



SPECIAL COUNCIL MEETING AGENDA

Monday, October 22, 2018

Immediately Following Committee of the Whole Meeting

30 Honour House Court - Council Chambers

Pages

- 1. CALL TO ORDER**
- 2. ADOPTION OF THE AGENDA**
- 3. DECLARATION OF CONFLICTS OF INTEREST**
- 4. Andrew C. Smith, MCIP, RPP - Urban Planner, Urban Planning - Council Report** **1**
- 5. By-Law 300-33, Municipal Plan By-Law** **194**
Second Reading, by section only, & Third Reading, by title only
- 6. By-Law 300-7, Zoning By-Law** **286**
Second Reading, by section only, & Third Reading, by title only
- 7. By-Law 700-60, Portable Sign By-Law** **368**
Second Reading, as amended, by section only, and Third Reading, by title only, as amended.
- 8. ADJOURNMENT**

COUNCIL REPORT FORM



To	Mayor and Council & Colin Smith, Chief Administrative Officer Town of Riverview	Item	
From	Andrew C. Smith, MCIP, RPP Urban Planner	Meeting Date	October 22, 2018
Date	October 16, 2018		
Subject	Re-adoption of Municipal (Development) Plan and Zoning By-law; Addition of Signage Policies and Regulations, and 5- Year Capital Plan; and New Portable Sign By-law		
Length of presentation (if applicable)	15 minutes		

ISSUE

The Town's signage provisions have not been comprehensively reviewed since the enactment of the Municipal Development Plan and Zoning By-laws in 2013. At this time, the development of certain regulatory sections was put on hold due to issues with the business community. Select sign types, such as electronic message signs and portable signs, are not currently addressed in the existing signage provisions and thus remain prohibited throughout the Town. In order to modernize the Town's signage provisions and to accommodate and regulate these increasingly popular sign types, staff is proposing to comprehensively update the Municipal Development Plan and Zoning By-law; and to introduce a New Portable Sign By-law. These provisions reflect best practice in land-use planning and help ensure the protection of community safety and aesthetics.

Further, due to the enactment of the new *Community Planning Act*, S.N.B. 2017, c. 19 on January 1, 2018 and upon amending the Municipal Development Plan By-law and Zoning By-law, these by-laws must now be re-adopted pursuant to sections 142 and 144 of the *Act*, respectively. Since staff was asked to conduct comprehensive signage amendments, this was viewed as an opportunity to bring both by-laws into conformity with the new legislation.

Re-adoption of the Plan also allows updating of 'Schedule C: 5-Year Capital Budget'; this will cover the period 2018 to 2022. The capital budget currently covers the period 2013 to 2017. In accordance with subsection 24(6) of the *Community Planning Act*, Council shall annually revise the budget and make it applicable to the next five years; and provide a copy of the budget to the Minister. Re-adoption of the Plan, with an update to Schedule C, will also fulfill this legislative requirement.

BACKGROUND

Update since the Public Presentation (September 10, 2018)

The Public Hearing is a legislative requirement for adopting a new Municipal Plan By-law or Zoning By-law, pursuant to subsections 111(5)(b) and 111(6) of the *Community Planning Act*. The Public Hearing is the forum for hearing and considering formal objections received by the Town Clerk on behalf of Council before the hearing; and for accepting and considering additional written and verbal objections at the hearing.

Pursuant to subsections 4(b) and (c) of the *Community Planning Act*, the proposal was presented to the Planning Advisory Committee at its regular meeting held on September 12, 2018. The Committee resolved by recommending Council to adopt the proposed by-laws as-is.

The proposal was presented at a regular meeting of Council on September 10, 2018 (Municipal Plan Public Presentation, legislative requirement pursuant to subsection 25(1)(b) of the *Community Planning Act*). There were concerns raised with the current arrangement of the newly proposed Portable Sign By-law No. 700-60, which was also presented in tandem with the proposed re-adoption of the Municipal Plan and Zoning By-law.

Specifically, councillors objected to subsections 7(4) and (5) and section 9 of the proposed Portable Sign By-law No. 700-60, whereby a maximum of one sign per lot is permitted over a cumulative 90 days (i.e. a maximum of three 30-day licensing permits per year, per lot). Discussion ensued and Council resolved to add a 12-month licensing permit option to facilitate the year-round placement of portable signs in the Town. Council also gave first reading by title at this meeting for all three proposed by-laws.

In order to promote equal opportunity for businesses within the region, Council expressed an interest in adopting a similar licensing framework for portable signs as compared with the City of Moncton's Portable Sign By-law # L-402. Staff presented an alternative licensing framework via the PowerPoint presentation; no resolutions were made at this meeting to adopt this alternative framework.

At a public meeting held on October 9, 2018, Council later rescinded their initial motion to add a 12-month permit option and instead adopt the alternative that staff presented at the September 10, 2018 meeting. The following motions were passed at the October 9, 2018 public meeting:

1. That Town Council rescind the motion relating to the addition of a 12 month option for portable signs, adopted at the September 10, 2018 Regular Meeting of Council.
2. That Town Council amend the proposed By-Law 700-60 Regulating the Erection and Use of Portable Signs in the Town of Riverview as follows:
 - A. Replace subsection 6(f) with: "an application fee in the amount of \$100.00 or \$25.00 for a special permit"
 - B. Replace subsection 7(4) with "A permit issued hereunder expires on March 31st of the year following the year it was issued, except for a special permit which expires 30 days from the date of issuance.
 - C. Replace subsection 7(5) with "Despite any other provision of this by-law, the Town of Riverview shall not issue more than two special permits per calendar year for any one lot.
3. That Town Council amend proposed By-law 700-60 Regulating the Erection and Use of Portable Signs in the Town of Riverview by replacing Section 9 with the following:

9.(1) The total number of portable signs permitted on a lot shall be in accordance with the following table:

Street Frontage	0 – 75m	>75m – 150m	>150m – 225m	>225m
Signs Permitted	1	2	3	4

9.(2) Despite subsection (1), only one portable sign per business is permitted on a lot.

Councillors also raised the issue of restricting signage along the Riverfront Park area. Urban Planning staff has since met with Town staff on the issue. A draft 'By-law Relating to the Installation of Signs on Lands within, Owned, and Administered by the Town of Riverview' is currently being reviewed internally by Town staff and will be brought forward to Council at a later date.

Background from the Public Presentation Meeting (September 10, 2018)

The proposal was introduced to Council at its regular meeting on August 13, 2018. Urban Planning staff fielded questions at this meeting and Council resolved to start the legislative process, including requesting the views of the Planning Advisory Committee (PAC) (subsection 110(1)(a) of the *Community Planning Act*) and setting a Public Presentation for September 10 (subsection 25(1)(b) of the *Act*). Staff was asked to follow up on various outstanding inquiries of Council; the responses to these inquiries are summarized in the previous Council Report Form for the September 10, 2018 Public Presentation Meeting.

Background from Introduction to Council Meeting, August 13, 2018

In 2015, Town staff requested Urban Planning to conduct a comprehensive review of the Town's signage provisions. Urban Planning staff subsequently conducted extensive research, including a jurisdictional scan of Canadian municipalities. Urban Planning staff presented to the Town's Planning Advisory Committee (PAC) at an information session on March 11, 2015.

Staff then conducted a community-wide survey to garner public feedback on regulating signage. The on-line survey included 11 guided response questions. The Town received 199 responses, which is a considerable sample size for the population of the Town. The survey results and analysis were finalized on November 22, 2017. Council was briefed on the survey on November 27, 2017. Additional direction was given to staff to prepare draft by-laws and to further consult the business community.

In June, 2018, a draft Portable Sign By-law and draft amending Municipal Development Plan and Zoning By-laws were prepared for initial review by Town staff. Staff prepared and held two public briefing sessions.

The first session was arranged for the business community and was held at 6:30 p.m. on July 16, 2018. Notification was given to individuals and groups directly through the Town's business email list; and via the Town's main website page and social media channels. Draft versions of the by-laws were posted on the website. The session originally included a formal presentation to business stakeholders, but was cancelled due to low attendance. The session thus functioned as an informal drop-in session for members of the business community. Three local business owners attended the session. Two business owners had general inquiries about sections of the proposed by-laws (e.g. provisions for freestanding and electronic message signs); no substantive concerns were raised. The third business owner, representing a sign company currently operating within the Town, expressed specific concerns on limiting the number and duration of portable signs. The owner felt that the provisions, as currently drafted, are too restrictive and should not limit the year-round placement of portable signs within the Town. Suggestions included allowing multiple signs per one lot based on a total frontage; and allowing a year-round license for portable signs, as opposed to a maximum of 90 days in a year over three 30-day licenses. In general, the owner felt that portable signs need not be an eyesore and can add aesthetic value to the community, if the form and quality of the signage is of a high standard.

The second session was arranged for the general public and was held at 6:30 p.m. on July 17, 2018. Except for direct emails, this session was advertised in the same manner as the first session. The session was intended to function as an informal, drop-in open-house; however, no members of the public attended.

The feedback sheet was also posted on-line between July 11 and 20, 2018. Four responses were received. One response was submitted by the above-noted owner of the sign company and the same concerns were voiced. Other responses communicated an overall dismay with regulating signage in the Town, feeling the regulatory framework was too onerous and costly for small business owners. Another business owner cited concerns with existing portable signs currently in use and felt that these should be grandfathered moving forward (i.e. exempt from regulation, license and permitting).

MUNICIPAL PLAN

As noted above in the 'Issue' section, staff is recommending a re-adoption of the Municipal (Development) Plan (the Plan will be termed a 'Municipal Plan' under the new legislation), integrating the key changes from the signage review and update to 'Schedule C: 5-Year Capital Budget.'

The proposed section on signage ('12.1 Signage Policies') is an extension of 'Chapter 12: Urban Design.' The section contains policies and proposals specific to signage in the Town. This section gives direction to staff, Council, and the PAC in considering planning applications (e.g. conditional use, dimensional variance, rezoning, or Municipal Plan amendment).

Policy 12.1.3 is specific to electronic message signs, which are currently set up to be considered as a conditional use in specific zones or within 30m of any residential zone. Policy 12.1.5 and sub-proposal 12.1.6 indicate that billboards are prohibited as-right throughout the Town and shall only be considered for approval by Council through a conditional zoning agreement.

ZONING BY-LAW AND PORTABLE SIGN BY-LAW

The proposed changes to the Zoning By-law include a replacement of 'Part 10 – Signs.' The signage provisions are modernized to reflect best practice in land use planning, thus helping to protect community safety and aesthetics. The amendment includes numerous changes from the

current provisions including the addition of new definitions and changes to provisions for freestanding, projecting, wall, and billboard signs.

Substantive changes include the addition of provisions for directory, canopy, portable, sandwich, and electronic message signs. (See attached 'Guide to Town of Riverview Proposed By-law Signage Provisions' for a summary of proposed changes.)

