



Town of Riverview Planning Advisory Committee
Wednesday, April 8, 2020 at 6:00 p.m.

AGENDA

- 1. Call Meeting to Order**
- 2. Declaration of Conflict of Interest**
- 3. Adoption of the Agenda**
- 4. Adoption of the Minutes**
 - a) Planning Advisory Committee Meeting – March 11, 2020
- 5. Business Arising from the Minutes**
- 6. Variance, Temporary Approvals, Conditional Uses, Rulings of Compatibility and Non-Conforming Uses**
- 7. Tentative Subdivisions**
- 8. By-law Amendments, Zoning and Municipal Plan Matters**
 - a) Julien Daigle on behalf of Mattie Capital Limited, Dickey, Tasse, and Gunningsville Blvd (multiple PIDs), Request to amend the Future Land Use Map, Zoning Map and the conditional zoning agreement for the Dobson Landing Master Plan area (File 20-166).
 - b) Town of Riverview, seeking PAC views on the Controlled Access Streets By-law #300-66 (File 20-315)
- 9. Other Business**
- 10. Next Scheduled Meeting**
- 11. Adjournment**

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

Wednesday, April 8, 2020 / Le mercredi 8 avril, 2020

Staff Report / Rapport du personnel

Subject / Objet: Written views on Municipal Plan and Zoning By-law Amendments for Dobson Landing

File Number/ Numéro du fichier : 20-166

From / De :



Kirk Brewer
Planner / Urbaniste

Reviewed by / Révisé par



Lori Bickford
Planner / Urbaniste

General Information / Information générale

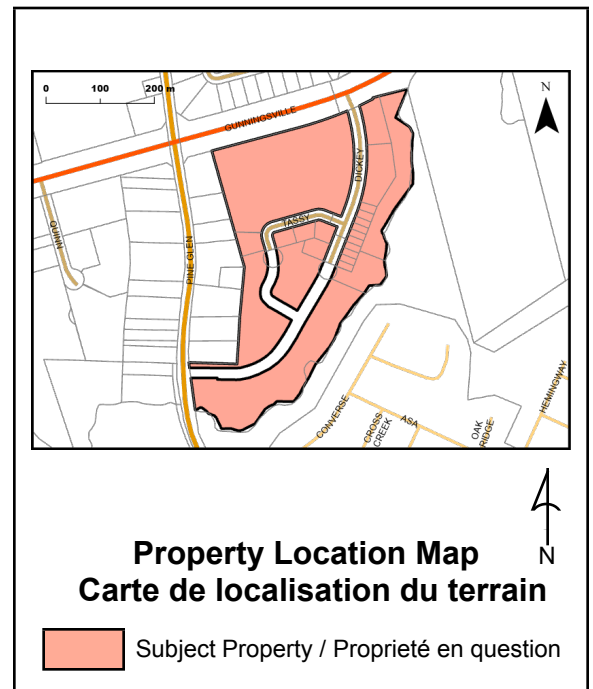
Applicant / Requéant :

Julien Daigle

Landowner / Propriétaire :

Proposal / Demande :

To amend the Municipal Plan and Zoning By-law and re-adopt the conditional zoning agreement for the Dobson Landing Master Plan area.



Site Information / Information du site

PID / NID: 00662668

Lot Size / Grandeur du lot: ~35.5 acre master plan area

Location / Endroit :

Gunningsville, Dickey, Tassey, Town of Riverview / Ville de Riverview

Current Use / Usage présent :

Vacant / Residential

Zoning / Zonage :

CM - Commercial Mix, R1-C - Single Unit Dwelling (Compact), RM - Residential Mix, R3- Multiple Unit

Future Land Use / Usage futur :

Commercial, Residential, Community Use

Surrounding Use & Zoning / Usage des environs & Zonage :

Industrial, Suburban Commercial, Open Space and Conservation, Single Unit Dwelling, Manufactured Dwelling

Municipal Servicing / Services municipaux:

Public water and sewer

Access-Egress / Accès-Sortie :

Dickey Blvd, Tassey Crescent (internal streets), with access onto Gunningsville Blvd and a future access on Pine Glen Rd.

Policies / Politiques

MUNICIPAL PLAN

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.

(d) Notwithstanding (c), it shall be the intention of Council to permit density beyond 30 units per acre in certain areas of the Town where underground or at grade parking lots are proposed. These areas are located along or in proximity of major arterials or major intersections, adjacent to major commercial nodes and are well separated from low density areas, such as single unit and two-unit dwelling zones.

