

# COUNCIL REPORT FORM



<b>To</b>	Mayor and Council & Colin Smith, Chief Administrative Officer Town of Riverview	Item
<b>From</b>	Kirk Brewer Planner	Meeting Date
<b>Date</b>	June 22, 2022	
<b>Subject</b>	Future Land Use, Future Roads, and Zoning Map amendments to modify the Urban Growth Boundary	
<b>Length of presentation (if applicable)</b>	5-10 minutes	

## ISSUE

The property bearing PID 05049960, owned by Thrive Properties, is within the Town’s Urban Growth Boundary. Per the Municipal Plan and Zoning By-law, all new development within the growth boundary must connect to the public sanitary sewer and water systems. However, an engineering study provided by the property owner’s engineer demonstrates a portion of the property is unserviceable based on the depth of services and topography. Thrive is now applying to amend the service boundary based on this study, which would reflect the true serviceability and allow development otherwise permitted by the zoning by-law to be serviced with an on-site well and septic.

## BACKGROUND

The Urban Growth Boundary is a tool implemented by the Town as part of the 2006 Municipal Plan review to ensure development is directed to areas where municipal services exist, or to those lands which will be easily serviced in the future. The goal is to promote efficiency by encouraging growth to make use of infrastructure such as sanitary sewer and water pipes, thereby allowing more compact development and reducing costs to the Town and taxpayers over the long run.

The attached future land use map shows the Town-wide service boundary, which is meant to apply to development over a multi-year period as the Town gradually expands outward. Generally, areas east of the Patricia Drive area and north of Mill Creek, excluding Mill Creek Nature Park, fall within the service boundary. The area west of Patricia Drive is classified as Rural Area. The Rural zone permits new houses on private services (well and septic), but limits subdivision in the interest of preserving the area for agricultural and resource uses and directing development within the serviced area.

The location of the service boundary was determined at a Town-wide scale using property lines, roads, and watercourses as boundaries. The adopted boundary does not consider site-specific features such as topography that may affect the actual serviceability of any given property. The property in question falls entirely within the service boundary, except for an open space conservation buffer along Mill Creek.

Thrive has been working with Planning staff to develop a conceptual master plan for this large (21 hectare) parcel, which will be a mixed-use community of high density, townhouses, and single unit dwellings. The development timeline will likely coincide with the second phase of Bridgedale Boulevard. In the short term, the property owner is considering the construction of a private residence at the southern portion of the property. In discussing this proposal, a more refined serviceability study was performed, and it was determined that the adopted service boundary does not reflect the actual serviceability of the property.

A trunk sewer line passes over the property, which suggests services are readily available. However, due to the depth of the sewer line, and the required depth and angle of lateral lines connecting development to the trunk line, it was determined that the lateral lines can only extend a limited distance before they no longer meet the necessary depth to protect the infrastructure from frost. The green line on the servicing study provided by JR Daigle

Engineering shows the limit of the actual serviceability. Additionally, the southern portion of the property abuts Mill Creek, and drops off steeply from the top of the bank down to the creek. The topography is an additional constraint that limits not just the servicing, but also the developable area in general. The contour lines on the serviceability limit show the steep topography – each line represents a 1m change in topography; the closer together the lines, the steeper the grade.

As such, Thrive is proposing to amend the service boundary to reflect the results of the serviceability study. The proposal has been reviewed by the Town’s Engineering and Works Department and the Development Review Committee. All departments are satisfied that the submitted study accurately reflects the serviceability of the property, which does not align with the currently adopted service boundary. The proposed amendment would permit the development of a residence on private septic and well via the standard building permit process provided all relevant by-law provisions are respected.

Though the amendment proposes boundary changes to the Future Land Use, Future Roads, and Zoning maps, no rezoning or future land use designation amendment is required or proposed. It is important to note that the current zoning of the property already allows a single unit dwelling, and this amendment would relate only to what services are required. As such, there is no requirement to notify surrounding property owners by mail. The standard notification will be posted on the Town’s website as required by legislation, and a public hearing will be held to allow any members of the public to provide comments.

## **MUNICIPAL PLAN**

Policy 3.2.1 It shall be the intention of Council to encourage an orderly and cost-effective approach to development by encouraging development to take place in the following manner:

- (a) encouraging growth within the Urban Growth Boundary, by rehabilitation and revitalization of existing building stock and existing built-up areas;
- (b) encouraging the in-fill of existing vacant lands within existing developments;
- (c) directing new developments within the existing piped serviced areas;
- (d) directing new developments in the areas most efficiently serviceable;
- (e) directing new residential development adjacent to existing development; and
- (f) encourage ‘Smart Growth’ approaches such as mixed-use development.

