

RIVERVIEW PLANNING ADVISORY COMMITTEE

STAFF REPORT Variance Request

Subject : Variance to reduce lot frontage in SC zone from required 30m to 22.86m.

File number: 24-1881

Meeting Date: Wednesday, December 11, 2024

From :



Jenna Stewart
Planner

Reviewed by :



Lori Bickford
Planning Manager/Planner

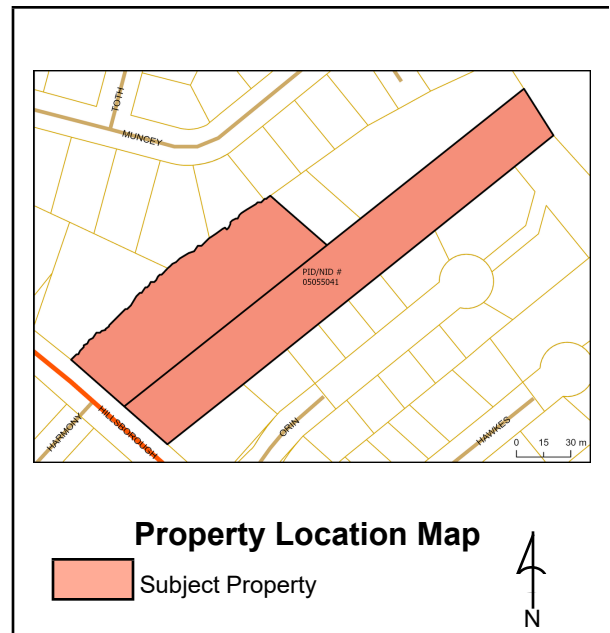
GENERAL INFORMATION

Applicant/: Denis Comeau Denco Construction

Landowner : Dell Dunphy

Proposal:

Variance to reduce the required lot frontage in the SC zone from 30m to 22.86m.



SITE INFORMATION

Location: Hillsborough Road, Town of Riverview / Ville de Riverview

PID: 05055041

Lot Size: 8,586 m²

Current Use: Vacant

Zoning: SC and R1

Future Land

Use: Commercial and Residential

Surrounding

Use & Zoning: Residential and Suburban Commercial Development. Zoning SC, R1, and R2

Municipal

Servicing: Connection to municipal services is available

Access/Egress: Hillsborough Rd

Municipal Plan Policies

3.2 Growth Management Policies

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;
- f) and encourage 'Smart Growth' approaches such as mixed-use development.

5.3 Principles for Residential Development

Principle 2: Development should respect its context

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

5.7 Multi-Unit Residential Zone

"In the interest of the community's objective of seeking fiscal autonomy, and promoting densification, it is important that Council attract more dense and efficient forms of development along major arterial and collector streets, such as Trites Road, Pine Glen Road, White Pine Road and along Coverdale and Hillsborough Road. The Findlay Park is also an appropriate area for higher density residential developments. This strategy makes efficient use of the existing and future urban structure of the Town. Moreover, Council considers higher density residential developments as being fundamental to helping accommodate differences in the community's age and lifestyle."

7.1 Suburban Commercial

"This Plan acknowledges that, within the Suburban Commercial Zone, the reality is that the majority of the clientele arrive by car. While a goal of this plan is to increase residential density in these areas, and bring residents and services closer together, almost all Suburban

Commercial Zoned land fronts upon, or gains access to, the town's major arterial or collector streets. As a result, maintenance of public safety, both on the street network and on undeveloped sites, will be increasingly important as these areas continue to develop. The manner in which generated traffic is integrated with flows on public streets is significantly affected by driveway design, location and separation..."

Zoning Bylaw and or Subdivision By-law Regulation

Zoning By-Law

103 - 106 Lot Requirements for Commercial and Residential Zones

No development shall be permitted and no main building or structure shall be used on a lot in a commercial zone unless the requirements within Table 12.3 are complied with.