Policy 5.7.5 In keeping with policy 5.1.6 (d), it shall be the intention of Council to consider rezoning properties to R3, subject to terms and conditions and design standards, to permit densities beyond 30 units per acre in areas of the Town that are located along or in proximity of major arterials or major intersections or in the vicinity of significant commercial nodes and well separated from low density areas.

Policy 5.7.6 In considering such amendments, Council shall have regard for:

(a) the location, number, layout and design of vehicular access, and consideration of joint access where individual accesses are deemed not to be desirable;

- (b) the design and location of above grade parking lots;
- (c) the necessity for underground or at grade parking lots;
- (d) the proposed landscaping and provision of amenity space;
- (e) the protection of important view lines and prevention of overshadowing by controlling building height, bulk and site location;
- (f) the design of the proposed development in terms of building orientation and relationship to other housing types and nearby land uses, the layout of the buildings, rights of way and open spaces;
- (g) the traffic impacts;
- (h) measures for the preservation of the site's natural state by minimizing tree and soil removal; (i) the adequacy of municipal services; and
- (j) any other matter.

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

ZONING BY-LAW

The original zoning of the subject area was RM – Residential Mix. A significant portion of the area will remain this zone. As part of the original request in 2015, a new zone, R1-C, Single Unit Dwelling Compact, was created to allow the development of residential lots with reduced width. Certain provisions have been built into the zoning by-law to establish standards related to this type of development. The development will need to comply with all standards laid out in the zoning by-law except for those specifically addressed in the conditional zoning agreement.

A draft conditional zoning agreement (CZA) is attached for PAC review. The proposed conditions are, for the most part, the same as those in the original CZA. A new timeline has been set to require work on a multi-unit building and a commercial building within five years of the adoption of the CZA.

Internal Consultation & External Consultation / Consultations internes et externes

The proposal 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 the review.

A public hearing is scheduled for June 8.

Discussion

The subject area (south of Gunningsville Boulevard, comprising Dickey Blvd and Tassy Crescent) was re-designated and rezoned in 2015 subject to a conditional zoning agreement (CZA) to permit the

development of a mixed-use neighbourhood with a mix of commercial buildings, multi-unit residential buildings, townhouses, and compact single-unit dwelling lots (detached dwellings on lots narrower than the 50 foot wide lots required in the zoning by-law). One of the conditions of that rezoning was that some residential and some commercial development must occur within four years of the registration of the CZA (before January 16, 2019). Though some single-unit dwellings and townhouses were built within this time frame, no commercial development occurred. Therefore, the agreement expired. The developer is now asking for Council to re-adopt the CZA to permit future phases of development.

While the general concept being presented is still in line with what was proposed in 2014, the developer is proposing some changes. In particular, the commercial footprint has been reduced and the number of residential units has increased based on a market assessment. An overall master plan for the development area is included with this report. The number of units is subject to change as the project moves toward the building permit stage, but the area will tentatively include the following:

2015 concept:

- 5 commercial buildings with communal parking
- 35 single-unit dwellings on 40' wide compact lots
- 64 units in semi-detached and townhouse dwellings
- 156 units across three multi-unit buildings with underground and above ground parking

2020 concept:

- 2 commercial buildings with frontage on Gunningsville Blvd.
- 7 existing + 24 single-unit dwellings on 42'-46' wide compact lots
- 4 existing + 62 units in semi-detached and townhouse dwellings
- 244 units across three multi-unit buildings (4-5 storeys) with underground and above ground parking

The Municipal Plan's Future Land Use Map (FLUM) will also need to be amended to redefine the boundaries between the Commercial and Residential Designations along Gunningsville Blvd. The Municipal Plan includes policy that limits residential density to 30 units/acre. The addition of nearly 100 apartment units will increase residential density beyond this limit, depending on how density is calculated. Of the two R3 properties, Lot C (west of Dickey Blvd) proposes 36.3 units/acre, and Lot D (east of Dickey Blvd) proposes 36.9 units/acre. The overall density of the master plan area is calculated at approximately 23 units/acre, not including the dedicated park requirement along Mill Creek. The purpose of these limits is to ensure that municipal infrastructure (streets, sewer, etc.) can handle the impacts of more intensive development, as well as to limit any disturbance on existing neighbourhoods.