Policy 3.2.2 It shall be the intention of Council to support the efficient and economic delivery of services, such as water, sanitary and storm sewers, and streets, as well as other municipal services, by establishing an Urban Growth Boundary on the Generalized Future Land Use map forming part of Schedule “A” of this Plan. Within the Urban Growth Boundary, no development permit shall be issued except where such a development has access to required municipal services.

## **ZONING BY-LAW**

### ***Connection to municipal services***

31(1) Where municipal central sewerage and water services are available, no development shall be permitted without connection to the Town of Riverview sanitary sewer system and water supply system.

31(2) Where any lot is developed with a septic tank and disposal field, the minimum on-site requirements of this By-law shall apply for the purpose of obtaining a development permit. For the purpose of obtaining a permit for the installation of a septic tank, the regulations of the Department of Health shall prevail.

## **INTERDEPARTMENTAL REVIEW**

Municipal Plan Amendment No. 300-33-4 and Zoning By-law Amendment No. 300-7-8 were reviewed by the following departments of the Town:

- Corporate Services
- Economic Development
- Engineering and Public Works
- Parks, Recreation and Community Relations
- Planning

## CONCLUSION

The Urban Growth Boundary is developed at a high-level scale and may not account for all site-specific conditions that impact the actual serviceability of an individual property. Requests to modify the service boundary are rare, but in this situation, staff is comfortable with the amendment as proposed based on the professional engineering study provided.

## RECOMMENDATION

It is recommended that Riverview Town Council:

- 1) Set the dates for a public presentation and public hearing for the proposed by-laws, and
- 2) Refer the proposed by-laws to the PAC for its written views

## ALTERNATIVES

- That Council postpone the request for additional information; or
- That Council deny the request.

## RISK ANALYSIS

Administration does not see any risks associated with this application.

## CONSIDERATIONS

**Financial** N/A

**Environmental** N/A

**Public Consultation** Public consultation will include

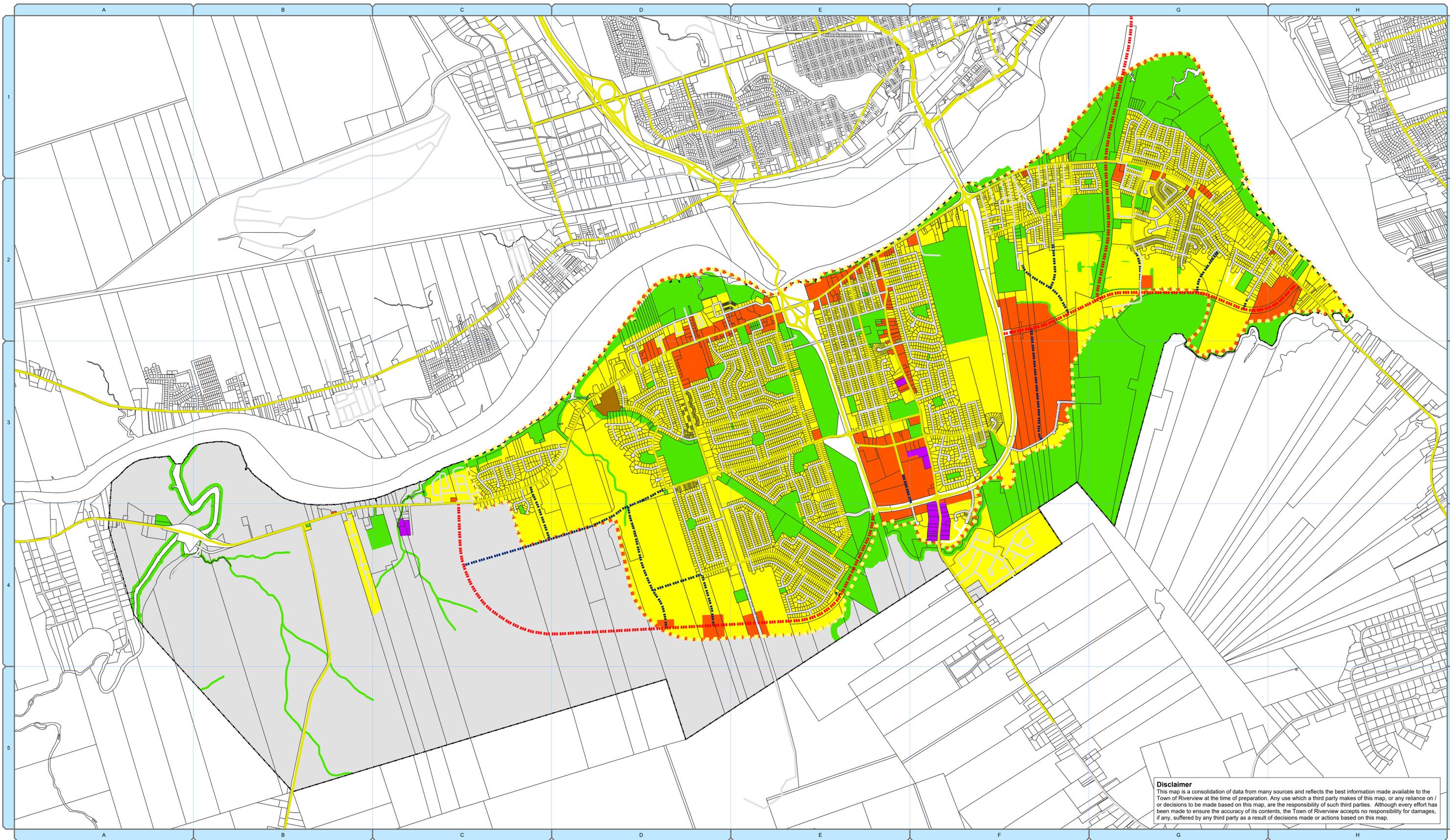
- a public presentation
- statutory notices (website only since there is no rezoning occurring);
- a public hearing

