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

# Staff Report / Rapport du personnel

Subject / Objet : New street location and LPP

File number / Numéro du fichier 22-1512

From / De

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Lori Bickford

Planner / Urbaniste

Reviewed by / Révisé par :

Kirk Brewer

Planner / Urbaniste

# General Information / Information générale

Hord Brewen

# Applicant / Requérant :

Ron Wood

#### Landowner / Propriétaire :

Ron Wood

## Proposal / Demande:

To create a new section of public street (Orin Dr.) and lands for public purpose with variances to:

- 1) increase the length of a cul-de-sac from 183m to 194m; and
- 2) to reduce the turning radius of a cul-de-sac from 18m to 15m



In Fredhol

# Site Information /Information du site

PID / NID: 00981373, 05115324

Lot Size / Grandeur du lot: ~1 hectare

Location / Endroit:

Orin Drive

#### Current Use / Usage présent :

Vacant, and future street turnaround

Zoning / Zonage:

R1

# Future Land Use / Usage futur:

Residential

# Surrounding Use & Zoning / Usage des environs & Zonage :

R1, single unit residential, limited Suburban Commercial along Hillsborough Rd.

# Municipal Servicing / Services municipaux:

The lots will be serviced with public water and sewer

Access-Egress / Accès/Sortie: Orin Dr, Hillsborough Road

# **Policies / Politiques**

#### **Cul-De-Sacs**

Cul-de-sacs are part of the local street system. To facilitate an efficient means of service delivery, cul-de-sacs are generally discouraged in the Town of Riverview. However, cul-de-sacs may be permitted when the topography and dimension of the land provides no other option of design.

When necessary, depending on the length and land uses along these streets, sidewalks may be necessary. Policy 4.6.2 Council shall discourage new cul-de-sacs in new subdivisions.

Policy 4.6.3 Cul-de-sacs shall be permitted to a limited extent in any subdivision or when the topography and dimension of the land provide for no other option of design.

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

- (1) In a subdivision, unless otherwise stipulated by the Committee, streets required pursuant to subsection 3 (1)(a) of this by-law shall:
- (a) contain the following minimum right of way width:
- urban local minor 18 meters
- (c) in the case of a cul de sac, be permitted to a limited extent in any subdivision or when the topography and dimension of the land provide for no other option of design. If permitted, a cul-de-sac <u>shall not exceed</u> a maximum length of 183 meters and contain a <u>radius not less than 18 meters</u> for the turning area.

  Maximum

length of a cul de sac is intended to be measured from the intersection street right of way to the back of the turning area;

#### **Lands for Public Purposes**

(l) As a condition of approval of a subdivision plan, land in the amount often (l 0) percent of the area of the subdivision exclusive of public streets, at such location as assented to by Council pursuant to the Community Planning Act, is to be set aside as "lands for public purposes", and so indicated on the plan.

## Internal Consultation & External Consultation / Consultations internes et externes

The proposal was discussed with the Development Review Committee (Planning, CAO/Administration, Engineering and Works, Parks, Economic Development, Fire and Rescue). No concerns were raised regarding the variances, and staff is satisfied with the street location and lands for public purpose.

#### Discussion

The proposal is to extend the existing Orin Drive cul-de-sac and create 10 new single-unit dwelling lots and give land for public purpose. The right-of-way is 18.288m wide, which meets the subdivision by-law requirements for an urban local minor street (minimum 18m wide), and follows the existing width of Orin. While cul-de-sacs are generally discouraged because they hamper connectivity within a neighbourhood, in this case the cul-de-sac is existing, and there is limited potential for it to connect to the surrounding street network.

When completed, the cul-de-sac will be 194m long. This exceeds the allowable 183m and requires a variance to permit the additional 11m. The additional length is required to get lot 22-04. Cul-de-sac lengths are limited primarily due to safety concerns; the longer a road is without a secondary access point, the higher chances of emergency if the road is ever blocked. In this case, the additional 11m does not represent a significant increase from a public safety perspective, and the Director of Engineering and Works, as well as the Deputy Chief of Fire Prevention have indicated they have no concerns with the proposed length given that additional fire hydrants will be required.

