



MEETING MINUTES

Town of Riverview Planning Advisory Committee
Wednesday, March 9, 2022, at 6:00 p.m.
Council Chambers

Attendance: Tina Beers, Chair
Shawn Dempsey, 1st Vice Chair
Daniel Primeau, 2nd Vice Chair
Kelvin Martin, Committee Member
Rob Bateman, Committee Member – arrived at 6:11 p.m.
John Gallant, Committee Member
Susan Steeves, Committee Member
Lori Bickford, Planning Manager, SE Regional Service Commission
Kirk Brewer, Planner, SE Regional Service Commission
Dylan Geldart, SE Regional Service Commission
Candace Mann, Executive Assistant, Town of Riverview

Regrets: Myriam Mekni, Committee Member
Debby Warren, Committee Member

1. CALL MEETING TO ORDER

Tina Beers, Chair, called the meeting to order at 6:03 p.m.

2. DECLARATION OF CONFLICT OF INTEREST

Tina Beers declared a conflict of interest regarding agenda item 6a.

3. ADOPTION OF MEETING AGENDA

Moved by Kelvin Martin and seconded by Daniel Primeau

That the agenda for the Town of Riverview Planning Advisory Committee meeting of March 9, 2022, be APPROVED.

MOTION CARRIED

4. ADOPTION OF MINUTES

Planning Advisory Committee Meeting – January 12, 2022.

Moved by Kelvin Martin and seconded by Daniel Primeau

That the minutes of the Town of Riverview Planning Advisory Committee meeting of January 12, 2022, be APPROVED.

MOTION CARRIED

5. BUSINESS ARISING FROM THE MINUTES

NIL

6. VARIANCE, TEMPORARY APPROVALS, CONDITIONAL USES, RULINGS OF COMPATIBILITY AND NON-CONFORMING USES

6a) Jason Carnahan, CPM Projects, Quinn Court (PID 05101985), conditional use applications to 1) permit two main buildings on a lot, and 2) to permit multi-unit dwellings in an R3 zone (File 22-0096).

T. Beers exited Council Chambers at 6:06 p.m. and Shawn Dempsey stepped in as Chair.

K. Brewer began his presentation by outlining that this double conditional use application is for a property on Quinn Court that is currently zoned R3 with some of the properties in the area zoned suburban commercial and other Town-owned property adjacent, which is zoned Parks, Recreational, Institutional.

As a general guideline, high density within an R3 zone consists of housing where density exceeds 15 units per acre, but not more than 30 units per acre. The proposed development will be 32 units per acre but is not considered excessive density for the area and should not be out of scale for the surrounding landed uses.

There are various design guidelines in the zoning by-law in terms of multi-unit developments and the proposal meets all set-back, landscaping and design material guidelines with no variances required. The parking areas between the existing condominiums on Quinn Court and the new development will be separated by curbing and landscaping.

This development was discussed at the Development Review Committee Meeting and no concerns were raised. Notifications were sent to neighbors and a message was received from a local business owner advising that due to the nature of his semi-industrial business there may be late night service calls resulting in some noise outside of regular business hours. This information was shared with the developer.

Prior to the meeting, K. Brewer received an email from an adjacent condominium owner who inquired about site servicing. K. Brewer explained that the original development plan for this area was to have three condominium buildings on one lot. Servicing for all three buildings was installed simultaneously during the construction of the first condominium building. However, this development plan changed, and the first building was subdivided onto its own lot, which also contains the service lines for the rear remnant property.

When Town Engineering reviewed the servicing plan, no concerns were raised since the services connect directly to the public system in the street right of way and are not mixed with the services for the existing condominium building. From the Town's perspective, this is existing infrastructure. However, concerns were raised from the adjacent condominium owner about long-term ownership and maintenance of these service lines. The developer has contacted his engineer to explore the possibility of finding an alternative servicing solution that would not involve the adjacent condominium property. His engineer is confident the property can be serviced without using the existing infrastructure. In the event the developer chooses to make use of the existing infrastructure, a private service easement agreement with the condominium board would ensure he has legal access to maintain the services.

K. Brewer explained to S. Dempsey that there appears to be a catch basin and a fire hydrant on the subject property and not on the property of the current condominium.

J. Carnahan mentioned that he will work with the condominium owners in respect to the service easement and that he looks forward to the development of this property.

Cathy Lunney, President of the Condominium Association at 128 Quinn Court, addressed the committee with concerns that the executives on the Condominium Association have not had the chance to meet and discuss the service plan issue prior tonight's meeting. K. Brewer explained that if the Planning Advisory Committee were not able to make a decision at tonight's meeting there is the option to table the matter and it can be brought forward to the next meeting, but staff have added an additional proposed condition to address the issue of the servicing plan.

K. Brewer confirmed with D. Primeau that notices were sent to the neighbors on February 23, 2022. Also mentioned, was that condition four added into the motion outlines that a private service easement would be registered, in turn making this an item between the two landowners and not the Town or the Committee.