**Attachments**

- Municipal Plan Amendment No. 300-33-4
- Zoning By-law Amendment No. 300-7-8
- Resolution Page
- Future Land Use Map
- Engineering Serviceability Study



**Kirk Brewer, RPP, MCIP**  
**Planner, SERSC**

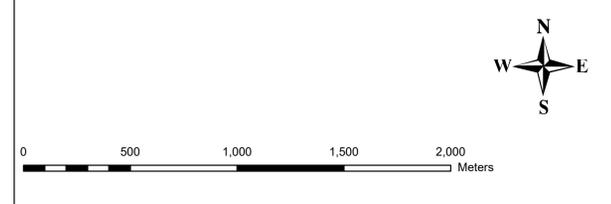


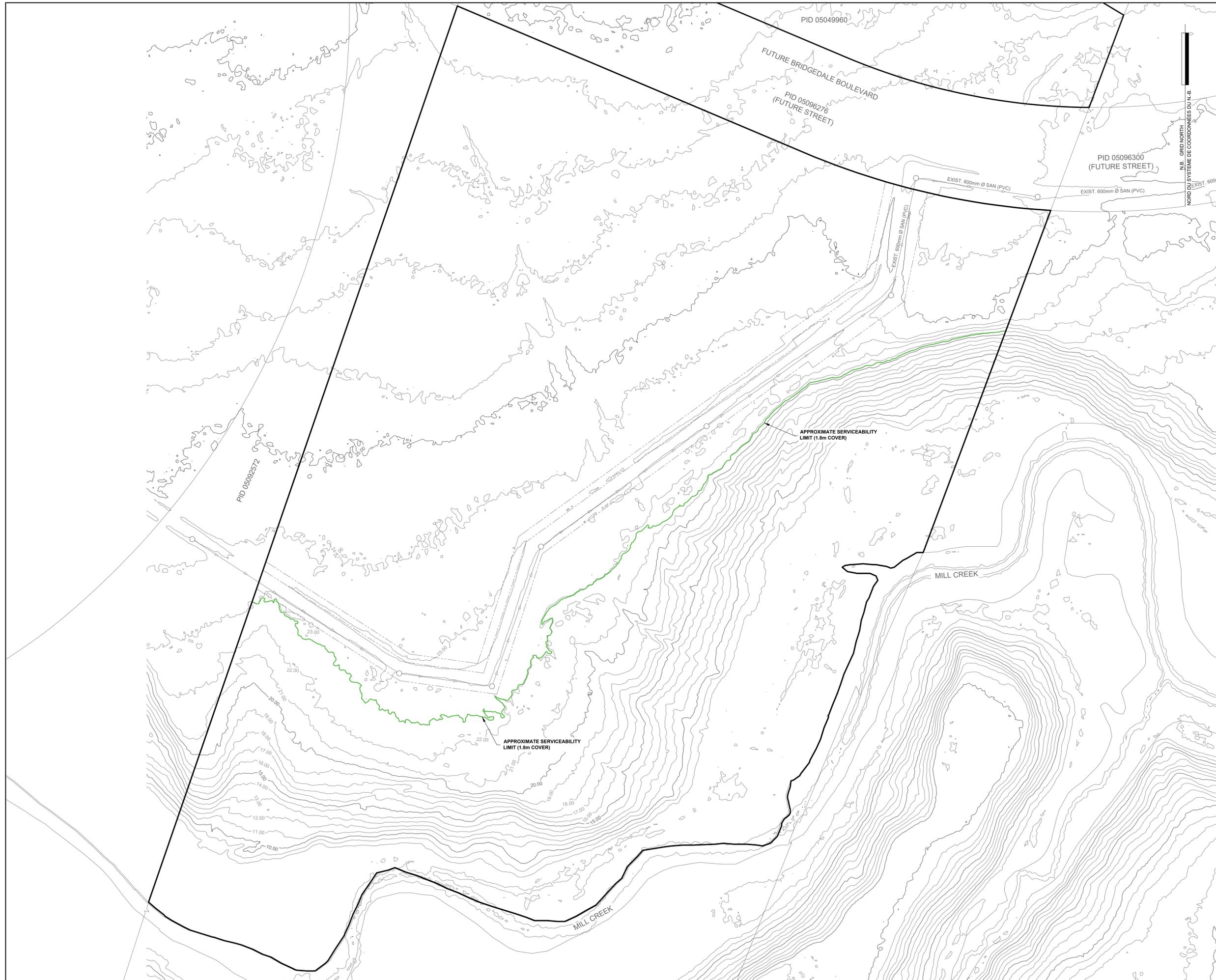
**Disclaimer**  
 This map is a consolidation of data from many sources and reflects the best information made available to the Town of Riverview at the time of preparation. Any use which a third party makes of this map, or any reliance on / or decisions to be made based on this map, are the responsibility of such third parties. Although every effort has been made to ensure the accuracy of its contents, the Town of Riverview accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this map.

