COUNCIL REPORT FORM



Mayor and Council & Colin Smith, Chief To Administrative Officer

Town of Riverview

Kirk Brewer From

Planner

Meeting

Date

Item

Date September 20, 2022

By-law 300-7-9: Subject

Rezoning from NC to R3 - 700 Pinewood Road - PID

05058060

Length of presentation (if

applicable) 10 minutes

ISSUE

Simon Ikuseru is requesting to rezone the property at 700 Pinewood Road - PID 05058060 from NC - Neighbourhood Commercial to R3 - Multiple Unit Dwelling for the purpose of a twostorey, 12-unit apartment building

DISCUSSION

The subject property is located at the intersection of Pinewood Road and Pine Glen Road. abutting the newly constructed roundabout. It is currently zoned NC - Neighbourhood Commercial, which allows limited residential uses (single and two-unit dwellings), as well as some small-scale commercial uses such as office and retail. Multiple-unit dwellings are not permitted in this zone, so a rezoning to R3 is required to permit the proposed 12-unit building.

Pine Glen Road is a major traffic corridor and allows a range of uses including low density residential, high density residential, small-scale commercial, as well as some industrial uses. Likewise, Pinewood Road is primarily large-format commercial to the west of Pine Glen Road. and low-density residential to the east of Pine Glen Road. The intersection of Pine Glen and Pine is the transition point between the two forms of development; to the east is the Town's Fire Department and an office building, the north and south are zoned R3 for high density residential, and the abutting properties to the east are all zone R1 for low density residential.

The Municipal Plan and Zoning By-law set certain design and landscaping standards for multiunit buildings to ensure they fit within their context and do not create conflict with adjacent R1 zones. In this instance, the proposal meets all design requirements (public entrances facing the street, building materials, etc.). With respect to height, the building is permitted to be three storeys where it abuts an R1 property but is only proposed to be two storeys. The R3 zone allows a density up to 30 units per acre, and the proposal is for 21 units per acre. Staff is satisfied that the proposal reflects the surrounding context and is not out of scale with the adjacent lower-density neighbourhood.

The minimum building setbacks are also respected, with the building located 15.82m (50ft) from the R1 properties, and the parking area located at 6m (20ft) from the property line, which will allow for the minimum 6m landscaped buffer zone consisting of trees and a fence. The fence will require approval by NB Power since it will be located within a public utility easement.

The lot is an irregular shape due to a portion of the property being acquired by the Town to accommodate the roundabout. The Town-owned parcel is still zoned NC, so the zoning will be removed as part of this application. The new lot shape creates certain constraints with respect to the site development. There is not adequate space on the property to accommodate two-way driving aisles without encroaching into required setbacks or the landscape buffer. As such, a one-way driveway is proposed, with traffic entering from Pine Glen Road and exiting onto Pinewood.

The Zoning By-law permits 3.5m wide one-way driveways provided parking is angled. Two rightangle spaces are also being provided, but this section of driveway meets the minimum 6.7m

width for a two-way driveway. The proponent's design team does not anticipate problems associated with the parking lot design. One benefit to the one-way driveway approach is that is will not increase the amount of traffic exiting onto a busy section of Pine Glen Road, and the reduced driveway width will create a shorter distance for pedestrians to cross using the multi-use sidewalk. However, this is not a standard approach, so staff is recommending signage be placed at the access points to direct traffic flow.

Multi-unit dwellings are required to provide 1.25 parking spaces per unit, which equals 15 spaces for a 12-unit building. Due to the property's constraints, the proponent is only able to provide 14 spaces, so a variance will be required to reduce the required parking. A variance will also be required at the north of the property because the 3m wide landscaping buffer can not be met between the property line and the driveway. However, since this property abuts an adjacent vacant R3 property, staff is satisfied with a fence in lieu of landscaping on this portion of the property.

MUNICIPAL PLAN

Developing Beautiful Complete Neighbourhoods

Policy 5.1.3 In order to maintain a high standard of development and well-integrated neighbourhoods, it shall be the intention of Council to consider higher density residential developments subject to terms and conditions and design standards contained within the zoning by-laws.

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:

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.