SC

Minimum Frontage 30m

Minimum Lot Area 1300sqm

R3

Lot Frontage for Multiple Unit Dwelling 25m

R1

Lot Frontage for Single Unit

15m

Subdivision Bylaw

3. (1) Every lot, block and other parcel of land in a subdivision shall abut,

(a) a street owned by the Crown or the Town of Riverview; or

(2) The provisions for the minimum lot sizes shall apply as provided for in the Town of Riverview Zoning By-Law

Internal Consultation & External Consultation

The application was brought to the Development Review Committee, consisting of:

Corporate Services

Economic Development

Engineering and Public Works

Parks and Recreation

No concerns were raised

Discussion

The applicant seeks to create a lot to accommodate existing conditions of an existing non-conforming single dwelling unit along Hillsborough Road. Parcel 24-A will be added to PID#05055041, with two other land locked parcels planned to be consolidated to this lot as well. The result would be the creation of a larger flag lot that extends behind the existing single dwelling unit on proposed lot 24-1. The variance is needed for the remainder of the frontage from PID#05055041. It is the frontage of this lot that, due to the accommodation of existing conditions, would be smaller than the required 30m frontage in the Suburban Commercial (SC) zone and requires a variance for the approval of the subdivision plan.

Hillsborough Road is one of the Town's major arterial streets. This area of Hillsborough Road has a mix of R1, R2, SC, and RM zoning. PID#05055041 is zoned SC at the front and R1 for the rest of the property. The property is deep and relatively narrow, starting at Hillsborough Road and then backing onto the Petitcodiac River. Orin Drive and Muncey Drive are existing R1 neighborhoods that abut portions of the lots involved in this proposed subdivision application.

Planning staff have had preliminary conversations with the applicants about a potential future development on the lot partially created by this subdivision plan that would require a rezoning. If a rezoning application is received, this would include public consultation as part of the process. At this time, the decision before PAC is the variance request to reduce the frontage requirement on this proposed subdivision plan.

In order for a PAC to consider a variance, the Committee must consider if the variance is desirable and reasonable for the development of the land, and within the intent of the Municipal Plan. The Municipal Plan is clear that future growth should be steered towards vacant land within town-- rather than new expansions at the Town's edge -- where connections to municipal services are available. This subdivision application to transfer Parcel 24-A to PID#05055041 and accommodate existing conditions would enable more serviceable land to be available for development on a main arterial road within the growth boundary of the Town. Currently, PID 05055041 is quite narrow and difficult to develop and there are two landlocked lots abutting the property without access to a public road. The application would create one larger parcel which is more feasible to develop and facilitate connection of landlocked lots to a public street. Therefore, staff believe that this request is within the intent of the Municipal Plan to encourage growth within the serviceable boundary and along a main arterial street and is desirable for the development of the land.

Additionally, staff believe that the request is reasonable for the development of the land. Frontage requirements are often used as mechanism to ensure that lots are large enough to

accommodate development and ensure that there can be adequate access to a lot. While the frontage is being reduced, the proposed remnant lot would widen at the back creating ample space for development. Additionally, the proposed frontage of 22.86m is larger than the required frontage of the R1 zone (the current zoning of the back portion of the lot) and provides adequate space for a new driveway access.

Public Notice

Public notices were sent to residents within 60m of the subject property on November 27th, 2024.

Legal Authority

Variances from zoning by-law

55(1) Subject to the terms and conditions it considers fit, the advisory committee or regional service commission may permit

(b) a reasonable variance from the requirements referred to in paragraph 53(2)(a) of a zoning by-law if it is of the opinion that the variance is desirable for the development of a parcel of land or a building or structure and is in keeping with the general intent of the by-law and any plan under this Act affecting the development.

