

Riverview Planning Advisory Committee

STAFF REPORT

Conditional Use

Subject : Conditional use application with variances

File number: 21-2472

Meeting Date: Wednesday, December 8, 2021

From :

Reviewed by :



Kirk Brewer
Planner / Urbaniste



Lori Bickford
Planner / Urbaniste

GENERAL INFORMATION

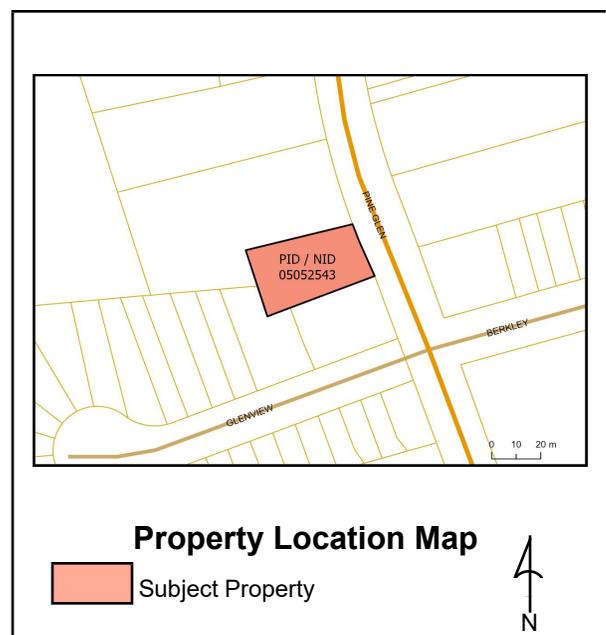
Applicant/: Simon Ikuseru

Landowner : Lepage Holdings

Proposal:

Conditional use application to permit a 4-unit rowhouse with variances to:

- 1) reduce the driveway location setback from a side lot line of 3m to 2m
- 2) reduce the landscaping requirements where a commercial zone abuts a residential zone



SITE INFORMATION

Location: 353 Pine Glen Road, Town of Riverview / Ville de Riverview

PID: 05052543

Lot Size: 1157m²

Current Use: Vacant

Zoning: RBS

Future Land

Use: Commercial

Surrounding

Use & Zoning: R3 Multi Unit Dwelling, RBS - Residential Business Service. Mix of small-scale commercial uses, and mixed density residential uses

Municipal

Servicing: Public services are available

Access/Egress: Pine Glen Road

Municipal Plan Policies

Policy 7.3.1 It shall be the intention of Council to support the development of a wide range of

commercial and technologically oriented businesses, social and educational amenities and residential uses in portions of the Commercial designation by establishing a Residential and Business Services (RBS) zone. Within the residential and business services zone, Council shall permit multiple unit residential uses, business service and general commercial uses, including some indoor storage, as well as a wide range of community and educational uses.

Policy 7.3.2 Within the Residential and Business Services zone it shall be the intention of Council to establish specific guidelines in the Zoning By-Law for buildings and sites in recognition of the proximity of residential uses.

Zoning Bylaw and or Subdivision By-law Regulation

Parking lot screening requirements

42(3) Except when a parking lot abuts another parking lot on an adjacent property, a parking lot for more than four parking spaces shall be screened from abutting residential zones or uses through the use of:

- (a) a two metre wide planting strip between 1.5 metres and two metres in height, consisting of coniferous or deciduous trees and shrubs, to be perpetually maintained, along the lot line, and spaced no further apart than ten metres in the case of trees, and 1.5 metres in the case of shrubs, and no plantings shall be placed in conflict with sight triangle requirements; or
- (b) a wall, wooden fence or chain link fence with filler strips woven into the mesh, between 1.5 metres and two metres in height, if it is not located in conflict with sight triangle requirements.

Driveways for non-residential zones

44(1) In all zones other than residential zones:

- (e) driveways, and driveway aisles shall be located at least three metres from the rear lot line or side lot line;

RBS Zone Building Design Requirements

86 In the RBS zone, no development shall be permitted and no main building or structure may be used on a lot unless:

- (a) a minimum of 50% of the facade facing the street is finished with traditional materials;
- (b) at least one public entrance is facing the street;
- (c) no sign is located in a side yard where the property line is common with a residential zone; and
- (d) despite Part 10, no more than one back-lit freestanding sign, not exceeding six metres in height, shall be erected or displayed and no part of such sign, other than its support, shall be within three metres of the established grade.