Proposed regulations for electronic message signs are based on recommended standards from the Transportation Association of Canada's guideline. In order to help protect road traffic safety, these signs should be limited by their brightness, message transition, time of operation, and location with respect to illuminated traffic control devices and crosswalks. Where permitted, these signs should be viewable to passing bystanders, but should not cause abrupt distraction jeopardizing traffic safety.

Further, and due to their light emission, electronic message signs can be nuisance land uses when installed in close proximity to residential uses and other non-commercial uses. The proposed regulations prohibit this sign type in residential zones; and outline an electronic message sign as a conditional use when proposed in the 'Residential Business Service (RBS)', 'Neighbourhood Commercial (NC)', 'Parks, Recreation, and Institutional (PRI)', 'Open Space (OS)', and 'Integrated Developments (ID)' zones, or within 30m of a residential zone. A proposed electronic message sign in any of these areas will be subject to review by the Planning Advisory Committee (PAC) and may be subject to additional terms and conditions where applicable (e.g. additional screening, buffer, time of use requirements).

The proposed amending by-law also includes provisions for portable signs, which are an increasingly popular sign type in the Town. The Zoning By-law does not currently address portable signs; therefore they currently remain prohibited throughout the Town. The proposed amendment allows portable signs in commercial, industrial, and community use zones pursuant to the new Portable Sign By-law.

A licensing by-law allows for the temporary placement of portable signs. The new, proposed Portable Sign By-law strives to facilitate portable signs as transient structures, occasionally used for advertising temporary events, promotions, or sales. The intent of the new by-law is to facilitate the development of fewer and larger permanent signs such as freestanding and wall signs. The proposed by-law indicates that no more than one portable sign can be installed on a lot at one time. As proposed, a portable sign licensing permit costs \$25 and is valid for a 30-day period. A maximum of three permits can be issued on a lot in a year (i.e. a total of 90 days over three licensing permits in a year). Violation of the by-law may result in enforcement and penalty, which may include a ticketable offence between \$100 and \$500.

INTERDEPARTMENTAL REVIEW

The Zoning By-law and Portable Sign By-law share core elements with the City of Moncton Zoning By-law and Portable Sign By-law (e.g. section on electronic message signs based on the Transportation Association of Canada's guideline). These sections were reviewed and vetted internally by staff for traffic safety concerns. The draft by-laws were also reviewed by the Town's Economic Development Department.

The Town's Department of Engineering was referred to on the update to 'Schedule B: Future Roads Map' of the Municipal Plan.

The provincial Department of Environment and Land Planning was consulted regarding the re-adoption requirement.

CONCLUSION

If adopted by Council, the proposed new Portable Sign By-law and re-adoption of the Municipal (Development) Plan and Zoning By-laws, with recommended additions and changes, would modernize signage provisions within the Town. The proposal accommodates increasingly popular sign types, including electronic message and portable signs. The proposed signage provisions are in line with best practice in land use planning (e.g. requirements for electronic message signs based on the Transportation Association of Canada's guideline). Despite additional provisions compared with the status quo, the by-laws would be more permissive overall.

RECOMMENDATION

The Planning Advisory Committee recommends that Riverview Town Council give 2nd and 3rd readings by title to the Municipal Plan By-law No. 300-33 (as attached), Zoning By-law No. 300-7 (as attached), and Portable Sign By-law No. 700-60.

Staff recommends, pursuant to the resolution of Council made at the public meeting held on October 9, 2018, that Council give 2nd and 3rd readings by title to the amended Portable Sign By-law No. 700-60 (as attached).

ALTERNATIVES

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

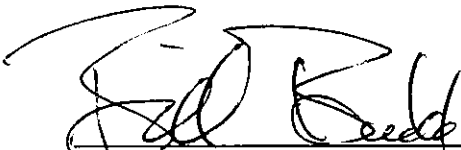
RISK ANALYSIS

Administration does not see any risks associated with this application.

CONSIDERATIONS / ENJEUX

Financial	N/A
Environmental	N/A
Public Consultation	<p>As noted in the Background section, extensive community consultation was conducted for the proposed signage provisions prior to the start of the legislative process.</p> <p>Additional consultation included statutory notices in accordance with the <i>Community Planning Act</i> and <i>Local Governance Act</i>; and a statutory Public Presentation for the re-adoption of the Municipal (Development) Plan and a Public Hearing for the re-adoption of the Municipal (Development) Plan and Zoning By-laws.</p>
Attachments	<ul style="list-style-type: none">• Guide to Town of Riverview Proposed By-law Signage Provisions• New Portable Sign By-law No. 700-60 (Amended October 9, 2018)• New Municipal Plan By-law No. 300-33 (Re-adoption of Municipal Development Plan By-law No. 300-32)• New Zoning By-law No. 300-7 (Re-adoption of Zoning By-law No. 300-6)• Addition of Signage Section in Municipal Plan By-law No. 300-33• Changes to Signage Provisions in Zoning By-law No. 300-7


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Town of Riverview

Municipal Plan

By-law No. 300-33



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CHAPTER 1: INTRODUCTION

1.0 Introduction

This plan is prepared under the provisions of Section 21 of the *Community Planning Act*, S.N.B 2017, c. 19, Province of New Brunswick. This document constitutes the Municipal Plan for the Town of Riverview. It replaces the Municipal Development Plan adopted by Town Council on September 9, 2013, being By-law No. 300-32.

The re-adoption of By-law No. 300-32, establishing this By-law No. 300-33 in 2018, does not constitute the 10-year review from the previous date of adoption above (September 9, 2013). In other words, despite the adoption of this By-law, this Plan should still be comprehensively reviewed in 2023 pursuant to section 32 of the *Community Planning Act*. This Municipal Plan also contains all amendments to the previous Municipal Development Plan By-law No. 300-32. The primary purpose of re-adoption is to bring the Town's Municipal Plan into conformance with section 142 of the *Community Planning Act*.

The objective of this Plan is to establish policies and proposals which will guide and encourage the orderly economic, physical, social and environmental development of the Town of Riverview. This Plan is prepared to guide all future use of land within the Town. The Plan has a 20-year implementation horizon and is in effect for a maximum of ten years prior to a full review. It is written to be flexible and provide procedures for adapting to changing circumstances over time. Nevertheless, periodic amendments to this document may be required over time and Council shall confer with the Committee regarding any proposed amendments.

The review and update of the Town of Riverview Municipal Plan required updating background information including the examination of land use issues to ensure that the objectives and policies of the Municipal Plan remain current. To assist with this process, the Town of Riverview established a Plan Review Committee made up of representatives of the general public, Council, town administrative staff, and members of the former Greater Moncton Planning District Commission. The work involved with the review of the Municipal Plan consisted of four main components: background studies and analysis; consultation process; preparation of Municipal Plan By-law; and the formal by-law adoption process.

Several important planning issues are identified in this Plan which may require more detailed studies. The Plan therefore provides a basis to undertake planning initiatives during its period of implementation and provides for continuity and consistency where a wide range of activities are occurring.

How to Read and Use this Plan

This Municipal Plan is a long-range, forward-thinking Plan, which describes Riverview's planning vision. Based on more detailed planning goals and objectives, this Plan outlines Riverview's planning policies and proposals. It is also important to note that while various

sections of the Plan contain preamble statements or contain statements on intended vision, outline goals and objectives, these are intended to assist with setting the context for policies and proposals that follow.

To fully understand the policies and proposals of this Plan and to properly identify which apply to a particular proposed development, it is important to read and to become familiar with this document in its entirety.

Throughout this Municipal Plan, policies and proposals are either stated in a manner that conveys intent or is preceded by a heading entitled “Policy” or “Proposal”. Examples of intent include: “Council shall...”, “... It shall be the intention of Council to ...” or “... the following proposals reflect Council’s priorities...”. Policies are identified by “Policy” followed by appropriate numbering (ex: **Policy 5.1.2**) whereas proposals are identified by “Proposal” followed by numbering in keeping with the relevant Policy (ex: **Proposal 5.1.3**).

The policies and proposals of this Plan have special meaning within the context of the Act. Development undertaken by the Town of Riverview cannot be contrary to the policies and proposals of this Plan. Also, neither the Province nor any person can carry out an undertaking or any development that is in any manner inconsistent or at variance with a proposal in this Plan.

This Plan includes a 5-year Capital Works Budget at the end of this document (Schedule C), which details those actions that Council proposes to be taken to help implement the Plan. The Act does not require Council or the Province of New Brunswick to carry out any proposals in the Plan or actions listed in this schedule.

While efforts have been made to use plain language as much as possible in this document, there may be times when a specific word or phrase is required. A glossary in this Plan (Schedule D) helps to explain a number of words or phrases used in this document. Please note that the terms “Municipal Plan” and “Plan” are used interchangeably throughout this By-law and both are intended to refer equally to this By-law.

Amendments to this Plan

Municipal Plans are long-term plans that should be monitored and adjusted to better meet the needs of the community over time as conditions change and new information becomes available. Amendments to this Plan may be made by Riverview Town Council following the plan amendment process outlined in the Act.

Future Reviews of this Plan

The Act requires Municipal Plans to be reviewed periodically in order to ensure that it still meets the goals and aspirations of the municipality. In order to allow the time to fully appreciate the effectiveness of the policies and proposals outlined herein, Council is required to review this Municipal Plan no later than ten years from its commencement.

CHAPTER 2: PLANNING AND DEVELOPMENT GOALS

2.0 Planning and Development Goals

The Municipal Plan must address “Where the Community is at and Where it wants to be in the Future.” The background reports have uncovered a number of trends and opportunities that are significantly tied to the past and provide a sound basis for the community to capitalize on in the future. The Council and the community are appreciative of its attributes in terms of a quiet residential community, physical endowments, particularly the Petitcodiac River, the scale of development and overall quality of life. Within the Greater Moncton area, Council is aware that the town is cited more for its residential nature and the amenities it offers. However, there is a need to recognize that with the new infrastructure enhancements such as the new bridge, the town’s connectivity is set to improve more than it ever has in the past providing new opportunities for growth and development. These infrastructure enhancements ensure that the Town will have a unique and important role to play in achieving regional prosperity. Therefore, the overall vision of this Municipal Plan is to enable Council and the community the requisite tools to fulfill the Town of Riverview’s mission statement:

“Riverview is a lifestyle. Our town balances its unique rural and urban qualities to build a welcoming, safe, healthy and economically vibrant community.”

The dynamics of the population in terms of household size, families, structure and age will affect the demand for traditional forms of housing. Council recognizes this change as an opportunity for further development. In addition, the delivery of hard and soft services will have to respond to the changing needs of its current and future citizens. New residential neighbourhoods will be cost efficient and effective, planned and logically integrated with one another. Existing and new future streets will provide for safe and efficient movement of vehicles, pedestrians and cyclists with provision for convenient public transit.

Thus, in order to focus the activities of all the stakeholders within the community, the Town must adopt goals which demonstrate and describe the communities’ vision for the future. The following strategic statements form the foundation of this plan. They have been arrived at after a careful review of the current Municipal Plan and other reports on the area as well as through discussions with town officials. Members of Council will work toward each of these goals as they pass the necessary by-laws to implement this review of the municipal plan, as they undertake municipal development projects and as they evaluate and approve development proposals that come before them.