The turning radius of the cul-de-sac is proposed at 15m where 18m is required. A minimum turning radius is established to ensure large vehicles such as plow, garbage trucks, and emergency vehicles have room to safely maneuver in order to leave the cul-de-sac. This variance was granted for the cul-de-sac on Hawkes one street over, and the same considerations are in play in this situation – the lots being created will not have a standard depth, and requiring the 18m would likely impact the development potential of the lots at the end of the cul-de-sac. The proposal has been reviewed by the Engineering and Fire Departments, and no concerns were raised with the reduced turning radius in this case.

As part of a subdivision requiring a new street, the developer is required to contribute 10% of the area being subdivided as lands for public purpose (LPP). In this case, the contribution exceeds the required 10% of area: Total area being subdivided less streets = 10,021.2 square metres; 10% = 1002.2 square metres. The plan proposes to give 2213 square metres in LPP, which is about 22% of the overall land. However, roughly 50% of the LPP is within the provincially significant wetland, and a large portion is within the buffer and is unusable for development.

The existing trail will become town-owned land, and an 8m wide access point has been secured at the end of Orin where the existing local government service easement is located; the easement will no longer be necessary since this will be Town land, but the TransAqua sewer easement will remain in place on the LPP. Both the Engineering and Parks Departments are satisfied with the proposed LPP as it will bring this section of trail and access to the trunk sewer under Town ownership. Civic addresses have been assigned.

The Department of Environment provided comments on the regulated wetland area – an email from Zachary Bourque is attached, but no concerns were raised. The end lots should have enough developable room outside the buffer but development/landscaping will be restricted within the buffer and require WAWA permits for anything within the 30m buffer.

The plan has been distributed to public utilities who are in agreement with the proposed utility easements.

# **Public Notice / Avis public**

Notice of the variances was sent to neighbouring landowners within a 60m radius on August 31, 2022.

# Legal Authority / Autorité légale

# Community Planning Act

- 77(2) A subdivision plan that involves the layout out of public or future streets, the setting aside of land for public purposes, a variance or, in the opinion of the development officer, a utility or other easement, shall not be approved under paragraph (1)(k) unless
- (b) in the case of a variance, the variance is permitted by the advisory committee or regional service commission in writing
- **88(1)** If a subdivision plan of land in a municipality provides for the laying out of public or future streets or the setting aside of land for public purposes, approval of the plan by the development officer shall not be given until the plan has been assented to by council.
- **88(4)** (a) subject to subsection (8), the advisory committee or regional service commission has recommended the location of the streets referred to subsection (1) or (2), or the land for public purposes referred to in subsection (1) or (3), or both, as the case may be, or the recommendation has been rejected by a majority of the members of council, and (b)paragraph 75(1)(i)has been complied with.

#### **Recommendation / Recommandation**

#### **Recommendation 1**

Staff respectfully recommends that the Riverview Planning Advisory Committee recommend the Town of Riverview council assent to the location of Orin Drive as well as the land for public purpose as shown on the Orin V. Northrup subdivision plan attached

#### **Recommendation 2**

Staff respectfully recommends that the Riverview Planning Advisory Committee APPROVE the variance request to increase the length of the Orin Drive cul-de-sac from 183m to 194m because it represents a minor increase and has received support from the Director of Engineering and Works