Rowhouse dwellings or townhouse dwellings

90 When permitted, townhouse dwellings or rowhouse dwellings shall:

- (a) be limited to six dwelling units;
- (b) despite subsection 90(a), be limited to four dwelling units on a local street, unless a common off street parking lot is provided;
- (c) where located on a collector or arterial street, as set out in the Town's Subdivision Development – Procedures, Standards and Guidelines document, be designed with a common off street parking lot including a two metre wide landscape buffers between the parking lot and property line and have no more than two entrances;
- (d) have the ground floor building façade, from the established grade to the top of the ground floor, finished with traditional materials that includes at least ten percent brick or masonry material; and
- (e) be designed so that each dwelling has jogs or recesses of not less than 0.6 metres along the façade of the building.

Internal Consultation & External Consultation

The request was distributed to the Development Review Committee (Planning/Development,

CAO/Clerk, Engineering, Parks, and Fire Department). No concerns were raised as part of this review.

Discussion

The subject property is an infill lot located near the intersections of Pine Glen and Glenview Ct. /Berkley Dr. The proposal is to develop a four-unit rowhouse, which is a conditional use in the Residential Business Service (RBS) zone. The RBS zone is specific to this stretch of Pine Glen Rd., which caters to a mix of small-scale commercial and residential uses. To the north and east there are multi-unit apartment buildings, and to the south is a mix of rowhouses and semi-detached dwellings, so the proposed use is keeping with the surrounding land uses. The building meets all required setbacks, height, parking, etc., but two variances are required for driveway location and landscaping requirements.

The RBS zone falls within the Commercial designation on the Future Land Use Map/Municipal Plan. As such, there are certain provisions for developing an RBS property in proximity to residential uses, regardless of whether the property is being developed for residential or commercial purposes.

The first variance relates to the required 3m setback between a driveway in a non-residential zone and a side property line. In this case, a 2m setback is proposed due to lot constraints. Originally, the site plan was mirrored, with the rear of the rowhouses backing onto the rear of the adjacent rowhouses. This would have resulted in the driveway being 1m from the northern side lot line, which would have potentially created conflict with the existing access to the multi-unit building next door. The updated proposal with 1m variance is acceptable to Planning staff since it is more a technicality that this property is designated as commercial, which anticipates higher traffic volumes; if it was zoned RM for example, this setback would not apply for a rowhouse

The other variance relates to landscaping, again due to the commercial designation. Rowhouses do not require specific landscaping, but given that it is a commercial zone abutting residential zones, a 3m landscape buffer consisting of trees and/or fencing is required. The parking lot area will be fenced to reduce conflict with adjacent rowhouses (noise, headlights, aesthetics).

The rear of the rowhouse will only be set back 3m from the property line, and this area will be used for small patio areas (paving stones – no deck structures are permitted here), and the drainage system will also be in this area so landscaping will be impossible to achieve. Planning staff is comfortable with the proposed variance to remove landscaping requirements along this section of the property.

Landscaping requirements are generally more to protect existing development from new development; in this case the existing building is an apartment and the other side of the shared lot line is the apartment access. While it may be preferred/more aesthetic to have some screening here for the residents in the new development, the property is quite small and irregularly shaped and the variance is reasonable given that the adjacent lower density residential use on Glenview Ct. will be screened

Public Notice

Notification was sent to property owners within 60m of the subject property on November 24, 2021

Legal Authority

Conditional uses

53(3) In prescribing the purposes for which land, buildings and structures in a zone may be used, a zoning by-law may: ...

(c) prescribe particular purposes ...

(i) in respect of which the advisory committee or regional service commission, subject to subsection (5), may impose terms and conditions, and

(ii) that may be prohibited by the advisory committee or regional service commission if compliance with the terms and conditions imposed under subparagraph (i) cannot reasonably be expected.

The Act also provides parameters for the PAC when imposing conditions:

53(4) Terms and conditions imposed under paragraph (3)(c) shall be limited to those considered necessary by the advisory committee or regional service commission to protect:

(a) properties within the zone or in abutting zones, or

(b) the health, safety and welfare of the general public.

Variations

53(2) a zoning by-law....may

a) with respect to a zone, regulate...