Recommendation

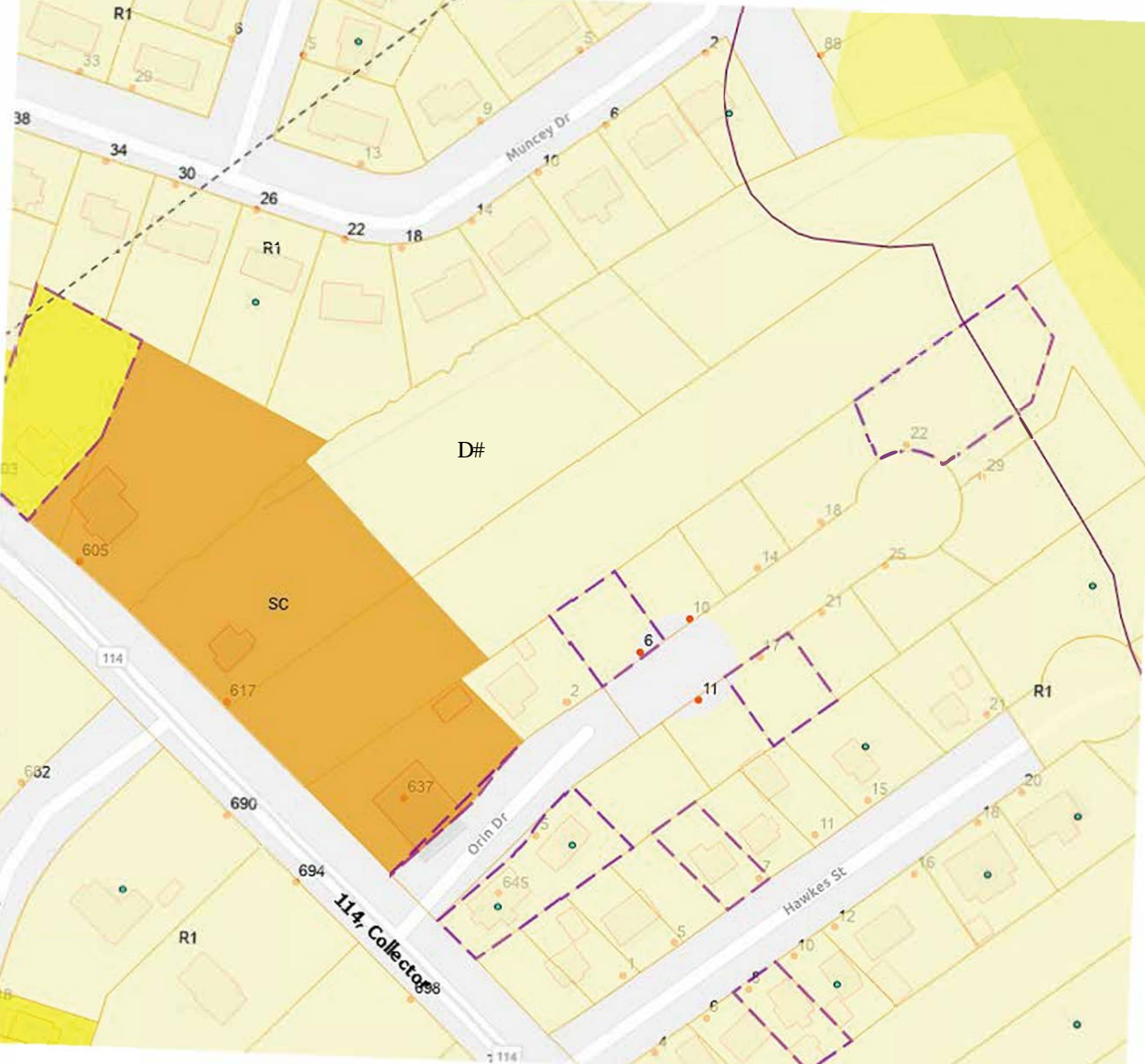
Staff recommends that the Riverview Planning Advisory Committee APPROVE the variance request to reduce the required frontage size from 30m to 22.86m on the property with PID#05055041 as per the Dunphy Subdivision Plan prepared by Arpentage 3POINTS Survey Inc., as the request opens up land for development within the serviceable and growth boundary of the Town and is deemed reasonable, desirable, and within the intent of the Municipal Plan