#### **Recommendation 3**

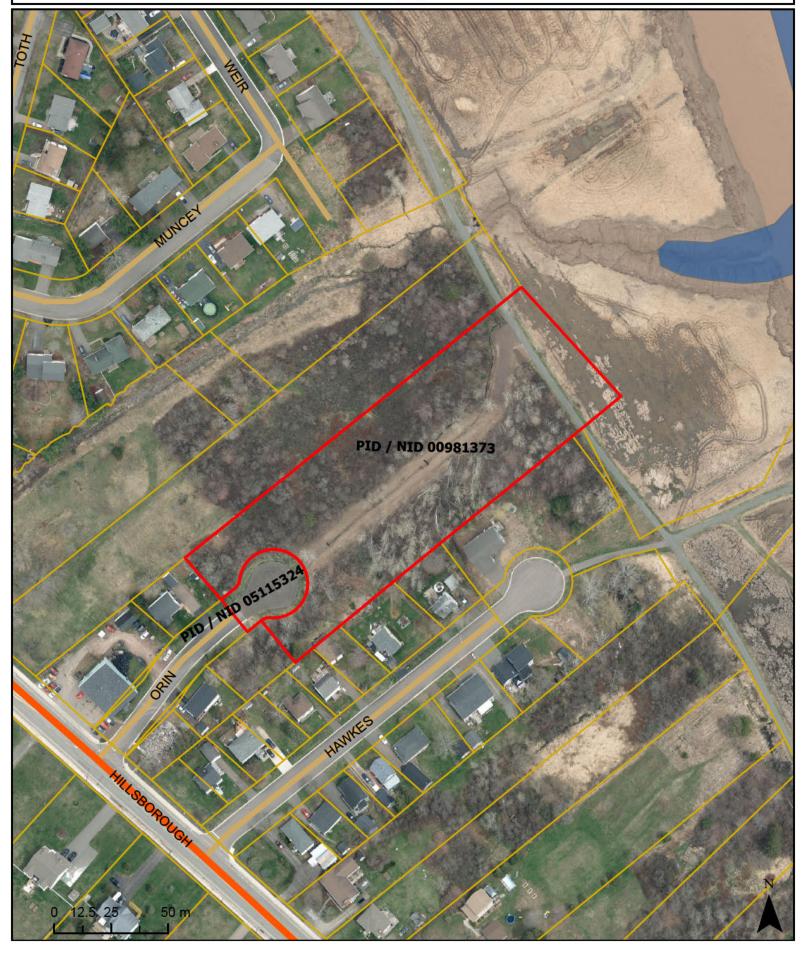
Staff respectfully recommends that the Riverview Planning Advisory Committee APPROVE the variance request to reduce the turning radius of the Orin Drive cul-de-sac turnaround from 18m to 15m due to constraints associated with lot depth, and because the Director of Engineering and Works and the Deputy Chief of Fire Prevention have no concerns with the turnaround as proposed

