

# Riverview Planning Advisory Committee

Wednesday, September 11, 2024

## Staff Report

**Subject / Objet:** Rezoning from NC to R3

**File Number/ Numéro du fichier :** 24-0285

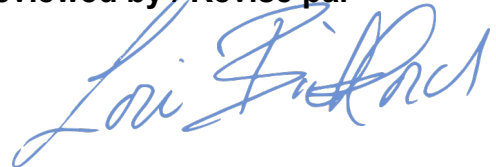
**From / De :**



Jenna Stewart

Planner / Urbaniste

**Reviewed by / Révisé par**



Lori Bickford

Planning Manager/Planner / Gestionnaire de  
planification/Urbaniste

### **General Information / Information générale**

**Applicant / Requéant :**

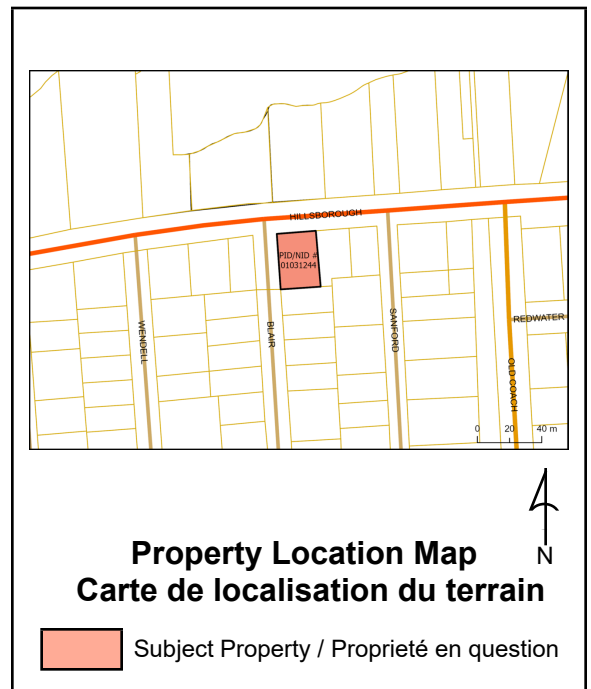
Pui Wai (Calvin) Yu

**Landowner / Propriétaire :**

2785992 Ontario Inc.

**Proposal / Demande :**

Rezone the property from NC to R3 to allow for the conversion of the ground floor office space into a 5<sup>th</sup> apartment.



### **Site Information / Information du site**

**PID / NID:** 01031244

**Lot Size / Grandeur du lot:** 818 sqm

**Location / Endroit :**

Hillsborough Road, Town of Riverview / Ville de Riverview

**Current Use / Usage présent :**

Commercial and Residential (Office and 4 Apartment Units)

**Zoning / Zonage :**

NC (Neighborhood Commercial)

**Future Land Use / Usage futur :**

Residential

**Surrounding Use & Zoning / Usage des environs & Zonage :**

NC (Neighborhood Commercial), R2 (Two Unit Dwelling), R1 (Single Unit Dwelling)  
Primarily Residential Uses

**Municipal Servicing / Services municipaux:**

Serviced (Water, Sanitary, Storm)

**Access-Egress / Accès-Sortie :**

Blair Street

**Policies / Politiques****5.0 Residential Development Policies**

**Policy 5.1.1** It shall be the intention of Council to ensure that Residential areas designated on the Generalized Future Land Use map are predominantly used for residential purposes. Furthermore, it shall be the intention of Council to permit the following compatible uses within the Residential designation, subject to the relevant provisions of this Plan and Zoning By-Law:

- a) parks, open space and recreation areas, including integrated golf course communities;
- b) public and private schools; (
- c) religious facilities;
- d) small scale commercial and convenience retail store;
- e) home occupations;
- f) utilities;
- g) special care homes;
- h) accessory apartments; and
- i) day cares.

**Policy 5.1.6** It shall be the intention of Council, in considering demographic changes, to provide for a range of housing types and densities by the establishment of a sufficient range and number of residential designations and zones. As a general guideline, the following densities shall apply:

- c) High Density within the R3 – Multiple Unit Dwelling Zone: may consist of any form or combination of medium density developments or other housing forms or combinations where density generally exceeds 15 units per acre, but no more than 30 units per acre.

**Policy 5.2.1** It shall be the intention of Council to create a Residential Designation on the Generalized Future Land Use Map, which recognizes all of the residentially developed land in the Town, and provides sufficient lands for future residential development within the Urban Growth Boundary.

**5.3 Principles for Residential Development**

Principle 1: A variety of housing types will be provided

A variety of housing types is required in order to accommodate all residents of Riverview, at all stages of life and in different family and economic situations. The mixing of various types and designs of housing within a development and on each street while considering the context (see Principle 2) is encouraged.

Principle 2: Development should respect its context

Context sensitive residential development that complements surrounding homes and preserves or enhances neighbourhood integrity will be encouraged. In the designing of the various types of residential buildings, the developer shall consider the relationship (height, size, bulk) between each building within a proposed development and to existing adjacent buildings. Factors to be considered include:

(a) designing subdivisions and new developments to make more efficient use of land, infrastructure, and services;

### **5.7 R3- Multi-Unit Residential Zone**

**Policy 5.7.1** It shall be the intention of Council to establish, within the Residential Designation, a Multi-Unit Residential Zone (R3) permitting residential development of 3 units or more.

**Policy 5.7.5** In keeping with policy 5.1.6 (d), it shall be the intention of Council to consider rezoning properties to R3, subject to terms and conditions and design standards, to permit densities beyond 30 units per acre in areas of the Town that are located along or in proximity of major arterials or major intersections or in the vicinity of significant commercial nodes and well separated from low density areas.

**Policy 5.7.6** In considering such amendments, Council shall have regard for:

- (a) the location, number, layout and design of vehicular access, and consideration of joint access where individual accesses are deemed not to be desirable;
- (b) the design and location of above grade parking lots;
- (c) the necessity for underground or at grade parking lots;
- (d) the proposed landscaping and provision of amenity space;
- (e) the protection of important view lines and prevention of overshadowing by controlling building height, bulk and site location;
- (f) the design of the proposed development in terms of building orientation and relationship to other housing types and nearby land uses, the layout of the buildings, rights of way and open spaces;
- (g) the traffic impacts;
- (h) measures for the preservation of the site's natural state by minimizing tree and soil removal;
- (i) the adequacy of municipal services;
- (j) and any other matter.

