

**Southeast Planning Review and Adjustment Committee /
Comité de révision de la planification de la Commission du Sud-Est**

Wednesday, August 11, 2021 / Le mercredi 11 août, 2021

Staff Report / Rapport du personnel

Subject / Objet: Future map amendment and rezoning - Henderson Street

File Number/ Numéro du fichier : 21-1218

From / De :



Kirk Brewer
Planner / Urbaniste

Reviewed by / Révisé par



Jeff Boudreau
Development Officer / Agent d'aménagement

General Information / Information générale

Applicant / Requéant :

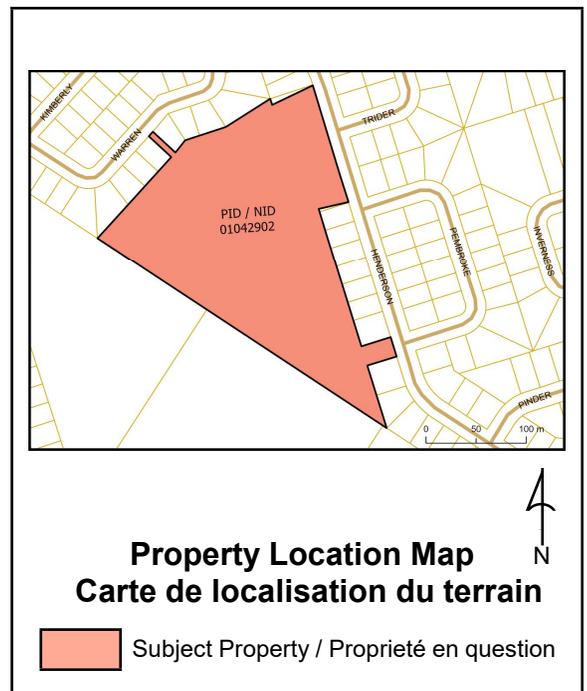
same

Landowner / Propriétaire :

Town of Riverview

Proposal / Demande :

To redesignate a portion of the property from CU to RES,
and to rezone a portion of the property from PRI to R1



Site Information / Information du site

PID / NID: 01042902

Lot Size / Grandeur du lot: 11 acres

Location / Endroit :

Henderson Avenue, Town of Riverview / Ville de Riverview

Current Use / Usage présent :

Community Use

Zoning / Zonage :

PRI

Future Land Use / Usage futur :

Community Use

Surrounding Use & Zoning / Usage des environs & Zonage :

Lands for public purpose, R1 single unit dwelling

Municipal Servicing / Services municipaux:

Public services are available along Henderson Avenue

Access-Egress / Accès-Sortie :

Henderson Street

Policies / Politiques

Policy 9.0.1 It shall be the intention of Council to create a CU (Community Use) Designation on the Generalized Future Land Use Map, to recognize community uses such as parks, recreational facilities, open spaces and public services.

Policy 9.0.2 Council shall ensure that all Town-owned parks and recreation facilities are safe and adequately maintained.

Policy 9.0.3 It shall be the intention of Council to establish a long-term, town-wide strategy for creating and developing future parks, open spaces and trails through a Recreation Master Plan and an Active Transportation Plan.

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

The entire property is currently designated as “Community Use” on the Future Land Use Map, and zoned as “Parks, Recreation and Institutional.” This zoning would restrict the potential use of the land for residential accessory buildings and structures. As such, council is considering redesignating the lands to Residential and rezoning to R1 to match the zoning of the remainder of the residential properties.

Internal Consultation & External Consultation / Consultations internes et externes

Municipal Plan Amendment No. 300-33-3 and Zoning By-law Amendment No. 300-7-6 were reviewed by the following departments of the Town:

- Corporate Services
- Economic Development
- Engineering and Public Works
- Parks, Recreation and Community Relations
- Planning

Discussion

In December 2020, the owners of seven properties on Henderson Ave that abut this public land (Brian Crease Memorial Field) approached the Town to request to buy a portion of the treed area (60 feet/18.28m wide), which would be attached as parcels to their properties. The rationale given was that the only way for the property owners to ensure the peace of mind that the trees would not be cut in favour of future development would be to own an additional portion of that buffer zone. This would also increase the residents' lot sizes, allowing the property owners greater flexibility in developing their properties for the purpose of future accessory buildings if they choose to remove trees to do so.

