

Riverview Planning Advisory Committee

March 13, 2024

Staff Report

Subject: Rezoning from R1 to RM

File Number: 23-1668

From:



Kirk Brewer
Planner

Reviewed by:



Lori Bickford
Planning Manager/Planner

General Information

Applicant:

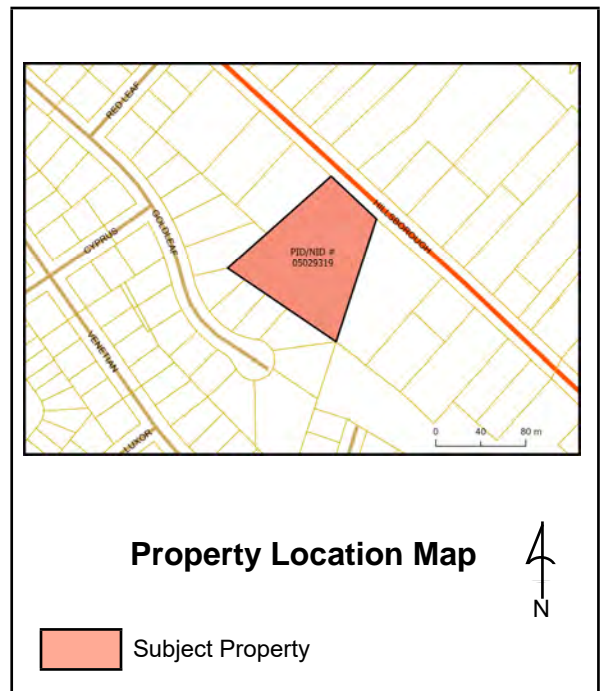
same

Landowner:

Simon Ikuseru

Proposal:

Rezone from R1 to RM to permit four six-unit rowhouse dwellings



Site Information

PID: 05029319

Lot Size: 2.45 acres

Location:

Hillsborough Road,

Current Use:

Vacant

Zoning:

R1`

Future Land Use:

Residential

Surrounding Use & Zoning:

Primarily R1 - single unit dwelling in immediate vicinity, with mix of R2 (Two unit dwelling), RM (Residential mix), SC (Suburban Commercial), and NC (Neighbourhood Commercial) within 500m on Hillsborough Road

Municipal Servicing:

Municipal water and storm sewer are present; municipal sanitary sewer will need to be extended to service this property.

Access-Egress:

Hillsborough Road (Route 114)

Policies / Politiques

MUNICIPAL PLAN

5.3 Principles for Residential Development

Principle 1: A variety of housing types will be provided A variety of housing types is required in order to accommodate all residents of Riverview, at all stages of life and in different family and economic situations. The mixing of various types and designs of housing within a development and on each street while considering the context (see Principle 2) is encouraged.

Principle 2: Development should respect its context Context sensitive residential development that complements surrounding homes and preserves or enhances neighbourhood integrity will be encouraged. In the designing of the various types of residential buildings, the developer shall consider the relationship (height, size, bulk) between each building within a proposed development and to existing adjacent buildings. Factors to be considered include: (a) designing subdivisions and new developments to make more efficient use of land, infrastructure, and services;

(a) designing subdivisions and new developments to make more efficient use of land, infrastructure, and services;

(b) preservation of natural features (landform, water courses, mature woods, etc.), and heritage features that help define the character of Riverview.

(c) provision of buffers between potential conflicting types of development (e.g. multi-floor multiunit residential and single family dwellings, big box retail and residential, etc.)

(d) height of development;

(e) limiting views from second and third floor units into neighbouring single family yards (through use of landscaped treed buffers, angle of building, limited windows on sides of buildings facing neighbours, and prohibiting staircases on exterior of multiple unit buildings);

(f) size and articulation of facades;

(g) massing including size of the building, its footprint and the articulation of building form (for example, the use of peaked roofs);

(h) the design of lower floors of multi-unit residential buildings in scale with the pedestrian environment;

(i) the use of traditional materials

(j) the use of back lanes or rear-lot parking areas to enable buildings to be close to the street;

(k) for buildings on corners, windows and/or doors that address both street frontages and that are designed to the same quality; and

(l) the layout and design of service areas, for example, waste disposal bins should be screened from the public street and neighbours.

RM – Residential Mix Zone

Policy 5.6.1 It shall be the intention of Council, in recognition of the changing housing needs of current and future generations, within the Residential Designation, to create a Residential Mix (RM) zone which will encompass most of the serviceable, but undeveloped land in the Town.

Policy 5.6.5 In the interest of encouraging a diverse range of housing types and styles and to ensure careful integration of these future development areas, it shall be the intent of Council to establish a provision in the RM Zone whereby the Committee may consider, subject to terms and conditions, additional forms of residential development such as townhouses, rowhouses and multiple unit dwellings to a maximum of 15 units an acre.

Policy 5.6.6 Pursuant to policy 5.6.5, it shall be the intention of Council to direct the Committee in considering the imposition of terms and conditions to have regard for:

(a) the urban design principles for residential development;

(b) the integration of the proposed development with the abutting existing development;

(c) the adequacy of municipal services;

(d) the location and design of vehicular access;

(e) the design and location of above grade parking lots;

- (f) the proposed landscaping and provision of amenity space;
- (g) traffic impacts;
- (h) the preservation of the site's natural state by minimizing tree and soil removal; and
- (i) any other matter.

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

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

Rowhouse dwellings or townhouse dwellings

90 When permitted, townhouse dwellings or rowhouse dwellings shall:

- (a) be limited to six dwelling units;
- (b) despite subsection 90(a), be limited to four dwelling units on a local street, unless a common off street parking lot is provided;
- (c) where located on a collector or arterial street, as set out in the Town's Subdivision Development – Procedures, Standards and Guidelines document, be designed with a common off street parking lot including a two metre wide landscape buffers between the parking lot and property line and have no more than two entrances;
- (d) have the ground floor building façade, from the established grade to the top of the ground floor, finished with traditional materials that includes at least ten percent brick or masonry material; and
- (e) be designed so that each dwelling has jogs or recesses of not less than 0.6 metres along the façade of the building.

Internal Consultation & External Consultation / Consultations internes et externes

The proposed application was reviewed by the following departments of the Town, with detailed comments provided in the discussion section:

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

The Director of Engineering requested an updated traffic impact study which was submitted and reviewed. The extension to the municipal sewer infrastructure can be accommodated with the municipal service easement on the adjacent property, but an additional easement is being requested on the subject property.

A public hearing is scheduled for March 25, 2024.

Discussion

A rezoning application was presented to Council for this property in 2023 for the purpose of two three-storey multi-unit dwellings with a total of 56 units. The rezoning by-law was referred to PAC in June, and a public hearing was held on July 10. The application received substantial opposition from area residents, and Council ultimately voted to refuse the rezoning application. The property owner has since redesigned the project, and is now proposing four two-storey, six-unit rowhouse dwellings for a total of 24 dwelling units, each with three bedrooms.

