## RIVERVIEW PLANNING ADVISORY COMMITTEE <br> STAFF REPORT <br> Conditional Use

Subject : Conditional use application - 8-unit residential building
File number: 22-1625
Meeting Date: Wednesday, December 14, 2022

From :


Kirk Brewer
Planner / Urbaniste

Reviewed by :


Lori Beckford
Planner / Urbaniste

## GENERAL INFORMATION

Applicant/: Mario Leblanc Lebson Holdings Ltd Landowner : 686366 NB Inc

## Proposal:

Conditional use application to permit an 8-unit multiunit dwelling and more than one main building on a lot


## SITE INFORMATION

Location: 342 Pine Glen Rd, Riverview
FID: $\quad 05085840 \& 01030915$
Lot Size: $\quad \sim 1$ acre total
Current Use: Office
Zoning: RBS
Future Land
Use:
Commercial
Surrounding
Use \& Zoning: Mixed use - Commercial, multi-unit dwelling, single-unit dwelling; RBS, R3 and R1 zoning
Municipal
Servicing: Public sewer, water, and stormwater
Access/Egress: Pine Glen Road
Municipal Plan Policies
The Municipal Plan states the following:

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

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.

## Zoning Bylaw and or Subdivision By-law Regulation

Table 12.1 identifies a multiple unit dwelling as a conditional use in an RBS zone.
Section 30(2) allows the PAC to approve more than one main building on a lot as a conditional use.
Multiple unit standards:

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
(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
$(\mathrm{k})$ views from the second and third floor units into neighbouring single unit dwelling yards are limited.

## Internal Consultation \& External Consultation

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

## Discussion

The proposal is to construct a two-storey, 8-unit multiple unit dwelling behind an existing commercial building at 342 Pine Glen Road. The applicant has submitted a subdivision application to create a 1375 m 2 parcel at the rear of the property, which will be added to and form part of the adjacent PID 01030915. The remnant lot with road frontage meets the minimum lot requirements. The new building will bear the civic address 344 Pine Glen Road.

There is an existing 14-unit multi-unit building on the adjacent PID 01030915 (346 Pine Glen) that was constructed in 2020. The two apartment buildings will be managed as a unit with a shared access and parking lot. The zoning by-law allows more than one main building on a lot subject to PAC's conditional approval. The applicant is aware that future subdivision will not be possible so the buildings will remain on the same lot.

The concept drainage and servicing plans indicate that stormwater will be directed into the existing drainage system. A detailed design brief will be required at the building permit stage. The garbage enclosures at the rear of the property will be placed to allow snow storage in the 6 m wide landscape area. The applicant has indicated that a blower can be used to disperse the snow if needed, and the snow melt would feed into the french drain system.

A certain amount of the existing parking lot will need to be dug up to remove curb and connect services. To avoid damaging the full parking lot, the applicant has worked with the adjacent property owner to secure a private service easement to install water and sanitary services in the landscaped area on the remnant parcel. This is an agreement between property owners and does not involve the Town. However, staff is recommending that this easement be registered prior to the issuance of any permits to ensure it is legally secured before any work commences.

Engineering has also indicated the servicing plan will likely need to change at the building permit stage to accommodate two separate hookups in the public right-of-way. This change does not affect the elements of the project as it pertains to the zoning by-law.

There is a mapped watercourse at the rear of the property. The Department of Environment was consulted during the 2020 application, and it was determined at that time that the watercourse had been piped circa the 1970s and no longer meets the Department's definition of watercourse, so no WAWA permit or watercourse variance was required. Staff has confirmed with the Department that their opinion on this matter has not changed.

## Public Notice

Notice was sent to property owners within a 60 m radius on November 30, 2022. No comments have been received at the time of the writing of this report.

## Legal Authority

## 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.

## Recommendation

Staff recommends that the Riverview Planning Advisory Committee APPROVE the proposed conditional use requests to permit an 8-unit multi-unit dwelling and more than one main building on a lot on the property at 344 Pine Glen Road bearing PID 05085840 subject to the following conditions:
(1) that prior to the issuance of a development permit, a private service easement be registered on PID 05085840 if required to service the development;
(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.

Pine Glen Road (PID/NID 05085840)
Riverview
Date: 8/12/2022


| From: | Breau, Rick (ELG/EGL) |
| :--- | :--- |
| To: | Kirk Brewer |
| Subject: | RE: Question re: watercourse in Riverview (PID 05085840) |
| Date: | August 2, 2022 1:43:58 PM |
| Attachments: | image001.jpg |

Hi Kirk,

I have reviewed the information you've provided and verified our Occurrence system database and mapping for PID 05085840. A watercourse and wetland alteration permit was not required due to the absence of the mapped watercourse therefore a permit would not be required for the adjacent PID 01030915. If any changes on the property have occurred or you are questioning the possible presence of other wetlands/watercourses, please let us know and an Inspector will conduct an on the ground assessment.

Feel free to contact me if you have any questions or require any additional information.

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Best Regards,
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Rick Breau, CET
Regional Director / Directeur Régional
NB Department of Environment \& Local Government/
Ministère de l'Environnement et des Gouvernements locaux du N.-B.
Region 3 - Moncton
Rick.Breau@gnb.ca 506.856.2374

From: Kirk Brewer [kirk.brewer@nbse.ca](mailto:kirk.brewer@nbse.ca)
Sent: Tuesday, August 2, 2022 11:34 AM
To: Breau, Rick (ELG/EGL) [Rick.Breau@gnb.ca](mailto:Rick.Breau@gnb.ca)
Subject: Question re: watercourse in Riverview (PID 05085840)

## ATTENTION! External email / courriel externe.

Hi Rick,

As discussed, I have a development application in Riverview at 342 Pine Glen Road on PID 05085840 for a new 8-unit apartment building behind an existing office building. There is a mapped watercourse on the property, but during an application review on the adjacent PID (01030915) in 2020, it was determined by the Riverview Engineering department and DELG that this watercourse was piped and diverted years ago and no longer meets DELG's definition of a watercourse. I'm just looking to confirm that the interpretation would be the same on this property.

I've attached a site and servicing plan as well as correspondence with Vicki Nash and Paul Richard in Engineering during the 2020 review.

Any comments you could provide would be appreciated. Please let me know if you need any more information!

Thanks,
Kirk Brewer RPP, MCIP
Planner/Development Officer - Urbaniste/Agent d'aménagement 300 Robertson St., Riverview, NB E1B OT8
T 506-382-3574 - www.plan360.ca






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