Prior to the May election, the previous Council discussed this sale and agreed to move forward with the subdivision. As part of the sale, Council discussed rezoning the land to R1 to permit future residential accessory buildings and structures. To enable the rezoning, an amendment to the Future Land Use map is also required to redesignate the lands from Community Use to Residential.

The current Town-owned land is a large (4.45 hectare/ 11 acre) property primarily used as a municipal sports field to the north of the property. A portion of the property is used for parking, with a ~45-meter wide treed buffer along the eastern property line behind the houses on Henderson Ave.

Given that this portion of the land is not being used as Town recreation land, and there is currently no interest on the part of the Town to develop this portion of the property, Council agreed to move forward with the subdivision and sale of approximately 0.65 acres provided all costs associated with the application (subdivision, lawyers fees, etc.), would be borne by the property owners. Per the *Community Planning Act*, Council requested the consent of the PAC prior to authorizing the sale of LPP. PAC passed a unanimous motion at their June 9 meeting to consent to the sale. Council is now requesting the Committee's views on the Municipal Plan and Zoning amendment by-laws.

Legal Authority / Autorité légale

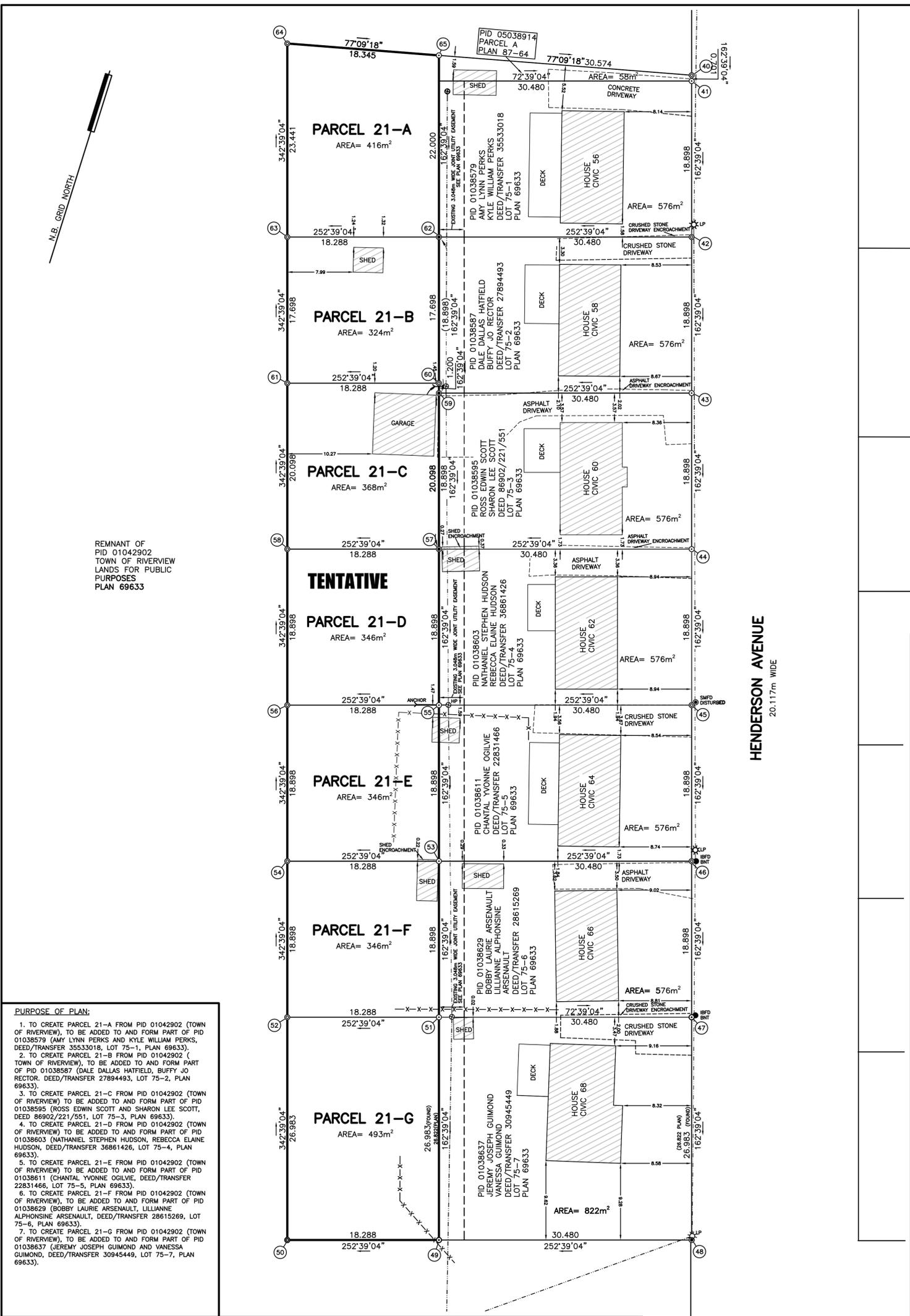
The Planning Advisory Committee receives its authority via the Community Planning Act:

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 recommends that the Planning Advisory Committee recommend that Riverview Town Council adopt Municipal Plan Amendment By-law 300-33-3 and Zoning Amendment By-law 300-7-6 to redesignate a portion of PID 01042902 from CU to RES, and to rezone that same portion from PRI to R1 as part of the sale of lands for public purpose to adjacent property owners on Henderson Avenue.



N.B. GRID POINT	EASTING (m)	NORTHING (m)	VALUES	NAD83 (CSRS) DESCRIPTION
40	2631217.766	7451064.493		SMSET
41	2631217.975	7451063.823		CP
42	2631223.611	7451045.785		SMSET
43	2631229.246	7451027.747		SMSET
44	2631234.881	7451009.709		SMSET
45	2631240.516	7450991.670		SMSET
46	2631246.151	7450973.632		SMSET
47	2631251.786	7450955.594		SMSET
48	2631257.421	7450937.556		SMSET
49	2631263.056	7450919.518		SMSET
50	2631268.691	7450901.480		SMSET
51	2631274.326	7450883.442		SMSET
52	2631280.961	7450865.404		SMSET
53	2631286.596	7450847.366		SMSET
54	2631292.231	7450829.328		SMSET
55	2631297.866	7450811.290		SMSET
56	2631303.501	7450793.252		SMSET
57	2631309.136	7450775.214		SMSET
58	2631314.771	7450757.176		SMSET
59	2631320.406	7450739.138		SMSET
60	2631326.041	7450721.100		SMSET
61	2631331.676	7450703.062		SMSET
62	2631337.311	7450685.024		SMSET
63	2631342.946	7450666.986		SMSET
64	2631348.581	7450648.948		SMSET
65	2631354.216	7450630.910		SMSET
28155	2628800.997	7458592.126		MONCTON(HPN)

ALL COMPUTATIONS PERFORMED AND COORDINATES SHOWN ON THIS PLAN ARE BASED ON THE NEW BRUNSWICK STEREOGRAPHIC DOUBLE PROJECTION AND THE NAD83(CSRS) ELLIPSOID AS REALIZED BY SERVICE NEW BRUNSWICK'S HIGH PRECISION CONTROL NETWORK.



LEGEND

- STANDARD SURVEY MARKER PLACED (SMSET)
- STANDARD SURVEY MARKER FOUND (SMFD)
- IRON PIPE FOUND (IPFD)
- IRON BAR FOUND (IBFD)
- WOODEN POST
- CALCULATED COORDINATE (CP)
- TABULATED COORDINATE REFERENCE NUMBER
- CENTRELINE
- EASEMENT
- FENCE
- OVERHEAD UTILITY LINE
- UNDERGROUND UTILITY LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- STORM SEWER LATERAL/ LEAD
- COMBINED STORM/ SANITARY SEWER
- WATER MAIN
- GAS MAIN
- RAILWAY TRACKS
- SQUARE METRES
- NEW BRUNSWICK LAND SURVEYOR
- NBLS REGISTRATION NUMBER
- ORDINARY HIGH WATER MARK
- PARCEL IDENTIFIER NUMBER
- SERVICE NEW BRUNSWICK
- INSTRUMENT / VOLUME / PAGE
- TRANSFER NUMBER
- DISTANCE OR AZIMUTH CALLED FOR IN DEED (DEED)
- DISTANCE OR AZIMUTH CALLED FOR ON PLAN (PLAN)
- CURVE NUMBER
- POINT OF CURVATURE/ BEGINNING OF CURVE
- POINT OF COMPOUND CURVATURE
- POINT OF TANGENCY/ END OF CURVE
- RADIUS POINT/ CENTER OF CURVE
- LAND DEALT WITH BY THIS PLAN BOUNDED THIS
- LAND DEALT WITH BY THIS PLAN BOUNDED THIS
- UTILITY POLE/ TELEPHONE POLE/ ANCHOR POLE
- GUY WIRE AND ANCHOR
- CIVIC NUMBER
- HECTAIRE
- SPOT ELEVATION (m)
- MANHOLE SANITARY
- MANHOLE STORM
- CATCHBASIN
- SLUICE BOX
- WATER VALVE
- SHUTOFF VALVE/ WATER STOP
- VALVE CHAMBER
- FIRE HYDRANT (BENCHMARK)