(vii) the placement, height and maintenance of fences, walls, hedges, shrubs, trees and other objects,

(viii) the types, dimensions and locations of means of access of lots to streets,

55(1) Subject to the terms and conditions in 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

Motion 1

Staff recommends that the Riverview Planning Advisory Committee APPROVE the conditional use application to permit a four-unit rowhouse on the property bearing PID 05052543, known as 353 Pine Glen Road, subject to the following conditions:

(1) that as-built drawings for engineering submissions shall be required within 30 days after construction; and

(2) that the proposed development shall be in substantial conformity with the site plans and elevation drawings provided.

Motion 2

Staff recommends that the Riverview Planning Advisory Committee APPROVE the variance request to reduce the driveway location setback from a side lot line from 3m to 2m on the property bearing PID 05052543 (353 Pine Glen Road) because the driveway location is reasonable due to site constraints and there being no foreseeable conflict between the access and the adjacent residential property.

Motion 3

Staff recommends that the Riverview Planning Advisory Committee APPROVE the variance request to reduce the landscaping requirements where a commercial zone abuts a residential zone on PID 05052543 (353 Pine Glen Road) because the request is reasonable due to site and drainage constraints, as well as there being privacy screening between the proposed use and the adjacent rowhouse

353 Pine Glenn Road (PID/NID 05052543)

Town of Riverview

Date: 11/15/2021





PRI

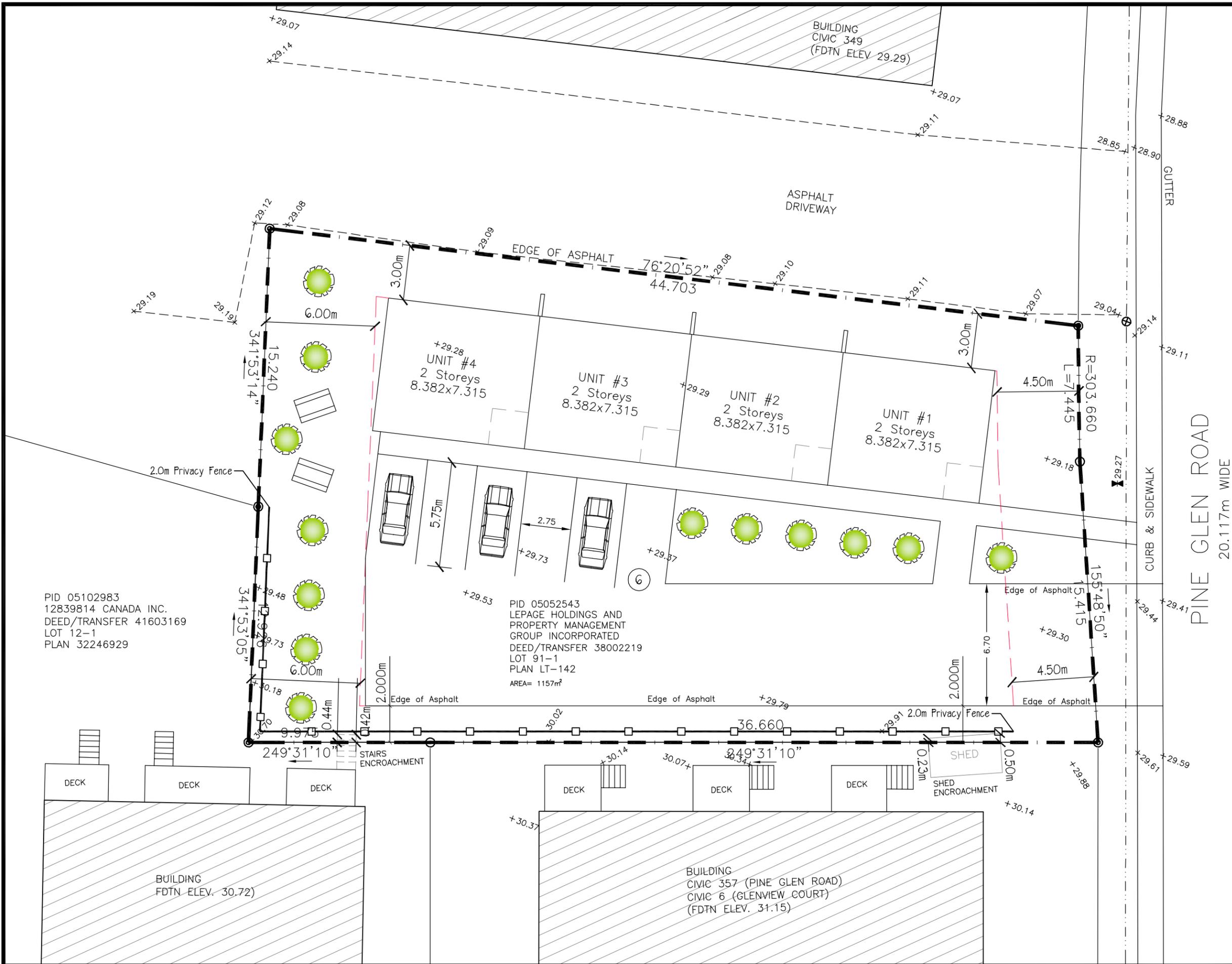
R3

RBS

RBS

R3

R2



PID 05102983
 12839814 CANADA INC.