The subject property is 2.45 acres and is predominantly surrounded by R1 zoned properties developed as single unit dwellings, both on Hillsborough Road and in the residential neighbourhoods to the south. The property is irregularly shaped, substantially larger than a standard single unit dwelling lot, and can accommodate more density than most properties located within R1 zones. In addition, the high traffic volume on Hillsborough Road is not ideal for new single unit development. Hillsborough Road is traditionally a mixed-use arterial road, with a variety of low-to-high density residential uses as well as commercial uses and is serviced by Codiac Transpo bus service. It is anticipated that this corridor will continue to intensify over the coming years.

A traffic impact study was prepared and submitted to the Engineering Department for review during the

original rezoning application, and an updated study was submitted in support of the current application. The study indicates that the proposal poses no conflicts with the existing Hillsborough Road conditions and meets Transportation Association of Canada guidelines as well as zoning provisions for driveway widths and parking areas. The study was reviewed by the Director of Engineering and Works and no concerns were raised with respect to traffic volumes or public safety.

The lot is serviced by municipal water, but the sanitary sewer line stops short of this property in both directions due to a dip in the road creating a challenge for servicing via the gravity fed system. Engineering and Planning staff have discussed this property's potential for a single unit dwelling and are of the opinion that potential is limited due to servicing capacity, which would require a larger investment than what could be expected for most houses (ie potentially a lift station, the extension of the public sewer line, and/or a lengthy sewer lateral connecting to the TransAqua trunk line). It has been anticipated that the most likely development scenario would be a higher density development to justify the upfront investment in infrastructure.

As part of the preliminary servicing plan provided for this application, the proponent's Engineer identified a municipal service easement (aka a local government service easement) on the adjacent property. Though the existing sewer system does not currently service the subject property, the MSE could be used to extend the sewer line as far as this property. In this case, the Engineering Department has requested that a LGSE be registered on the property to ensure future sewer maintenance can occur without problems. The proponent has indicated that the sewer line can be extended via trenchless technology, which means a tunnel would be burrowed under the adjacent property as opposed to digging down from the surface. This should reduce any disruption to the neighbouring property's driveway, yard, and trees. An alternate plan was also submitted, which would require digging within the Hillsborough Road right of way. The preference would be to avoid this scenario and proceed with the underground tunneling on private property.

The Municipal Plan permits density up to 15 units/acre in an RM zone, which would permit up to 37 units on this property. At 24 units, the density is less than what the proposed zoning would permit. More than one main building is permitted per lot as a conditional use. The proponent has indicated that the property would likely be subdivided into two properties in order to have two buildings per lot, which may require a future subdivision variance to frontage requirements, but no subdivision plan has been submitted as of yet.

Changing the proposal from multi-units to rowhouses reduces the lot coverage and parking lot area, which allows for increased setbacks and larger landscape buffers. The original proposal preserved a 12m wide mature tree buffer with three-storey buildings; the current proposal is for two-storey rowhouses and a 15m wide mature tree buffer.

A minor design variance is being requested. The zoning by-law requires the ground floor of rowhouse units to be finished with traditional materials, which excludes vinyl siding. The purpose of this provision is to require a higher design standard to create a higher-quality streetscape. This requirement envisions the rowhouse placed parallel to the sidewalk, with the façade facing the street. The building design proposes a mix of materials on the façade facing Hillsborough Road, including the 10% brick/masonry requirement, but incorporates vinyl siding on most of the façade, including on the ground floor, which would require a variance.

In this case, the two rowhouse buildings closest to Hillsborough Road face inward toward the parking lot due to the irregular lot shape which narrows as it approaches the road. The nearest wall of the buildings is nearly 20m (63 feet) from Hillsborough Road, so the building location and orientation will not have a large visual impact on Hillsborough Road, where vehicle traffic travels at higher speeds and there is less pedestrian activity. The main building façades (front doors and windows) are designed to a higher standard, which incorporate a mix of stone and higher quality board and batten vinyl siding. Staff feels that given the building orientation and location on the property, the variance to reduce design standards is reasonable in this instance.

Integrating higher density uses into a low-density context is often challenging and may face opposition from area residents due to concerns related to traffic, privacy, and perceived change to the neighbourhood. Staff recognizes and appreciates these concerns and works to address them via various studies and

recommending conditions that may help ease concerns. When assessing the suitability of a property for increased density, staff and Council must balance multiple considerations, including neighbour concerns, but also servicing, accessibility, highest and best use of land with respect to broader community needs, compatibility with surrounding context, and efficiency of scale. In this case, the developer has responded to neighbour concerns and substantially reduced the building size and number of units as a compromise.

Riverview is currently experiencing an unprecedented shortage of housing units, which is a relatively new phenomenon in the Greater Moncton context, with a 0.7% vacancy rate per the most recent (October 2023) CMHC studies. Low vacancy is creating a crisis of affordability, but also a lack of housing within the Town at any price point. Staff feels that the current proposal addresses many of the neighbours' concerns with respect to height, density, traffic, and privacy that were raised during the original rezoning request. The rezoning would allow for much needed housing in three-bedroom units that would help address the current shortage of available units.

Legal Authority / Autorité légale

The Planning Advisory Committee receives its authority via the Community Planning Act:

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 respectfully recommends that the Riverview Planning Advisory Committee RECOMMEND that Riverview Town Council adopt By-law 300-7-12 to rezone the property on Hillsborough Road bearing PID 05029319 from R1 to RM for the purpose of four six-unit rowhouse dwellings subject to the following conditions:

- a) That the development shall be in general conformity with the site plan and building elevations attached as Schedules A-12-1 and A-12-2;
- b) That notwithstanding section 90(d) of the Zoning By-law, traditional materials shall not be required on the ground floor façade facing Hillsborough Road;
- c) That landscaping shall be provided as shown on the site plan attached as Schedule A-12-1 with a minimum buffer width of 6m where the property abuts adjacent R1 properties;
- d) That prior to any tree removal on the lot, a surveyor be engaged to delineate and mark the buffer zones referred to in condition (b)
- e) That prior to the issuance of a building and/or development permit, a 5m wide local government service easement be registered on the lot to accommodate the extension of the public sewer system;
- f) That nothing shall prohibit the proponent from applying for a variance under section 55 of the *Community Planning Act* for zoning provisions that are not addressed within the scope of this agreement; and
- g) That as-built drawings for engineering submissions shall be required within 30 days after construction.