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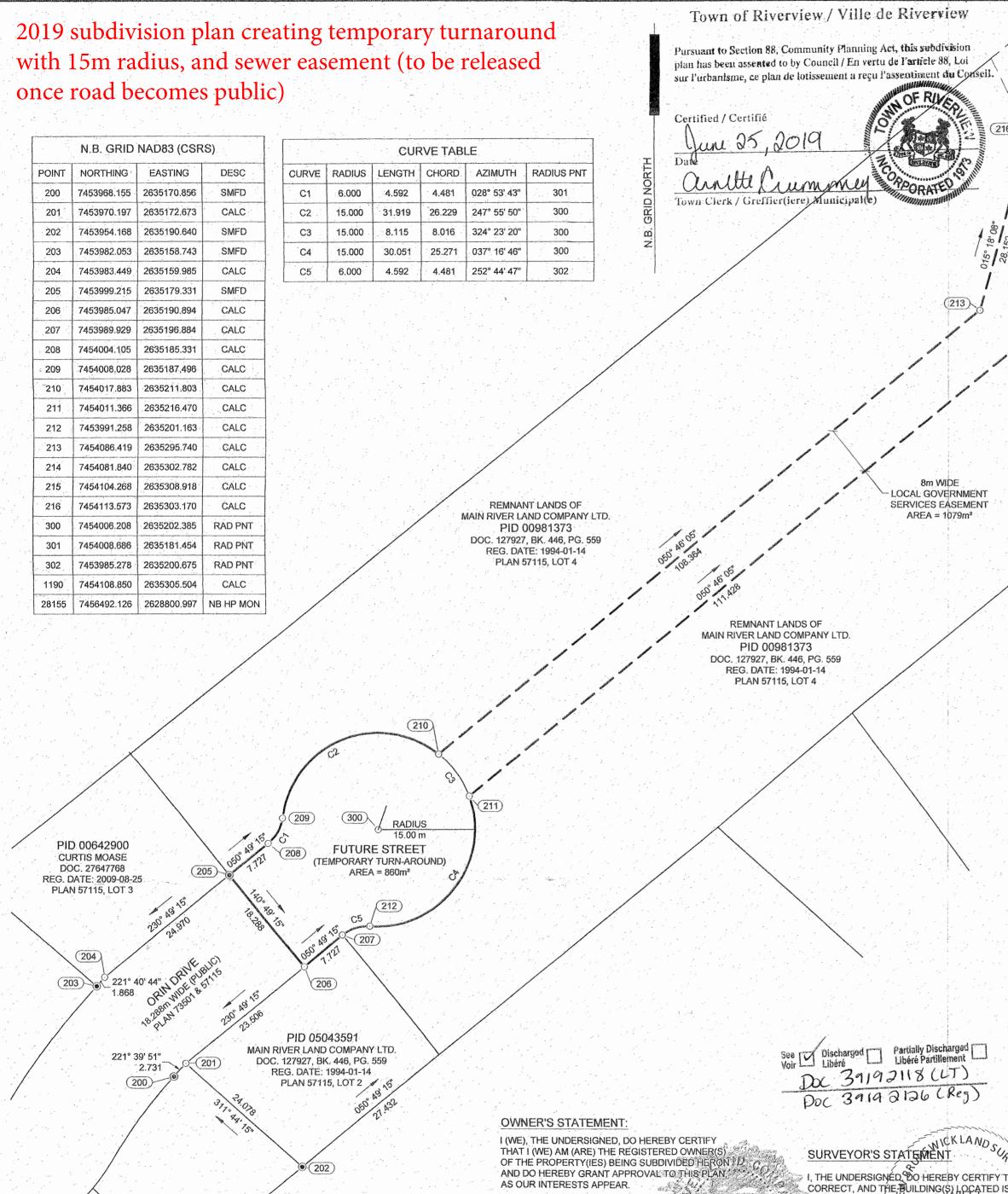
**Note:** This report was written in and translated to a bilingual document. Where a conflict exists between the two languages, the language the report was written shall prevail. / **Note**: ce rapport a été rédigé en et traduit en version bilingue. En cas de conflit entre les deux langues, la langue dans laquelle le rapport a été rédigé a préséance.

# Orin Drive (PID/NID 00981373 & 05115324) Riverview

Date: 8/12/2022



39192092



MAIN RIVER LAND COMPANY LTD

LINDA STEEVES, PRESIDENT

LOCAL GOVERNMENT SERVICES EASEMENT STATEMENT PURSUANT TO SECTION 4 OF "DESIGNATED EASEMENT REGULATION" 84-217, OF THE COMMUNITY PLANNING ACT, 2017, THE LOCAL

GOVERNMENT SERVICES EASEMENT ON THIS PLAN VEST IN THE TOWN

OF RIVERVIEW WITH THE FILING OF THIS PLAN.

SURVEY **LOCATION MAP** LEGEND: LAND DEALT WITH BY THIS PLAN SHOWN THUS UTILITY EASEMENT STANDARD SURVEY MARKER PLACED (SMPL) STANDARD SURVEY MARKER FOUND (SMFD)