J. Gallant inquired if there is an issue with the sizing of Quinn Court with respect to traffic.

K. Brewer explained that Quinn Court was designed to meet the specifications of an R3 zone and traffic has never been raised as a concern.

K. Brewer clarified for K. Martin that the original intent of the development plan changed resulting in the condominium being on its own and not one of three buildings as originally planned. With the infrastructure already being in the ground and with no documentation proving a legal right, if there were an issue where pipes needed to be dug up, J. Carnahan would have no legal right to access the condominium property. This is not something that the Town's Engineering Department would be involved in, as it would be an agreement between two property owners.

The following motion was made by the Committee:

MOTION 1

Moved by Kelvin Martin and seconded by Daniel Primeau

That the Planning Advisory Committee APPROVE the conditional use application to permit multi-unit buildings in an R3 zone on PID 05101985, subject to the following conditions:

- 1) That a key lock box be installed per municipal By-law 500-11.
- 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.
- 4) That if the project's servicing plan proposes to use existing infrastructure on adjacent PID 05105820, that a private service easement be registered prior to the issuance of a building/development permit

MOTION 2

Moved by John Gallant and seconded by Kelvin Martin

That the Planning Advisory Committee APPROVE the conditional use application to permit more than one main building on PID 05101985.

T. Beers returned to Chambers at 6:39 p.m. and resumed as Chair.

6b) Kaitlyn Lacelle, Thrive Properties, Gunningsville Blvd/Quinn Ct (PID 05097753), variance application to reduce the required lot frontage from 30m to 19.5m (File 22-0145).

K. Brewer explained that the applicant has two requests; one variance application to reduce the lot frontage from 30m to 19.5m and another to create lot 22-01 on an access other than a public street (File 22-0124). The subject property is a corner lot with frontages on Quinn Court, Gunningsville Boulevard and the future Findlay Boulevard extension. The developer is currently building a multi-unit building in the middle of the site, with plans of constructing two more buildings in the future. In order to accommodate this, the proposal is to subdivide the property into three lots so that each building will be located on its own PID.

K. Brewer explained that the Subdivision By-law states that every lot and parcel of land in a subdivision shall abut a street owned by the Town. Abut means having access thereto directly. Gunningsville Boulevard is designated as a controlled access street, which restricts the number and locations of new accesses. The Controlled Access Streets By-law permits a "restricted access" which means an access with a raised triangular island which obstructs left turns and through movements to and from the intersecting street or driveway situated in the proximity of a median strip existing on the street.

The proposed building layout is an L-shaped building along Gunningsville Boulevard and Quinn Court and another L-shaped lot along Gunningsville Boulevard and Findlay Boulevard. The raised median along Gunningsville Boulevard in proximity to the Findlay intersection would allow this property restricted access in a limited area under the Controlled Access Streets By-law. However, due to the location, this access would interfere with the location of the proposed buildings. Also, the Town's Engineering department would prefer that Quinn Court be the only southern access to Gunningsville Boulevard.

The proposed layout does meet the intent of the Municipal Plan in terms of urban design guidelines and the overall layout of the property is what the Town is hoping to see. There is a future street designated to the south of this property, which is a remnant of the original

1990 plan. However, the Town has no interest in seeing this street develop as it is no longer part of a larger street network. Currently, this land is currently being used as a skating oval as part of the Winter Wonderland Park, which removes the potential for this future street to provide alternative frontage to the subject property.

With these considerations in mind, the developer has also submitted a tentative subdivision plan proposing three lots: Lot 22-03 meets lot size, frontage width, and public access requirements; Lot 22-02 has access onto Quinn Court but would require a variance to reduce the required frontage from 30m to 19.5m in order to create a flag lot; and Lot 22-01 would front onto Gunningsville Boulevard but would not satisfy the by-law requirements to have direct access thereto. As such, this lot would only be accessible via Lot 22-02 and would require special approval from the Planning Advisory Committee to create a lot on an access other than a public street.

Property owners cannot legally grant a right-of-way to themselves, and private right-of-ways are only granted via a registered document, not a subdivision plan. This means that Lot 22-01 would technically not be granted an automatic right-of-way with the filing of the plan, it would be created with no direct legal access. If all three properties are owned by Thrive, nothing will prohibit access or movement across the three lots over the proposed driving aisles. In the event any of the properties are sold, it will be important to show the location of the proposed right-of-ways on the registered subdivision plan to grant legal access.

Approval of the subdivision plan is separate from any building approvals and does not guarantee the entire property will develop as proposed and shown on the conceptual plan. However, based on the plans submitted to date, the developer's intention is to occupy as much of the road frontages as possible with building facades in order to minimize the visibility of parking areas, which meets the intent of the Municipal Plan and zoning provisions. As such, the L-shaped building design requires more than the minimum 30m of frontage on Lot 22-03 and reduces the remaining available frontage to 19.5m for Lot 22-02.