 DEED/TRANSFER 41603169
 LOT 12-1
 PLAN 32246929

PID 05052543
 LEPAGE HOLDINGS AND
 PROPERTY MANAGEMENT
 GROUP INCORPORATED
 DEED/TRANSFER 38002219
 LOT 91-1
 PLAN LT-142
 AREA= 1157m²

GENERAL NOTES GENERALES

CES PLANS ET DEVIS DEMEURENT LA PROPRIETE DE ALEX SAVOIE, DESIGN COMMERCIAL & RESIDENTIEL, QUE LE PROJET POUR LEQUEL ILS ONT ETE ELABORE SOIT REALISE OU NON.

THESE DRAWINGS WILL REMAIN THE PROPERTY OF ALEX SAVOIE, COMMERCIAL & RESIDENTIAL DESIGN, WHETHER THE PROJECT THEY WERE MADE FOR IS EXECUTED OR NOT.



SUPERFICIE - AREA

RBS: Residential Business Service
 PID: 05052543
 12.452 sq.ft.
 1.157 sq.m.
 0.286 acres
 0.1157 hectares

ALEX SAVOIE
 (506) 871-5359
savoiealex@live.ca
 Design Commercial + Residential
 Commercial + Residential Design
 59 rue Church Street,
 Moncton, NB E1C 4Z3

Customer Client
 "728327 NB Inc."
 105 Crowbush Crescent,
 Moncton, N.B. E1G 0H1

Project title Titre du projet
 Multiresidential 4 Multirésidentiel
 353 Pine Glen Road,
 Riverview, NB

Drawing title Titre du dessin
 Site Plan + Landscaping
 Aménagement du terrain

Drawn by Dessiné par
 Alex Savoie

Scale Echelle
 1 : 200

Date Date
 20211104

Project No. No. du projet
 512021

Drawing No. No. du dessin
 SP1-R

GENERAL NOTES GENERALES

CEB PLANS ET DEVIS DE MEURENT LA PROPRIETE DE ALEX SAVOIE, DESIGN COMMERCIAL + RESIDENTIEL, QUE LE PROJET POUR LEQUEL ILS ONT ETE ELABORE SOIT REALISE OU NON.

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1
4 | 8

DETAIL NO. 1
DETAIL SHEET NO. 8
REFERENCE SHEET NO. 4

1001
4 | 7

WALL SECTION NO. 1001
SECTION SHEET NO. 7
REFERENCE SHEET NO. 4

A-A
4 | 6

BUILDING SECTION A-A
SECTION SHEET NO. 6
REFERENCE SHEET NO. 4

(DX)

DOOR TYPE

(WX)

WINDOW TYPE

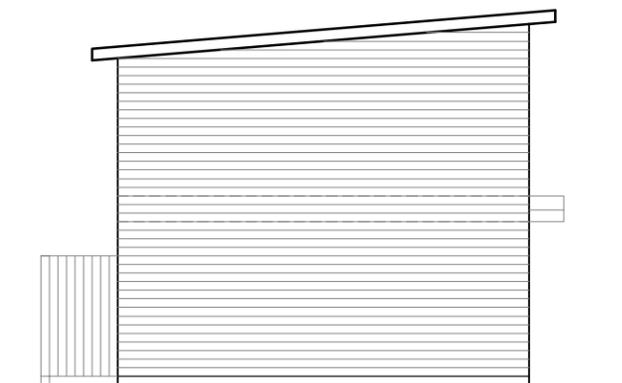
(X)