Goals of the Municipal Plan

- (a) Continue to enhance, maintain and develop the Town of Riverview's image as a pleasant, safe, clean, accessible community with an attractive quality of life within the greater Moncton area;
- (b) Attract and accommodate a greater percentage of regional population growth and encourage immigration;
- (c) Provide for new growth and development in an orderly manner while, at the same time, maintaining and enhancing the community's existing neighbourhoods;
- (d) Maintain a high level of recreation programming in the town, as well as ensure that new developments provide access to recreational facilities such as sports fields, parks, and walking trails;
- (e) Strengthen the trails network by focusing on connectivity and providing access to riverfront and protected watercourses;
- (f) Provide a residential housing mix reflective of the diversity of current and future needs, range of income levels and lifestyle choices;
- (g) Establish a strong and vibrant downtown area;
- (h) Develop retail and service uses at a scale and range to serve the Town, as well as the regional population, which should contain a concentrated mix of retail and commercial land uses and serve as significant employment areas;
- (i) Provide adequate municipal services and associated utilities to sustain existing and facilitate future development;
- (j) Protect and enhance the natural environment; and
- (k) Protect the rural land area from premature development by focusing growth where municipal services and infrastructure already exist.

CHAPTER 3: GENERAL DEVELOPMENT

3.0 General Development

The Town of Riverview has continued to experience population growth since the 1980s. The Town's population grew by 7.3% from 2006 to 2011 to a total of 19,128 residents. It is also recognized that the Town of Riverview has experienced significant change over the last twenty years. The level of urbanization has changed the community and it has become clear that planning policy must keep pace, ensuring that these changes benefit our Town.

Within the Greater Moncton area, the Town of Riverview benefits from the prosperous growth and development occurring in the region. Major development in the region brings new people to the area. Riverview's socio-economic profile is poised to improve with the new Petitcodiac River crossing in Gunningsville. This document takes into account that the Town has made significant infrastructure investments over the past few years. These investments have enabled continued development on vacant lands within the urban growth boundary. Major infrastructure investments such as the Gunningsville Bridge and Gunningsville Boulevard have created an effective link between Riverview and downtown Moncton. Moreover, the new boulevard and crossing, combined with the completion of the Mill Creek Collector Sewer and the announcement of the new school site, should result in an increase demand for housing in East Riverview.

In the south area of town, the Findlay Business Park has been made much more accessible with the location of Gunningsville Boulevard. This has facilitated development and this growth is expected to continue as prime land is still available.

This Plan also recognizes that, as municipalities move toward fiscal autonomy and smart growth principles, it is imperative that new development be as efficient as possible, concentrating growth where municipal services are available or can easily be provided.

It will also be important for Council to ensure that there is a proactive environment for sustainable community development. Part of this requires flexible planning policies and regulations that can respond to new development proposals. There is a need to make neighbourhoods work for all of its residents, as well as create a thriving business community that provides a tax base that assists the town with the important services it delivers to its residents and business people.

Policy 3.0.1 Council shall provide a development policy environment which:

- (a) facilitates an efficient and cost effective pattern of development;
- (b) enables the economic provision of municipal services;

- (c) directs the location of development in a manner consistent with the capital works programs and the Town's economic, social and environmental objectives;
- (d) assists in the expansion of the Town's tax base in order to remain competitive with other municipalities; and seek alternative means to generate revenue to assist in the reduction of the Town's dependence on the residential tax base.

3.1 Community Development and Strategic Economic Development Initiatives

Contemporary community development requires significant municipal effort and investment of human capital. A community which is not aggressive in promotion and marketing is severely limited in seeking future development prospects. It is imperative that Council provide a development environment which is attractive to potential investors but also cognizant of the needs of the established community. Council has the ability to influence and create such an environment and to provide for the opportunity for new economic growth. The provision of a high standard of community infrastructure, such as streets, piped services, recreation and leisure services and facilities, while maintaining competitive property tax rates, will add to the positive development environment of the Town. Council is charged with the responsibility of effecting and influencing change and growth within the community.

Policy 3.1.1 In recognition of the benefits that collaborative economic development initiatives can have, Council shall continue to actively participate with senior governments, adjacent municipalities and development associations in the promotion of the region.

Policy 3.1.2 Council shall endeavor to provide for employment growth opportunities in appropriately designated commercial and industrial areas within the Town. Furthermore, Council shall endeavor to provide appropriate home occupations and home based businesses within residential areas.

Council has not delegated to any single agency the responsibility of promoting the town for economic development. The town's Economic Development Director has the primary responsibility of business attraction along with promoting the community as 'A Great Place to Grow.' This direction for promoting the town's economic benefits and growth potential is provided in the town's Economic Development Strategy. In addition, other groups, such as Business Riverview, Enterprise Greater Moncton and the Greater Moncton Chamber of Commerce all play a role in assisting the town with fostering a positive business climate. With the exception of the Business Association, which is focused primarily towards business promotion and beautification, no regional development authority is fully responsible for the Town's special needs. Therefore;

Policy 3.1.3 Council shall promote the town's economic benefits and growth potential under the direction of the Economic Development Strategy.

Policy 3.1.4 It shall be the intention of Council to seek the support and cooperation of the relevant regional development authorities and the provincial government to reinforce and promote the quality of life of our residents. Furthermore, it shall be the intention of Council, in cooperation with other government agencies and the business community, to undertake strategic economic development initiatives and to identify specific development opportunities arising from the tri-community regional development efforts.

3.2 Growth Management – The Urban Growth Boundary

The Town of Riverview recognizes the importance of ensuring that Riverview grows efficiently by making the most use of existing services, infrastructure and resources. Accommodating growth within the existing fabric of the town, where existing services, facilities and infrastructure are already in place, reduces costs to the Town (and citizens) over the long run, as fewer roads, pipes and other hard infrastructure, as well as soft services (e.g. street sweeping, sidewalk clearing, protective and emergency services) are needed in a more compact town. When more residents can share the same facility or service (e.g. a community centre or transit service), the financial viability of that facility or service can be improved. A more compact community, with density that is located in the right places, creates a more sustainable environmental footprint and helps to protect a rural landscape at the fringes of the town.

The growth that has occurred in Riverview to date has benefitted from the infrastructure investments the Town has made, such as major roads, and storm, water and sewer infrastructure, as well as recreation and cultural facilities. However, from a financial perspective, the Town does not want to expand the Urban Growth Boundary and commit to further infrastructure costs (both short term capital and long term operating costs), when there are numerous parts of the town where new development can utilize existing infrastructure and contribute to the development of a more compact town. Continued expansion of the urban boundary works against the development of a vibrant downtown area and the development of a transit-supportive town.

The Urban Growth Boundary of this Plan is a means to control the future growth of the town. The boundary is based on existing infrastructure capacity and is meant to accommodate the projected growth of the Town over the long-term. As such, the goal of this Plan is to direct growth within the Urban Growth Boundary and maximize the use of existing services. The land outside the Urban Growth Boundary will be primarily reserved for rural, agricultural and recreation uses.

Growth Management Policies

- 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.
- Policy 3.2.3** It shall be the intention of Council to ensure that land use designations bear a reasonable relationship to demand within the context of a medium to long range planning horizon.
- Policy 3.2.4** It shall be the intention of Council, prior to any further expansion of the Urban Boundary, that the capacity of the existing sanitary collection, water distribution, and storm water systems be fully assessed and that a long-term, multi-phase infrastructure review be prepared and used to amend, where appropriate, any elements of the Urban Growth Boundary. Efforts will be made first to accommodate additional growth within the Urban Growth Boundary before expanding the boundary.
- Policy 3.2.5** Should it be determined that additional land supply is required in order to accommodate housing demand, an assessment of the costs and benefits of the proposed expansion shall be undertaken by the proponent(s) of the

proposed expansion. The analysis shall consider both short term and long term (25 years) costs and benefits associated with the proposed expansion. Considerations shall include, but not be limited to:

- (a) anticipated impacts and costs/benefits associated with infrastructure and servicing requirements (roads, sewers, infrastructure requirements);
- (b) anticipated impacts and costs/benefits associated with parks, open space, recreation or other anticipated community facility requirements (e.g. schools, community centres, etc.);
- (c) anticipated impacts and costs/benefits associated with transit, fire, police and solid waste services;
- (d) potential environmental impacts and costs/benefits of the proposed expansion;
- (e) potential impacts on the timely completion of existing new neighbourhood areas within the urban boundary and the potential delay for the Town in recouping funds in existing infrastructure charge areas;
- (f) potential impacts of the proposed expansion on surrounding land uses.

Policy 3.2.6 It shall be the intention of Council to ensure that large lot or rural residential development be intended to cater to a rural lifestyle and as such, lots within them should not be so small as to lose their rural characteristics or to compete with urban-sized lots inside the town.

3.3 Municipal Boundary Study

Given the development pressure to open up new land for development in the south part of Riverview, along Pine Glen Road in the unincorporated area, it may also be an advantage for the Town of Riverview to undertake a Municipal Boundary Expansion study as a means to control the sprawl taking place on its boundaries.

Policy 3.3.1 Within the life of this plan, Council may undertake a Municipal Boundary Study to explore the feasibility of expanding its boundaries southwards along Pine Glen Road as a means to control the type of development occurring on its boundaries. However, before considering any annexation, an economic and environmental impact analysis will need to show that the municipal expansion is in the best interest of the Town of Riverview.

CHAPTER 4: INFRASTRUCTURE AND MUNICIPAL SERVICES

4.0 Municipal Infrastructure

Municipal infrastructure such as sanitary sewers, water supply and distribution systems and storm sewers are essential physical elements that make towns and cities function. The quality of life and economic vitality of a municipality is a direct result of the presence and condition of these facilities. However, since the majority of this infrastructure is hidden from the public view, they are often unnoticed or taken for granted by the community's citizens. The provision of these hard municipal services (water, sanitary and storm sewers) is one of the fundamental factors which separate urban from rural environments. The provision, and therefore the control, of these centralized services enabled the process of urbanization to occur at a historically phenomenal rate.

Policy 4.0.1 Council shall seek financial assistance from senior governments in carrying out improvements to the Town's water, sanitary sewer and storm sewer system.

Policy 4.0.2 Council shall ensure that the public water, sanitary sewer, and storm sewer systems are maintained to the proper Town of Riverview municipal development standards.

Policy 4.0.3 Council shall discourage the creation of easements to service land and encourage all services to be placed within the public right-of-way.

4.1 Water

The Turtle Creek Reservoir and transmission system serves the Greater Moncton area. The water distribution system (130 kilometres of piped water) within the town is owned by the Town of Riverview, but water is purchased from the City of Moncton's transmission system for distribution in the town system. As a result, the adequacy and quality of the potable water supply is a matter of regional significance.