Principles for Residential Development

R3 - Multi-Unit Residential Zone

Locational advantages of serviceability, accessibility, and proximity to shopping, employment and amenity areas may provide the incentive for other forms of residential and associated commercial development. In the interest of the community's objective of seeking fiscal autonomy, and promoting densification, it is important that Council attract more dense and efficient forms of development along major arterial and collector streets, such as Trites Road, Pine Glen Road, White Pine Road and along Coverdale and Hillsborough Road. The Findlay Park is also an appropriate area for higher density residential developments. This strategy makes efficient use of the existing and future urban structure of the Town. Moreover, Council considers higher density residential developments as being fundamental to helping accommodate differences in the community's age and lifestyle.

Policy 5.7.3 Furthermore, Council shall instruct the Committee that when considering the imposition of terms and conditions, the Committee shall have regard for the following:

- (a) the finishing materials and the architectural details proposed;
- (b) the siting of the proposed structure, including balconies, with the adjacent residential buildings;
- (c) the orientation of the building as it relates to the street and surrounding public realm;
- (d) the design of the proposed development in terms of:
 - i. building height and massing,
 - ii. setback,
 - iii. roof type and pitch;
- (e) the location and access to off street parking and the design of the parking lot layout;
- (f) the landscaping that is proposed, including efforts to preserve the existing vegetation by minimizing tree and soil removal;
- (g) provisions for adequate site grading with respect to the impact on neighbouring properties;
- (h) the location and screening of service areas; and Council Report Form

(i) availability and adequacy of municipal services.

ZONING BY-LAW

The Zoning By-law includes several provisions related to development standards for multipleunit buildings:

- 91(1) When permitted, the height of a multiple unit dwelling shall be subject to the following conditions:
 - (a) any part of a building located within 12 metres of an abutting R1 Zone, R1-C Zone or R2 Zone shall not exceed two stories with a maximum height of nine metres;
- 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 of:
 - (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(3) The landscaping buffer required in subsection 91(2) shall not be used for parking, garbage storage or public utility structures.
- 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;
 - (c) 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;
 - (d) 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;
 - (e) 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;
 - (f) for buildings on corners, windows or doors must address both street frontages and shall be designed to the same quality;
 - (e) there is at least one public entrance facing a street;
 - (f) service areas, including but not limited to waste disposal bins and public utility structures are screened from the street and abutting properties; and

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

INTERDEPARTMENTAL REVIEW

The proposed application was reviewed by the following departments of the Town:

- Corporate Services;
- Engineering and Public Works;
- Parks and Recreation;
- Fire Protection; and
- Planning/Development

CONCLUSION

The proposal is in line with the surrounding context of the Findlay Park commercial area and R3-zoned properties along this section of Pine Glen Road. While the project will increase the density currently permitted on the property, the building is less than the allowable height and density and incorporates design elements to create a pedestrian-oriented façade. Staff is of the opinion the project is an appropriate use of the property.

RECOMMENDATION

It is recommended that Riverview Town Council:

- 1) In accordance with subsection 111(1)(a) of the *Community Planning Act*, set November 14, 2022 at 6:30pm (Council Chambers, Riverview Town Hall) as the time and place for a public hearing for the consideration of objections to the proposed Zoning By-law No. 300-7-9; and
- 2) Seek the written views of the Planning Advisory Committee on the proposed by-law.

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

Public Consultation

Public Consultation

Public Consultation

Public Consultation

Public Consultation will include statutory notices (website and mailouts to neighbours) in accordance with the Community Planning Act, and the public hearing for the Zoning By-law

Amendment.