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

### **Existing building or lot**

**20** If a building, existing before the adoption of this By-law, is either built or placed contrary to the requirements of this Bylaw, it may be enlarged, reconstructed, repaired or renovated if the requirements of this By-law are not further compromised.

### **Secondary residential use in the NC Zone**

**72** In a NC Zone, a residential use to a maximum of 4 units shall be permitted as a secondary use to a commercial use if the dwelling units are not located on the ground floor frontage.

## **Table 11.1 (a) Residential Zones Use Table**

R3 Multiple Unit Dwelling subject o section 91 (C- conditional Use subject to terms and conditions)

### **Multiple Unit Dwelling**

**91(1)** When permitted, the height of a multiple unit dwelling shall be subject to the following conditions:

- (a) any part of a building located within 12 metres of an abutting R1 Zone, R1-C Zone or R2 Zone shall not exceed two stories with a maximum height of nine metres;
- (b) any part of a building located between 12 and 15 metres of an abutting R1 Zone, R1-C Zone or R2 Zone shall not exceed three stories with a maximum height of 12 metres; and
- (c) any part of a building located more than 15 metres from an abutting R2 Zone shall not exceed four stories with a maximum height of 15 metres.

### **Internal Consultation & External Consultation / Consultations internes et externes**

The proposed application was reviewed by the Development Review Committee (Corporate Services, Engineering and Public Works, Parks and Recreation, Fire Protection, and Planning/Development), no concerns were raised.

### **Discussion**

The applicant is proposing a rezoning from the NC (Neighborhood Commercial) zone to the R3 (Multiple Unit Dwelling) zone to allow for the conversion of the ground floor office space into a 5<sup>th</sup> apartment.

In 1997, the subject property was rezoned from R1-A to NC, as it was identified as having been incorrectly zoned previously as there was an existing office in place. In 2012, the current building received approval for a variance related to the location of the parking lot. Following that, the building permit to construct a new building with an office on the ground floor and a total of 4 apartment units on the 2nd and 3rd floors was issued.

The subject property is 818 square meters and is predominately surrounded by R1 (Single Unit Dwelling) and pockets of NC (Neighborhood Commercial) and R2 (Two Unit Dwelling) that are developed as single unit dwellings. It is a corner lot with frontage on Hillsborough Road and flankage on Blair Street. Hillsborough Road is traditionally a mixed-use arterial road with a mix of low- and high-density residential uses and commercial uses. Hillsborough Road is also serviced by Codiac Transpo bus service. Blair Street and south of the lot in general is residential in nature, and further southward does see an increase in density from R1 to R3 zones.

The current NC zone limits secondary residential use to a maximum of 4 units and these units can not be located on the ground floor. The existing building is at the limit. The office on the ground floor is vacant and the owner would like to convert the office into an additional apartment to assist in covering building costs instead of continuing as is. The existing parking (exterior and interior) does meet the requirements for a 5-unit multiple unit dwelling. Additionally, the lot and existing building is serviced by municipal water and sanitary sewer.

Furthermore, the R3 – Multiple Unit Dwelling zone requirements under the Riverview Zoning By-Law would limit any future higher density developments on the property due to the lot layout, size, and location as such staff is not recommending conditions for this rezoning. Also, there are similar situations that



currently exist on Hillsborough such as 154 Hillsborough Road, 102 Hillsborough Road, and 176 Hillsborough Road being examples of properties that are zoned R3 with no conditions.

Staff feels that the rezoning request is reasonable as the change is not anticipated to have a significant impact on the surrounding community as the proposed changes are interior in nature; there are no plans to change the exterior of the building; and the level of use of the building is believed to not be notably different in nature.

The property in question was originally rezoned to Neighbourhood Commercial to permit an office space. As the market has shifted away from office space to a high demand for residential, the property owner wants to convert the office into a fifth dwelling unit. The staff is in favour of a R3 zoning for this property, as staff believe the impacts to the surrounding community would be minimal in nature and that the property size and layout limits the possibility of a high-density development in the future.

### **Legal Authority / Autorité légale**

The Planning Advisory Committee receives its authority via the *Community Planning Act*:

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 respectfully recommends that the Riverview Planning Advisory Committee RECOMMEND that Riverview Town Council adopt By-law 300-7-16 to rezone the property on Hillsborough Road bearing PID 01031244 from NC to R3 to allow for the conversion of the ground floor office space into a 5<sup>th</sup> apartment.