There are effectively three major components to the water system: the supply, the treatment system and the distribution system. The Turtle Creek Watershed, the Greater Moncton area's only source of drinking water, is for the most part located in the unincorporated area which is under provincial jurisdiction. The City of Moncton has undertaken a number of measures to protect the water quality of the watershed. It is essential that the water quality of the Turtle Creek Watershed be protected.

Policy 4.1.1 It shall be the intention of Council to support all efforts to protect and improve the water quality in the Turtle Creek Watershed.

In order to ensure the integrity of the potable water distribution system and to keep the water supply, treatment and distribution in the public domain, the Town of Riverview is proposing to limit the development of private water systems.

Policy 4.1.2 Council shall not approve any developments within the serviceable boundary, which have private water distribution infrastructure.

4.2 Storm Sewer

A storm water system provides protection for public and private property and general public safety during storm events. Urbanization causes portions of the land surface to become impervious to water infiltration, causing the water to flow above the surface of the ground instead of naturally seeping into the soil or being absorbed by the vegetation or atmosphere. This disruption of the natural drainage system significantly increases the volume and flow characteristics of the surface water. The basis for storm water collection and conveyance is to reduce to generally accepted levels of risk the potential of flooding.

Policy 4.2.1 It shall be the intention of Council to pursue any available Provincial or Federal financial assistance in carrying out improvements, upgrading or expansion to the Town's storm water system in accordance with the Town's Storm Water Management Plan.

Policy 4.2.2 It shall also be the intention of Council to ensure that potential downstream effects of development are accounted for in the review process.

Policy 4.2.3 Furthermore, Council may, from time to time, require developers or land owners to assume the cost of surface water remedial initiatives to ensure minimum impact on neighbouring properties and existing infrastructure.

Policy 4.2.4 Council shall seek methods of ensuring that approved lot grading is carried out in new subdivision and on infill development through the building and development permitting process.

Policy 4.2.5 It shall be the intention of Council to protect the water quality of local streams, rivers, lakes and channels by ensuring:

- (a) the increase in runoff resulting from development is minimized through the use of appropriate storm water management techniques (retention and detention ponds, grassed swales and other techniques).
- (b) all necessary Provincial approvals, including setback regulations from watercourses and watercourse alteration permits have been obtained prior to the issuance of any municipal permit.

- (c) periodic monitoring of water quality entering the storm sewer system occurs and the appropriate action is taken.
- (d) Storm water conveyance systems shall be separated from the sanitary sewer collection system.

4.3 Sanitary Sewage

The collection and treatment of sanitary sewage is one of the “core” services provided by local government. In the Town of Riverview, the service is the responsibility of two separate authorities. The major collection system, sewage treatment and effluent disposal are the responsibilities of the Greater Moncton Sewage Commission. Local collection systems are the responsibilities of the three municipalities’ Engineering and Public Works Departments. The Town currently owns and maintains over 110 kilometres of sanitary pipe throughout the community. This infrastructure alone represents a significant capital investment. The basic purpose of the sanitary pipe is to intercept and convey household wastewater to the treatments facility prior to discharge into the Petitcodiac River.

Policy 4.3.1 It shall be the intention of Council to ensure that all future development separate storm water discharge from the sanitary sewer system.

Policy 4.3.2 It shall be the intention of Council to continue to support the operations of the Greater Moncton Sewage Commission and the continuing efforts to improve the level and efficiency of sewage treatment as fiscal and environmental considerations warrant.

The Town’s Engineering and Public Works Department has identified the theoretical limits of the overall existing sanitary drainage system for Riverview. The area of land which this system is capable of servicing is based upon the design capacity of the pipe, the amount of extraneous storm water flow and current levels of use.

Policy 4.3.3 It shall be the intention of Council to maintain gravity flow in all new and replacement sewage pipe installations.

4.4 Solid Waste Disposal

The Town of Riverview along with other nearby Municipalities and surrounding area utilize the Westmorland – Albert Sanitary Landfill facility located on the Berry Mills Road. The site is managed by the Westmorland – Albert Solid Waste Corporation.

Policy 4.4.1 Council shall continue to participate in the Westmorland – Albert Solid Waste Corporation and continue to dispose of its solid waste at the facility.

The life span of the existing facility can be significantly increased if the volume of waste going to the site is reduced.

Policy 4.4.2 Council shall encourage initiatives from the Solid Waste Commission aimed at waste reduction, reuse, recycling and recovery.

4.5 Utilities

Although the Town of Riverview does not provide utility services such as power, telephone, cable, natural gas as a Municipal Service to its residents, the suppliers of the services often utilize the municipality's street right-of-ways to distribute the service by a series of utility poles and lines. The appearance of these utility poles and lines periodically detract from the area that they serve. When it is feasible, effort should be made to minimize the intrusion of the lines by adopting alternative means, such as rear lot servicing or underground trenching to service the site.

Policy 4.5.1 Council shall encourage the underground placement of power, telephone, cable services and natural gas within the street right-of-ways. When above ground utilities are to be provided, Power lines and other utilities shall be generally located so as to minimize the aesthetic and environmental impact. Rear lot servicing for above ground utilities should be implemented where feasible.

The provision of sewage collection, storm drainage and water supply are essential to urban development. Similarly, telephone and electric power supply are also essential services. Some components of these utilities are necessarily located in every area of the municipality with regard to zoning. Structures range from transmission towers and switching or transformer stations to water pumping stations and water towers. It is important that such developments be permitted in any zone within the municipality if efficient and effective public utility services are to be provided to the Town's residents.

Policy 4.5.2 It shall be the intention of Council, in recognition of the essential importance of utility services to the residents, to permit the development of utility-related uses in all zones.

Some utility uses, such as transformer stations and high-voltage transmission lines, have a major impact on nearby users. Careful planning of the location of transmission lines and the attractive development of transformer station can diminish much of the impact. It is appropriate for the municipality to seek the cooperation of the Power Corporation and the communication companies in developing guidelines for the location for such developments.

- Policy 4.5.3** In recognition of the impact of utility structures upon neighboring users, it shall be the intention of Council to seek the cooperation of utility firms in establishing guidelines for the general location, siting and site development of utility uses. Furthermore, Council shall seek to establish a public information process in order to ensure that any community concerns are addressed by the public utility firms prior to the commencement of construction.

Federal communication authorities are in the process of deregulating the provision of local telephone services, and the North American Free Trade Agreement may open the community to competitive sources of electrical power supply in the future. At the same time, the Maritimes and Northeast Pipeline, which carries natural gas to the United States, is fully operational. As a result, additional and new utility developments can be expected. It will be important for Council to seek to restrict the amount of utility clutter as these new services develop and, in respect to gas distribution, to establish the municipality's role, if any, in the maintenance of public safety.

- Policy 4.5.4** It shall be the intention of Council to recognize the increasing competition among utilities as being generally beneficial to the municipality, while seeking to ensure that all new utilities do not create clutter.

- Policy 4.5.5** It shall be the intention of Council to seek the cooperation of the Province in establishing the responsibility and level of inspection required, to ensure the safe distribution and consumption of natural gas in the Greater Moncton area.

4.5A Radiocommunication Facilities

Radiocommunication towers and antennas provide important expected communication needs to the community. Communication technologies require some level of flexibility in locating communication equipment to cover specific geographic areas it serves. These services are provided by various communication companies and networks.

In Canada, all communication systems are governed by Federal legislation and regulations. For wireless communications facilities (cellular towers, antennae, etc.), Industry Canada, Spectrum Management & Telecommunications, is the licensing body. Communication companies must apply to Industry Canada for a licence to operate an installation at each specific location.

The Town of Riverview is not the approving authority for communication installations. However, as part of the licensing process, Industry Canada requires that the communication companies (referred to as the carriers) contact the municipality for input.

Towers and antennas facilities can be unsightly as they are often predominant in the landscape. It is in the best interest of the community to seek minimizing their overall number and encourage design options that will make their presence in the community more compatible. Therefore, it is

important that the town establish criteria and guidelines for the evaluation of new radiocommunication towers that are more compatible with their surroundings and seek to minimize their impact on the community. Providing the opportunity for local public consultation in the siting process is essential.

Objectives

It is an objective of Council to:

- (1) minimize the number of new radiocommunication towers to be erected within the town;
- (2) establish criteria and guidelines for the evaluation of new radiocommunication towers that will seek to minimize their impact on the community;
- (3) provide the opportunity for local public consultation with neighboring property owners; and
- (4) encourage tower design options that make towers more aesthetically pleasing and compatible to their surroundings.

Policy 4.5A.1 It shall be the intention of Council to encourage consultation between radiocommunication carriers and the Town, that will address matters such as co-location and optimal site selection.

Proposal 4.5A.2 To assist in implementing Policy 4.5A.1, the Town proposes, as part of the planning and site selection process, for radiocommunication tower and/or antenna sites that consideration be given to:

- (a) appropriate design aspects to minimise impacts on surrounding land uses;
- (b) the use of monopoles with co-location capability, rather than lattice tower design;
- (c) Avoid locating radiocommunication towers and/or antennas or minimizing their impacts in predominant residential areas, or locations characterized by a designated heritage structure or feature, environmentally significant sites, important public views and vistas, or important natural or human-made features; and
- (d) Encourage minimum setback to all property lines of a distance equivalent to the height of the tower whenever possible.

Proposal 4.5A.3 It shall be the intention of Council to continue to stay current on national radiocommunication policy and to continue to explore manners in which to communicate the city's preferences with regards to the location and design of radiocommunication towers and antennas.

Proposal 4.5A.4 The Town may join an independent agency or service to process and handle antenna siting applications on behalf of the municipality.

4.6 Transportation and Connectivity

Transportation plays a major role in the lives of Riverview's residents and businesses. Although the use of the automobile will continue to be the primary method of transport in Riverview, this Plan will endeavour to improve and provide alternative modes of transportation to its residents and businesses, including public transit, pedestrian and bicycle traffic. This will improve connectivity and accessibility and help move toward a more sustainable community, all of which are goals of this Plan.

Riverview has no major circulation problems. Gunningsville Bridge and Gunningsville Boulevard have improved the ability for people to move about the Town. The future Bridgedale Boulevard and the eventual West Riverview Boulevard will continue to improve the transportation system in Riverview. While new transportation projects will undoubtedly be developer driven, the Town will continue to take a progressive approach to transportation planning to ensure that local, collector and arterial streets are laid out efficiently and that automobiles, buses, pedestrians and cyclists can move about the Town in a safe and enjoyable manner.

Road Network

The fact that Riverview has traditionally served as a bedroom community for employers in Moncton and Dieppe raises many challenges for the ongoing maintenance of the public street system. With the automobile continuing to be the major mode of transport, funding from senior levels of government becoming harder to acquire, and increased through traffic to Moncton and beyond (e.g. Fundy National Park), the future road network must be carefully planned.

The Town has acknowledged the importance of this issue and is committed to working on a tri-community Sustainable Transportation Plan. Improving the connectivity of streets will enhance traffic movement in the Town, increase the choices for travel, and influence traffic patterns and travel behavior.