- NOTES:**
- AZIMUTHS AND COORDINATES WERE DERIVED FROM SERVICE NEW BRUNSWICK'S HIGH PRECISION CONTROL NETWORK.
 - NAD83(CSRS), REFERENCED TO MONUMENT 28155 (HPN).
 - THE SCALE FACTOR USED IS EQUAL TO 1.000017.
 - THE DOCUMENT NUMBERS REFERRED TO ON THIS PLAN ARE THOSE OF THE APPLICABLE COUNTY REGISTRY OFFICE.
 - AZIMUTHS ARE ROUNDED TO THE NEAREST 01'.
 - 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.
 - CERTIFICATION IS NOT MADE AS TO COVENANTS SET OUT IN THE DOCUMENT(S), NOR TO THE LOCATION OF ANY UNDERGROUND SERVICES AND/ OR FIXTURES, PERMANENT OR OTHERWISE.

PURPOSE OF PLAN:

- TO CREATE PARCEL 21-A FROM PID 01042902 (TOWN OF RIVERVIEW), TO BE ADDED TO AND FORM PART OF PID 01038579 (AMY LYNN PERKS AND KYLE WILLIAM PERKS, DEED/TRANSFER 35533018, LOT 75-1, PLAN 69633).
- TO CREATE PARCEL 21-B FROM PID 01042902 (TOWN OF RIVERVIEW), TO BE ADDED TO AND FORM PART OF PID 01038587 (DALE DALLAS HATFIELD, BUFFY JO RECTOR, DEED/TRANSFER 27894493, LOT 75-2, PLAN 69633).
- TO CREATE PARCEL 21-C FROM PID 01042902 (TOWN OF RIVERVIEW), TO BE ADDED TO AND FORM PART OF PID 01038595 (ROSS EDWIN SCOTT AND SHARON LEE SCOTT, DEED 86902/221/551, LOT 75-3, PLAN 69633).
- TO CREATE PARCEL 21-D FROM PID 01042902 (TOWN OF RIVERVIEW), TO BE ADDED TO AND FORM PART OF PID 01038603 (NATHANIEL STEPHEN HUDSON, REBECCA ELAINE HUDSON, DEED/TRANSFER 36861426, LOT 75-4, PLAN 69633).
- TO CREATE PARCEL 21-E FROM PID 01042902 (TOWN OF RIVERVIEW), TO BE ADDED TO AND FORM PART OF PID 01038611 (CHANTAL YVONNE OGIWIE, DEED/TRANSFER 22831466, LOT 75-5, PLAN 69633).
- TO CREATE PARCEL 21-F FROM PID 01042902 (TOWN OF RIVERVIEW), TO BE ADDED TO AND FORM PART OF PID 01038629 (BOBBY LAURIE ARSENAULT, LILLIANNE ALPHONSINE ARSENAULT, DEED/TRANSFER 28615269, LOT 75-6, PLAN 69633).
- TO CREATE PARCEL 21-G FROM PID 01042902 (TOWN OF RIVERVIEW), TO BE ADDED TO AND FORM PART OF PID 01038637 (JEREMY JOSEPH GUIMOND AND VANESSA GUIMOND, DEED/TRANSFER 30945449, LOT 75-7, PLAN 69633).

PURCHASER'S AGREEMENT

WE, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOT CREATED BY THIS PLAN AND INCLUDING PARCEL 21-A, SHALL CONSTITUTE A NEW SUBDIVISION, AND WILL REQUIRE ADDITIONAL DEVELOPMENT OFFICER APPROVAL.

AMY LYNN PERKS (PID 01038579)

KYLE WILLIAM PERKS (PID 01038579)

PURCHASER'S AGREEMENT

WE, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOT CREATED BY THIS PLAN AND INCLUDING PARCEL 21-B, SHALL CONSTITUTE A NEW SUBDIVISION, AND WILL REQUIRE ADDITIONAL DEVELOPMENT OFFICER APPROVAL.

