

Riverview Planning Advisory Committee

September 8, 2021

Staff Report

Subject: Controlled Access Streets By-law

File Number: 21-437

From:



Kirk Brewer
Planner

Reviewed by:



Lori Bickford
Planner

General Information

By-law

Town of Riverview Controlled Access Streets By-law

Proposal

To repeal and replace the Controlled Access Streets By-law for housekeeping amendments

Policies

Municipal Plan

Ensuring that all modes of transport move safely and efficiently is a major goal of this Plan. The Controlled Access Streets By-law will be used to achieve this goal and access management in general will be promoted throughout the Town to help reduce traffic conflicts and congestion.

Policy 4.6.9 Council will ensure that the public street system is efficient and safe through the use of the Controlled Access Streets By-law and by implementing access management principles in the Zoning By-law.

Zoning and/or Subdivision Regulation

See attached draft by-law #300-67

Internal Consultation & External Consultation

The by-law was discussed among Commission and Town staff. A review of the controlled access by-laws adopted by the Cities of Moncton and Dieppe was also conducted. Various elements of these by-laws have been incorporated into proposed By-law 300-66.

Discussion

The Controlled Access Streets By-law was originally adopted by Council in 2010 as By-law 300-65 in order to limit points of access and reduce traffic conflict along Gunningsville Blvd. The original by-law stipulated that any new means of entry onto Gunningsville Blvd. must be a public street. However, it was later

identified that this requirement would be too onerous on certain anticipated developments along the boulevard.

Council amended the by-law in 2012 to modify the definition of “street” to reflect the definition of “highway” under the Motor Vehicle Act, which allowed flexibility in what types of accesses would be permitted. This amendment also clarified that new streets on controlled access streets must be separated by 200m, centerline to centerline, from another street. An additional amendment included an exemption for a right-in-right out access along Gunningsville Blvd. to permit a means of access to the commercial component of Dobson Landing.

In 2020, the by-law was brought before Council again to add Bridgedale Blvd. to the Schedule “A” list of controlled access streets. Given that a new *Community Planning Act* was adopted in 2017, By-law 300-65 was repealed and replaced with By-law 300-66 to conform to the new Act. The updated by-law mistakenly referenced the original wording, prior to the 2012 amendment, requiring new accesses to be public streets.

To address this, staff is recommending modified wording to allow both public streets and private accesses along controlled access streets, provided they meet the 200m separation distance. Additionally, Planning Staff has been in contact with developers regarding several properties along Gunningsville Blvd. who are impacted by this by-law. In consultation with the Director of Engineering and Works, it was determined that incorporating elements from the Dieppe Controlled Access By-law would address these issues by permitting restricted “right-in/right-out” accesses in situations where Gunningsville Blvd. is divided by a median. Finally, the Director of Engineering and Works has recommended adding Findlay Blvd. to the list of Schedule “A” controlled access streets.

Based on discussions with the development community about potential future projects, it is anticipated that the by-law will need to be amended on a case-by-case basis where proposed accesses will not meet the required 200m separation, but still respect the intent of the by-law and do not create any negative traffic impacts. These proposals will be reviewed by the Development Review Committee prior to seeking Council’s approval via the standard amendment process.

Legal Authority

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

Staff recommends that the Riverview Planning Advisory Committee recommend that Riverview Town Council repeal By-law 300-66 and adopt Controlled Access Streets By-law 300-67 as proposed



BY-LAW NO. 300-67

RESPECTING THE ESTABLISHMENT OF CONTROLLED ACCESS STREETS WITHIN THE TOWN OF RIVERVIEW

BE IT ENACTED by the Council of the Town of Riverview, under the authority of section 68 of the Community Planning Act, being chapter 19 as follows:

(1) By-Law No. 300-66 is hereby repealed and replaced by the following:

Definitions:

1 In this by-law:

“access” means a point of entry or exit on a street,

“Committee” means the Town of Riverview Planning Advisory Committee

“controlled access street” means any street or a portion thereof listed in Schedule “A”.

“Council” means the Council of the Town of Riverview.

“development” shall be defined as per the Community Planning Act.

“Municipality” means the Town of Riverview.

“restricted access” means an access with a raised triangular island which obstructs left turns and through movements to and from the intersecting street or driveway situated in the proximity of a median strip existing on the street.

“street” means a public street located within the Town of Riverview.

“temporary access” means an access permitted on a street for a fixed period not exceeding a maximum period of one year.

“utility” means a person who owns, operates, manages, or controls any plant or machinery for the conveyance of telephone messages, the production, transmission, delivery or furnishing of heat, light, television or radio signals, water, gas or power or the removal or treatment of wastewater, if doing so as an employee or agent of the Province or of a provincial Crown corporation.

Prohibited Activity on Schedule "A" Streets

- 2(1)** No person shall construct, use, open or permit the use of any access to any part of a street designated as a controlled access street in Schedule "A."
- 2(2)** Notwithstanding subsection 2(1), a new access shall be permitted onto a controlled access street provided it is separated by at least 200 meters centerline to centerline from another street or access.
- 2(3)** Any development on property abutting a controlled access street shall be prohibited, if in the opinion of the Committee, it would interfere in any way with the use of such controlled access street.

Exceptions

- 3** This by-law shall not apply to,
 - (a) municipally owned properties;
 - (b) access for a utility;
 - (c) an emergency access;
 - (d) a restricted access approved by the Director of Engineering and Public Works; or
 - (e) a temporary access approved by the Director of Engineering and Public Works

ENACTED this _____ day of _____, A.D. 202__.

MAYOR

CLERK

First Reading _____

Second Reading _____

Third Reading _____

Schedule A

Access Prohibited

Street Name

- 1) Gunningsville Boulevard, with the exception of:

-in addition to the current Dickey Boulevard intersection, one right-in and right-out access, on the south side of the boulevard, located between 180 m and 190 m east of the centerline of the Pine Glen Road intersection.

- 2) Bridgedale Boulevard
- 3) Findlay Boulevard