However, the Plan also stipulates that some sites may be suitable for higher densities and gives Council authority to approve these projects via the rezoning process when the site is near major arterial and collector roads and/or commercial nodes. Staff is of the opinion that the proposed location near on-site commercial uses, the Findlay Park commercial area, Gunningsville Boulevard, and Pine Glen Road meets these criteria. As the subject area is largely undeveloped, and higher density buildings have always been part of the concept, little to no unforeseen impact on neighbours within the development area is anticipated.

Lower density neighbourhoods outside the immediate development area are located on the other side of Gunningsville Blvd. with no direct street connection between the neighbourhoods; staff does not foresee any conflict between higher and lower densities in this case given that there is approximately 150 metres between the multi-unit buildings and single unit dwellings, and the commercial uses will act as an additional buffer. In addition, the mini home park to the south will be buffered via existing trees, and the lands for public purpose to be included along Mill Creek. The compact lots and townhouse developments will further buffer the mini home park from any negative impacts associated with higher density uses.

There is no proposed change to the Lands for Public Purposes to be dedicated along Mill Creek. These lands will be vested to the Town as part of the subdivision process.

Staff is also proposing to amend the Controlled Access By-law as a parallel amendment to reflect updated street names (Dickey Blvd vs the originally proposed Benson Street).

Legal Authority / Autorité légale

The Planning Advisory Committee receives its authority to give views regarding the by-laws through the following sections of the Community Planning Act 2017:

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 / Recommandation

Staff recommends that the Planning Advisory Committee RECOMMEND that Riverview Town Council adopt Municipal Plan Amendment No. 300-33-2; and

that the Planning Advisory Committee RECOMMEND that Riverview Town Council adopt Zoning By-law Amendment No. 300-7-3 subject to the proposed conditional zoning agreement



BY-LAW No. 300-33-2

**A BY-LAW TO AMEND THE TOWN OF RIVERVIEW MUNICIPAL PLAN BY-LAW
No. 300-33**

**BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF RIVERVIEW AS
FOLLOWS:**

The Town of Riverview Municipal Plan, being By-law Number 300-33 enacted on October 22, 2018, and filed in the Albert County Registry Office as number 38741717 on January 16, 2019, is hereby amended as follows:

1. Schedule A, being the Generalized Future Land Use Map, is amended as shown on the map dated February 18, 2020, attached hereto as Schedule A-2.

ENACTED this _____ day of _____, A.D. 2020.

MAYOR
Ann Seamans

TOWN CLERK
Annette Crummey

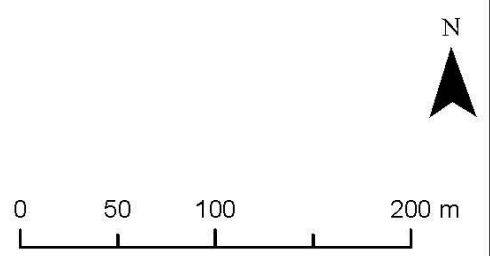
First Reading
Second Reading
Third Reading

Schedule A-2
Town of Riverview
FUTURE LAND USE MAP
Date: 2020-02-18



Legend

- C - Commercial
- CU - Community Use
- RES - Residential





BY-LAW No. 300-7-3

**A BY-LAW TO AMEND THE
TOWN OF RIVERVIEW ZONING BY-LAW**

BE IT ENACTED by the Town Council of the Town of Riverview as follows:

The Town of Riverview Zoning By-Law, being By-Law No. 300-7, ordained and passed on October 22, 2018 and filed in the Albert County Registry Office on January 16, 2019 as number 38741691, is hereby amended as follows:

1. Schedule A, being the Town of Riverview Zoning Map, is amended as shown on the map dated February 18, 2020, attached hereto as Schedule A-3, subject to terms and conditions established under Section 59(1)(b) of the *Community Planning Act*.

ENACTED this _____ day of _____, A.D. 2020.

MAYOR
Ann Seamans






TOWN CLERK
Annette Crummey

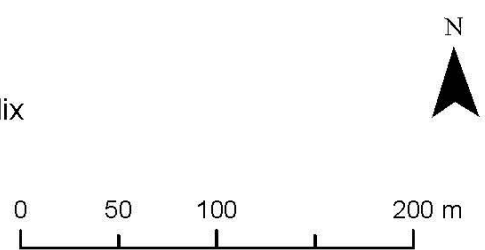
First Reading
Second Reading
Third Reading

Schedule A-3
Town of Riverview
ZONING MAP
Date: 2020-02-18



Legend

- | | |
|---|---|
|  R1-C - Single Unit Dwelling (Compact) |  CM - Commercial Mix |
|  R3 - Multiple Unit Dwelling |  OS - Open Space |
|  RM - Residential Mix | |



