

Riverview Planning Advisory Committee

STAFF REPORT

Conditional Use

Subject : Conditional use - 6-unit apartment

File number: 21-419

Meeting Date: Wednesday, April 14, 2021

From :

Reviewed by :



Kirk Brewer
Planner / Urbaniste



Lori Bickford
Planner / Urbaniste

GENERAL INFORMATION

Applicant/: Yero and Billo Diallo Diallo

Landowner : DA Laird

Proposal:

Conditional use application to permit a six-unit multi-unit dwelling in an R3 zone with a variance to:

1) reduce the side yard setback from 4.6m to 3.89m



Property Location Map

 Subject Property



SITE INFORMATION

Location: Trites Rd, Town of Riverview / Ville de Riverview

PID: 00994335

Lot Size: 1732 square metres

Current Use: Vacant

Zoning: R3

Future Land

Use: Residential

Surrounding

Use & Zoning: R3 multi-unit dwellings, R1 single unit dwellings, SC commercial uses

Municipal

Servicing: Public water and sewer

Access/Egress: Trites Road

Municipal Plan Policies

5.1 Developing Beautiful Complete Neighbourhoods

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.

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;
- (b) preservation of natural features (landform, water courses, mature woods, etc.), and heritage features that help define the character of Riverview;
- (c) provision of buffers between potential conflicting types of development (e.g. multi-floor multi-unit residential and single family dwellings, big box retail and residential, etc.);
- (d) height of development;
- (e) limiting views from second and third floor units into neighbouring single family yards (through use of landscaped treed buffers, angle of building, limited windows on sides of buildings facing neighbours, and prohibiting staircases on exterior of multiple unit buildings);
- (f) size and articulation of facades;
- (g) massing including size of the building, its footprint and the articulation of building form (for example, the use of peaked roofs);
- (h) the design of lower floors of multi-unit residential buildings in scale with the pedestrian environment;
- (i) the use of traditional materials;
- (j) the use of back lanes or rear-lot parking areas to enable buildings to be close to the street;
- (k) for buildings on corners, windows and/or doors that address both street frontages and that are designed to the same quality; and
- (l) the layout and design of service areas, for example, waste disposal bins should be screened from the public street and neighbours

Zoning Bylaw and or Subdivision By-law Regulation

Subject to Table 11.1, a multiple unit dwelling is permitted as a conditional use in the Multiple Unit Dwelling (R3) zone.

91(2) Screening shall be provided and maintained on a lot containing a multiple unit dwelling, consisting of the existing vegetation or structures if sufficient to screen the lot from adjacent properties, but when the existing vegetation or structures are insufficient, the screening shall consist of:

- (a) if the multiple unit dwelling lot abuts a R1 Zone, R1-C Zone or R2 Zone, a six metre wide landscaping buffer, consisting of:

- (i) a minimum of one low lying shrub for every 15 square metres of landscaping area;
 - (ii) trees with a minimum diameter of 50 millimetre and a minimum branching height of two metres at the time of planting and placed every five metres across the width of the landscaping area; and
 - (iii) a two metre high decorative solid fence secured with 15.24 centimetre x 15.24 centimetre posts , no more than 2.4 metres apart, along or parallel to the common property line; or
- (b) if the lot does not abut a R1 Zone, R1-C Zone or R2 Zone, the standards in paragraph (a) shall apply except that the landscaping buffer may be reduced to three metres and a fence will not be required.

91(4) A multiple unit dwelling may be permitted if:

- (a) its massing including size of the building, its footprint and the articulation of building form (for example, the use of peaked roofs) reflects the conditions of neighbouring buildings while avoiding excessive repetition of building design and color;
- (b) no more than 35% of the lot area is devoted to parking spaces and parking aisles
- (c) the façade is designed with jogs and recesses of not less than 0.6 metres to segment the façade at least every nine metres along the length of the building;
- (d) the façade, from the established grade to the top of the first floor, is finished with traditional materials that includes at least ten percent brick or masonry;
- (e) the design of lower floors of multi-unit residential buildings shall include appropriate fenestration, entrance and other features so that they are in scale with the pedestrian environment;
- (f) only a single row of parking is permitted in the front yard. In this case, a 2.0 metre (6'6") wide landscape strip between the property line and the edge of the parking lot, and between the edge of the parking lot and the building face are required. If the parking bay contains more than 5 spaces, planted islands shall be provided after every fifth stall as a minimum;
- (g) Despite 91(f), a multiple unit building design with garage access on the front façade is not required to have landscaping between the parking lot and the building face;
- (h) for buildings on corners, windows or doors must address both street frontages and shall be designed to the same quality;
- (i) there is at least one public entrance facing a street;
- (j) service areas, including but not limited to waste disposal bins and public utility structures are screened from the street and abutting properties; and
- (k) views from the second and third floor units into neighbouring single unit dwelling yards are limited.