**BY-LAW No. 300-7-16**

**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 March 13, 2024, attached hereto as Schedule A-16.

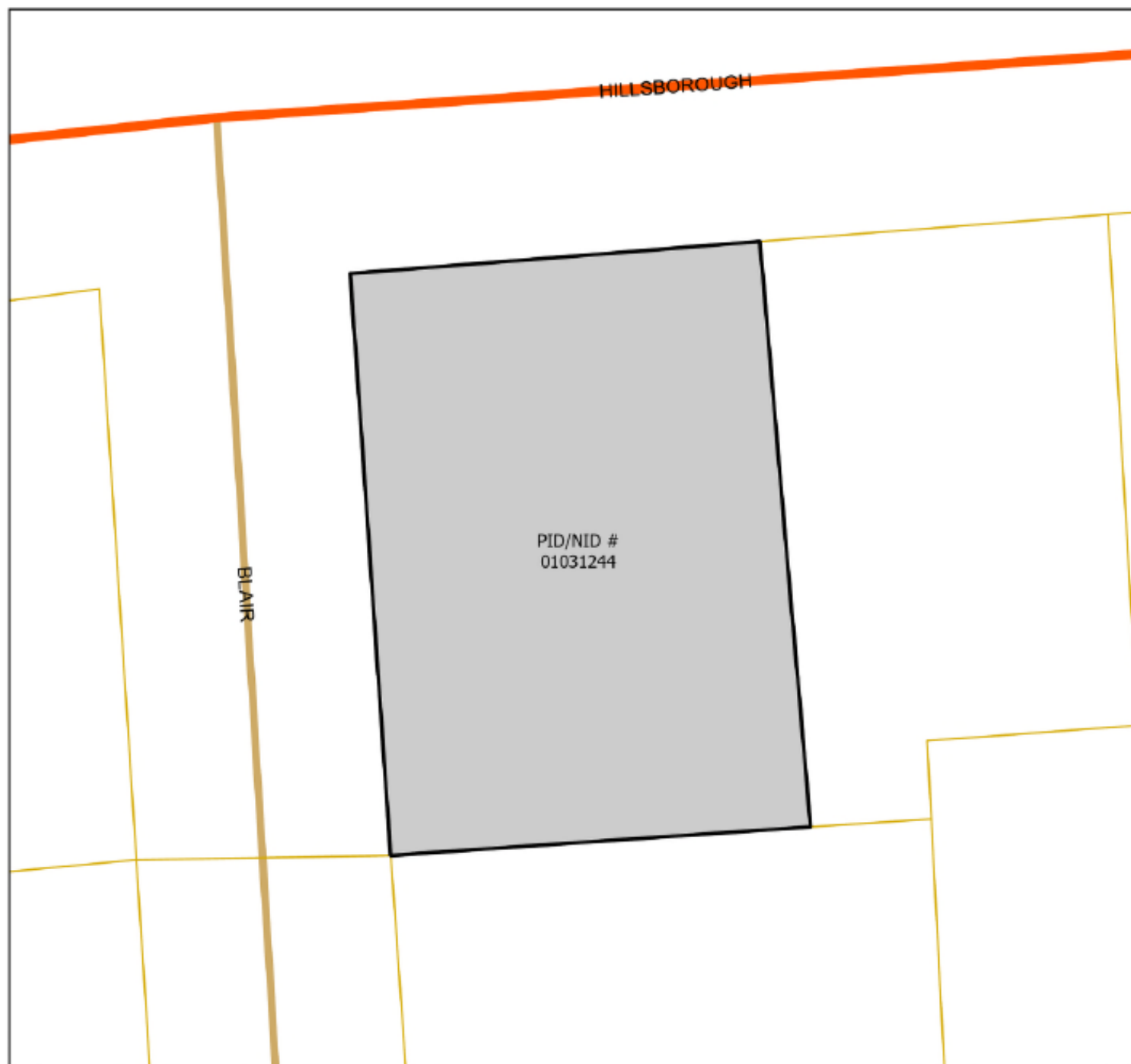
**ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2024.

\_\_\_\_\_  
**MAYOR**  
Andrew Leblanc

\_\_\_\_\_  
**TOWN CLERK**  
Karyann Ostroski

First Reading  
Second Reading  
Third Reading

Schedule / Annexe A-16  
Riverview  
ZONING MAP / CARTE DE ZONAGE  
Date: 3/13/2024



Legend

 Schedule A-16 - Rezone from NC-Neighbourhood Commercial to R3- Multiple Unit Dwelling



0 5 10 m

Schedule 24-0285

## Location Map



**Main / Principal**  
 1234 rue Main Street, Suite 200  
 Moncton, NB E1C 1H7  
 (506) 238-5386

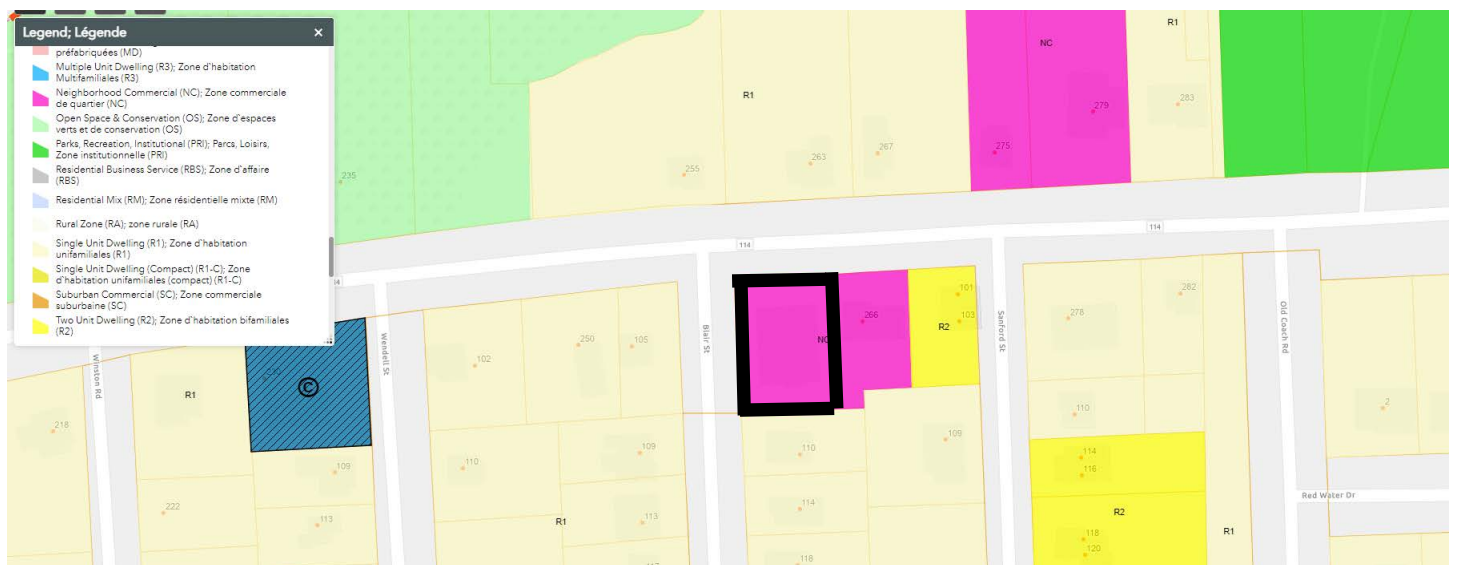
**Shediac**  
 815A rue Bombardier Street  
 Shediac, NB E4P 1H9  
 (506) 533-3637

**Tantramar**  
 112C rue Main Street  
 Sackville, NB E4L 0C3  
 (506) 364-4701

**Riverview**  
 Operations Centre d'opérations  
 300 rue Robertson Street  
 Riverview, NB E1B 0T8  
 (506) 382-3574



## Current Zoning Map



**Main / Principal**  
 1234 rue Main Street, Suite 200  
 Moncton, NB E1C 1H7  
 (506) 238-5386

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 815A rue Bombardier Street  
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# Site Plan and Parking Plan