The *Future Roads Map*, attached to this Plan as Schedule B, will help guide the subdivision process to ensure that streets in the Town are developed in a coordinated and efficient way. The hierarchy of all future streets, and the detailed definitions and design of these streets, will continue to be provided in the *Subdivision Development – Procedures, Standards and Guidelines* document that is administered by the Town.

Policy 4.6.1 The following types of streets are shown on Schedule B: Future Roads Map, attached to this Plan, which identifies street classifications of existing streets and proposed connections.

Arterial Streets

Arterial streets carry the majority of traffic that moves through the community. Daily traffic volumes will range between 7,000 and 30,000. Although the primary emphasis is on maintaining a high level of mobility for through movement, a secondary role of arterial streets is to provide access to adjacent land. In most situations access will be limited, controlled or eliminated. On-street parking is often restricted. To allow for the safe movement of pedestrian traffic, sidewalks are required on both sides of the street. Arterial streets are a Level I priority for winter maintenance.

- (a) Coverdale Road and Hillsborough Road are the Town's major arterial streets. These east-west arterial carry traffic from the eastern and western extremities of the Town up to the river crossings.
- (b) Gunningsville Boulevard, Findlay Boulevard are the major arterials that move traffic to the northern and southern regions of the Town.
- (c) Bridgedale Boulevard and Riverview West Boulevard are the Town's future arterial streets.

Collector Streets

Collector streets offer a compromise between land access and through movement. Collectors will infiltrate into residential neighbourhoods and connect the local streets to arterial streets. They provide for the movement of substantial, but less important travel volumes than arterial roads, and typically carry daily traffic volumes of 1,000 to 10,000. They are often considered for bus routes. A sidewalk is required on at least one side of the street and in some cases, sidewalks on both sides of the street may be necessary. On-street parking is often restricted. Normally, the intersection of a collector street with an arterial street warrants signalization and at times, access control may be necessary. In Riverview, collector streets are also a Level I priority for winter maintenance and have a right-of-way width of 20-23 metres.

- (a) The Trites Road, Canusa Drive, Callowhill Road, Pinewood Road, Sussex Avenue, Buckingham Drive, Whitepine, Cleveland, Sawgrass (future), Runnymede, Lawson Avenue, Pine Glen Road and the Old Coach Road comprise the Town of Riverview's existing and future collector street system.
- (b) As residential development progresses and subdivisions occur, more streets may have to be designated as collector streets. As a result, Schedule B – Future Roads Map will have to be updated as necessary.

Local Streets

Local streets are municipal streets that provide access to property, while some may provide access to the higher order street systems. The majority of the streets in the Town of Riverview are within this category. Local streets provide the lowest level of mobility and through traffic is generally discouraged. They usually are not considered for transit routes. Sidewalks may be required on one side of the street. Local streets are a Level II priority for winter maintenance and have a right of way widths ranging from 18-20 metres.

Cul-De-Sacs

Cul-de-sacs are part of the local street system. To facilitate an efficient means of service delivery, cul-de-sacs are generally discouraged in the Town of Riverview. However, cul-de-sacs may be permitted when the topography and dimension of the land provides no other option of design. When necessary, depending on the length and land uses along these streets, sidewalks may be necessary.

Policy 4.6.2 Council shall discourage new cul-de-sacs in new subdivisions.

Policy 4.6.3 Cul-de-sacs shall be permitted to a limited extent in any subdivision or when the topography and dimension of the land provide for no other option of design.

Private Roads

Private roads are typically built to provide access to, or within, private developments. They are not intended for general traffic circulation. In some cases they may provide access to individual lots, while in other cases they may provide access to large multiple unit buildings, or condominium clusters. Other than gaining access from a public street, they are usually disconnected from other developments and the public transportation network. The Town is not responsible for the maintenance of private roads.

This Town contains many private roads and in the future, requests may be made to the Town to convert these to public streets. In some cases, this can be problematic as these private roads have been built to different standards and usually do not meet the minimum requirements as set by the Town's engineering department. The costs associated with assuming ownership and maintenance of these roads raises economic challenges for Council. Therefore, private roads, in general, should be discouraged in the Town.

Policy 4.6.4 New lots shall not be created unless they have frontage on a public street. Exceptions will be provided in the Subdivision By-law for lands owned or to be acquired by the Town of Riverview, public utilities and in recognizing existing conditions.

Policy 4.6.5 Council shall discourage development on new private roads.

Policy 4.6.6 Council may, in extraordinary circumstances, allow the creation of new private roads if the following conditions are met:

- (a) The development on the private road does not impede any future developments or access to adjacent lands, with respect to streets, infrastructure or lands for public purposes; and
- (b) The private road is built to same standards as a public street as set in the Standard Municipal Specifications.

Ensuring that all modes of transport move safely and efficiently is a major goal of this Plan. The Controlled Access Streets By-law will be used to achieve this goal and access management in general will be promoted throughout the Town to help reduce traffic conflicts and congestion.

Policy 4.6.7 Council shall endeavor to provide and maintain a system of local, collector and arterial streets to meet the transportation needs of the Town.

Policy 4.6.8 To ensure that streets in the Town are developed in a coordinated and efficient way, the Future Roads Map (Schedule B) will serve as the primary guide for the location of new arterial and collector streets during the subdivision and development review process.

Policy 4.6.9 Council will ensure that the public street system is efficient and safe through the use of the Controlled Access Streets By-law and by implementing access management principles in the Zoning By-law.

Policy 4.6.10 Council shall continue to work with the City of Dieppe, the City of Moncton and the Province on a tri-community Sustainable Transportation Master Plan and any other initiatives that will improve the transportation system at the regional level.

Policy 4.6.11 Council shall continue to ensure that the Province retains responsibility for the maintenance and construction of provincially designated roads within the municipality.

Policy 4.6.12 Council shall encourage connectivity between neighbourhoods and local streets based on the smart growth principles of this Plan.

Sidewalks, Pathways and Trails

In order to promote and improve connectivity in the Town, people need to be able to move about safely and efficiently. In the past, sidewalks, trails and pathways were not recognized as being fundamental to the transportation network. Priority was given to the automobile and as a result, sidewalks and other important connections are missing throughout the Town. However, as part of this plan-making process, residents have voiced their opinion about the importance of connectivity and accessibility by alternative forms of transport. As such, making the Town more accessible to pedestrians and cyclists is a major goal of this Plan.

Policy 4.6.13 It shall be the intention of Council to consider sidewalks, trails and paths to be essential components of the Town's transportation network and to evaluate the need for these important connections during the review of all subdivision and terms and conditions applications.

Policy 4.6.14 Council shall provide specific direction in the Subdivision Standards to ensure that sidewalks are an integral part of all newly developed areas.

4.7 Public Transit

Codiac Transpo operates a regionalized urban transit system for the three municipalities of Riverview, Moncton and Dieppe. Each municipality decides its specific level of service and works with Codiac Transpo to determine the cost associated with provision of that service. Council can facilitate and improve the operation and efficiency of the transit system by implementing measures that enhance the ability of the transit service to meet the needs of Town's residents and current customers. Moreover, there may be grounds for Council to seek the cooperation of participating municipalities through the Public Transit Authority in funding of a mid to long term transit service plan. Such an initiative can provide the Public Transit Authority with guidance and allow for a measured response to transit service demands.

The Town's population density is relatively low per hectare, thus there are few corridors of high population density. However, an aging population and decreasing family sizes will result in the need for smaller more affordable housing which will lead to increased density in specific areas of the Town. Increases in density, combined with the rise of fuel prices, will likely translate to increased public transit ridership. In the interest of decreasing the level of municipal subsidy to the service, it is both logical and reasonable to seek methods of improving the viability and growth potential of Codiac Transpo. As such, increasing the amount of residential density and commercial activity along transit corridors is a major objective of this Plan.

Policy 4.7.1 It shall be the intention of Council to improve frequency of service during peak travel times and to consider the possibility of expanding night services and weekend services as budget permits.

- Policy 4.7.2** It shall be the intention of Council to provide staff support to Codiac Transpo to manage / liaise transit inquiries and develop improvement plans.
- Policy 4.7.3** It shall be the intention of Council to recognize public transit as a component of the transportation system and to continue fiscal support for cost effective, publicly convenient transit services linking major employment, shopping and residential areas as well as to active transportation corridors.
- Policy 4.7.4** In an effort to improve the viability and growth of public transit and to promote accessibility and connectivity in Riverview it shall be intention of Council to direct residential and commercial intensification along transit corridors.
- Policy 4.7.5** It shall be the intention of Council to support and encourage the Transit Authority to prepare a mid to long term transit service plan encompassing a scheme for improvement of transit service as well as an aggressive marketing strategy in the metropolitan region.
- Policy 4.7.6** It shall be the intention of Council to support that all future bus purchases be Low Floor Accessible buses for the expansion of accessible transit throughout Codiac Transpo's service area.
- Policy 4.7.7** It shall be the intention of Council to evaluate its public transit service with public consultations every 3-5 years as growth of the community warrants.

Most of the Town's new streets are created by private developers through the subdivision process. The width provision for new streets is generally more than adequate to allow for the operation of buses. However, longer vehicles have a wider turning radius at intersections, and buses have difficulties safely negotiating turns in residential subdivisions. The Town expects future transit corridors to be located along collector and arterial streets, where street construction standards can accommodate larger vehicles, and where future high density residential and commercial growth is expected to occur.

- Policy 4.7.8** It shall be the intention of Council to ensure that new collector and arterial streets are capable of accommodating transit services. Without limiting the generality of the foregoing, these streets should include:
- (a) a turning radius at intersections of not less than fifteen metres;
 - (b) an additional travelled way width of one half metre along the turning radius identified in (a); and
 - (c) a requirements for bus laybys/ shelters in new subdivisions on collector streets or corridors.

Public bus shelters have been installed at a number of locations. The shelters provide protection from inclement weather. Council and Codiac Transpo should continue, as a priority, to position such shelters throughout the system contingent upon demand parameters.

Policy 4.7.9 It shall be the intention of Council to continue to install bus shelters along major transit routes and key transit stops, and that all such shelters and stops are accessible for persons with disabilities.

4.8 Rail and Air Transport

Historically, the Moncton area was the focus of the railway activity in the Province. Over the past decades, the prominence of rails has significantly declined. The displacement caused by reduced rail service has resulted in increased truck traffic. Council's ability to influence decisions regarding downsizing of rail service is limited. However, Council can present a strong united voice with other municipalities to show their support for maintaining rail service. It is therefore in the interest of the municipalities and local business to combine efforts to ensure that the area is adequately served by rail.

Policy 4.8.1 In recognition of the importance of rail service to the economic development of the region, Council shall continue to support initiatives aimed at ensuring adequate passenger and freight rails service.

Policy 4.8.2 Council shall endeavour to ensure that all levels of transportation service provided by outside agencies, including rail, air and road transit, are maintained at the highest possible level providing quality services to all segments of the community.