Internal Consultation & External Consultation

The application was discussed among Planners, Development Officers, and the Development Review Committee (Planning, CAO/Clerk, Engineering, Economic Development, Parks, and Fire Department). No concerns were raised as part of this review.

Discussion

The proposal is for a three storey, six-unit apartment building on an infill lot located on Trites Road, across from the intersection with Traynor Street. Trites Road is predominately zoned R3 along the entire length. The built form is defined by a mix of multi-unit housing types, including small-to-mid sized apartment buildings and townhouse-style condominiums. The proposed project reflects the surrounding area in terms of height, density, and building style.

The proposal meets the zoning by-law requirements with respect to parking, landscaping, etc., but requires a minor variance for the side yard setback. In an R3 zone, the required side yard setback is the greater of 3m or half the height of the building to a maximum of 6m. The proposed building is 30' 3 ¾" (9.2m), requiring a setback of 4.6m. To meet landscaping standards to the south, as well as the minimum driveway width, the building is proposed at a setback of 3.89m to the north, requiring a

variance of 0.71m.

Setbacks tied to building height are generally put in place to limit the overcrowding of higher density buildings and/or ensure separation between different densities. In this case, the adjacent lot is developed as a similar sized three-storey multi-unit building. Given that the landscaping requirements will still be met, and the relatively small scale of this project and the adjacent building, staff is satisfied that the variance is minor, reasonable, and within the intent of the zoning by-law.

Public Notice

Public notice was sent to neighbouring properties within a 60m radius on March 31, 2021.

Legal Authority

Zoning By-law:

7(1) The permitted main, accessory and secondary uses for the zones listed in Table 7, and their lot requirements are prescribed in Parts 11 to 15, and the following conditions apply to those uses:

(b) any particular purpose for which land, buildings or structures may be used, and which the Committee may approve subject to terms and conditions, is identified by the letter “C”;

Community Planning Act (2017):

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.

Variances

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 Planning Advisory Committee APPROVE the conditional use application to permit a three-storey, six-unit multi-unit building in an R3 zone on PID 00994335 subject to the following conditions:

1) That a key lock box be installed per municipal By-law 500-11;

- 2) That as-built drawings for engineering submissions shall be required within 30 days after construction; and
- 3) That the proposed development shall be in substantial conformity with the site plans, elevation drawings and renderings provided.