THIS AGREEMENT MADE THIS ____ DAY OF _____, 2020

BETWEEN: THE TOWN OF RIVERVIEW, a municipal corporation,
incorporated under the Legislative Assembly of the Province of New Brunswick
and located at 30 Honour House Court, Riverview, County of Albert, Province
of New Brunswick, E1B 3Y9,

hereinafter called the “Town” Of the First Part;

-and-

MATTIE CAPITAL INC., 99B Ochterloney Street, Dartmouth, Nova Scotia,
B2Y 1C9,

hereinafter called the “Owner” Of the Second Part

WHEREAS the Owner applied in 2014 to rezone the lands identified on Schedule A-1 to “CM” Commercial Mix, “RM – Residential Mix, “R3” – Multiple Unit Residential, “R1-C” – Single Unit Dwelling with compact lots, and “OS” – Open Space, said application having been accepted by Riverview Town Council as Amending Zoning By-law 300-6-5 and registered in the Albert County Registry Office on January 16, 2015 under registry number 34552662 subject to the conditions outlined in the Conditional Zoning Agreement registered in the Albert County Registry Office on January 16, 2015 under registry number 34552795;

WHEREAS said agreement expired on January 16, 2019, and the Owner has applied, and the Planning Advisory Committee has recommended, to re-establish the zoning as shown on Schedule A-1 to permit the development of a mixed-use neighbourhood subject to the provisions contained in section 59 of the *Community Planning Act*, and subject to certain terms and conditions herein set forth;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Owner’s Covenants

The Owner covenants and agrees to develop the lands in compliance with the following terms and conditions:

- a) Driveways shall be limited to a maximum width of 4m within the street right-of way;
- b) A 2m high opaque wood fence shall be constructed between the Residential Mix zoned properties and the Industrial zoned properties along Pine Glen Road and that such fence be constructed concurrent to that phase of the residential development;
- c) That the upper edges of the stormwater ponds include landscaping treatments consisting of trees and shrubs;
- d) The developer will assume the costs and responsibility of the required on and off-site improvements as per the recommendations of the traffic impact study prepared by GRIFFIN transportation group Inc (September 2014);

- e) That work shall commence on one of the multi-unit buildings as well as one of the commercial buildings no later than five years from the date this agreement comes into effect, otherwise this agreement shall be cancelled and the zoning of those properties left undeveloped shall revert to the Residential Mix (RM) zone;
- f) That planting of street trees shall comply with the Street Tree By-law No. 700-80;
- g) Notwithstanding subsection 91(1)(b) and the Maximum Height provision in Table 11.3(a) of the Zoning By-law, the Planning Advisory Committee may consider 5 story multiple unit residential buildings within the R3 (Multiple Unit Dwelling) Zone subject to Terms and Conditions provided they respect all other design requirements that relate to R3 buildings being located next to R1-C Zone properties and maintain a building separation of 30 metres from the property line of any abutting single unit dwelling property;
- h) Sidewalks shall be required on one side of all streets within the subdivision;
- i) That the Owner enter into a cost sharing agreement for the 4 metre wide curbed and landscaped median (eg., naturalized/tall grasses & ornamental trees) within the 24 metre wide boulevard right-of-way and that the final landscape design and costs be dealt with as part of the Subdivision Agreement;
- j) The development shall be carried out in general conformance with the plans and drawings submitted. It is understood that the arrangement of buildings, lots, streets and lands within the concept plan are general in nature and their final location will be determined through the subdivision and building permit process;
- k) Notwithstanding subsection 80(b) of the Zoning By-law, the Planning Advisory Committee may consider reasonable variances for accessory buildings and structures between 15 and 30 metres of the Mill Creek watercourse setback.

2. The Town's Covenants

The Town covenants with the Owner as follows:

- a) That the Town will undertake to carry out all necessary procedures to ensure that modifications to the zoning map shall conform with the attached Schedule A-1 subject to the terms herein contained and for the purposes stated herein; and
- b) That the Town enter into a cost sharing agreement for the 4 metre wide curbed and landscaped median (eg., naturalized/tall grasses & ornamental trees) within the 24 metre wide boulevard right-of-way and that the final landscape design and costs be dealt with as part of the Subdivision Agreement.