Existing building and outdoor parking



Existing building, garage parking



## Site Photos



Building from Hillsborough Road



Building from Blair Street

### Main / Principal

1234 rue Main Street, Suite 200  
Moncton, NB E1C 1H7  
(506) 238-5386

### Shediac

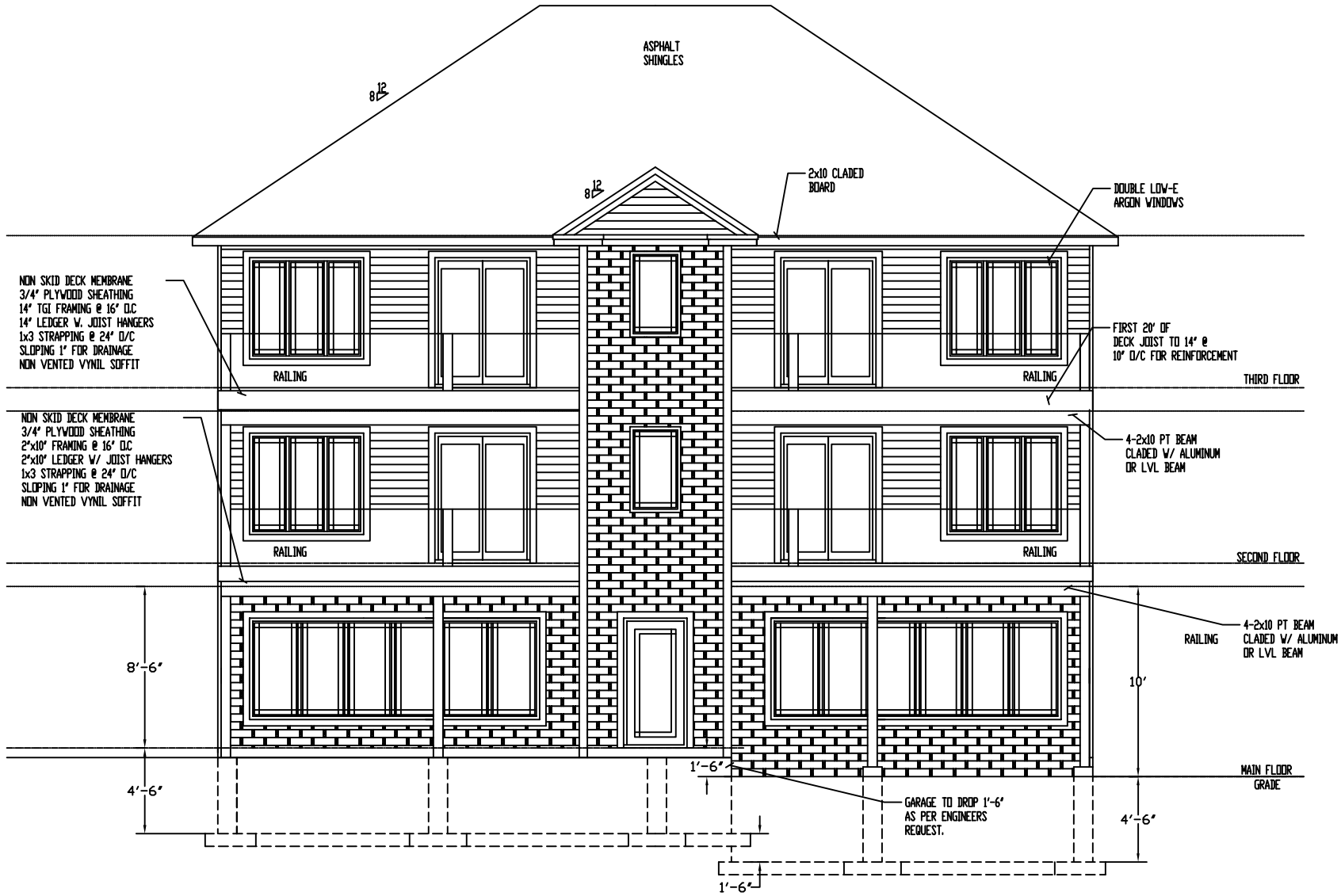
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NOTE: BEFORE STARTING CONSTRUCTION, THE BUILDER MUST REVIEW AND BE RESPONSIBLE FOR ALL DETAILS AND DIMENSIONS AND ENSURE THAT THIS PLAN MEET ALL CONSTRUCTION CODES IN YOUR AREA. ANY ERRORS OR OMISSIONS TO BE REPORTED TO DRAFTPERSON BEFORE CONSTRUCTION