WALL TYPE

SUPERFICIE - AREA



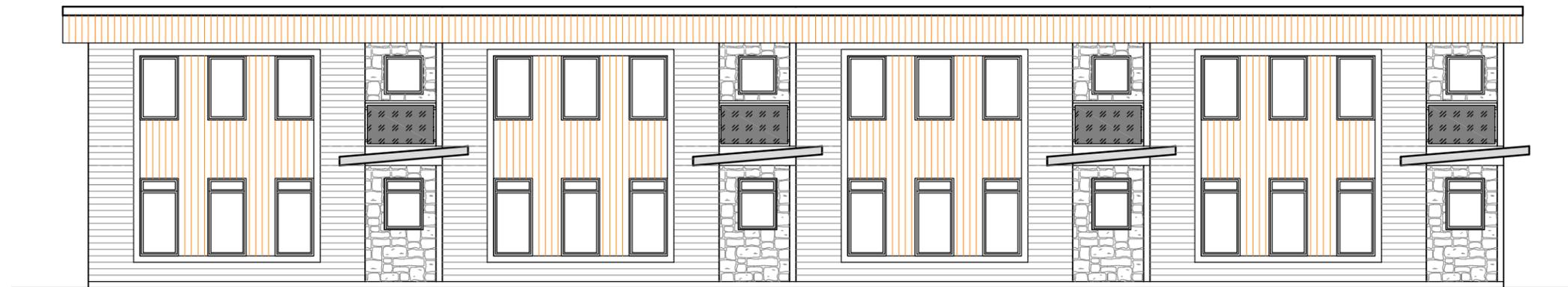
Vue arriere (nord) / Rear (North) Elevation



Vue de gauche (ouest) / Left (West) Elevation



Vue de droite (est) / Right (East) Elevation



Vue en facade (sud) / Front (South) Elevation

ALEX SAVOIE
(506) 871-5359
savoiealex@live.ca
Design Commercial + Residential
Commercial + Residential Design
59 rue Church Street,
Moncton, NB E1C 4Z3

Customer Client

"728327 NB Inc."
105 Crowbush Crescent,
Moncton, NB E1G 0H1

Project title Titre du projet

Multiresidential 4 Multirésidentiel
353 Pine Glen Road,
Riverview, NB

Drawing title Titre du dessin

Building Main Elevations
Vues principales en élévation

Drawn by Dessiné par

Alex Savoie

Scale Echelle

3/16" = 1'-0"

