

# RIVERVIEW PLANNING ADVISORY COMMITTEE

## STAFF REPORT

**Subject :** Variance Request for an Increase to the Maximum Height from 15m to 15.55m

**File number:** 25-0039

**Meeting Date:** Wednesday, February 12, 2025

**From :**



Jenna Stewart  
Planner

**Reviewed by :**



Lori Bickford  
Planning Manager/Planner

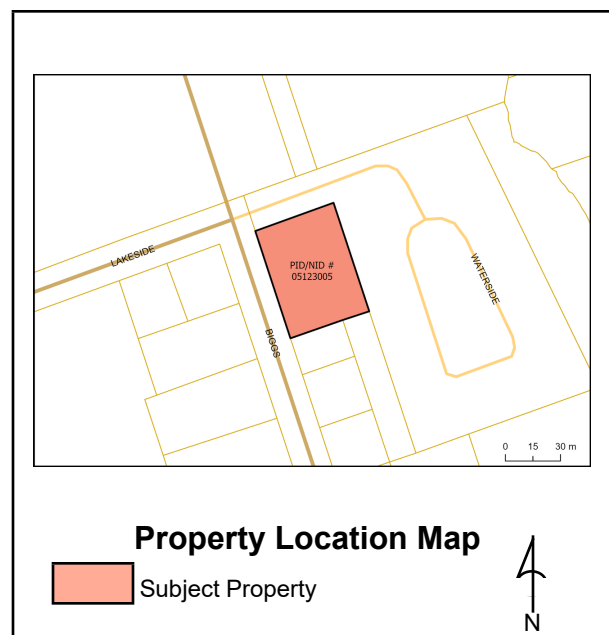
### GENERAL INFORMATION

**Applicant/:** Joe Greer AGCM

**Landowner :** Diallo Developments Ltd

**Proposal:**

A variance request to increase the maximum height from 15m to 15.55m for a multiple unit dwelling in the SC zone.



### SITE INFORMATION

**Location:** Biggs Drive, Town of Riverview

**PID:** 05123005

**Lot Size:** 2801 sqm

**Current Use:** Vacant

**Zoning:** SC

**Future Land**

**Use:** Commercial

**Surrounding**

**Use & Zoning:** R3 and SC

Condominium, Commercial Uses, Multiple Unit Dwellings (4 units and up)

**Municipal**

**Servicing:** Municipal water, sewer, and stormwater

**Access/Egress:** Biggs Drive

**Municipal Plan Policies**

### 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;
- (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 multi-unit 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.

## **Zoning Bylaw and or Subdivision By-law Regulation**

### **Definitions**

“**height**” means the vertical distance of a building between the established grade and the highest point of the roof surface for flat roofs, or to the deck line in the case of gambrel or mansard roof, or to the underside of the eaves of the main part of the building in the case of a gable roof.

“**established grade**” means the average elevation of the finished surface of the ground where it meets the exterior of a building, or the average elevation of the finished grade of the ground immediately surrounding a structure other than a building.

Subject to **Table 12.1 Commercial Zones Use** and **Table 12.3 – Commercial Zone Requirements**, a multiple unit dwelling is permitted as a conditional use in the Suburban Commercial (SC) Zone. The SC zone allows a maximum height of 15 metres.

### **Multiple Unit Dwellings**

**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;
- (b) any part of a building located between 12 and 15 metres of an abutting R1 Zone, R1-C Zone or R2 Zone 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 four stories with a maximum height of 15 metres.

### **Internal Consultation & External Consultation**

The application 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.

### **Discussion**

Biggs Drive is a mixed-use street with both residential and commercial. The street has a condominium corporation, multiple unit residential buildings, the Byron Dobson Memorial Arena, and commercial properties. It is close to Coverdale Road and is a good location for infill density due to its proximity to a recreation facility, commercial properties, and transit. The property involved in this application is located near the bottom of the hill that is Biggs Drive and is on an incline. It is zoned SC with the surrounding properties either zoned as SC, R3, or PRI.

The project is a 4 story, 40 unit, multiple dwelling unit with an underground parking garage. There were previous applications for this project that were approved by the Committee. At the March 12, 2024 Riverview Planning Advisory Committee meeting, the Committee approved the conditional use application for a four storey, 40 unit multiple unit dwelling on the conditions of:

- 1) That as-built drawings for engineering submissions shall be required within 30 days after construction; and
- 2) That the proposed development shall be in substantial conformity with the site plans, elevation drawings, and rendering provided;
- 3) That prior to the issuance of a building/development permit, the subject properties be consolidated to a single property.

Two other variances for this project were approved at the same meeting. One variance was to reduce the landscaping standards to the south of the property on the site plan dated January 13, 2024 with the condition that a 2 meter fence be placed along the south property line. The second variance was to permit more than one driveway on the property.