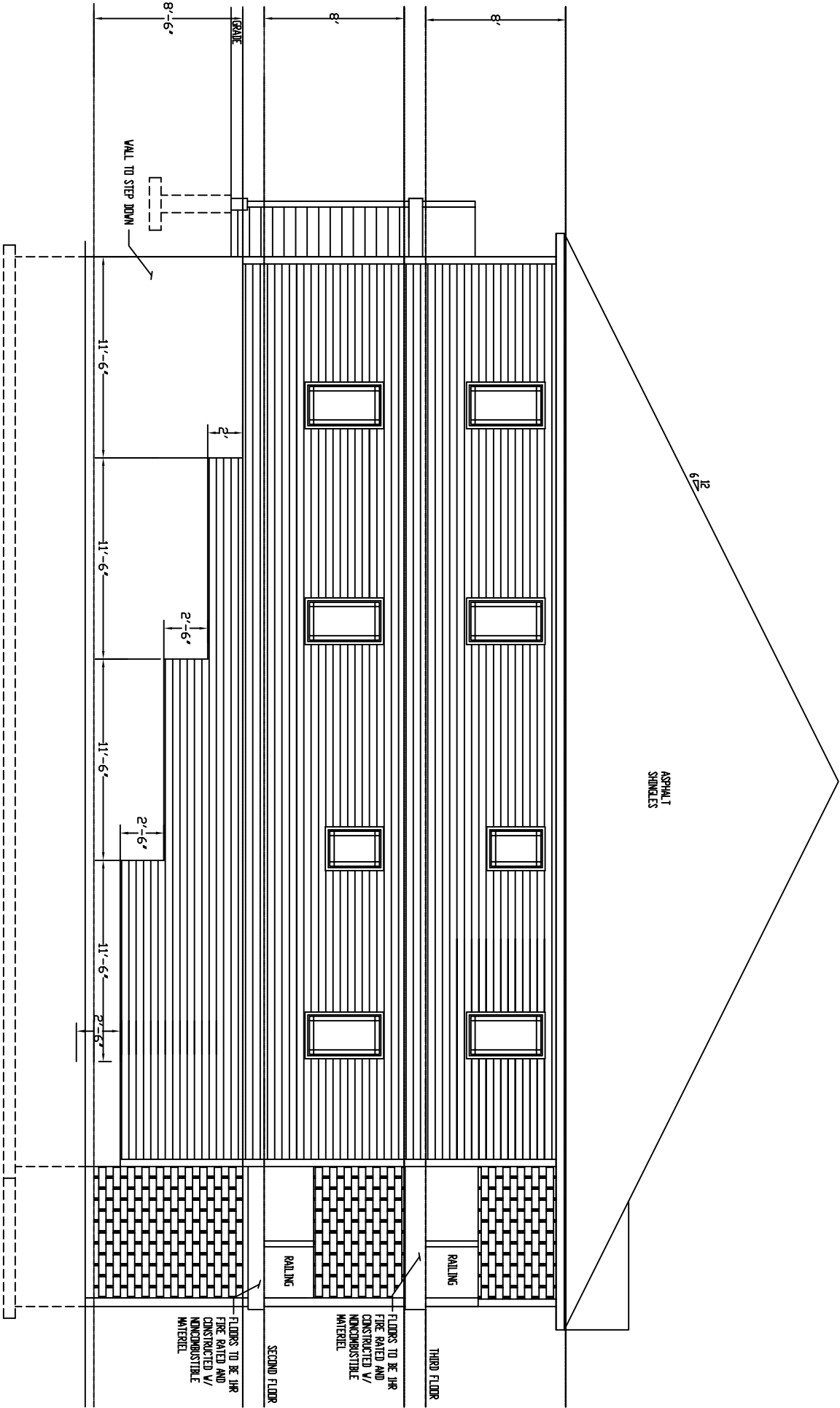
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TITLE: FRONT ELEVATION		
DATE: SEP 18/12	DRAWN BY: CRF	
CAD FILE: 01-01	JOB NO. 01-01	
SCALE: 1/8"=1'-0"	DWG. NO. A1	

FRONT ELEVATION

SCALE= 1/8"=1'-0"



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LEFT ELEVATION

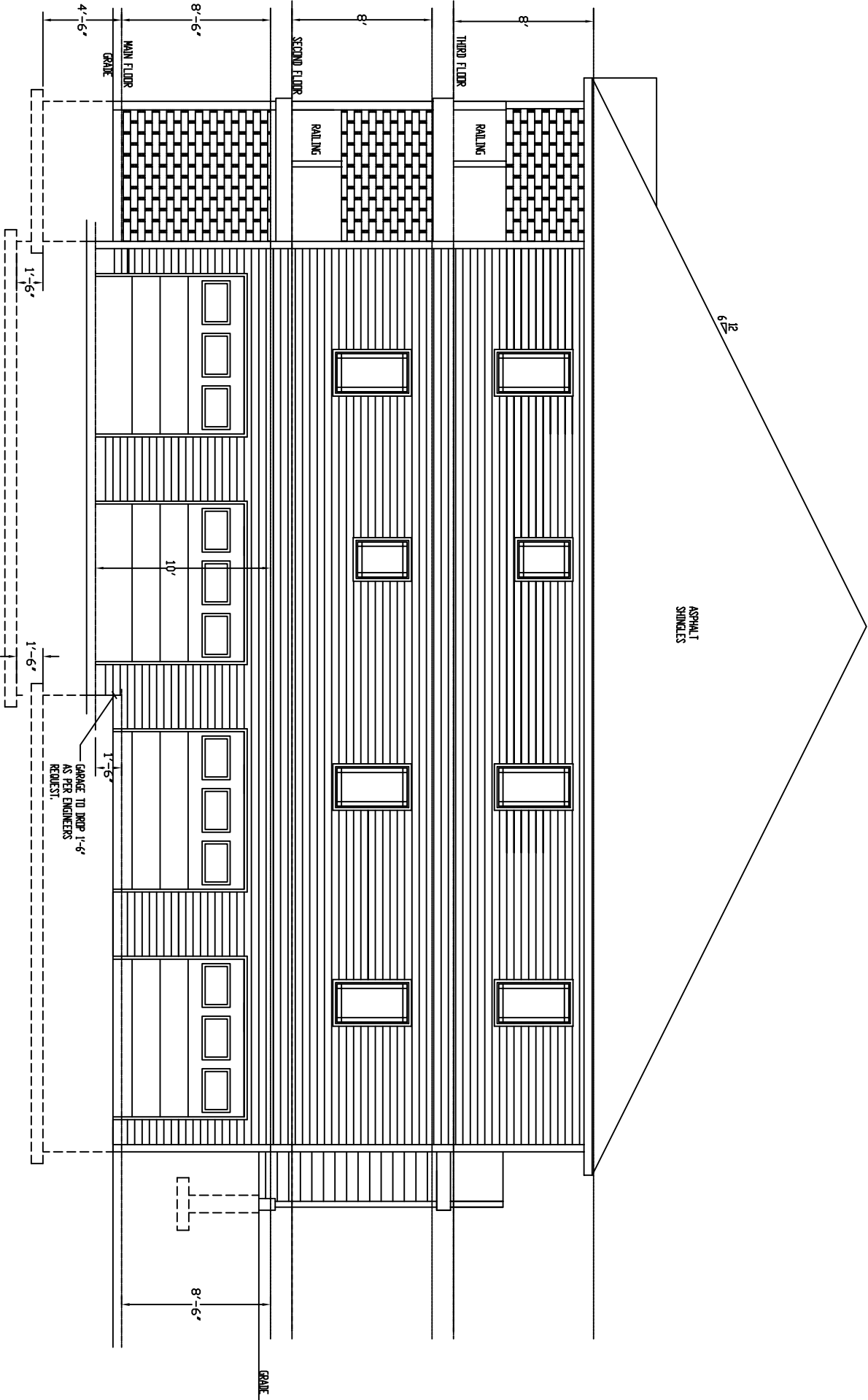
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TITLE: LEFT ELEVATION			
DATE: SEP 18/12	DRAWN BY: CRF		
CAD FILE: 01-01	JOB NO. 01-01		
SCALE: 1/8"=1'-0"	DWG. NO. A2		