Date Date

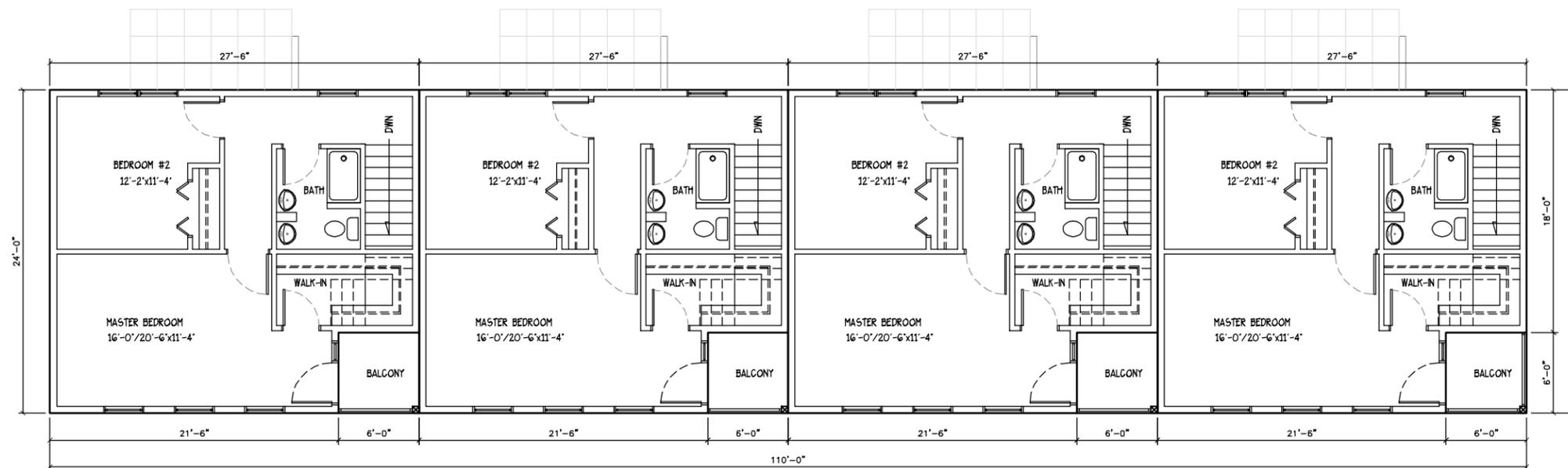
20211018

Project No. No. du projet

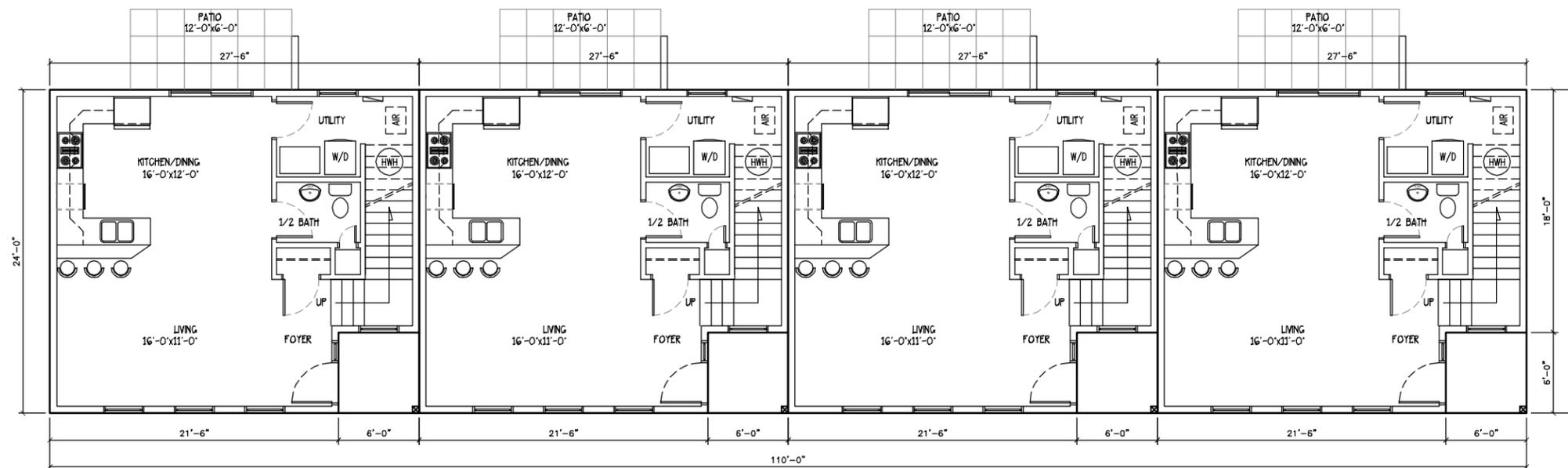
512021

Drawing No. No. du dessin

A01



Niveau supérieur / Upper Level Layout



Niveau inférieur / Lower Level Layout

GENERAL NOTES GENERALES

CES PLANS ET DEVIS DEMEURENT LA PROPRIÉTÉ DE ALEX SAVOIE, DESIGN COMMERCIAL & RESIDENTIEL, QUE LE PROJET POUR LEQUEL ILS ONT ÉTÉ ELABORÉS SOIT RÉALISÉ OU NON.

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- 1
4 8 DETAIL NO. 1
DETAIL SHEET NO. 8
REFERENCE SHEET NO. 4
- 1001
4 7 WALL SECTION NO. 1001
SECTION SHEET NO. 7
REFERENCE SHEET NO. 4
- A-A
4 6 BUILDING SECTION A-A
SECTION SHEET NO. 6
REFERENCE SHEET NO. 4
- (DX) DOOR TYPE
- (WX) WINDOW TYPE
- (X) WALL TYPE

SUPERFICIE - AREA

Unité typique / Typical Unit:
660 (x2) P.I.C.A./SQ.FT. - 61 m2
Edifice / Building:
2640 P.I.C.A./SQ.FT. - 244 m2

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59 rue Church Street,
Moncton, NB E1C 4Z3

Customer Client
"728327 NB Inc."
105 Crowbush Crescent,
Moncton, NB E1G 0H1

Project title Titre du projet
Multiresidential 4 Multirésidentiel
353 Pine Glen Road,
Riverview, NB

Drawing title Titre du dessin
General Floor Layouts
Aménagements des planchers

Drawn by Dessiné par
Alex Savoie

Scale Echelle
3/16" = 1'-0"

Date
20211018

Project No. No. du projet
512021

Drawing No. No. du dessin
A02