DALE DALLAS HATFIELD (PID 01038587)

BUFFY JO RECTOR (PID 01038587)

REGISTRY OFFICE STAMP

PURCHASER'S AGREEMENT

WE, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOT CREATED BY THIS PLAN AND INCLUDING PARCEL 21-C, SHALL CONSTITUTE A NEW SUBDIVISION, AND WILL REQUIRE ADDITIONAL DEVELOPMENT OFFICER APPROVAL.

ROSS EDWIN SCOTT (PID 01038595)

SHARON LEE SCOTT (PID 01038595)

PURCHASER'S AGREEMENT

WE, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOT CREATED BY THIS PLAN AND INCLUDING PARCEL 21-D, SHALL CONSTITUTE A NEW SUBDIVISION, AND WILL REQUIRE ADDITIONAL DEVELOPMENT OFFICER APPROVAL.

NATHANIEL STEPHEN HUDSON (PID 01038603)

REBECCA ELAINE HUDSON (PID 01038603)

PURCHASER'S AGREEMENT

I, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOT CREATED BY THIS PLAN AND INCLUDING PARCEL 21-E, SHALL CONSTITUTE A NEW SUBDIVISION, AND WILL REQUIRE ADDITIONAL DEVELOPMENT OFFICER APPROVAL.

CHANTAL YVONNE OGIWIE (PID 01038611)

PURCHASER'S AGREEMENT

WE, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOT CREATED BY THIS PLAN AND INCLUDING PARCEL 21-F, SHALL CONSTITUTE A NEW SUBDIVISION, AND WILL REQUIRE ADDITIONAL DEVELOPMENT OFFICER APPROVAL.

BOBBY LAURIE ARSENAULT (PID 01038629)

LILLIANNE ALPHONSINE ARSENAULT (PID 01038629)

PROPERTY INFORMATION

TOWN OF RIVERVIEW

PID: 01042902

PLAN: 69633

OWNER'S STATEMENT

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE REPRESENT THE REGISTERED OWNER OF THE PROPERTY BEING SUBDIVIDED HEREON AND DO HEREBY GRANT APPROVAL TO THIS PLAN, AS OUR INTERESTS APPEAR.

ANN SEAMANS (MAYOR) (PID 01042902)

ANDREW J. LEBLANC (DEPUTY MAYOR) (PID 01042902)

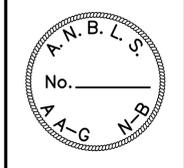
PURCHASER'S AGREEMENT

WE, THE UNDERSIGNED, UNDERSTAND THAT ANY FUTURE CONVEYANCE OF ANY PORTION OF THE CONSOLIDATED LOT CREATED BY THIS PLAN AND INCLUDING PARCEL 21-G, SHALL CONSTITUTE A NEW SUBDIVISION, AND WILL REQUIRE ADDITIONAL DEVELOPMENT OFFICER APPROVAL.

JEREMY JOSEPH GUIMOND (PID 01038637)

VANESSA GUIMOND (PID 01038637)

DEVELOPMENT OFFICER'S APPROVAL STAMP

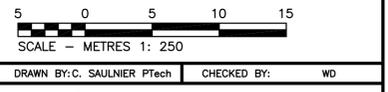


SUBDIVISION PLAN

TOWN OF RIVERVIEW

SUBDIVISION

LOCATED ON THE WEST SIDE OF HENDERSON AVENUE TOWN OF RIVERVIEW PARISH OF COVERDALE COUNTY OF ALBERT PROVINCE OF NEW BRUNSWICK



DRAWN BY: C. SAULNIER Ptech CHECKED BY: WD

SURVEYOR'S STATEMENT:

I, WARREN E. DAIGLE 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.

DATE: MAY 4, 2021

TENTATIVE

WARREN E. DAIGLE N.B.L.S. # 306

SURVEYED BY: WARREN E. DAIGLE N.B.L.S. # 306

FIELD SURVEY COMPLETED: APRIL 29, 2021

DAIGLE SURVEYS LTD

1090 COVERDALE ROAD, RIVERVIEW, NB E1B 5G5

TELEPHONE: (506) 387-4073 FAX: (506) 387-7926



PRI

R1