3. Notices

Any notices under this agreement shall be sufficiently given by personal delivery by registered mail, postage prepaid, and mailed in a Canadian Post Office, addressed:

Owner	Town
MATTIE CAPITAL INC. 99B OCHTERLONEY BLVD DARTMOUTH, NS B2Y 1C9	TOWN OF RIVERVIEW ATTN: TOWN CLERK 30 HONOUR HOUSE COURT RIVERVIEW, NB E1B 3Y9

4. The Owner acknowledges and agrees that notwithstanding anything contained herein, the approval of the Town to the amendment to the zoning of the land is wholly conditional upon compliance by the Owner with the terms and conditions herein, and further shall be of no effect until the zoning amendment is perfected pursuant to subsection 59(2) of the *Community Planning Act* of New Brunswick.

5. Successors

THIS AGREEMENT enures to the benefit of, and binds the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF the Town and the Owner have caused their authorized officers and themselves to execute this agreement and to affix their seals, the day and year first above written;

SIGNED, SEALED AND DELIVERED

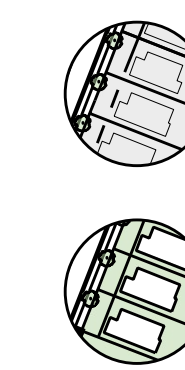
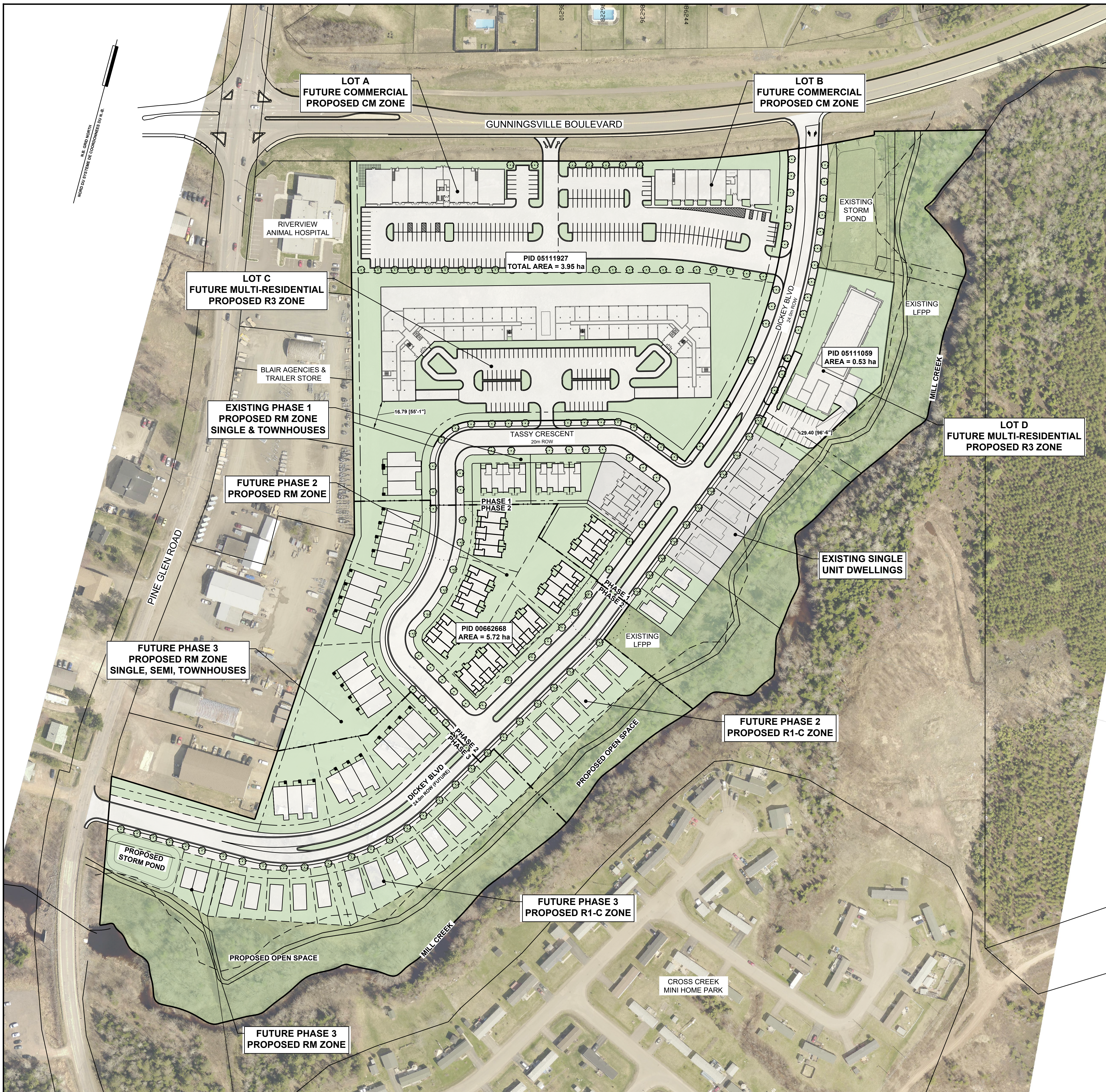
THE TOWN OF RIVERVIEW