The Greater Moncton International Airport is located in the eastern portion of the City of Dieppe. The Federal Department of Transportation has turned ownership of the airport over to a local airport authority, charged with the management and operation of the facility. Council, together with representatives of Moncton and Dieppe participate in the management of the Greater Moncton Airport Authority.

Policy 4.8.3 It shall be the intention of Council to participate in the Airport Authority in order to insure the continued presence of quality air services in the Moncton region.

4.9 Infrastructure Cost Recovery

Traditionally, theory on urban growth suggested that governments should be the sole providers of these services in all levels of physical expansion. Today, there has been a shift in that governments will only accept the maintenance of existing urban infrastructure and with the cost of infrastructure passed onto the beneficiary. Within the Urban Growth Boundary, there are

areas where the Town has paid for, and constructed infrastructure, such as a new water pressure zone and water tower and the Mill Creek Collector Sewer, to facilitate growth. Without these investments, development would not be possible. In these cases, the Town will endeavor to receive a return on the investment made, through cost-recovery. This will also be the case if future infrastructure investments are made by the Town of Riverview.

Policy 4.9.1 As a condition of subdivision or rezoning approval, applicants will be required to pay for the costs of infrastructure facilities, such as roads, sidewalks, streetlights, sewers, water systems and drainage, traffic signals, water towers, street trees, and landscaped boulevards through Conditional Zoning and Subdivision Agreement processes, as well as through the establishment of infrastructure charge areas. The Town's Subdivision By-law and Subdivision Development, Procedures, Standards and Guidelines will include infrastructure charge area maps to be used as a guide for cost-recovery.

Policy 4.9.2 Further to Policy 4.9.1, to ensure that future sanitary flows are directed appropriately, drainage catchment regions will be used to delineate the infrastructure charge areas.

Bridgedale Boulevard and Infrastructure Over-Sizing

As noted in the transportation section of this Plan, Bridgedale Boulevard will be an important east-west arterial street. This street is expected to function in the same way as Gunningsville Boulevard, in that it will be designed to move people, in automobiles and buses, as well as on foot and bicycle. Although Gunningsville Boulevard was paid for by the Town, in conjunction with the Provincial and Federal Governments, the construction of Bridgedale Boulevard is expected to be driven by development. The funding arrangements for Bridgedale Boulevard have not yet been determined.

The Town has already secured the right-of-way alignment for this future street. Subdivisions along the Boulevard, particularly along the north side, will gain entry from it and will rely on it, in order to properly disperse traffic throughout east Riverview. This Plan recognizes that the Town will undoubtedly have to pay for the street. However, much like other hard services that the Town has paid for to enable growth, such as a water tower and Mill Creek Collector Sewer, which will be subject to cost-recovery, future transportation projects may be treated the same way. Projects like Bridgedale Boulevard will open up additional lands for development, which will add value to the properties along it. The benefits of the project will be far reaching and therefore, in the future, the Town should explore its options for cost-recovery so that it does not have to endure the full cost.

Furthermore, in some cases, developers have to provide more infrastructure than is required for their development. This is referred to as "oversizing." Historically, the Town has paid for the additional infrastructure costs, whether it is a larger pipe or wider street. While the benefits of

this work may extend beyond a particular subdivision, it does facilitate growth in other areas. As such, those who benefit from the oversized infrastructure should pay for it because without these investments, development would not be possible. Quantifying the share of the infrastructure needs to be carefully planned so that the costs are allocated accordingly.

Proposal 4.9.3 To assist with the implementation of policy 4.9.1, it is proposed that Council will explore the possibility of cost-recovery on future transportation projects, such as Bridgedale Boulevard and West Riverview Boulevard, as well as infrastructure oversizing.

CHAPTER 5: RESIDENTIAL DEVELOPMENT

5.0 Residential Development Policies

The Town of Riverview is primarily a residential community with the majority of its population working in the City of Moncton. Current residential development in Riverview is predominantly low density. Approximately 74% of the dwelling units within the Town are single detached dwelling units, which is the highest proportion of single unit dwellings in the tri-community area. As such, this Plan and this section on residential development are intended to protect the character of existing neighbourhoods.

Changes in population, demographics and housing have influenced and will continue to shape the residential land use strategy of the future. This Plan establishes a residential land use framework that anticipates and accommodates change and most importantly, provides a vision of how new residential development can be carried out in a manner that enhances and complements our growing urban environment.

Recent trends show that the Town has an increasing proportion of lone-parent families and seniors living alone. These trends will put pressure on the Town to diversify its housing stock. While current residential development in the Town is generally low density, there are a few areas of higher density residential uses along Hillsborough, Coverdale, Pine Glen and Trites Roads, as well as around the Findlay Park area. This Plan acknowledges the existing higher density residential uses and provides guidance for them within the Plan and Zoning By-law for future higher density housing in specific areas of the Town. New development will be expected to complement existing housing and be located in areas that are appropriate and compatible with the overall development vision of this Plan.

Council considers the design of new developments to be fundamental in creating attractive, healthy and high quality urban environment for its residents. This emphasis on design will allow Riverview to remain a preferred residential community that offers a variety of housing options that suit the needs of current and future residents.

5.1 Developing Beautiful Complete Neighbourhoods

Policy 5.1.1 It shall be the intention of Council to ensure that Residential areas designated on the Generalized Future Land Use map are predominantly used for residential purposes. Furthermore, it shall be the intention of Council to permit the following compatible uses within the Residential designation, subject to the relevant provisions of this Plan and Zoning By-Law:

- (a) parks, open space and recreation areas, including integrated golf course communities;

- (b) public and private schools;
- (c) religious facilities;
- (d) small scale commercial and convenience retail store;
- (e) home occupations;
- (f) utilities;
- (g) special care homes;
- (h) accessory apartments; and
- (i) day cares.

Policy 5.1.2 It shall be the intention of Council to encourage developments to incorporate smart growth principles such as:

- (a) mix land uses;
- (b) complete, walkable, vibrant neighbourhoods;
- (c) transportation choices;
- (d) housing choices;
- (e) encourage new developments within the existing urban growth boundary;
- (f) preserve green spaces, natural beauty, and environmentally sensitive areas;
- (g) utilize smarter and cost effective infrastructure and green buildings;
- (h) foster a unique sense of identity; and
- (i) community involvement.

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 5.1.4** In order to create beautiful and safe streets, Council shall ensure that street trees are required on all streets, and in an effort to promote walkable communities, provide specific direction in the Subdivision Standards to ensure that sidewalks are an integral part of all newly developed areas.
- Policy 5.1.5** In order to maintain attractive neighbourhoods, it shall be the intention of Council to develop a conservation policy and regulation around tree preservation in order to prevent the clear cutting of lands on parcels 1 hectare or larger.
- 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:
- (a) Low Density: single and two unit dwellings where density does not generally exceed 10 units per acre;
 - (b) Medium Density within the RM – Residential Mix Zone: may consist of townhouses, row houses, apartments and other housing combinations and forms where density generally does not exceed 15 units per acre; and
 - (c) 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.
 - (d) Notwithstanding (c), it shall be the intention of Council to permit density beyond 30 units per acre in certain areas of the Town where underground or at grade parking lots are proposed. These areas are located along or in proximity of major arterials or major intersections, adjacent to major commercial nodes and are well separated from low density areas, such as single unit and two unit dwelling zones.

5.2. Residential Designation

The largest areas of existing residential development are comprised primarily of single unit and two-unit dwellings, with a few areas of high density residential uses throughout the Town. It is the intention of this Plan to recognize all residentially developed land, as well as providing adequate lands to accommodate future residential growth within the Urban Growth Boundary of the Town.

Policy 5.2.1 It shall be the intention of Council to create a Residential Designation on the Generalized Future Land Use Map, which recognizes all of the residentially developed land in the Town, and provides sufficient lands for future residential development within the Urban Growth Boundary.

5.3 Principles for Residential Development

Urban design contributes to how a community is put together, how it looks, feels and functions. It involves attention to different levels of detail which may include a number of physical elements such as land use, building form, massing, vehicular and pedestrian circulation, open space and landscaping. Together, these elements make our communities more attractive, healthier and more vibrant.

This Plan provides urban design standards for new developments. Within the Residential Designation, all development shall be designed to meet the following principles:

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.

Principle 3: Mixed use will be encouraged in appropriate locations

To provide opportunities for neighbourhood commercial and to create neighbourhood centres, mixed use buildings such as multi-unit residential with main floor commercial are encouraged along major roads adjacent to commercial areas.

Principle 4: Connectivity must be enabled

Developers will need to provide road, open space and trail connections to adjacent developments.

Connectivity is about providing:

- (a) a variety of transportation options including vehicular, bicycle, walking, and other active transportation linkages;
- (b) open space linkages that create a connected network of parks, green spaces and public lands that are based on existing natural features. These networks of linked open space can provide space for trails and should be easily accessible to residents by bike or foot; and
- (c) safe and walkable communities through the use of sidewalks.

Principle 5: Landscaping

To provide a pleasant streetscape, all residential development areas will require street tree planting.

Minimum landscaping requirements will be established for all new subdivisions and multi-unit dwelling buildings.

Principle 6: Limited parking in front of multiple units

No more than one bay of parking may be provided in front of multi-unit residential buildings. Other parking shall be provided at the rear or sides of the building.

Landscape buffers will be required for multi-unit residential parking areas where they abut a street.

Shared driveways or off-street parking will be required for townhouse developments to maximize area for trees, utilities, on-street parking, and snow storage, and to minimize the physical disruption of sidewalks along the street.

5.4 R1 - Single Unit Dwelling Zone

The majority of the areas in the Residential Designation have developed as low residential density under the traditional R1 single unit dwelling zone. Therefore, Council intends to maintain and protect the future stability and physical character of these areas.

Policy 5.4.1 It shall be the intention of Council to maintain the character of existing single unit dwelling neighbourhoods by establishing a Single Unit Dwelling Zone (R1) within the Residential Designation.

The Town of Riverview has traditionally attracted families looking for stable single family neighbourhoods. While the statistics show an aging population, as well as shrinking household sizes, there is still a demand for single family homes. In order to palliate to this demand and in keeping with changing demographics, Council should encourage affordable single family housing developments.

Policy 5.4.2 Within the Residential Designation, it shall be the intention of Council to prezone specific areas within the Town for single unit dwellings as a means to encourage the development of affordable single family developments.

Policy 5.4.3 It shall also be the intention of Council to maintain affordability in new R1 zones by encouraging smaller houses on smaller lots.

At the same time, Council recognizes that, with an aging population, it is desirable to create accessory dwelling units and garden suites within low density neighbourhoods. These units allow low-income seniors or adults with a disability, to live independently in their community, close to family and friends. Alternatively, accessory dwelling units or garden suites can provide a modest source of revenue for a homeowner.

A changing global economy has created a need to provide home occupations as secondary uses in residential neighbourhoods. Advancements in technology mean that people are now able to work from home and as a result, this concept has increased in popularity and is also seen as reducing the need to travel to and from places of work.