REV.	DESCRIPTION	DATE
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PROJECT:  
PROPOSED HOUSE FOR JOE GODDBOUT

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REV. DESCRIPTION	DATE	

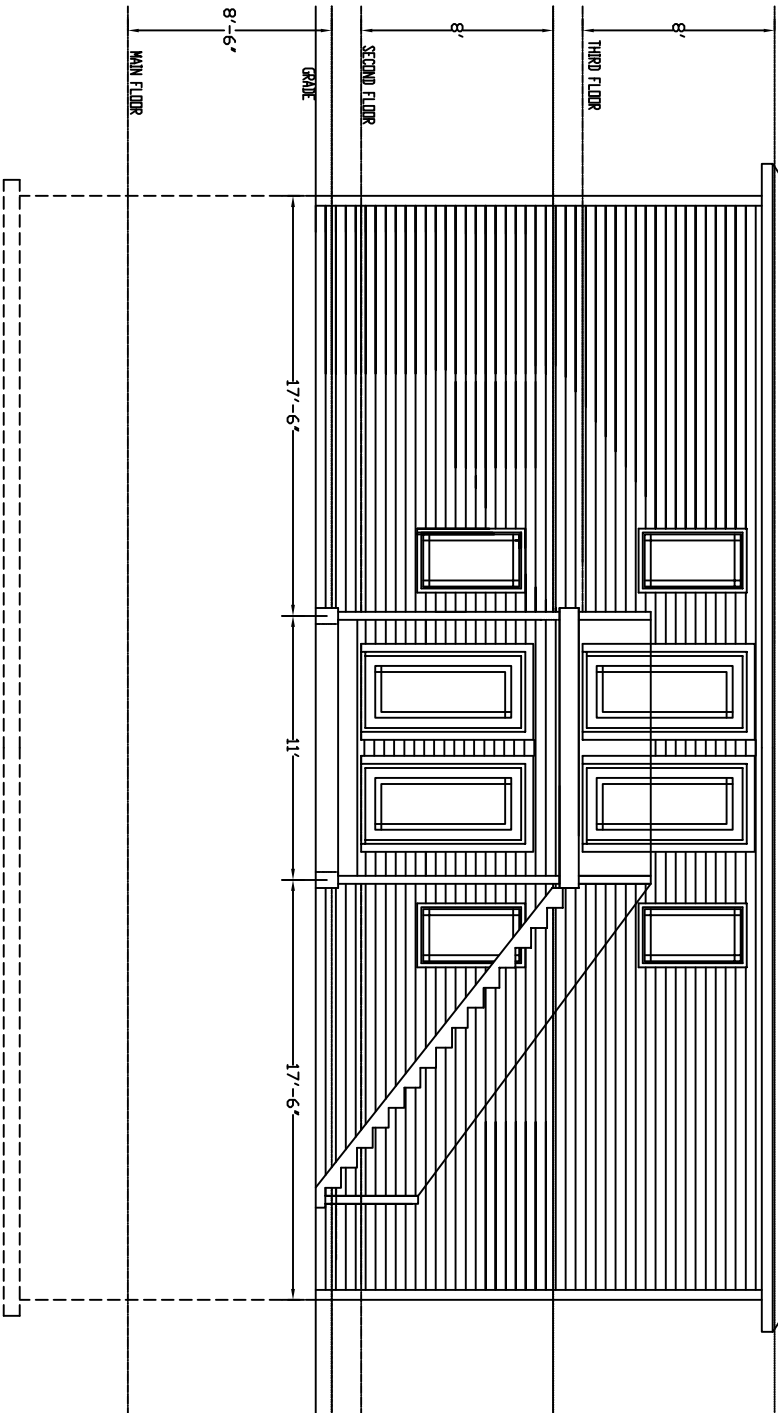
PROJECT:  
PROPOSED HOUSE FOR JOE GODDBOUT

TITLE: REAR ELEVATION		
DATE: SEP 18/12	DRAWN BY: CRF	
CAD FILE: 01-01	JOB NO. 01-01	

REAR ELEVATION

SCALE = 1/8"=1'-0"