MAYOR

CLERK

OWNER

MATTIE CAPITAL INC.



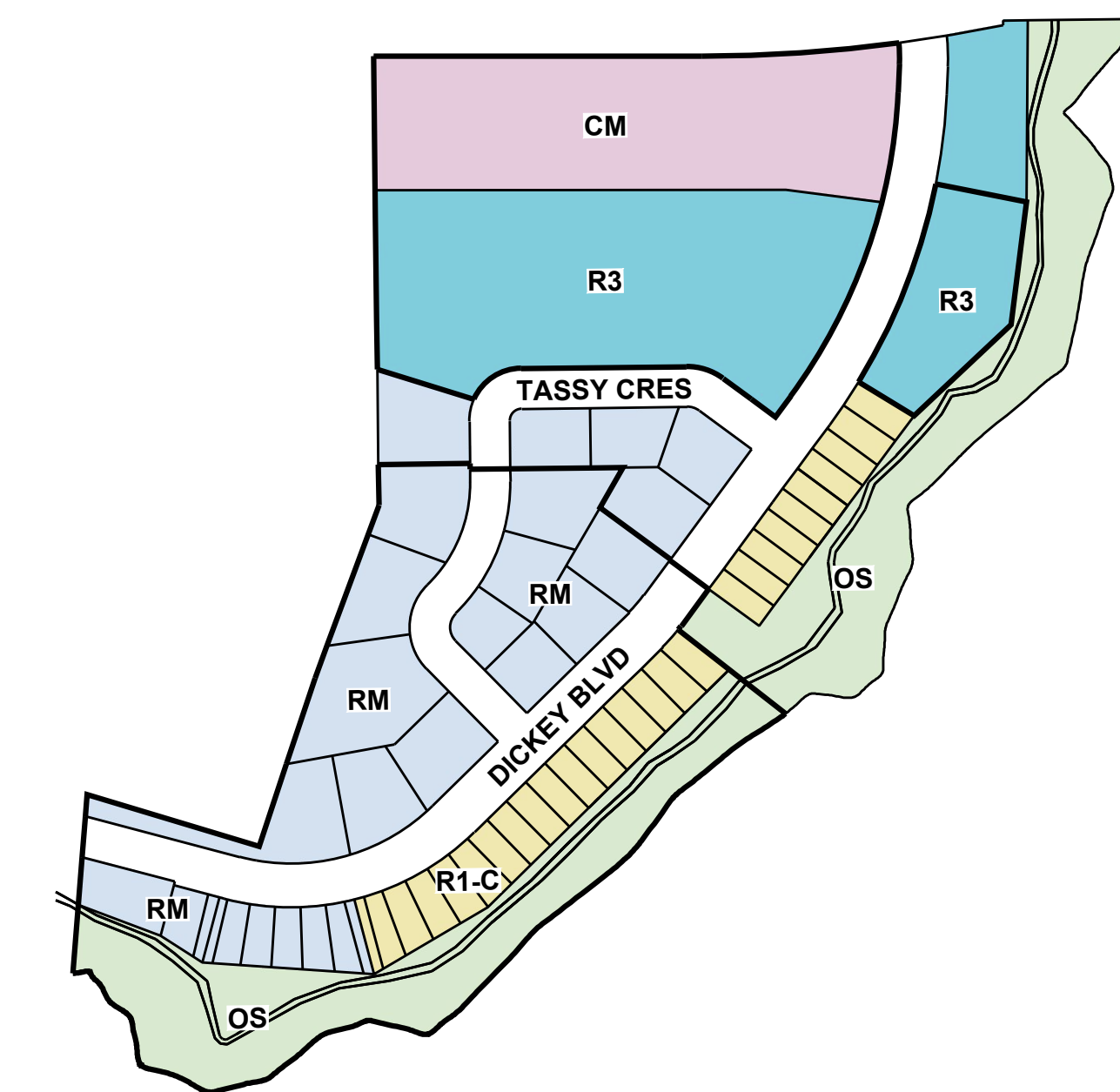
EXISTING DEVELOPMENT

PROPOSED DEVELOPMENT

PROJECT DATA		
OWNER	MATTIE CAPITAL INC.	
RBS - RESIDENTIAL BUSINESS SERVICES		
PROPOSED USE	PROFESSIONAL SERVICES, COMMERCIAL, RETAIL	
BUILDING AREA	1 st +/- 1,745 m ² (18,775 ft ²) 2 nd +/- 1,745 m ² (18,775 ft ²)	
PARKING	REQUIRED = 79 SPACES PROPOSED = 103 + 6 BF = 109 SPACES	
LOT A (PID 05111927)		
PROPOSED USE	PROFESSIONAL SERVICES, RESTAURANT, COMMERCIAL, RETAIL	
BUILDING AREA	1 st +/- 1,145 m ² (12,320 ft ²) 2 nd +/- 940 m ² (10,120 ft ²)	
PARKING	REQUIRED = 46 SPACES PROPOSED = 111 + 6 BF = 117 SPACES	
LOT B (PID 05111927)		
R3 - MULTIPLE UNIT DWELLING		
PROPOSED USE	MULTIPLE UNIT DWELLINGS (RENTAL)	
LOT AREA	21,920 m ² (5.4 ACRES)	
UNITS	98 UNITS x 2 BUILDINGS TOTAL = 196 UNITS	
DENSITY	36.3 UNITS : ACRE	
BUILDING	5 STORIES + U/G (PODIUM) 88 EXT. + 196 INT.	
PARKING	TOTAL = 284 SPACES (1.45 : UNIT)	
LOT C (PID 05111927)		
PROPOSED USE	MULTIPLE UNIT DWELLINGS (RENTAL)	
LOT AREA	5,280 m ² (1.3 ACRES)	
UNITS	48 UNITS	
DENSITY	36.9 UNITS : ACRE	
BUILDING	4 STORIES + U/G	
PARKING	20 EXT. + 46 INT. TOTAL = 66 SPACES (1.38:UNIT)	
LOT D (PID 05111059)		
PROPOSED USE	MULTIPLE UNIT DWELLINGS (RENTAL)	