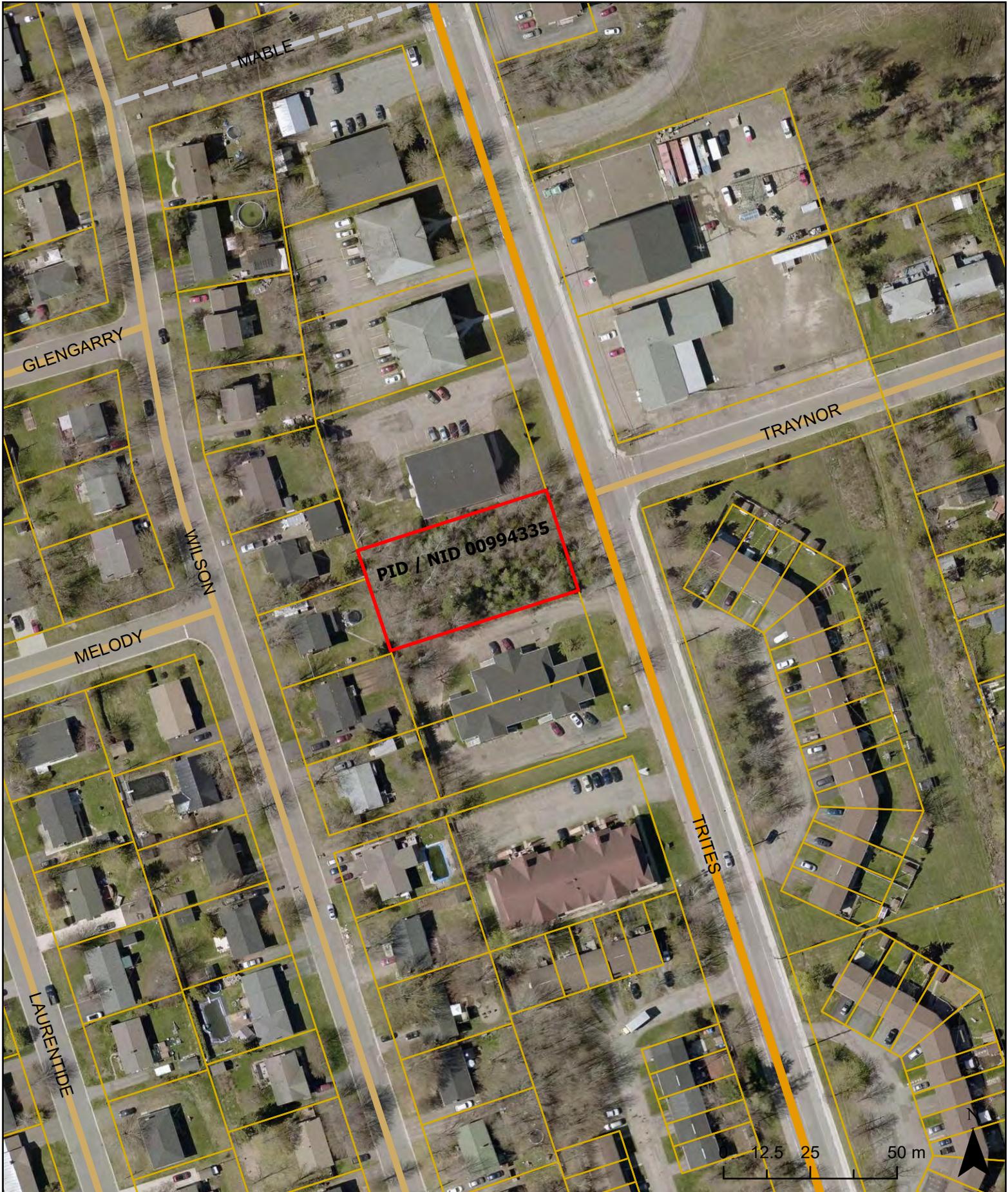
Motion 2

Staff recommends that the Planning Advisory Committee APPROVE the variance to reduce the side yard setback on PID 00994335 from 4.6m to 3.89m because landscaping requirements can still be met and the scale of the project does not conflict with the adjacent building.

Trites Road (PID/NID 00994335)