Policy 5.4.4 It shall be the intention of Council to permit, as a secondary use within a single unit dwelling, an accessory dwelling unit, a garden suite, a home occupation use, a bed and breakfast or a home daycare.

This Plan recognizes the need to provide daycare opportunities in residential areas. This type of daycare, commonly referred to as “neighbourhood” daycares, offers an essential service to the community.

Policy 5.4.5 It shall be the intention of Council to permit, as a secondary use, home daycare in single unit dwellings. These small daycares are limited to 9 spaces as per provincial daycare regulation.

5.4A R1-C Compact Single Unit Dwelling Zone

Many communities across North America are seeing new trends and concepts in residential typologies. The appetite for single family dwelling is still very present. However, demographics, family composition, affordability and environmental conciseness are forcing developers to rethink how communities are being developed. A growing trend in many larger urban centers is moving towards more compact single family dwelling. By maintaining proper architectural and site design, these communities have attractive streetscapes and become very desirable neighborhoods.

Policy 5.4A.1 Further to Policy 5.4.3, within the Residential Designation it shall be the intention of Council to establish a Compact Single Unit Dwelling zone (R1-C) with a smaller lot configuration.

Policy 5.4A.2 To ensure consistency with other sections of the Municipal Plan, Council shall only consider rezoning lands to the R1-C Zone when combined with an overall secondary plan as per proposal 5.6.4.

Policy 5.4A.3 In order to introduce this new compact form of residential development in the community without sacrificing quality streetscapes, Council shall enforce specific design provisions through the Zoning By-law, related, but not limited, to:

- (a) finishing materials;
- (b) architectural design;

- (c) building repetition;
- (d) parking accommodations;
- (e) lot configurations; and
- (f) landscaping.

5.5 R2 - Two Unit Dwelling Zone

Within the Residential Designation, there are a few areas which have developed almost exclusively as two unit buildings. These developments are generally located at the perimeter of the single unit areas as seen in the Carriage Hill, Point Park and Waterfall Drive areas of the Town. They exhibit similar characteristics and stability to the traditional single unit developments. It is Council's intention to accommodate these types of developments and to encourage efficient two dwelling unit developments in the future.

Policy 5.5.1 Within the Residential Designation, it shall be the intention of Council to create a Two Unit Dwelling Zone (R2) to accommodate existing developments and prepare the community to become competitive in this expanding market.

Policy 5.5.2 It shall also be the intention of Council to permit within a single unit dwelling in the R2 zone, as a secondary use, an accessory dwelling unit, a garden suite, a home occupation, bed and breakfast or, as per Policy 5.4.5, a home daycare.

Policy 5.5.3 Furthermore, as the Town develops, there may be other areas that Council may consider the Two-Unit Dwelling Zone (R2) by amendment to the zoning by-law. In considering such amendments, Council shall have regard to:

- (a) the siting of the proposed structure with the adjacent residential buildings;
- (b) the location and access to off-street parking and the design of the parking lot layout;
- (c) provisions for the preservation of the existing landscape by minimizing tree and soil removal;
- (d) provisions for adequate site grading in respect of the impact on neighbouring properties;
- (e) the design of the proposed development in terms of:
 - (i) building height;
 - (ii) setback;

- (iii) roof type and pitch; and
- (f) the availability and adequacy of municipal services.

5.6 RM - Residential Mix Zone

There are large tracts of land in the Town that are serviceable, but currently undeveloped. This is particularly the case in the east and west ends of Riverview. These areas are essentially the Town's urban land bank for the future. These lands offer a major opportunity for the creation of new socially and economically diverse neighbourhoods wherein the changing housing needs of current and future generations can be satisfied without substantial impact on the older established neighbourhoods.

To ensure that these large greenfield areas are developed in a manner that is consistent with this Plan, Secondary Planning in these areas will be necessary. Secondary Planning is desirable so that a true mix of residential uses can be carefully planned to ensure that neighbourhoods are diverse, well-connected and respectful of the existing developments that they may abut. The layout and connectivity of streets, the location and size of future parklands and the location and number of trails are all essential components to the development of our future communities.

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 5.6.2 It shall be the intention of Council to provide, within the Residential Mix zone (RM) a variety of housing styles, including single and two unit dwellings and semi-detached dwellings as well as permitting within single unit dwellings secondary uses such as an accessory dwelling unit, a garden suite, a home occupation, a bed and breakfast or, as per Policy 5.4.5, a home daycare.

Policy 5.6.3 To ensure that large undeveloped Residential Mix (RM) zoned lands are developed in a coordinated manner that is consistent with this Plan, developers, in cooperation with the Town of Riverview and the Committee, will need to provide secondary plans to guide the overall development of these lands.

Proposal 5.6.4 To assist with the implementation of Policy 5.6.3, Council will use the following objectives to evaluate the secondary plans:

- (a) the plan provides an appropriate amount of mix housing types which should include a combination of single, two unit, semi-detached, and rowhouse / townhouse dwellings;

- (b) the efficient layout of streets and traffic in general;
- (c) the connectivity of the subdivision with adjacent lands;
- (d) the location and size of future parks, open spaces and trails;
- (e) detailed servicing and infrastructure information; and
- (f) any other applicable information.

These residential areas offer the community a number of advantages. Most of these lands are in large block ownership and are reasonably accessible from major roads such as Coverdale, Trites and Pine Glen. Moreover, the development of these lands, as well-planned mix-use areas, has the potential to ease the community's future fiscal restraint because higher density developments distribute servicing and maintenance costs over more households per acre developed. At the same time, it is difficult to predict the changing needs and desires of future citizens. In order to respond to housing changes, this Plan recognizes that community planning must facilitate change and be capable of adapting to new conditions resulting from the rapid change in the taste and desires of the population.

As part of the Secondary Planning for RM – Residential Mix lands, Council considers the transition of the various residential land uses to be very important. This Plan acknowledges this goal, and it is desirable to have a mix of housing styles and a stepped approach to residential density. Secondary Plans must respect this goal and a phased approach to zones and housing densities, such as R1-R2-RM-R3, are used to ensure that, on vacant land, higher density residential uses do not directly abut traditional low density housing.

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, and supportive commercial and service use on a variety of lot sizes where the developer provides a "generalized area development plan" which shows the general location of each building together with any streets, public lands, parking areas and proposed landscaping.

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.

5.7 R3 - Multi-Unit Residential Zone

Several multiple unit residential uses have been established along Trites Road, Pine Glen Road, as well as portions of Coverdale/Hillsborough Road and in the Findlay Park business area. Generally, these buildings are along major transportation corridors and the location of these developments provide service and accessibility advantages to reach desired destinations. Future low density residential development along these high traffic routes is unlikely and is discouraged by this Plan.

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 5.7.1 It shall be the intention of Council to establish, within the Residential Designation, a Multi-Unit Residential Zone (R3) permitting residential development of 3 units or more.

Given the traditional low density residential development of the Town, the integration of higher density residential land uses into the land use strategy in Riverview has been problematic. One of the most sensitive areas of urban planning - when a community wishes to plan for change - is the assurance that the current property owners are not unduly affected by new development. Former zoning by-laws provided little opportunity for review of design and set no standards or guidelines for the quality and character of the design desired, not to mention where higher density residential developments would be ideally located.

To ensure that these new developments meet the intent of this Plan, the design of these developments must be reviewed comprehensively. As such, all new multiple unit buildings containing three units or more shall be subject to a conditional use approval with the Committee.

As part of this review process, Council considers the input of the development review committee to be essential. The development review committee is expected to review applications on a case by case basis, and a major objective of its review is to ensure that new developments meet the design considerations of this Plan. As part of this review, a public process is required and the immediate neighbourhood will be advised of the application. Through this public process, the neighbourhood will also have an opportunity to voice concerns about the development.

Policy 5.7.2 It shall be the intention of Council to establish a special provision in the R3 Zone whereby the Committee may consider multiple unit residential developments, subject to terms and conditions that it deems appropriate.

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
- (i) availability and adequacy of municipal services.

An effective way of achieving growth at no additional cost to the municipality is to intensify development in areas which are currently serviced but have underutilized sewer capacities. These types of developments are generally referred to as infill lots. There appears to be a strong potential for this type of development and a limited supply of infill lots. It is the intention of this plan to accommodate this potential in areas with quality amenities, such as proximity to services, traffic arteries, parks and open space. For example, parts of Gunningsville area, although currently approaching the limit for development, have potential for infill development and older housing stock conversion.

The serviceable area along the south side of Coverdale Road from approximately Pine Glen Road to Rivercrest Drive, and a large block of land situated on Hillsborough Road near the sewage treatment plant, is part of the old lot fabric. Portions of these areas are currently developed as single and two unit residential dwellings on large lots. The future subdivision of these lots is expected, which provides significant opportunity for infill developments. Given the relatively steep sloping topography of these areas and high traffic volumes on Coverdale/Hillsborough Road, the area's potential for low density residential development is limited. These areas will be viewed as potential infill areas and low density developments in these areas are discouraged by this Plan.

While it may not be appropriate for Council to pre-zone this area at this time, it may be appropriate for Council to consider such developments on a case-by-case basis. Future growth in built up areas (infilling) must be reviewed carefully in order to maintain respect for the integrity of the existing built form of the neighbourhood. Therefore, to ensure compatibility, an urban design element should be included for developments involving infilling or conversion of existing housing developments.

Policy 5.7.4 Council may consider amendments to the zoning by-law within the Residential Designation, provided the lot is along the south side of Coverdale Road, from approximately Pine Glen Road to Rivercrest Drive, to permit future infill developments of multiple unit dwellings.

In order to maximize the use of existing infrastructure, this plan recognizes that there may be specific areas of the Town which are suitable for densities beyond 30 units per acre. These

areas are located along or in proximity of major arterials or major intersections or in the vicinity of significant commercial nodes and well separated from low density areas.

Policy 5.7.5 In keeping with policy 5.1.6 (d), it shall be the intention of Council to consider rezoning properties to R3, subject to terms and conditions and design standards, to permit densities beyond 30 units per acre in areas of the Town that are located along or in proximity of major arterials or major intersections or in the vicinity of significant commercial nodes and well separated from low density areas.

Policy 5.7.6 In considering such amendments, Council shall have regard for:

- (a) the location, number, layout and design of vehicular access, and consideration of joint access where individual accesses are deemed not to be desirable;
- (b) the design and location of above grade parking lots;
- (c) the necessity for underground or at grade parking lots;
- (d) the proposed landscaping and provision of amenity space;
- (e) the protection of important view lines and prevention of overshadowing by controlling building height, bulk and site location;
- (f) the design of the proposed development in terms of building orientation and relationship to other housing types and nearby land uses, the layout of the buildings, rights of way and open spaces;
- (g) the traffic impacts;
- (h) measures for the preservation of the site's natural state by minimizing tree and soil removal;
- (i) the adequacy of municipal services; and
- (j) any other matter.