K. Brewer confirmed with S. Dempsey that because Thrive owns the entire parcel of land they cannot grant the right-of-way to themselves. S. Dempsey indicated he believes it is possible for properties to grant themselves right-of-ways based on PIDs but will investigate further and confirm with staff.

K. Brewer explained to K. Martin that showing the right-of-way on the plan will prevent any issues in the future if Thrive decides to sell one of the three lots.

J. Gallant inquired if the street is large enough to accommodate larger vehicles if needed.

K. Brewer explained that once construction is completed there should not be any heavy equipment travelling the street and that the street width is adequate for two-way traffic.

K. Brewer also confirmed that the parking for Winter Wonderland Park was not brought up as an issue when this application was presented to the Development Review Committee and that each building being developed has its own parking areas planned out.

MOTION 1

Moved by John Gallant and seconded by Susan Steeves

That the Riverview Planning Advisory Committee APPROVE the variance request to reduce the minimum lot frontage for proposed Lot 22-02 as shown on the "Findlay Park Subdivision Plan" dated March 1, 2022, because it will not compromise the future development of the lot and will allow building configurations that meet the urban design goals of the Municipal Plan and Zoning By-law.

MOTION 2

Moved by Shawn Dempsey and seconded by Daniel Primeau

That the Riverview Planning Advisory Committee APPROVE the creation of Lot 22-01 on an access other than a public street as shown on the "Findlay Park Subdivision Plan" dated March 1, 2022, to accommodate several existing conditions including controlled access streets to the west and north, limited street frontage to the east, and Town-owned lands to the south, subject to the following condition:

1) that the proposed right-of-way to benefit Lot 22-01 be shown on the final subdivision plan.

7. TENTATIVE SUBDIVISIONS

Kaitlyn Lacelle, Thrive Properties, Gunningsville Blvd/Quinn Ct (PID 05097753), seeking committee approval to create Lot 22-01 on an access other than a public street (File 22-0124).

8. BY-LAW AMENDMENTS, ZONING AND MUNICIPAL PLAN MATTERS

8a) Town of Riverview, Amendment to Controlled Access Streets By-law to permit accesses on Gunningsville and Findlay Boulevards at less than the required 200m separation distance from another access (File 22-0047).

K. Brewer explained that this is a recommendation file from Council to amend the Controlled Access Streets By-law to permit three entrances with less than 200m separation distance on Findlay Boulevard and Gunningsville Boulevard for a new Kent Building Supply store.

The proposal is to have a gated lumber yard entrance at 200m from the intersection of Gunningsville Boulevard and 200m+ from the Sobey's entrance to the north, which meets the by-law requirement. However, two additional accesses would require amendments to the by-law to allow a separation distance of 141m from Gunningsville and 183m from Findlay Boulevard. The purpose of the Controlled Access Streets By-law is to ensure there is a measure of control over new accesses on major arterial roads.

This proposal was reviewed by Engineering and no concerns were raised with respect to public safety. PAC approved the proposed site plan at the January meeting, provided Council approve the by-law amendment to permit the proposed accesses.

MOTION

Moved by Shawn Dempsey and seconded by Rob Bateman

That the Riverview Planning Advisory Committee recommend that Riverview Town Council adopt amending by-law 300-67-1 in order to grant accesses to PID 05118112 with less than the required 200m separation distance on controlled access streets as proposed.

8b) Town of Riverview, Bridgedale Blvd. (PID 05041355) Request to rezone a portion of the subject property from OS – Open Space to PRI – Parks, Recreation, and Institutional for the purpose of the future Riverview Recreation Complex (File 21-2544).

K. Brewer explained that this is a recommendation file from Council to rezone a portion of a lot from Open Space to Parks, Recreation, and Institutional. The parcel of land being rezoned is approximately 43 acres and the remainder of the land will remain as the Mill Creek Nature Park.

The Town has been planning on building a new recreation complex that will be located along the new Bridgedale Boulevard, near the new roundabout at Runneymeade Road. The current zone only allows for park lands. No buildings are permitted; therefore, the rezoning to the Parks, Recreation and Institutional zone is required. The parcel of land to be rezoned is approximately 43 acres. While this far exceeds the needs of the building footprint, the final site design and location of the building have not yet been determined, the goal is to allow flexibility for various outcomes, with the potential to further modify the site in the future without the need for another rezoning.

MOTION

Moved by Kelvin Martin and seconded by Daniel Primeau

That the Planning Advisory Committee recommend that Riverview Town Council adopt rezoning by-law 300-7-7 in order to rezone a portion of PID 05041355 from OS - Open Space zone to PRI - Parks, Recreation and Institutional zone for the purpose of a recreational center as proposed.

9. OTHER BUSINESS

T. Beers welcomed new committee members John Gallant and Susan Steeves to the committee and thanked them for their contribution.

10. NEXT SCHEDULED MEETING

The date for the next scheduled meeting is April 13, at 6:00 p.m.

11. ADJOURNMENT

Moved by Kelvin Martin. Meeting adjourned at 7:50 p.m.