- CALCULATED COORDINATE POINT (CALC) TABULATED COORDINATE REFERENCE 200 EXISTING UTILITY POLE GUY WIRE ANCHOR PROPERTY IDENTIFICATION NUMBER PID REG. PAGE PG. DOCUMENT
- 1. 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 ACTIVE CONTROL
- ALL DISTANCES SHOWN ARE GRID DISTANCES CALCULATED USING
- A COMBINED SCALE FACTOR UTILIZING GEOID MODEL HT2.0.
- DIRECTIONS ARE N.B. GRID AZIMUTHS ESTABLISHED USING GNSS CERTIFICATIONS IS NOT MADE AS TO LEGAL TITLE, NOR TO ZONING
- THE PLAN NUMBERS AND DOCUMENT NUMBERS REFERENCED TO ON
- THIS PLAN ARE THOSE OF THE COUNTY REGISTRY OFFICE. 6. FIELD SURVEY WAS COMPLETED ON MAY 29, 2019

# PURPOSE OF PLAN

TO AMEND LOT 4, PLAN 57115. -TO CREATE A FUTURE STREET (TEMPORARY TURN-AROUND). PURSUANT TO 88(6)(b) OF THE COMMUNITY PLANNING ACT, 2017. -TO CREATE A 8m WIDE LOCAL GOVERNMENT SERVICES EASEMENT AS SHOWN, PURSUANT TO SECTION 4, REGULATION 84-217 OF THE COMMUNITY PLANNING ACT, 2017.



50 DRISCOLL CRESCENT, MONCTON, NB PHONE: 506-875-1743

AMENDING SUBDIVISION PLAN

ORIN V. NORTHRUP SUBDIVISION

AMENDING SUBDIVISION PLAN 57115 END OF ORIN DRIVE TOWN OF RIVERVIEW PARISH OF COVERDALE COUNTY OF ALBERT PROVINCE OF NEW BRUNSWICK



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	REV.	Revision:								
		Date: June 5,	2019	:	Jo	b No.	: 19016	1	· · ·	
	\ <u>\</u> U \	File: 19016SD			in	Initials: SPK / JTG				

I, THE UNDERSIGNED DO HEREBY CERTIFY THAT THIS PLAN IS CORRECT, AND THE BUILDING (S) LOCATED IS (ARE) AS SHOWN. GUIMOND

SURVEYED BY JARETY GUMOND, N.B.L. 8. 38

N.B.L 213264

PID 00981373

153° 42' 14" 5.268

> 143° 18' §2" 5.714

(215)

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APPHOLIVE / APPHOVE

GORDON S. LOCKE

ASST. A L'AGENT D'AMÉNAGEMENT

ASST. TO THE DEVELOPMENT OFFICER

VILLE DE / CITY OF

Plan received and filed/plan reçu et déposé

Circonscription du Nouveau-Brunswick

REGISTERED OWNER: MAIN RIVER LAND COMPANY LTD.

date/date 2019-07-08

District of New Brunswick/

PROPERTY INFORMATION:

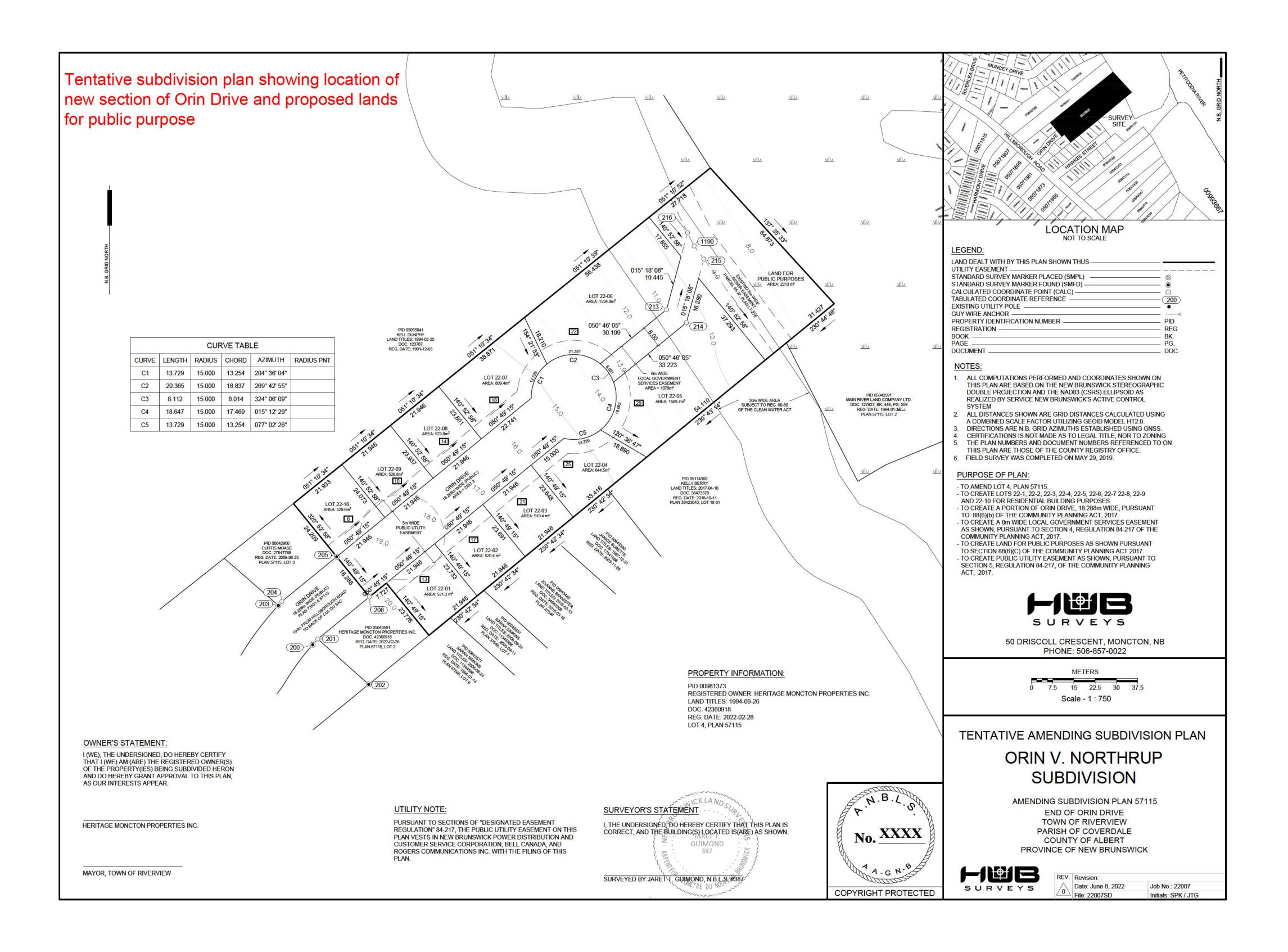
LAND TITLES: 1994-09-26

REG. DATE: 1994-01-14

PLAN 57115, LOT 4

DOC. 127927, BK. 446, PG. 559

26.2019



#### **Kirk Brewer**

From: Natalie M

**Sent:** September 2, 2022 7:44 PM

**To:** Kirk Brewer **Subject:** Orin drive

Ηi

I'm writing in regards to the letter that I received today for application from Ron Wood PID 00981373

I live at 2 Orin drive and as the homeowner I'm writing to object to the second part of the application to reduce the turning radius in the cul de sac.

I'm a single mother of a son that has cerebral palsy , the accessible school bus has to come down and turn there in order to pick him up , he has a hard time with the radius now and to make it smaller would be unacceptable.

My son son deserves and has the right to be picked up like any other child and he doesn't have the convenience like others to walk up or to the bus up the road , I have to help him with either his walker or his wheelchair to the bus and winters are terrible .

I have already filed a complaint in late spring with the bylaw enforcement because they were blocking the road on both sides and the cul de sac because the bus could not come down to get him safely and I could barely get in my driveway . This road is not wide enough to be parking on both sides and the cul de sac should be widened not made smaller.

I am not able to make this town meeting as again I'm a single mom and I have no one to watch him but if for any reason that night you need me I can be reached at If I am able to be there I will let you know.