These properties have since be consolidated as per the condition and have become PID 05123005. The conditions attached to the previous conditional use and variance applications that were approved by the Committee are still applicable to the project.

The applicant is requesting an additional variance for the project related to the height of the building. They are requesting a 55cm (0.55m) increase in the permitted height.

The applicant has outlined that the extra height of 55cm (550mm) is due to the result of depth of floor joists now that the structure is designed. Each floor is proposed to have 9 foot ceilings which allows the HVAC, sprinkler, and plumbing to fit better, as well as, provide a more desirable suite for tenants. Additionally, the fact that the building is to be constructed on a hill forces the parking garage to be partially exposed impacting the height calculation as the height is calculated based on the average elevation.

Staff believe that as this height variance is reasonable and desirable for the property as it is anticipated to have a minimal impact on surrounding properties as it is minor in nature, at approximately 3.66% above the maximum height. Additionally, from a pedestrian's viewpoint and streetscape perspective, the difference in height is unlikely to be noticeable or create a significantly different impact when compared with a 15m tall building.

Based on the outlined information, staff believe that the request passed the variance test as it is reasonable, desirable for the property, and within the intent of the Municipal Plan and Zoning By-law,

## **Public Notice**

Notices were sent to property owners within 60m of the subject property on January 29, 2025.

## **Legal Authority**

### **Community Planning Act (2017):**

#### **Variances**

55(1) Subject to the terms and conditions in considers fit, the advisory committee or regional service commission may permit

b) a reasonable variance from the requirements referred to in paragraph 53(2)(a) of a zoning by-law if it is of the opinion that the variance is desirable for the development of a parcel of land or a building or structure and is in keeping with the general intent of the by-law and any plan under this Act affecting the development.

Section 53(2)(a) (iii) of the Act states *“the height, number of storeys, ground area, floor area and bulk of buildings and structures”*

## **Recommendation**

Staff respectfully recommends that the Planning Advisory Committee APPROVE the variance request to increase the maximum height from 15m to 15.55m for a multiple unit dwelling in the SC zone on the property bearing PID 05123005 as it is reasonable; within the intent of the Municipal Plan; and the impact is anticipated to be minimal in nature on the surrounding area when compared to the permitted height of 15m.



Biggs Drive (PID/NID 05123005)

Town of Riverview

Date: 1/23/2025



LAKESIDE

PID/NID #  
05123005

BIGGS

WATERSIDE

0 5 10 20 m  
TARA





**BIGGS DRIVE APARTMENTS**  
47 BIGGS DRIVE OVERVIEW, NB

REVISIONS	DATE	#
DESCRIPTION	2024.10.10	0
ISSUED FOR PERMIT	2024.10.10	0
ISSUED FOR HEIGHT REVIEW	2025.01.09	1

**ELEVATIONS**

**A2.0**

PROJECT #	KUB-2137
DATE	2024.10.10
DRAWN BY	S.THERIAULT



① ELEVATION - WEST (BIGGS DRIVE) SCALE: 1/8"=1'-0"



② ELEVATION - SOUTH (PARKING) SCALE: 1/8"=1'-0"



③ ELEVATION - EAST SCALE: 1/8"=1'-0"



④ ELEVATION - NORTH (WATERSIDE TERRACES) SCALE: 1/8"=1'-0"

05123005 X Q  
05123005

**Legend; Légende**

- Manufactured Dwelling (MD); Zone d'habitation en préfabriquées (MD)
- Multiple Unit Dwelling (R3); Zone d'habitation Multifamiliales (R3)
- Neighborhood Commercial (NC); Zone commerciale de quartier (NC)
- Open Space & Conservation (OS); Zone d'espaces verts et de conservation (OS)
- Parks, Recreation, Institutional (PRI); Parcs, Loisirs, Zone institutionnelle (PRI)
- Residential Business Service (RBS); Zone d'affaire (RBS)
- Residential Mix (RM); Zone résidentielle mixte (RM)
- Rural Zone (RA); zone rurale (RA)
- Single Unit Dwelling (R1); Zone d'habitation unifamiliales (R1)
- Single Unit Dwelling (Compact) (R1-C); Zone d'habitation unifamiliales (compact) (R1-C)
- Suburban Commercial (SC); Zone commerciale suburbaine (SC)
- Two Unit Dwelling (R2); Zone d'habitation bifamiliales

**Property Parcel Information**

PID / NID	05123005
Last Update / Date de mise à jour	2025-01-10
Property Map / Cartes cadastrales	NB0103
Titles Status / Statut de titres foncier	Land Titles
Gazette Status / Statut dans la Gazette	No Records Returned
County / Nom du comté	Albert
Area / Superficie	2,801.40 m <sup>2</sup>

[Zoom to](#)