Attachments

- Zoning By-law Amendment No. No. 300-7-9
- Draft Conditional Zoning Agreement
- Resolution Page
- Presentation

Kirk Brewer, RPP, MCIP

Planner, Plan360

12 Units Residential Complex

Pinewood Rd x Pine Gleen Rd

Issued for Review August 2nd, 2022

APPLICABLE BUILDING CODES NATIONAL BUILDING CODE - NBC2015

BUILDING : PART 9 - HOUSING AND SMALL BUILDINGS

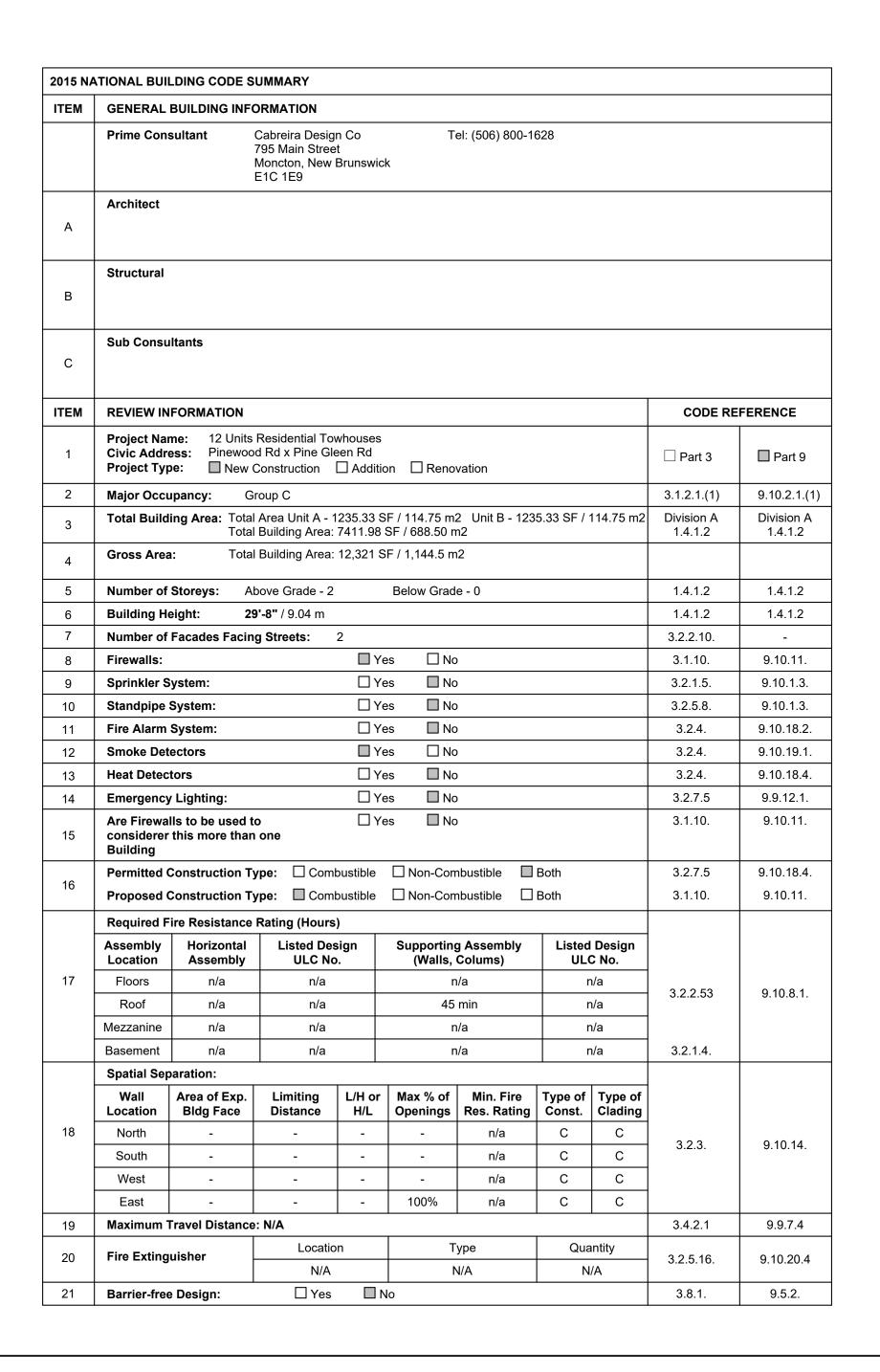
ENERGY: PART 9.36 - ENERGY EFFICIENCY

FIRE: PART 9.10 - FIRE PROTECTION

ELECTRICAL: PART 9.34 - ELECTRICAL FACILITIES

MECHANICAL: PART 9.33 - HEATING AND AIR-CONDITIONING

PLUMBING: PART 9.31 - PLUMBING FACILITIES









12 Units Residential Complex

PROJECT ADDRESS

Pinewood Rd x Pine Gleen Rd

KEY PLAN

PROJECT TEAM

STAMP

ISSUE SET

Issued for Review

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Cover Page

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12 Units Residential Complex