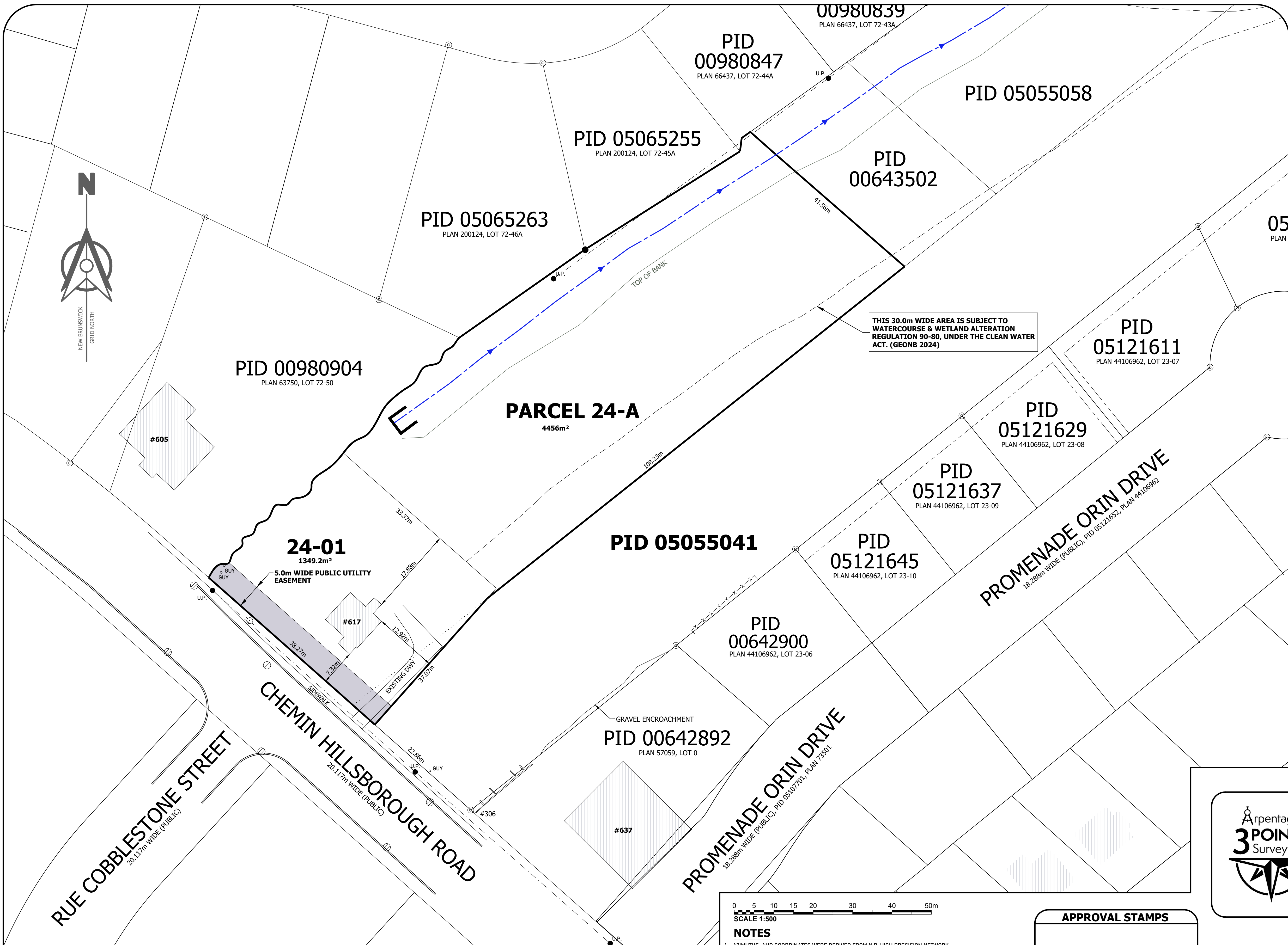
Hillsborough Road (PID/NID 5055041)

Riverview

Date: 11/26/2024







PROPERTY INFORMATION

PID 00643189
REGISTERED OWNER: Dunphy, Kell
LAND TITLES DATE: 1994-02-25
TRANSFER DOC. 123787, DATED: 1991-12-03

OWNER'S STATEMENT

I, _____ DO HEREBY CERTIFY THAT I AM THE REGISTERED OWNER OF THE PROPERTY BEING SUBDIVIDED HEREON AND DO HEREBY GRANT APPROVAL TO THIS PLAN.

xx

PROPERTY INFORMATION

PID 05055041
REGISTERED OWNER: Dunphy, Kell
LAND TITLES DATE: 1994-02-25
TRANSFER DOC. 123787, DATED: 1991-12-03

PURCHASER'S AGREEMENT

I, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOTS CREATED BY THIS PLAN AND INCLUDING PARCEL 24-A, SHALL CONSTITUTE A NEW SUBDIVISION, AND REQUIRE ADDITIONAL DEVELOPMENT OFFICER'S APPROVAL.

x

NOTES

1. AZIMUTHS AND COORDINATES WERE DERIVED FROM N.B. HIGH PRECISION NETWORK NAD83(CSRS), REFERENCED TO MONUMENTS No. 21744 AND 5669.
2. DISTANCES ARE HORIZONTAL GRID DISTANCES ON THE NEW BRUNSWICK STEREOGRAPHIC DOUBLE PROJECTION.
3. THE DOCUMENT NUMBERS REFERRED TO ON THIS PLAN ARE THOSE OF ALBERT COUNTY REGISTRY OFFICE.
4. AZIMUTHS ARE ROUNDED TO THE NEAREST 01°.
5. CERTIFICATION IS NOT MADE AS TO LEGAL TITLE, BEING THE DOMAIN OF A LAWYER, NOR TO THE ZONING AND SETBACK BY-LAWS OR REGULATIONS, BEING THE DOMAIN OF THE DEVELOPMENT OFFICER.