I'm hoping that I will not have to take this any further than the council meeting . Thank you Kind Regards Natalie Moase

Sent from my iPhone

#### Kirk Brewer

From: Michel Ouellet <MOuellet@townofriverview.ca>

**Sent:** September 7, 2022 8:38 AM

**To:** John Malloy

**Cc:** Kirk Brewer; Paul Richard; Robin True

**Subject:** Re: Orin drive

#### All,

If I understand mrs Moase's comment correctly, she is comparing the current temporary turn around at the end of Orin today with what she is assuming will be smaller. The permanent cul de sac will be curbed and larger than the temporary one. Although it is proposed to be slightly smaller than our typical design, it has been determined to be still sufficient for the fire department's ladder truck, school buses, plow trucks, and garbage trucks to safely use to turn around.

I can follow up with actual dimensions of the three different cul de sac dimensions later this week.

Michel

Sent from my iPhone



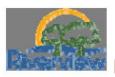
| Engineering and Public Works

**Michel Ouellet, M.A.Sc., P.Eng.** | Director | <u>Town of Riverview</u> | 300 Robertson Street, Riverview, NB, E1B 0T8 Phone: 506.387.2220 | Fax: 506.387.2130 | <u>MOuellet@townofriverview.ca</u>

On Sep 7, 2022, at 8:23 AM, John Malloy <jmalloy@townofriverview.ca> wrote:

Good morning Kirk in reading the email and the concern from Ms. Moase in regards to the cul-de-sac and turning radius reduction on Orin Drive, I just wanted to clarify that the Orin drive Cul-de-Sac is going to have the same turning radius as the Hawkes Street Cul-De-Sac beside it, as in speaking with the Officers of the Fire Department they indicated to me that they can maneuver the Aerial unit in the Cul-De-sac on Hawkes Street. If there was a reduction in the radius on Orin Drive from that of the Cul-de-Sac on Hawkes there may be issues maneuvering fire apparatus in the Orin Drive Cul-De-Sac. I would suspect that the school bus may have a bit more difficulty as it is a conventional style chassis vs a custom chassis that the Fire Apparatus is situated on. I am not sure of the length of the bus whether it is a regular school bus and shortened school bus or an mini-bus with accessibility access so depending on those possibilities for turning radius on the conventional chassis they may have a larger turning radius.

John Malloy
Deputy Chief of Fire Prevention – Riverview Fire & Rescue <a href="mailoy@townofriverview.ca">jmalloy@townofriverview.ca</a>



#### Riverview Fire & Rescue

**John Malloy** | Deputy Chief of Fire Prevention | <u>Town of Riverview</u> | , Riverview, NB, E1B 5M7 Phone: | Fax: | jmalloy@townofriverview.ca

From: Kirk Brewer < kirk.brewer@nbse.ca> Sent: Tuesday, September 6, 2022 8:42 AM

To: Michel Ouellet <MOuellet@townofriverview.ca>; Paul Richard <PRichard@townofriverview.ca>;

John Malloy <jmalloy@townofriverview.ca>; Robin True <RTrue@townofriverview.ca>

Subject: FW: Orin drive

Caution: External Email.

#### Good morning,

I sent out the notices to neighbours for the two variances requested for the Orin Drive subdivision (culde-sac length and turning radius) and received this letter of objection. I'll forward this along to PAC, but I'm wondering if you can offer any follow-up comments that I can provide to the committee to address Ms. Moase's concerns.

Thanks,

Kirk Brewer RPP, MCIP
Planner/Development Officer – Urbaniste/Agent d'aménagement
300 Robertson St., Riverview, NB E1B 0T8
T 506-382-3574 • www.plan360.ca

----Original Message----

From: Natalie M

Sent: September 2, 2022 7:44 PM

To: Kirk Brewer < kirk.brewer@nbse.ca>

Subject: Orin drive

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Kind Regards
Natalie Moase

Sent from my iPhone