PROJECT ADDRESS

Pinewood Rd x Pine Gleen Rd

KEY PLAN

PROJECT TEAM

Proposal

2324 m2 60.81 m

23.8 % (552 m2)

29.5% (687 m2)

6 m

29.6 ft

Urban Residencial

Existing Zoning - NC

1230 m2 (630 m2 plus 50 m2 per Unit)

Greater of 3 m or 1/2 the height of building

91(1) When permitted, the height of a multiple unit dwelling shall be subject to the following

(a) any part of a building located within 12 metres of an abutting R1 Zone, R1-C Zone or R2 Zone

(b) any part of a building located between 12 and 15 metres of an abutting R1 Zone, R1-C Zone or

shall not exceed three stories with a maximum height of 12 metres; and (c) any part of a building located more than 15 metres from an abutting R2 Zone shall not exceed

vegetation or structures if sufficient to screen the lot from adjacent properties, but when the existing

(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

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

(iii) a two metre high decorative solid fence secured with 15.24 centimetre x 15.24 centimetre

that the landscaping buffer may be reduced to three metres and a fence will not be required.

91(3) The landscaping buffer required in subsection 91(2) shall not be used for parking, garbage

(a) its massing including size of the building, its footprint and the articulation of building form (for

(c) the façade is designed with jogs and recesses of not less than 0.6 metres to segment the façade

(e) the design of lower floors of multi-unit residential buildings shall include appropriate fenestration,

(f) only a single row of parking is permitted in the front yard. In this case, a 2.0 metre (66") wide

between the property line and the edge of the parking lot, and between the edge of the parking lot

building face are required. If the parking bay contains more than 5 spaces, planted islands shall be

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

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

(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

(k) views from the second and third floor units into neighbouring single unit dwelling yards are

use of peaked roofs) reflects the conditions of neighbouring buildings while avoiding excessive

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

(b) no more than 35% of the lot area is devoted to parking spaces and parking aisles

and other features so that they are in scale with the pedestrian environment;

91(2) Screening shall be provided and maintained on a lot containing a multiple unit dwelling,

(a) if the multiple unit dwelling lot abuts a R1 Zone, R1-C Zone or R2 Zone, a six metre wide

50 % (1162 m2)

35% (813.4 m2)

exceed two stories with a maximum height of nine metres;

structures are insufficient, the screening shall consist of:

91(4) A multiple unit dwelling may be permitted if:

includes at least ten percent brick or masonry;

1.25 for each unit (12)

Lot Site Lot Frontage

Front Yard

Side Yard

Rear Yard

Parking

Lot Coverage

Building Height

Parking Space

All multiple dwellings shall contain:

with a maximum height of 15 metres.

Multiple unit dwellings

consisting of the existing

landscaping buffer, consisting of:

storage or public utility

building design and color;

structures.

example, the

repetition of

materials that

provided

required to have

designed to the same quality;