Hillsborough Townhouses Resi. Building A

Hillsborough Road, Route 114
Riverview, NB

Schematic set - Issued for Review
December 11th, 2023

GENERAL REQUIREMENTS

- 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.
- 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.
- 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.
- WORK SHALL BE PERFORMED TO THE HIGHEST LEVEL OF STANDARDS OF EACH RESPECTIVE TRADE.
- DEMOLISH AS REQUIRED AND REMOVE ALL DEBRIS FROM THE SITE.
- THE CONTRACTOR SHALL KEEP THE PREMISES CLEAN AND IN A WORKMANLIKE FASHION. THE PROJECT SHALL BE READY FOR OCCUPANCY UPON THE COMPLETION OF WORK IN A "TURN-KEY" CONDITION.
- CONSTRUCTION SHALL BE BY DIMENSIONS DO NOT SCALE OFF OF THESE DRAWINGS.
- 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.
- THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE STRUCTURAL INTEGRITY OF THE BUILDING AT ALL TIMES.
- THE CONTRACTOR SHALL NOTIFY CABREIRA DESIGN CO. IMMEDIATELY UPON THE DISCOVERY OF ANY ENVIRONMENTALLY HAZARDOUS MATERIALS AND OR CONDITIONS.
- THESE PLANS HAVE BEEN PRODUCED TO NATIONAL BUILDING CODE ENERGY STANDARDS. ANY ADDITIONAL STRETCH CODE COMPLIANCE SHALL BE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR.

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

Sheet List	
Sheet Number	Sheet Name
0000	Cover Page
A101	Main Floor Plan
A102	Second Floor Plan
A103	Roof Plan
A200	Building A Elevations
A401	Main & Second Floor Unit Enlargment

Area Schedule	
Name	Area
Main Floor Building A	4638 SF
Second Floor Building A	4638 SF
Grand total	9276 SF

Unit Area Table	
Name	Area
Main Floor	
Unit 101	773 SF
Unit 102	773 SF
Unit 103	773 SF
Unit 104	773 SF
Unit 105	773 SF
Unit 106	773 SF
Second Floor	
Unit 101	773 SF
Unit 102	773 SF
Unit 103	773 SF
Unit 104	773 SF
Unit 105	773 SF
Unit 106	773 SF
Grand total	9276 SF



CABREIRA DESIGN CO.
(506) 800-1628
795 Main Street
Moncton NB E1C 1E9
www.cabreira.ca

Hillsborough Townhouses Resi. Building A

PROJECT ADDRESS
Hillsborough Road, Route 114 Riverview, NB

KEY PLAN

PROJECT TEAM

STAMP

ISSUE SET
Schematic set - Issued for Review

DATE 2023-12-11 3:47:14 PM
JOB NO 22079CANB
DRAWN BY A.DameHo
CHECKED BY A.Cabreira
NO DESCRIPTION BY Date

Cover Page

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 795 Main Street
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Hillsborough Residential Townhouse

PROJECT ADDRESS
 Hillsborough Road, Route 114
 Riverview NB

PROJECT TEAM

STAMP



ISSUE SET

Masterplan - Issued for Review

DATE	2023-12-11 11:11:48 AM
JOB NO	22079CANB
DRAWN BY	A.Dametto
CHECKED BY	A.Cabraira
NO DESCRIPTION	BY Date



① Site Plan
 1" = 30'-0"

PROJECT INFORMATION

Description	Existing Zoning R1 - Riverview, NB	Proposed Zoning RM
	RM Zoning Requirements	Proposed
Uses	Townhouses Max. 15 units/Acre = 1.6 Acre = 6,475 m2	Townhouses 2.43 Acres = +/- 9,854 m2
Lot Size	180 m2 for each house x 24 = 4,320 m2	2.43 Acres = +/- 9,854 m2
Lot Frontage	15m / 6m for each house	55.04 m / 6m
Front Yard	4.5 m	19.20 m
Side Yard	3.0 m	10.76m and 9.67m
Rear Yard	5.0 m	17.88 m
Lot Coverage	50% (4,926.79 m2)	17.80% (1,754 m2)
Units	-	24 units
Building Height	10m	10m
Parking	1 for each unit (24)	44
Parking Lot	35% (3,448.75 m2)	18.71% (1,844 m2)
Parking Space	2.75 m x 5.50 m (90 degrees)	2.75 m x 5.50 m (90 degrees)

Other requirements - Townhouses

Town of Riverview - Zoning By-Law

- 90 When permitted, townhouse dwellings or rowhouse dwellings shall:
- (a) be limited to six dwelling units;
 - (b) despite subsection 90(a), be limited to four dwelling units on a local street, unless a common off street parking lot is provided;
 - (c) where located on a collector or arterial street, as set out in the Town's Subdivision Development – Procedures, Standards and Guidelines document, be designed with a common off street parking lot including a two metre wide landscape buffers between the parking lot and property line and have no more than two entrances;
 - (d) have the ground floor building façade, from the established grade to the top of the ground floor, finished with traditional materials that includes at least ten percent brick or masonry material; and
 - (e) be designed so that each dwelling has jogs or recesses of not less than 0.6 metres along the façade of the building.

Site Plan

A100

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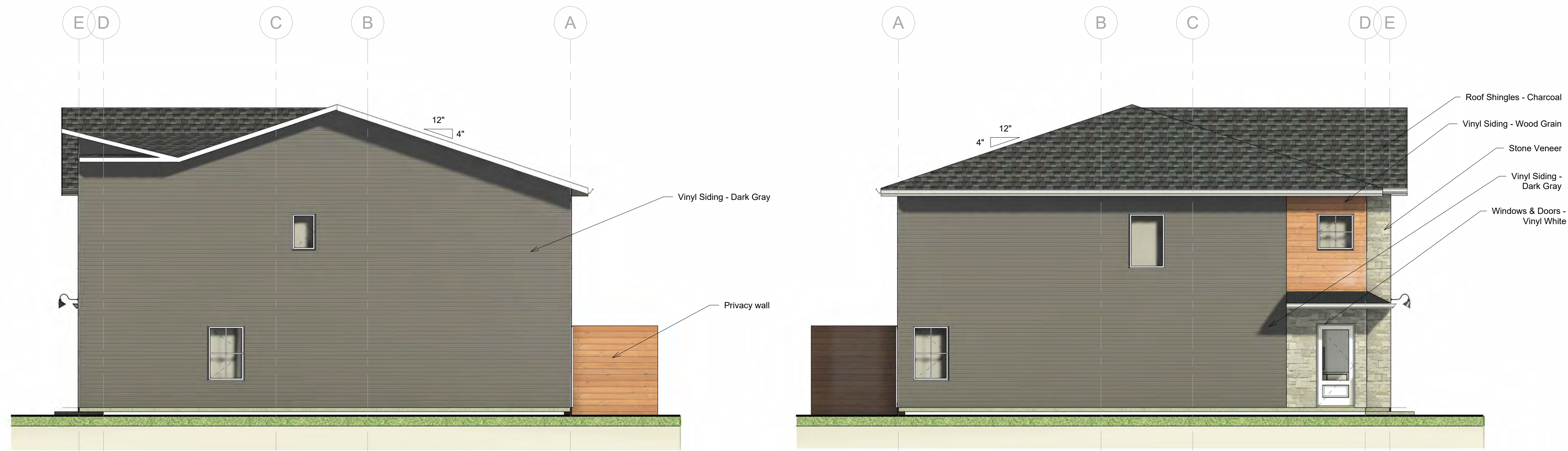
**Hillsborough
 Townhouses Resi.
 Building A**