Riverview

Date: 3/15/2021



SC

R3

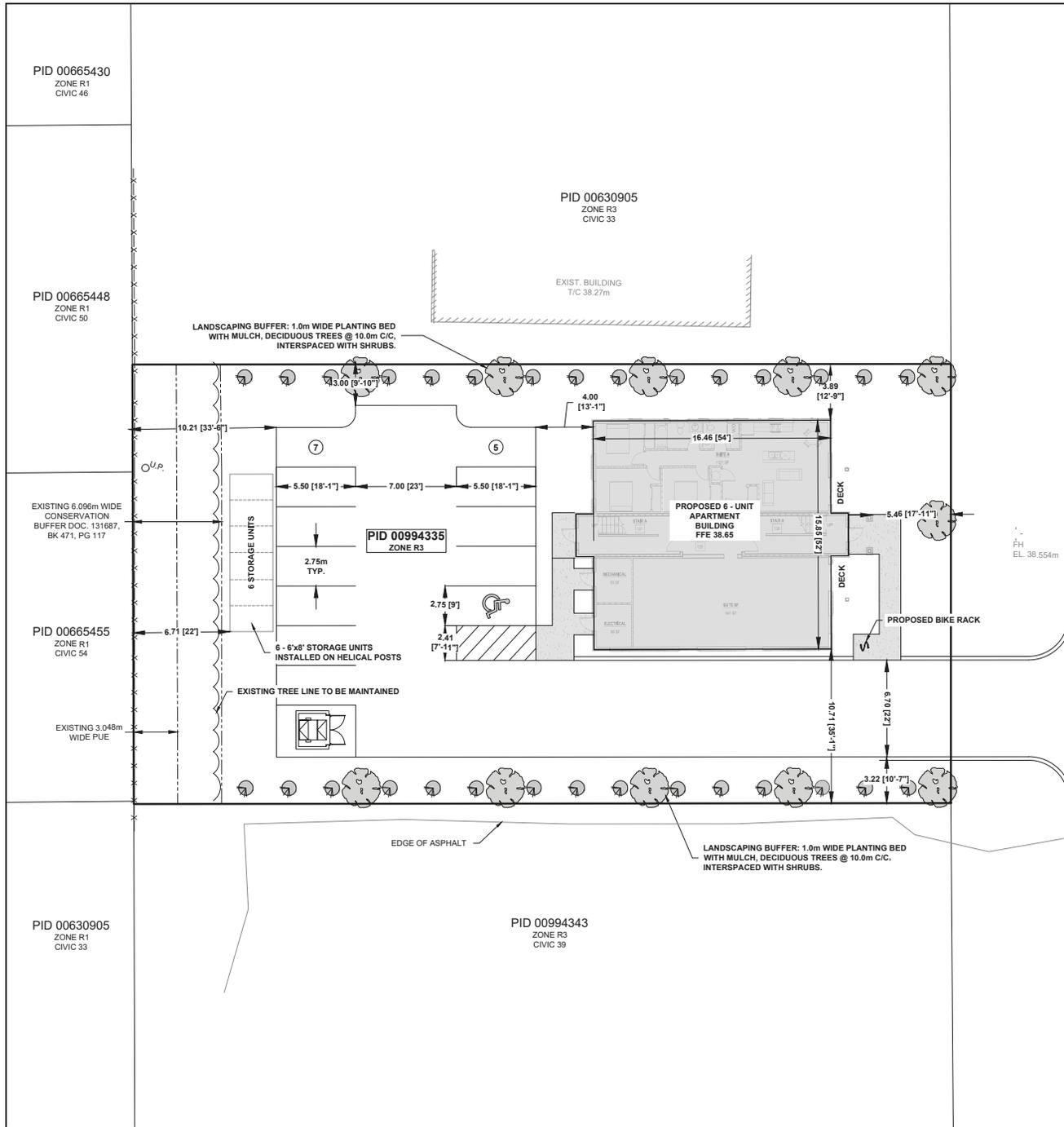
R1

(1 of 3) ▶ □ ✕

parcels: 00994335

View on [Planet](#)

Zoom to ...



N.B. GRID NORTH
 NORD DU SYSTEME DE COORDONNEES DU N.B.

TRAYNOR STREET

TRITES ROAD

ITEM	EXISTING	PROPOSED
SANITARY MANHOLE		
STORM MANHOLE		
SANITARY SEWER		
STORM SEWER		
PIPE INSULATION		
CATCH BASIN		
DOUBLE CATCH BASIN		
SLURGE BOX		
CULVERT		
WATER MAIN		
GATE VALVE		
FIRE HYDRANT		
TEE		
BEND		
END CAP		
CURB STOP		
VALVE CHAMBER		
WATER WELL		
UTILITY POLE		
GUY WIRE		
LIGHT STANDARD		
OVERHEAD UTILITY LINE		
UNDERGROUND UTILITY LINE		
TELECOM. MAN HOLE		
TRAFFIC SIGNALS		
GAS LINE		
FENCE		
TREE LINE		
TREES		
EDGE OF BANK		
MARSH		
GROUND ELEVATION		
TOP OF CONC. FOUNDATION		
CRITICAL ELEVATION		
BASEMENT FLOOR ELEVATION		
FINISH GRADE		
SURVEY MARKER		
NB GRID MONUMENT		
SIGN & POST		
CURB & GUTTER		
SIDEWALK		
GRASS AREA		