LOT AREA	5,280 m ² (1.3 ACRES)	
UNITS	48 UNITS	
DENSITY	36.9 UNITS : ACRE	
BUILDING	4 STORIES + U/G	
PARKING	20 EXT. + 46 INT. TOTAL = 66 SPACES (1.38:UNIT)	
TOTAL UNITS 184 PROPOSED UNITS		
RM - RESIDENTIAL MIX		
SEMI/TOWNHOUSE	4 EXISTING + 62 PROPOSED = 66 UNITS	
DEVELOPABLE LOT AREA	31,166 m ² (7.7 ACRES)	
DENSITY (EXISTING & PROPOSED)	8.6 UNITS : ACRE	
R1-C - SINGLE UNIT DWELLING (COMPACT)		
SINGLE DWELLINGS	7 EXISTING + 24 PROPOSED = 31 UNITS	
DEVELOPABLE LOT AREA	11,040 m ² (2.7 ACRES)	
DENSITY (EXISTING & PROPOSED)	11.5 UNITS : ACRE	

LEGEND

DESCRIPTION	EXISTING	AS-BUILT
SANITARY MANHOLE	○	●
STORM MANHOLE	○	●
CATCH BASIN	○	●
SLUDGE BOX	○	●
SANITARY SEWER	—	—
STORM SEWER	—	—
CATCH BASIN LEAD	—	—
VALVE CHAMBER DRAIN	—	—
CULVERT	—	—
WATERMAIN	—	—
VALVE CHAMBER	—	—
GATE VALVE	—	—
HYDRANT	—	—
TEE / CROSS	—	—
BEND	—	—
END CAP	—	—
CURB STAND	—	—
UTILITY POLE	—	—
GUY WIRE	—	—
DECORATIVE STREET LIGHT	—	—
STREET LIGHT ON POLE	—	—
TRAFFIC LIGHT & STD.	—	—
OVERHEAD UTILITY LINE	—	—
UNDERGROUND UTILITY	—	—
NB POWER MH	—	—
ALIAS MH	—	—
TREE	—	—
FENCE	—	—
TREE LINE	—	—
PROPERTY LINE	—	—
CENTER LINE	—	—
GROUND ELEVATION	—	—
TOP OF CONC. FOUNDATION	—	—
FINISH GRADE	—	—
SURVEY MARKER	—	—
N.B. GRID MONUMENT	—	—
SIGN POST	—	—
CURB & GUTTER	—	—