PROJECT ADDRESS
 Hillsborough Road, Route 114 Riverview,
 NB

PROJECT TEAM



② Building A- Front Elevation1
 3/16" = 1'-0"



④ Building A- Right Side Elevation1
 3/16" = 1'-0"

③ Building A- Left Side Elevation
 3/16" = 1'-0"



① Building A- Back Elevation
 3/16" = 1'-0"

STAMP



ISSUE SET
 Schematic set - Issued for
 Review

DATE	2023-12-11 3:47:41 PM
JOB NO	22079CANB
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**Building A
 Elevations**

A200

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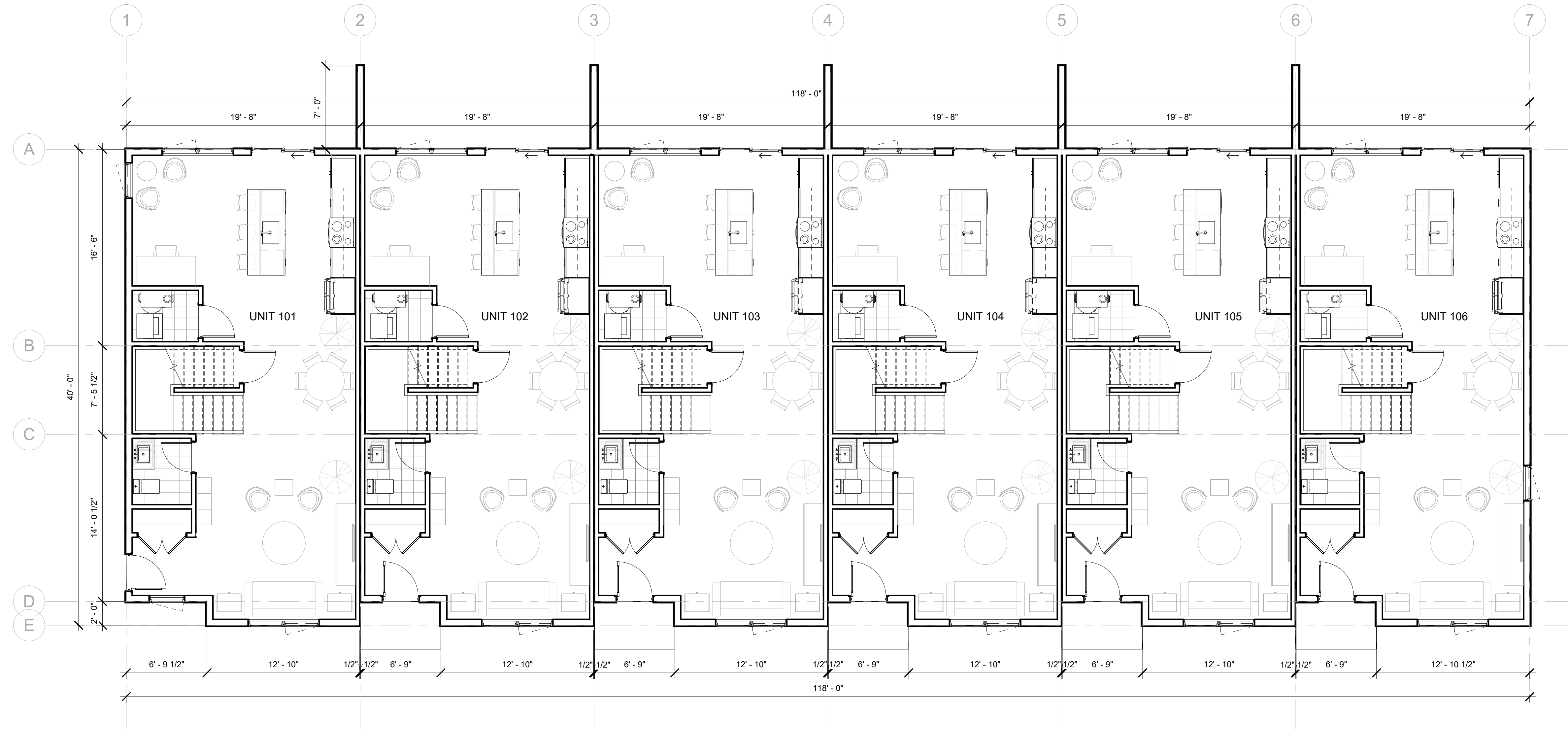


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**Hillsborough
 Townhouses Resi.
 Building A**

PROJECT ADDRESS
 Hillsborough Road, Route 114 Riverview,
 NB

PROJECT TEAM



① Building A- Main Floor
 3/16" = 1'-0"

STAMP



ISSUE SET
 Schematic set - Issued for
 Review

DATE	2023-12-11 3:47:17 PM
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Main Floor Plan