No.	DESCRIPTION	YY/MM/DD
-	-	-

CIVIL CONSULTANT



PROJECT TITLE
6-UNIT APARTMENT
 PID 00994335
 TRITES ROAD, RIVERVIEW, NB

DRAWING TITLE
SITE PLAN



	DESIGNED BY J.D.	CHECKED BY J.R.D.
	DRAWN BY B.D.	CHECKED BY J.D.
	DOCUMENT ISSUE PRELIMINARY	
	DATE ISSUED 2021-03-08	
REVISION -	DRAWING NUMBER C-101	

MATERIALS:

EXACT MATERIAL COLORS AS PER OWNER

- M1 - MASONRY STONE
- M2 - BOARD AND BATTEN
- M3 - WOOD SIDING



"Not For Construction"

ISSUE	DESCRIPTION	DATE
01		

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ALL REQUIRED PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION.

Rev. #	Description	Date

Rev. #	Description	Date

Stamp:

Architectural Consultant:

Architectural Designer:

171 Lutz Street, Moncton, NB E1C 5E8
 Bus: (506) 855-3777 Cell: (506) 302-2777 eMail: denis@spitfiredesign.co

Client: **Billo**

Project: **Apartment**
 Trites Rd, Riverview

Drawing Title: **ELEVATIONS**

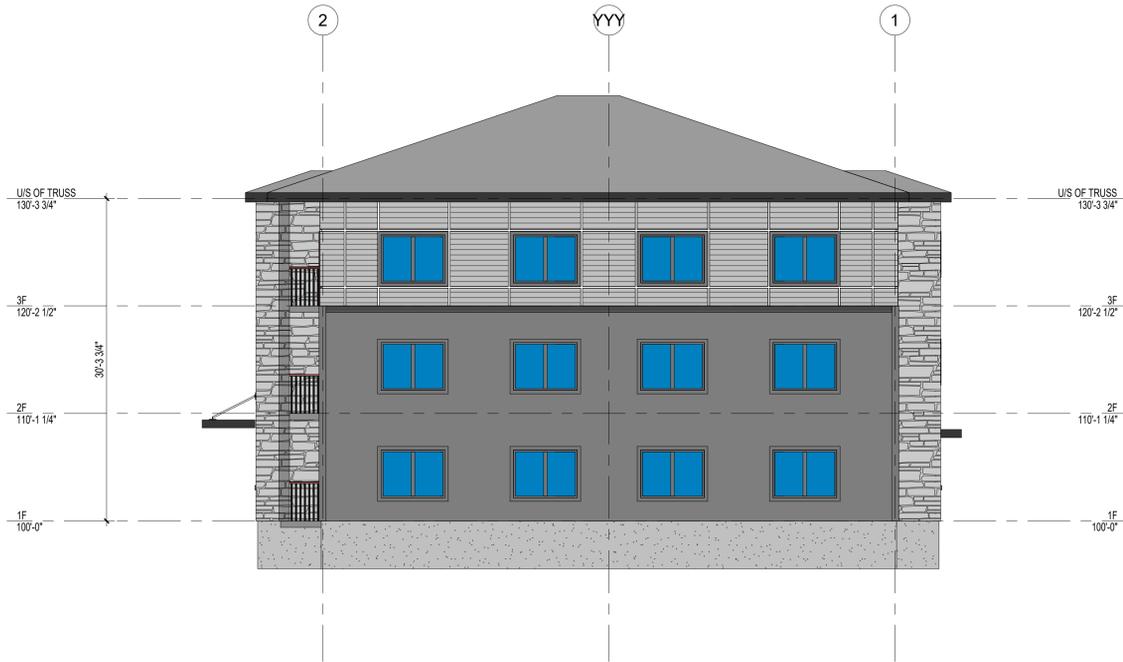
Date: 10 MARCH, 2021

Checked by: J.P

Drawn by: J.H Revision: -

Scale: AS NOTED

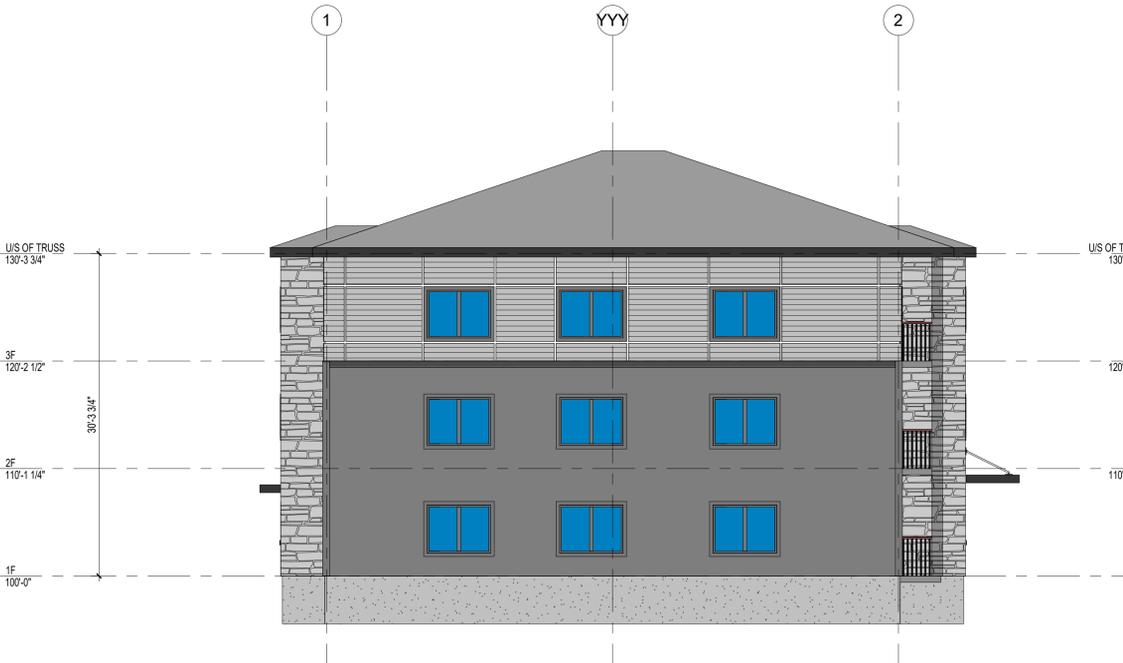
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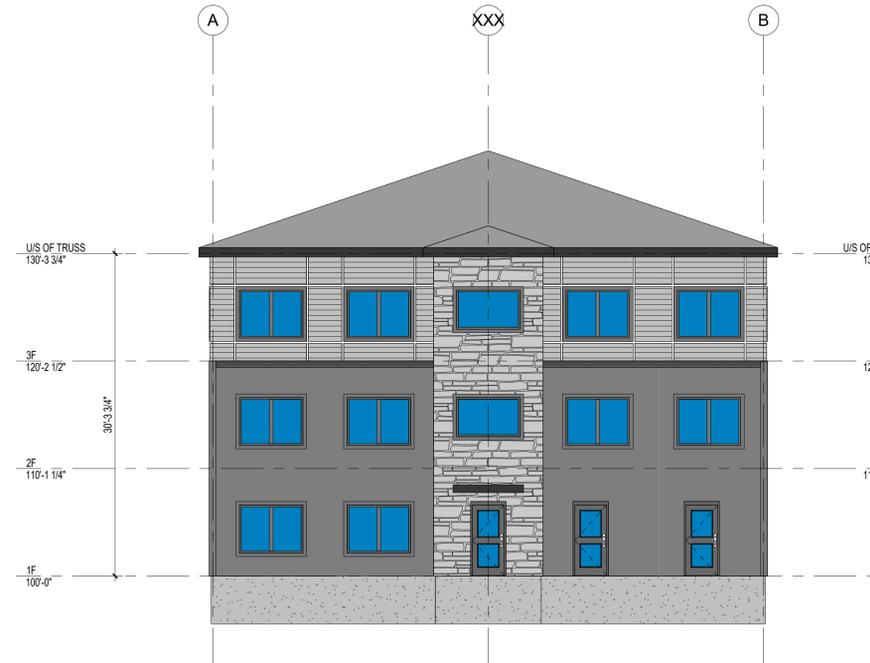
E2 EAST ELEVATION
 1/8" = 1'-0"



E3 SOUTH ELEVATION
 1/8" = 1'-0"



E1 WEST ELEVATION
 1/8" = 1'-0"



E4 NORTH ELEVATION
 1/8" = 1'-0"









Subject property (wooded) facing north



Subject property is on the right



Subject property



Subject property (wooded) facing south