ASPHALT  
SHINGLES

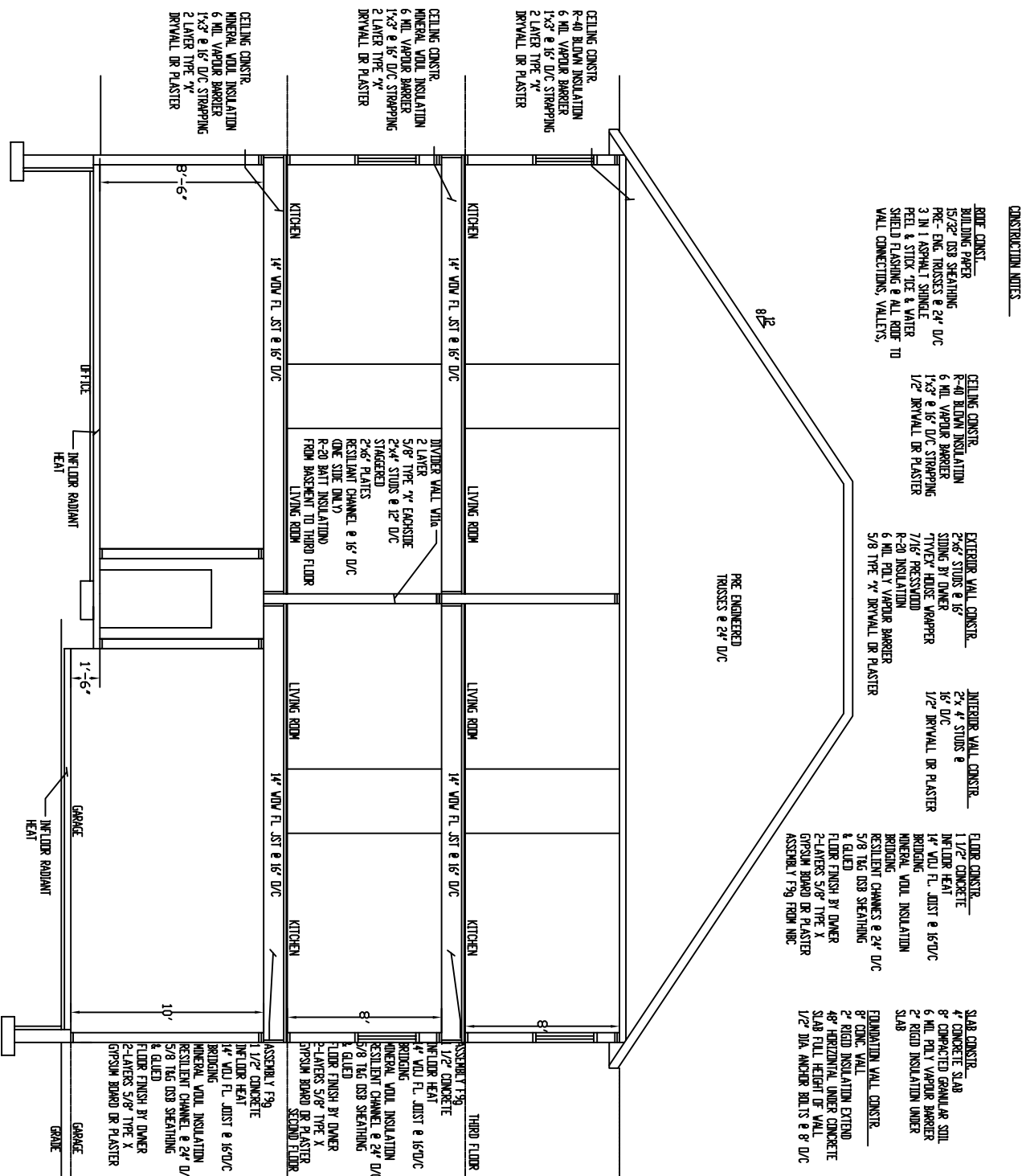
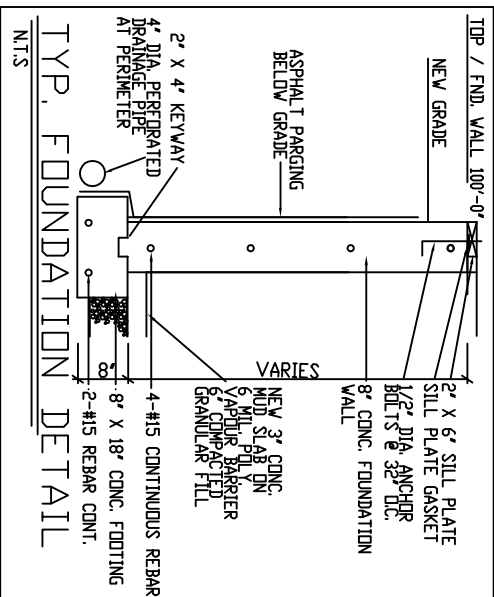


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DIMENSIONS AND ENSURE THAT THIS  
PLAN MEET ALL CONSTRUCTION CODES IN  
YOUR AREA. ANY ERRORS OR OMISSIONS  
TO BE REPORTED TO DRAFTER/PERSON  
BEFORE CONSTRUCTION

REV.	DESCRIPTION	DATE
PROJECT:		
PROPOSED HOUSE FOR JOE GODDBOUT		
TITLE: RIGHT ELEVATION		
DATE:	DRAWN BY:	
SEP 18/12	CRF	
CAD FILE:	JOB NO.	
01-01	01-01	
SCALE:	DWG. NO.	
1/8"=1'-0"	A4	

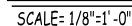
# RIGHT ELEVATION

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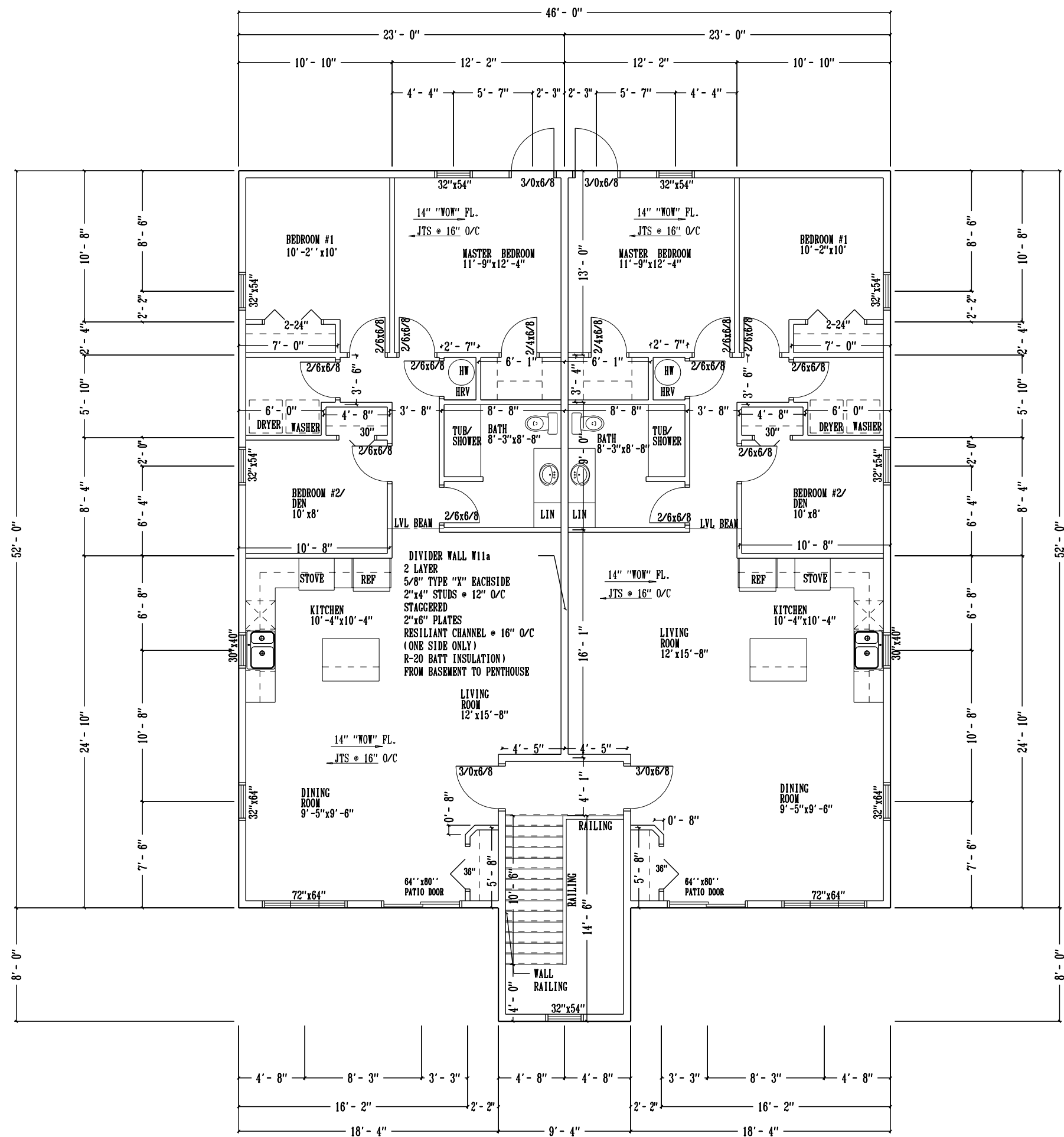