A101

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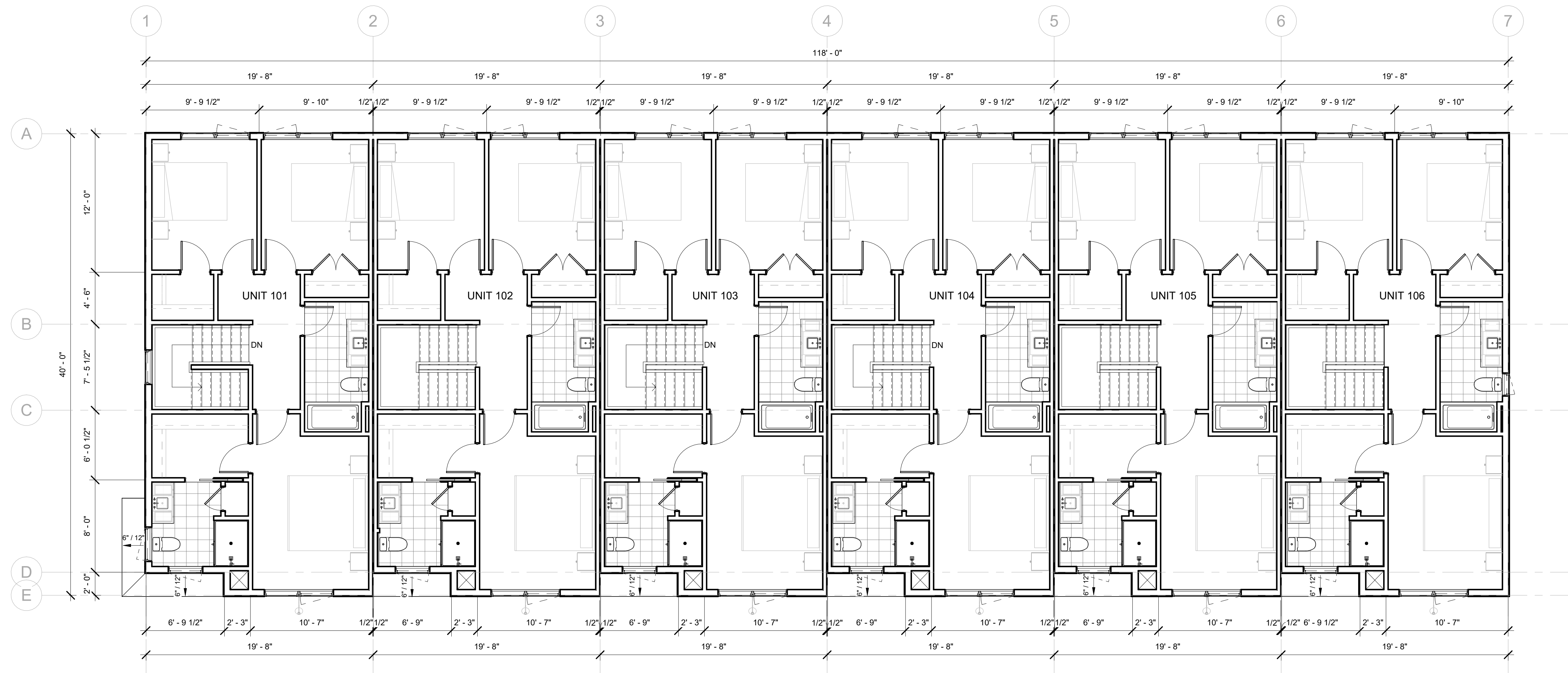


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**Hillsborough
 Townhouses Resi.
 Building A**

PROJECT ADDRESS
 Hillsborough Road, Route 114 Riverview,
 NB

PROJECT TEAM



① Building A- Second Floor
 3/16" = 1'-0"

STAMP



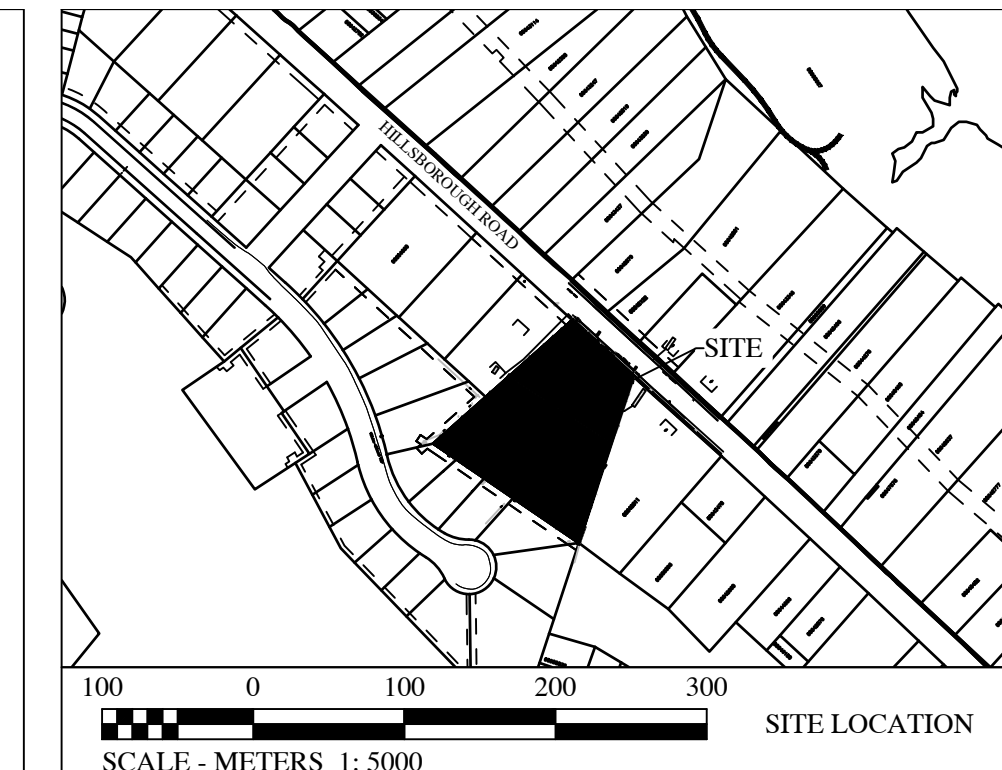
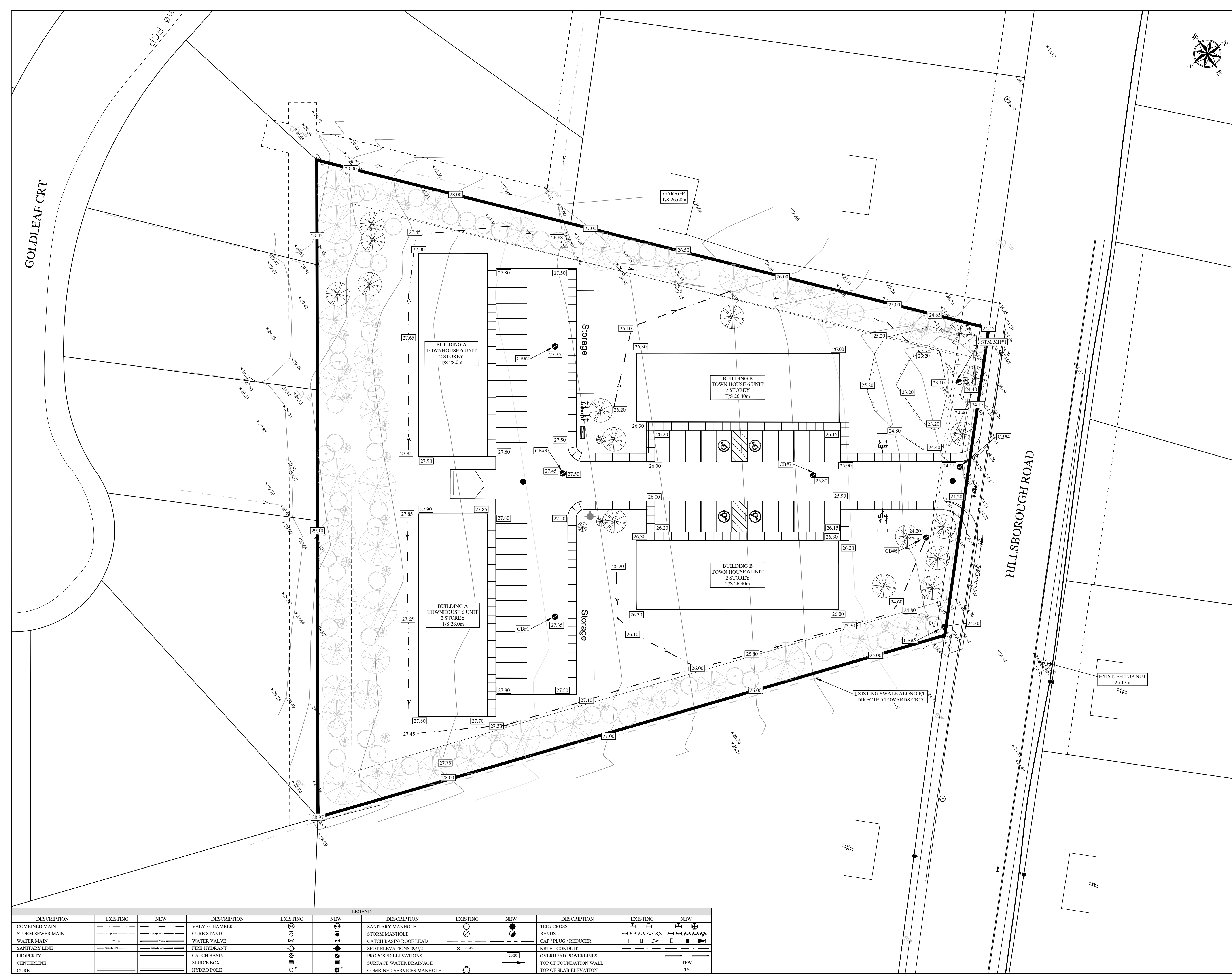
ISSUE SET
 Schematic set - Issued for
 Review

