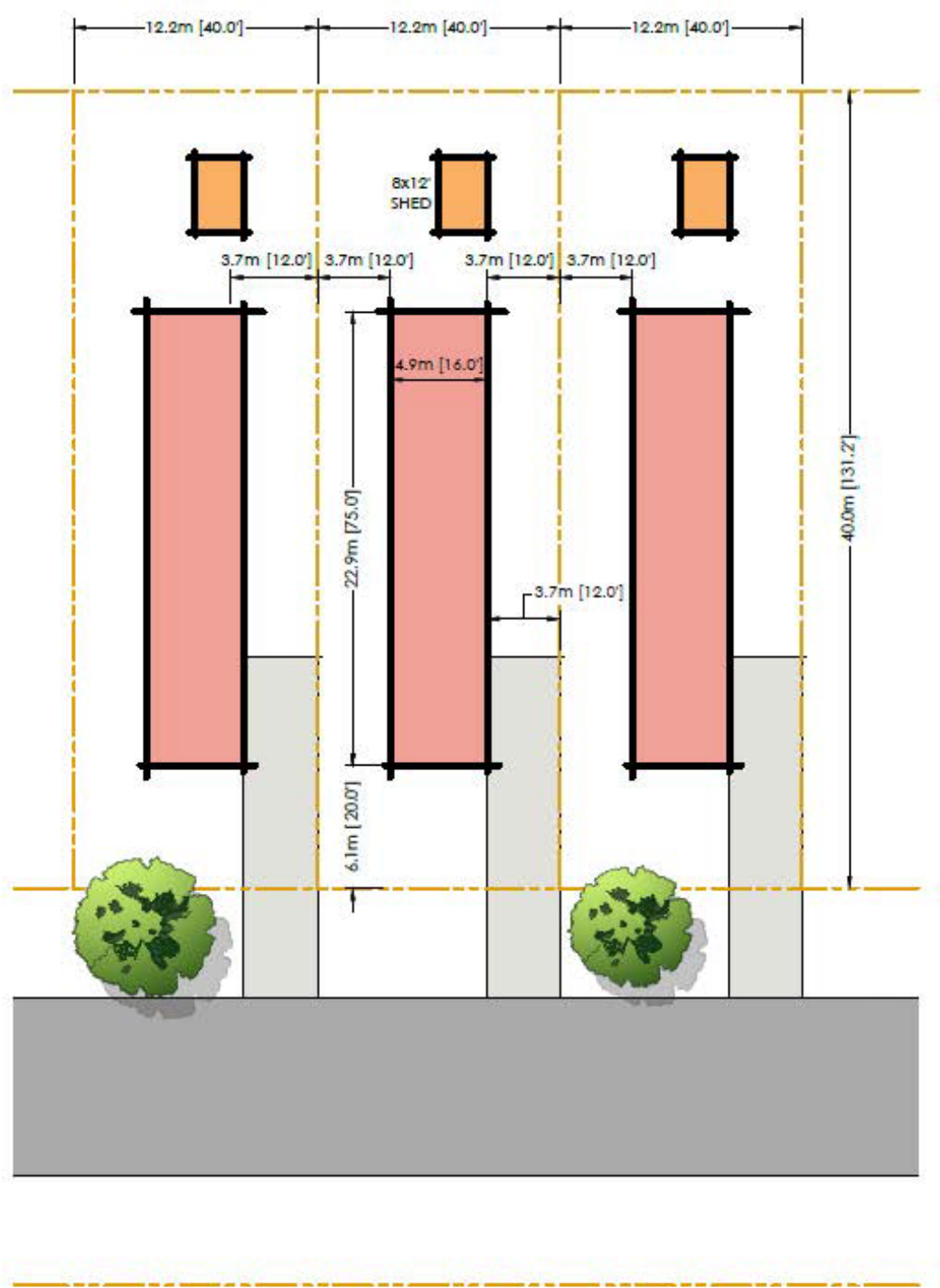
PROJECT NO. 23-102
DRAWN BY: KJW
DATE: JUNE 11, 2024
DRAWING NO. 108

SCHEDULE A-17-2

FILE: C:\Users\Ken\Zwickler Zareski Architecture & Planning\Projects - 2023 Projects\23-102 JDI Riverview Rezoning\4_Planing\1-DWG\23-102-SITE_PLAN-109.dwg SHEET: Phasing



SCHEDULE A-17-3



40' LOT LAYOUT