Legend					
	RES Residential		CU Community Use		Riverview Town Limits
	R Rural		ID Intergrated Development		Future Roads Arterials
	C Commercial		Urban Growth Boundary		Future Roads Collectors
	I Industrial		Secondary Plan Areas		

**Schedule A**  
**Town of Riverview**  
**Generalized Future Land Use Map**  
 By-Law No. 300-33

Land Use Amendments
300-33-2 2020
300-33-3 2021





ITEM	EXISTING	PROPOSED
SANITARY MANHOLE		
STORM MANHOLE		
SANITARY SEWER		
STORM SEWER		
PIPE INSULATION		
CATCH BASIN		
DOUBLE CATCH BASIN		
SLUICE 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		
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		
CHECK DAM		
SILT FENCE		
TEST PIT		
BORE HOLE		

NOTE:

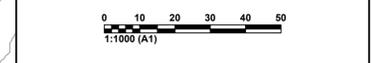
- J.R. DAIGLE ENGINEERING IS NOT RESPONSIBLE FOR ANY ISSUES ARISING FROM SITE CONDITIONS OR FACTS NOT DISCLOSED ON THIS PLAN.
- CONTOUR MAP INFORMATION DERIVES FROM PROVINCIAL LIDAR DATA (SOURCE: GEONB MAPPING WEBSITE) REFERRED TO THE VERTICAL DATUM CGVD 2013. CONTOUR SHOWN AT 1.0m INTERVALS.
- PROPERTY INFORMATION DERIVES FROM PROVINCIAL PROPERTY DATA (SOURCE: GEONB MAPPING WEBSITE) AND DO NOT CONSIST OF LEGAL SURVEY BOUNDARIES. PROPERTY LINES, DIMENSIONS, AND AREAS ARE APPROXIMATE AND SUBJECT TO A LEGAL SURVEY.
- THE SANITARY SEWER SERVICEABILITY LIMIT AS SHOWN ON PLAN RELIES UPON MUNICIPAL AS-BUILT INFORMATION PREPARED BY GENIVAR (2011-01-17). THE INFORMATION HAS NOT BEEN VERIFIED IN THE FIELD.
- THIS DOCUMENTS IS COPYRIGHT PROTECTED AND SHALL NOT BE USED, REPRODUCED, OR REVISED WITHOUT THE CONSENT OF J.R. DAIGLE ENGINEERING LTD.

No.	DESCRIPTION	DATE

**ide** J.R. DAIGLE  
 ingénierie • engineering  
 arpentage • land surveying

PROJECT TITLE  
**BRIDGEDALE DEVELOPMENT  
 PID 05049960, RIVERVIEW, NB**

DRAWING TITLE  
**SERVICEABILITY LIMIT**



SEAL 	DESIGNED BY J.D.	CHECKED BY J.D.
<b>PRELIMINARY</b> NOT FOR CONSTRUCTION 2022-05-30 N.B. 2018-01-15 J.R. DAIGLE INGÉNIEUR ENREGISTRÉ	DRAWN BY J.D.	CHECKED BY J.D.
	DOCUMENT ISSUE <b>DISCUSSION</b>	DATE ISSUED <b>2022-05-30</b>
REVISION	DRAWING NUMBER <b>C-101</b>	