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JOB NO	22079CANB
DRAWN BY	J.G.Le
CHECKED BY	A.Cabraira
NO DESCRIPTION	BY Date

Second Floor Plan

A102

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SCALE - METERS 1:5000

NOTES:
 -All work to be contracted in accordance with the Town of Riverview standard municipal specifications latest edition.
 -Landscaping to Town of Riverview BYLAW 2005-5-20.
 -Elevations are in meters and are geo referenced to local coordinates system. Topo completed on 3 Oct. 2022. By Fisher Engineering Ltd Monument # 28155 Elev. = 47.166m
 -Proposed swales must be constructed and stabilized prior to inspection for provisional acceptance
 -Contractor is responsible to ensure that the work is carried out in accordance with NB Occupational Health and Safety Act.

PRELIMINARY NOT FOR CONSTRUCTION

No.	Issue	Date
1	FOR PAC APPLICATION	OCT. 2023
2		
3		



Project Title
**HILLSBOROUGH ROAD RESIDENCE
 HILLSBOROUGH ROAD, ROUTE 114
 RIVERVIEW N.B.**

Drawing Title
SITE DRAINAGE PLAN

Project No. DS454
 Dwg. No. DS45404 Rev. R0
 Scale: 6 0 6 12 18
 SCALE - METERS 1:300

Const. North

Drawn By: **ACB**
 Designed By: **MJF**
 DWG. Design Ckd. By: **MJF**
 Drawing: **C-2**

DESCRIPTION		EXISTING		NEW		DESCRIPTION		EXISTING		NEW	
COMBINED MAIN				SANITARY MANHOLE				TEE / CROSS			
STORM SEWER MAIN				STORM MANHOLE				BENDS			
WATER MAIN				CATCH BASIN/ ROOF LEAD				CAP / PLUG / REDUCER			
SANITARY LINE				SPOT ELEVATIONS 09/721				NBTEL CONDUIT			
PROPERTY CENTERLINE				PROPOSED ELEVATIONS				OVERHEAD POWERLINES			
CURB				SLUICE BOX				TOP OF FOUNDATION WALL			
				HYDRO POLE				TOP OF SLAB ELEVATION			



BY-LAW No. 300-7-12

**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 December 12, 2023, attached hereto as Schedule A-12.

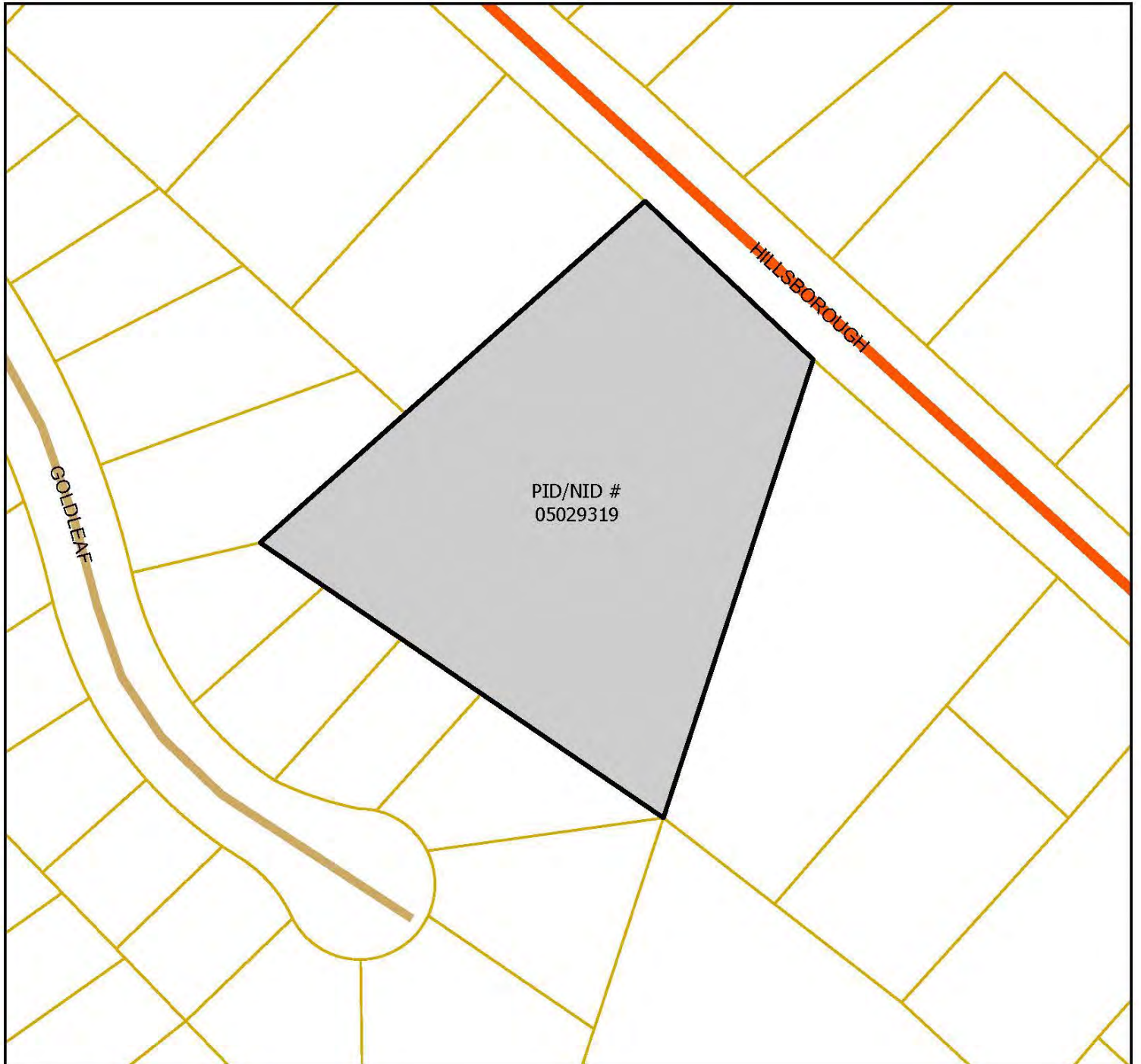
ENACTED this _____ day of _____, A.D. 2024.