screened from

the street and abutting properties; and

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Site Plan

L100



1 West Elevation 3/16" = 1'-0"



2 South Elevation 3/16" = 1'-0"

GENERAL REQUERIMENTS

1. THE CONTRACTOR SHALL STRICTLY CONFORM WITH ALL CODES HAVING JURISDICTION IN THE CONSTRUCTION OF THIS PROJECT, INCLUDING, BUT NOT LIMITED TO: FEDERAL, LOCAL, CITY, COUNTY, BUILDING, ZONING, ELECTRICAL, MECHANICAL, FIRE, LIFE SAFETY, AND HANDICAP CODES. ALL WORK MUST BE PERFORMED BY LICENSED AND INSURED CONTRACTORS AND SUBCONTRACTORS. INSURANCE CERTIFICATES, IN WRITING, WILL BE PRESENTED TO CABREIRA DESIGN CO. PRIOR TO THE START OF CONSTRUCTION.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF ALL DIMENSIONS, EXISTING CONDITIONS, AND CODE COMPLIANCE. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS. IF THE CONTRACTOR FINDS ANY DISCREPANCIES IN THE DRAWINGS OR SPECIFICATIONS HE MUST CONTACT CABREIRA DESIGN CO. FOR VERIFICATION. CABREIRA DESIGN CO. SHALL BE NOTIFIED IN WRITING OF ANY NON-CONFORMANCES IN THE SITE PLANS OR SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BRINGING ANY ERRORS AND OMISSIONS TO THE ATTENTION OF CABREIRA DESIGN CO. IN WRITING AND SHALL AWAIT WRITTEN INSTRUCTIONS BEFORE PROCEEDING. THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IF THEY FAIL TO NOTIFY CABREIRA DESIGN CO. PRIOR TO THE CONSTRUCTION AND OR FABRICATION OF WORK.

- 3. SCOPE: THE CONTRACTOR SHALL FURNISH AND INSTALL ALL MATERIALS AND LABOR TO COMPLETE THE WORK AS DESCRIBED ON THE DRAWINGS AND SPECIFICATIONS. CONTRACTOR'S SHALL BE RESPONSIBLE FOR ALL PERMITS, COMPLIANCE STATEMENTS, CERTIFICATE OF OCCUPANCY OR OTHER DOCUMENTATION REQUIRED.
- 4. WORK SHALL BE PERFORMED TO THE HIGHEST LEVEL OF STANDARDS OF EACH RESPECTIVE TRADE.
- 6. THE CONTRACTOR SHALL KEEP THE PREMISES CLEAN AND IN A WORKMANLIKE FASHION. THE PROJECT SHALL BE READY FOR OCCUPANCY UPON THE COMPLETION OF

5. DEMOLISH AS REQUIRED AND REMOVE ALL DEBRIS FROM THE SITE.

- WORK IN A "TURN-KEY" CONDITION.

 7. CONSTRUCTION SHALL BE BY DIMENSIONS DO NOT SCALE OFF OF THESE DRAWINGS.
- 8. SHOP DRAWINGS MAY BE REQUIRED BY CABREIRA DESIGN CO. FOR ALL STRUCTURAL, MECHANICAL, ELECTRICAL, LIFE SAFETY SYSTEMS, AND SPECIALIZED CONSTRUCTION FROM THE CONTRACTOR AND/OR ALL SUBCONTRACTORS AT NO ADDITIONAL COST. SHOP DRAWINGS SHALL BE SUBMITTED TO CABREIRA DESIGN CO. FOR REVIEW AND CONFORMANCE WITH THE SYSTEMS AND THEIR INTEGRATION WITH EXISTING SYSTEMS AND CONDITIONS. WORK DONE TO LIFE SAFETY SYSTEMS MAY REQUIRE SEPARATE PERMITS. THESE SHALL BE INCLUDED IN THE BASE BID.
- 9. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE STRUCTURAL INTEGRITY OF THE BUILDING AT ALL TIMES.
- 10. THE CONTRACTOR SHALL NOTIFY CABREIRA DESIGN CO. IMMEDIATELY UPON THE DISCOVERY OF ANY ENVIRONMENTALLY HAZARDOUS MATERIALS AND OR CONDITIONS.
- 11. THESE PLANS HAVE BEEN PRODUCED TO NATIONAL BUILDING CODE ENERGY STANDARDS. ANY ADDITIONAL STRETCH CODE COMPLIANCE SHALL BE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR.



12 Units Residential Complex

PROJECT ADDRESS

Pinewood Rd x Pine Gleen Rd

KEY PLAN

PROJECT TEAM

STAMP

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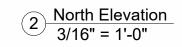
West & South Elevations

A201



1 East Elevation 3/16" = 1'-0"







12 Units Residential Complex

PROJECT ADDRESS

Pinewood Rd x Pine Gleen Rd

KEY PLAN

PROJECT TEAM

STAMP

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East & North Elevations

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12 Units Residential Complex

PROJECT ADDRESS
Pinewood Rd x Pine Gleen Rd

KEY PLAN

PROJECT TEAM

STAM

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Renderings

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