PROPOSED ZONING MAP

ZONING LEGEND

OS - OPEN SPACE
R1C - SINGLE UNIT DWELLING (COMPACT)
RM - RESIDENTIAL MIX
R3 - MULTIPLE UNIT DWELLING
CM - COMMERCIAL MIX

REV	DESCRIPTION	DATE
2	R1-C LOT FABRIC & BUILDING B	2020/03/19
1	REVISION PER PLANNING COMMENTS	2020/01/13
0	REZONING APPLICATION	2019/12/31



PROJECT TITLE:
DOBSON LANDING MULTI-RESIDENTIAL LOTS RIVERVIEW, NB

DRAWING TITLE:
MASTER PLAN

DESIGN BY: S.P./J.D.	CHECK BY: M.B.
DRAWN BY: J.D.	CHECK BY: J.D.
DATE: DEC 2019	SCALE: AS NOTED
DATE ISSUED: FEB 19, 2019	

REVISION: **2** DRAWING No.: **C - 101**

MASTER PLAN
1:2000

Riverview Planning Advisory Committee
Wednesday, April 8, 2020
Staff Report

Subject: Seeking written views on Controlled Access Streets By-law

File Number: 20-315

From:



Kirk Brewer
Planner

Reviewed by:



Lori Bickford

General Information

By-law

Controlled Access Streets No. 300-66

Proposal

To re-adopt the Controlled Access Streets By-law #300-66

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 #300-66

Internal Consultation & External Consultation

The by-law was discussed among Commission and Town staff

Discussion

The Controlled Access Streets By-law was adopted to regulate the number and type of accesses permitted along major arterial roads. The by-law prohibits private accesses (private roads and driveways, parking lot accesses, etc), unless for purposes such as public utilities or Town-owned properties. The by-law requires that all accesses must be public streets, with a distance of no less than 200m between intersections.

Schedule A of the by-law lists the streets to which the by-law applies. Currently the by-law only applies to Gunningsville Blvd. As part of the original Dobson Landing master plan rezoning in 2015, a private access to a future commercial development was also permitted at less than 200m from the public Benson Street. However, since the original rezoning, Benson Street has been renamed Dickey Blvd, so Schedule A should be updated to reflect this change at the same time that the Dobson Landing rezoning is being revisited.

Further, with the upcoming construction of Bridgedale Boulevard, it is an appropriate time to add Bridgedale Blvd. to the list of Schedule A streets. Finally, since the adoption of the original Controlled Access Streets By-law, the Community Planning Act has been modernized. The Town of Riverview is undertaking reviews of all its by-laws adopted under the previous Municipalities (now Local Governance) Act, as well as the Community Planning Act, so the by-law will now reference the current Community Planning Act.

Legal Authority

The Planning Advisory Committee receives its authority to give views regarding the by-laws through the following sections of the Community Planning Act 2017:

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 Planning Advisory Committee RECOMMEND that Riverview Town Council adopt the Controlled Access Streets By-law No. 300-66 as proposed.



BY-LAW NO. 300-66

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

WHEREAS Section 144 of the Community Planning Act, S.N.B. 2017, c.19, requires that a By-law made under the authority of the former Act be re-adopted by Council upon amending said By-law;

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. R300-65 is hereby repealed and replaced by the following:

Definitions:

1 In this by-law:

“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.

"private road" means a road that has not been accepted by the Municipality as a public street and includes a driveway.

“street” means all public streets, roads, lanes, sidewalks, thoroughfares, bridges and squares, and all curbs, gutters, culverts and retaining walls in connection therewith, and without restricting the generality of the foregoing, includes the full right of way width of a street.

“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 new access shall be permitted onto a controlled access street unless such access is a public street and separated by at least 200 metres from another public street.

2(2) Where a street, or portion thereof, or any land has been designated as a controlled access street, as listed in Schedule “A”, no person shall construct, use, open or permit the use of any private road, entrance way, driveway or gate, intended for or capable of providing access to any part of a street designated to be a controlled access street, or portion thereof, as listed in Schedule “A”.

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; and
 - (c) an emergency access.

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

DRAFT