MAYOR
Andrew Leblanc


TOWN CLERK
Annette Crummey

First Reading
Second Reading
Third Reading

Schedule A-12
Town of Riverview
ZONING MAP / CARTE DE ZONAGE
Date: 2023-12-12



Legend

 Rezone from R1 – Single Unit Dwelling to RM – Residential Mix

N



0 25 50 m

THIS AGREEMENT MADE THIS _____ DAY OF _____, 2024

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-

Pinecrest Developments Inc., 105 Crowbush Crescent, Moncton, NB E1G 0H1

hereinafter called the “Proponent” Of the Second Part

WHEREAS the Proponent has applied to rezone the property located on Hillsborough Road, identified as PIDs 05029319 as shown on Schedule A-12, from R1 – Single Unit Dwelling to RM – Residential Mix to accommodate four rowhouse dwellings;

AND WHEREAS the Planning Advisory Committee has recommended that the Town rezone the lands from R1 to RM in accordance with, and 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 Proponent’s Covenants

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

- a) That the development shall be in general conformity with the site plan and building elevations attached as Schedules A-12-1 and A-12-2;
- b) That notwithstanding section 90(d) of the Zoning By-law, traditional materials shall not be required on the ground floor façade facing Hillsborough Road;
- c) That landscaping shall be provided as shown on the site plan attached as Schedule A-12-1 with a minimum buffer width of 6m where the property abuts adjacent R1 properties;
- d) That prior to any tree removal on the lot, a surveyor be engaged to delineate and mark the buffer zones referred to in condition (b)
- e) That prior to the issuance of a building and/or development permit, a 5m wide local government service easement be registered on the lot to accommodate the extension of the public sewer system;
- f) That nothing shall prohibit the proponent from applying for a variance under section 55 of the *Community Planning Act* for zoning provisions that are not addressed within the scope of this agreement; and
- g) That as-built drawings for engineering submissions shall be required within 30 days after construction.

2. The Town’s Covenants

The Town covenants with the Proponent 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-12 subject to the terms herein contained and for the purposes stated herein.

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:

Proponent	Town
<p style="text-align: center;">SIMON IKUSERU PINECREST DEVELOPMENTS INC. 105 CROWBUSH CRES. MONCTON, NB E1G 0H1</p>	<p style="text-align: center;">TOWN OF RIVERVIEW ATTN: TOWN CLERK 30 HONOUR HOUSE COURT RIVERVIEW, NB E1B 3Y9</p>

4. The Proponent 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 Proponent 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 Proponent 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