PURPOSE OF PLAN

1. TO CREATE LOT 24-01, TO ACCOMMODATE EXISTING CONDITIONS.
2. TO CREATE PARCEL 24-A, TO BE ADDED AND BECOME PART OF PID 05055041.
3. TO CREATE A 5.0m WIDE PUBLIC UTILITY EASEMENTS, AS SHOWN, PURSUANT TO SECTION 5 OF REGULATION 2021-83, OF THE COMMUNITY PLANNING ACT.

TENTATIVE PLAN

SUBDIVISION PLAN
DUNPHY SUBDIVISION

OWNER :
617 CHEMIN HILLSBOROUGH ROAD
RIVERVIEW
PARISH OF COVERDALE
COUNTY OF ALBERT
PROVINCE OF NEW BRUNSWICK



SYMBOLS AND ABBREVIATION

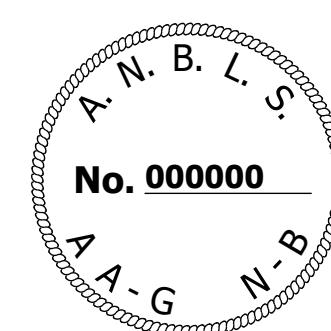
LEGEND

---	LAND DEALT WITH BY THIS PLAN BOUNDED THUS:
---o---	SMSET - STANDARD SURVEY MARKER PLACED
---x---	SMFD - STANDARD SURVEY MARKER FOUND
---B---	IBFD - IRON BAR FOUND
---S---	SIBFD - SQUARE IRON BAR FOUND
---P---	IPFD - IRON PIPE FOUND
---C---	C.C.P. - CALCULATED COORDINATE POINT
---W---	SCRIBED WOODEN SURVEYOR'S POST
---T---	SURVEY SYSTEM COORDINATE MONUMENT
---R---	TABULATED COORDINATE REFERENCE
---	CENTRELINE HIGHWAY
---	EASEMENT
---X---	FENCE
---	OVERHEAD UTILITY LINE
---	SET BACK LINE
m²	SQUARE METRES
O-H-W-M	ORDINARY HIGH WATER MARK
ha	HECTARE
NBLS	NEW BRUNSWICK LAND SURVEYOR
PID	PARCEL IDENTIFIER NUMBER
# 399	NBLS REGISTRATION NUMBER
Doc. 17887767/Bk 08/Pg. 167	DOCUMENT / BOOK / PAGE
(DEED)	DISTANCE OR AZIMUTH CALLED FOR IN DEED
C-7	CURVE
[77]	CIVIC NUMBER
x 32.77	SPOT ELEVATION IN METERS
W	WATER VALVE
F	FIRE HYDRANT
U.P.	UTILITY POLE
W	WOODEN SURVEYOR'S POST FOUND
P.U.E.	EXISTING PUBLIC UTILITY EASEMENT
L.G.S.E.	NEW LOCAL GOVERNMENT SERVICES EASEMENT
P.U.E.	NEW PUBLIC UTILITY EASEMENT



Arpentage 3POINTS Survey Inc.
2679 Rue Amiraault Street
Dieppe, New-Brunswick
E1A 7K9 (EMAIL : info@3pointssurvey.com)
Phone #850-9417

APPROVAL STAMPS



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DRAWN BY: S.P. & K.L. CHECKED BY: K.L.

SURVEYED BY : KIM LABRIE N.B.L.S. # 399
FIELD SURVEY COMPLETED : 2024-08

SURVEYOR'S STATEMENT:
I, KIM LABRIE N.B.L.S., DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND ABILITY THIS PLAN CORRECTLY DEPICTS ANY RESEARCH, FIELD WORK AND COMPUTATIONS UNDERTAKEN FOR THIS PROJECT.

2024-10-

KIM LABRIE

N.B.L.S.
N.B.L.S.