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PROJECT: PROPOSED HOUSE FOR JOE GODBOOT		
TITLE:		
SECTION		
DATE: SEP 18/12	DRAWN BY:  CRF	
CAD FILE: 01-01	JOB NO.  01-01	
SCALE: 1/8"=1'-0"	DWG. NO.	A5



## A6



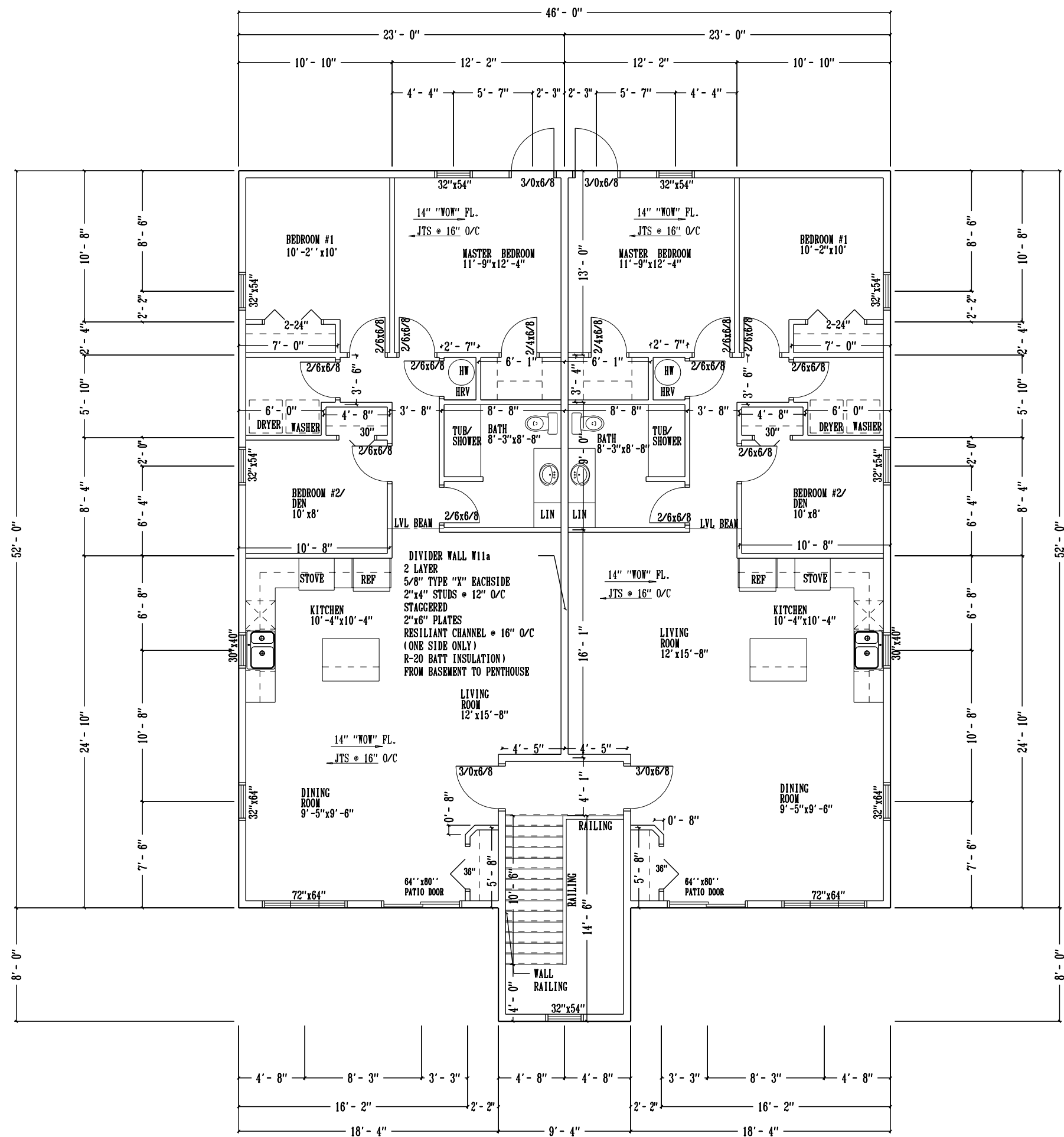
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REV.	DESCRIPTION	DATE

PROJECT :  
PROPOSED HOUSE FOR JOE  
GODBOUT

TITLE:  
SECOND FLOOR PLAN

DATE: DEC 03/12	DRAWN BY: SPL
CAD FILE: 30-53REV7	JOB NO. 30-53REV7
SCALE: 1/8" = 1' -0"	DWG. NO. A7



**NOTE: BEFORE STARTING CONSTRUCTION, THE BUILDER MUST REVIEW AND BE RESPONSIBLE FOR ALL DETAILS AND DIMENSIONS AND ENSURE THAT THE PLAN MEET ALL CONSTRUCTION CODES IN YOUR AREA. ANY ERRORS OR OMISSIONS TO BE REPORTED TO DRAFTSPERSON BEFORE CONSTRUCTION**

REV.	DESCRIPTION	DATE

PROJECT :  
PROPOSED HOUSE FOR JOE  
GODBOUT

TITLE:  
THIRD FLOOR PLAN

DATE:  
DEC 03/12

DRAWN BY:	SPL
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CAD FILE:  
30-53REV7

JOB NO.  
30-53REV7

SCALE:  
1/8" = 1' - 0"

DWG. NO. **A8**