PROPONENT

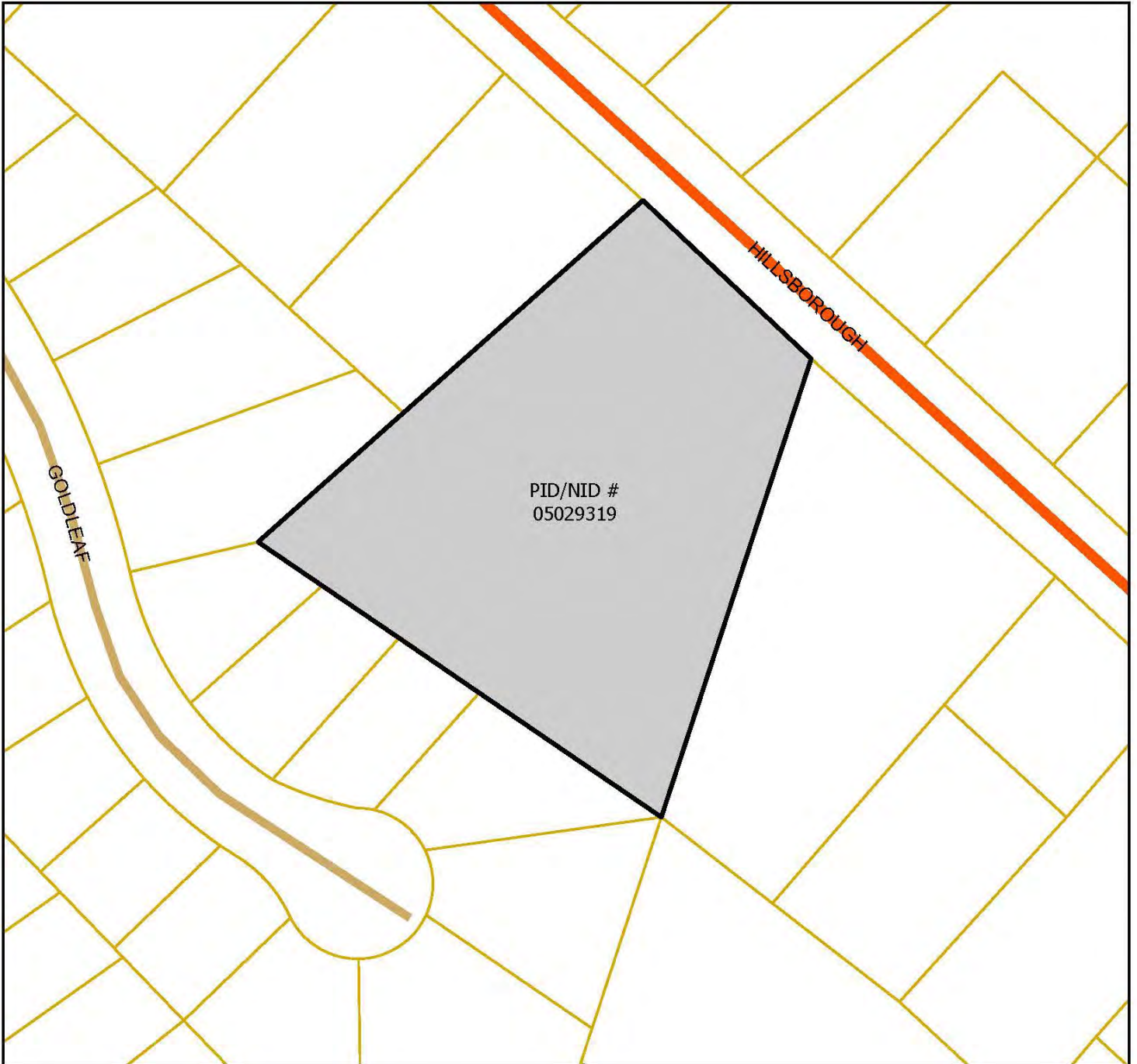
SIMON IKUSERU
PINECREST DEVELOPMENTS

Schedule A-12


Town of Riverview

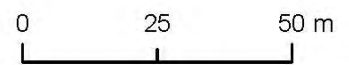
ZONING MAP / CARTE DE ZONAGE

Date: 2023-12-12



Legend

 Rezone from R1 – Single Unit Dwelling to RM – Residential Mix



SCHEDULE A-12-1

Format 36"x24"



1 Site Plan
1" = 30' 0"

PROJECT INFORMATION

Description	Existing Zoning R1 - Riverview, NB	Proposed Zoning RM
Uses	Townhouses	Townhouses
Lot Size	180 m ² for each house x 24 = 4,320 m ²	2,43 Acres = 4,9894 m ²
Front Yard	1.50 m for each house	5.49 m
Side Yard	4.57 m	19.20 m
Rear Yard	3.0 m	10.76m and 9.67m
Lot Coverage	50% (4,920.79 m ²)	17,898 m ² (1,754 m ²)
Building Height	10m	10 m
Parking	1 for each unit (24)	44
Parking Lot	35% (3,446.75 m ²)	18,71% (1,844 m ²)
Parking Space	2.75 m x 5.50 m (90 degrees)	2.75 m x 5.50 m (90 degrees)

Other requirements - Townhouses

Town of Riverview - Zoning By-Law

90 When permitted, townhouse dwellings or rowhouse dwellings shall:

- be set back from the front lot line by a minimum of 1.50 m;
- be set back from the side lot line by a minimum of 1.50 m;
- be set back from the rear lot line by a minimum of 1.50 m;
- be set back from the rear lot line by a minimum of 1.50 m, unless a common off street parking lot is provided;
- be set back from the rear lot line by a minimum of 1.50 m, unless a common off street parking lot is provided;

(c) where located on a collector or arterial street, as set out in the Town's Subdivision Development - Procedures, Standards and Guidelines document, be designed with a common off street parking lot including a two metre wide landscape buffers between the parking lot and property line and have no more than two (2) traditional materials that includes at least ten percent brick or masonry material and (e) be designed so that each dwelling has logs or recesses of not less than 0.6 metres along the facade of the building.



CABEREA DESIGN CO.
 (506) 800-6288
 795 Mar. Street
 Moncton NB E1C 1E9
 WWW.CABEREA.CO

Hillsborough Residential Townhouse

PROJECT ADDRESS:
 Hillsborough Road, Route 114
 Riverview NB

PROJECT TEAM:

STAMP



ISSUE SET
 Masterplan - Issued for Review

DATE: 2023.12.11 11:11:48 AM
 JOB NO: Z2023CANB
 DRAWN BY: A. DORRICO
 CHECKED BY: A. DORRICO
 NO DESCRIPTION BY: JCRC

Site Plan

A100

AGENCIJA ZA VEŠTAČENJE I PROJEKTOVANJE
 A100 - Planiranje i projektovanje
 Projekat: Planiranje i projektovanje
 Opšti podaci: Projektovanje, opšti podaci, i
 adresa: ul. Bulevar Crnogorci 2, Zadar, Hrvatska

SCHEDULE A-12-2

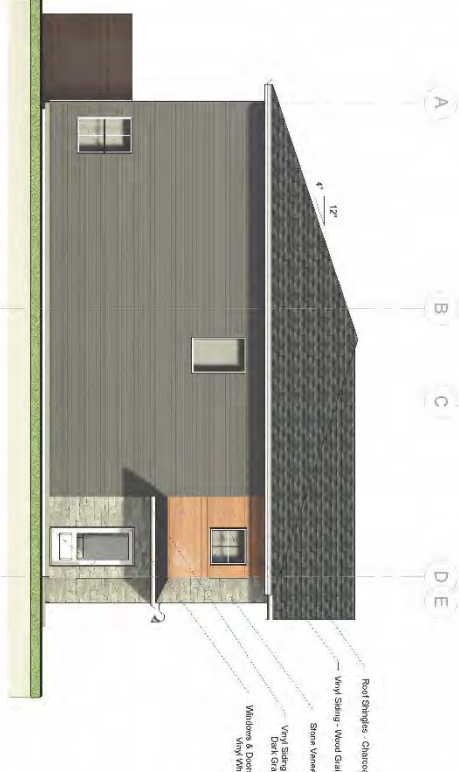
Format 36"x24"



2. Building A, Front Elevation
3/16" = 1'-0"



4. Building A, Right Side Elevation
3/16" = 1'-0"



3. Building A, Left Side Elevation
3/16" = 1'-0"



1. Building A, Back Elevation
3/16" = 1'-0"



CARRERA DESIGN CO.
13001 800th Ave. S.E.
795 4th Street
Morrisville, NC 27554
www.carreradesign.com

**Hillsborough
Townhouses Resi.
Building A**

PROJECT ADDRESS:
Hillsborough Road, Route 114, Riverview,
NC

PROJECT TEAM

STAMP



ISSUED FOR REVIEW
SCHEMATIC SET - Issued for Review

DATE: 2023-12-11 3:47:31 PM
JOB NO: Z2079C.A1NB
DRAWN BY: A. Corretto
CHECKED BY: A. Corretto
NO. DESCRIP. / DI: BY DATE

**Building A
Elevations**

A200

ARCHITECTURAL
All work is to be done in accordance with the provisions of the Building Code of the State of North Carolina, and the rules and regulations of the Board of Building and Fire Underwriting, and the rules and regulations of the Board of Building and Fire Underwriting, and the rules and regulations of the Board of Building and Fire Underwriting.