5.8 Neighbourhood Commercial

A major goal of this plan is to improve the level of service to residents. Commercial concentration is required for certain types of developments in order to achieve scale threshold. However, convenience or everyday items should be available within a reasonable walking or cycling distance to where people live. Provision of these convenience services, either within or

in proximity to residential areas, provide community advantages in terms of environmental cost, reduced traffic congestion and general overall human health benefits. These areas are not designated on the Future Land Use map since these types of land use are deemed to be appropriate within a Residential Designation with respect to the general goals and intent of this plan. However, these sites shall be identified on the Zoning map.

Policy 5.8.1 It shall be the intention of Council to establish, within the Residential Designation, a Neighbourhood Commercial Zone (NC). It shall be the intention of Council to permit, within the NC Zone, small scale commercial retail, personal service and associated office use with or without residential uses. It shall also be the intention of Council to permit, as a secondary use within a single unit dwelling, an accessory dwelling unit, a garden suite, a home occupation, a bed and breakfast or home daycare. Furthermore, it shall also be the intention of Council to prohibit gasoline dispensary facilities within the NC Zone.

Policy 5.8.2 It shall be the intention of Council, in reviewing a neighbourhood commercial use, to have regard for the following:

- (a) Council shall define a Neighbourhood Commercial zone as a commercial development predominantly located within a residential area having a maximum of three storeys and a maximum gross leasable area of 750 square metres;
- (b) Proposals for the development of a Neighbourhood Commercial zone where the site has not been rezoned to Neighbourhood Commercial zone shall be considered by Council through the rezoning process provided the proposed development is located within the Residential Designation. Otherwise, an amendment to this plan is required;
- (c) In reviewing a Neighbourhood Commercial zone proposal, Council shall have regard for the following:
 - (i) the proposal is deemed to be beneficial to the local area and community as a whole;
 - (ii) the proposal is deemed to be compatible with the surrounding land uses and the impact on the surrounding residential areas is minimized through the appropriate use of setbacks, landscaping and site layout. In addition, Council shall be satisfied that the following criteria have been met:

- (A) the proposal has adequate access to collector or arterial streets of sufficient capacity to accommodate any increase in traffic;
- (B) the proposal generates minimal traffic noise and lighting impacts on existing residential neighbourhoods;
- (C) adequate provision for access is made for pedestrians, persons with disabilities and other special needs group;
- (D) necessary servicing is readily available;
- (E) adequate parking and service facilities are provided; and
- (F) other criteria are complied with which are deemed appropriate by Council.

CHAPTER 6: RURAL AREAS

6.0 Rural Area Development

The remaining area of Riverview, lying to the west of Rivergarden Estates Park, is currently outside the service boundary of the Town. It is extremely unlikely that this area will require services to accommodate future growth during this plan period. Thus, any future development in this area will require on-site services consisting of drilled well and septic system.

Soils information indicate that the majority of the area is classified as Parry Association, which is generally poorly drained soil caused by a high clay content. These soils are generally unsuitable for on-site sewerage disposal systems.

In addition to the environmental risk associated with rural type development, the Town wishes to adopt a strategy to reduce sprawl or ribbon type development, since these generally contribute to vehicular traffic conflicts (driveways) and results in very low density thus high per unit cost of providing road maintenance, snow removal, parks, police, fire and ambulance services. It also usually results in extremely costly extension of services which the Town is not currently prepared to provide. The current municipal plan permits certain types of rural land uses, such as agricultural and forestry which are generally compatible to a rural environment and are, in fact, the highest and best use for the land. However, residential development in these areas often removes valuable resource rich land and generally results in additional pressure for Council to address the concerns of the rural residents, which, in fact, can only be addressed through an urban development framework. Therefore;

6.1 Rural Residential Subdivisions

Policy 6.1.1 It shall be the intention of Council to limit residential development in the rural area to minimize the potential environmental and health-related risks and the associated economic cost.

Policy 6.1.2 It shall be the intention of Council to ensure that future subdivision of land in the Rural area shall be developed with:

- (a) a minimum individual lot size of 2 hectares;
- (b) a minimum lot frontage of 150 metres; and with
- (c) frontage on a publicly owned street or access approved by the Committee.

Policy 6.1.3 Notwithstanding policy 6.1.2, it shall also be the intention of Council to permit residential development on lots existing on the effective date of this plan.

There are several large farms in the Town of Riverview, many of which are owned and operated by families. To accommodate a member of the family farm, it may be necessary, from time to time, to create building lots on the farmstead to provide housing directly involved with the farm operation. This is considered a traditional method to sustain the farm.

Policy 6.1.4 Notwithstanding Policy 6.1.2, it shall be the intention of Council to recognize and accommodate the future subdivision of family farmsteads, provided the proposed lot sizes can meet the requirements for on-site services and the subdivision provides housing for those directly involved with the farming operation.

6.2 Rural Uses

Policy 6.2.1 It shall be the intention of Council to establish, within the Rural Designation, a rural area zone (RA) permitting land-based uses of forestry, agriculture and related activities and limited Residential uses.

Policy 6.2.2 It shall also be the intention of Council to establish within the rural area zone, pursuant to policy 6.2.1, a provision which will permit the Committee to consider, subject to terms and conditions, other resource-based developments, including topsoil removal, sod farming, pits and quarries. Council shall instruct the Committee in considering the imposition of terms and conditions to have regard for:

- (a) the location and design of vehicular access and the potential traffic generation;
- (b) the environmental impact of the type of use;
- (c) the outside storage of material;
- (d) the rehabilitation of the site to a future urban use (subject to a formal engineering plan); and
- (e) any other matter.

6.3 Manufactured Dwelling

Policy 6.3.1 It shall be the intention of Council to accommodate, within the Rural Designation, existing manufactured dwelling parks and subdivisions by establishing a manufactured dwelling (MD) zone permitting manufactured homes parks, subdivisions and single unit dwellings. It shall also be the intention of Council to permit, as a secondary use, an accessory dwelling unit,

home occupation, a bed and breakfast, or a home daycare, where the use is not visible from the street side of property.

Proposal 6.3.2 It shall be the intention of Council to adopt manufactured dwelling standards in the Zoning By-law to ensure that parks are maintained to meet acceptable safety and aesthetic standards that reflect the Town's image as an attractive and safe place to raise a family.

CHAPTER 7: COMMERCIAL DEVELOPMENT

7.0 Commercial Development

Commercial development in Riverview is intended to support the residential population. However, although Riverview is predominantly a residential community, it is well positioned to grow its commercial tax base by providing for retail uses, businesses and office related uses. This plan anticipates a significant amount of commercial development in the short term given the town's strategic and efficient link to the City of Moncton and major tourism destinations.

The major commercial developments in Riverview have focused on three primary areas: Coverdale Road/Hillsborough Road, the Findlay Business Park and to a limited degree, along Pine Glen Road. The intent of this Plan is to support the existing commercial development in these areas.

The town has also made significant investments in critical infrastructure, such as Gunningsville Boulevard and the Mill Creek Collector Sewer. These investments, together with the future Bridgedale Boulevard, have opened up new commercial areas in the town. While the Town encourages commercial development in this area, this Plan recognizes that this area is a greenfield, and that future development will need to be carefully planned to compete in the regional commercial market.

While it is important to recognize the major commercial areas, this Plan acknowledges Riverview as a residential community. Therefore, a major goal of this Plan is to continue to provide services for those who live here and importantly, to improve the services that are available to existing neighbourhoods in a compatible way.

Policy 7.0.1 It shall be the intention of Council to create a Commercial Designation on the Generalized Future Land Use Map, which recognizes all of the commercially developed land in the Town, and provides sufficient lands for future commercial development within the Urban Growth Boundary.

As a goal of this Plan is to promote smart growth, it is important that new residential developments are located within close proximity to services and amenities, including public transit. The Plan supports a mixed use environment in the Commercial Designation, and by using good urban design, new developments will be expected to be sensitive to their context. Residential uses will be encouraged to locate in the SC, CM, and RBS Zones and will be expected to respect section 5.3 of this Plan.

In some cases, the Commercial Zones will abut low density developments. To ensure that new multiple unit residential uses in a commercial zone meets the intent of this Plan, the design of these developments will be reviewed comprehensively. As such, all new multiple unit buildings

will be subject to a conditional use approval with the Committee where they abut a low density residential zone.

Policy 7.0.2 It shall be the intention of Council to establish a special provision in the Zoning By-law whereby the Committee may consider multiple unit residential developments where the development abuts an R1 or R2 Zone, subject to terms and conditions that it deems appropriate. Furthermore, Council shall instruct the Committee that when considering the imposition of terms and conditions, the Committee shall have regard for the criteria established in Policy 5.7.3.

7.1 Suburban Commercial

The suburban commercial areas of the town have developed along Coverdale Road, west of the Findlay/Causeway interchange, and along the bottom portion of Pine Glen and Trites Road. These areas have been developed with retail strip malls, large grocery stores, service outlets, offices, and restaurants, including drive thru businesses. This Plan supports these types of uses in these locations.

In the past, Riverview considered the commercial area along Coverdale Road, between the Findlay/Causeway interchange and McClellan Avenue as its downtown. The waterfront provides an essential edge, which together with streetscape improvements had defined this area as the distinct commercial node. A major objective of past Plans was to strengthen and enhance the downtown area with the goal of providing a space that was unique and attractive to current and future residents. While improvements had been made, the reality is that this area is dissected by a busy arterial street and that to date, the downtown concept has not evolved. The critical density needed to support a vibrant downtown had not been achieved.

During the consultation process of this Plan Review, business owners have identified that, while the area is unique, it doesn't have the key ingredients of a traditional downtown. It was highlighted that this area is almost completely developed has a suburban commercial node and thus should be zoned accordingly. The existing businesses and land uses combined with the lack of vacant lands renders the development of a typical downtown unfeasible. That being the case, even with a Suburban Commercial Zone, the area will remain a unique area for Riverview as the existing lot fabric will continue to cater and attract smaller businesses.

Further south, the Findlay Business Park has been accommodating new suburban commercial development. This commercial node is the backbone of the town's commercial economic base and this Plan recognizes that this area will serve as the town's big box centre in the years to come.

Although the Findlay Business Park will continue to accommodate large retail uses, it is important to recognize that the neighbourhoods around the park are growing. This growth, together with the business park's location and urbanization, will mean that this area will be

reachable by alternative modes of transport. As such, all new developments must provide connectivity with the existing and future sidewalks and trails, and bicycle parking will be required.

In addition, while the majority of suburban commercial developments in the past have been designed to accommodate private automobile, these developments should still be expected to incorporate proper design principles that enhance the public realm. While the automobile can still be accommodated, there are site design elements which can achieve a balance and improve the streetscape. As stated throughout this Plan, urban design is an essential ingredient in creating healthy and high quality environments. The suburban commercial developments will be expected to meet this goal, and as such, special design requirements for the suburban commercial zone shall be included in the Zoning By-law.

Policy 7.1.1 It shall be the intention of Council to recognize and foster development of retail and service outlets serving the suburban portions of the town by establishing the Suburban Commercial (SC) Zone within the Commercial Designation.

Policy 7.1.2 It shall be the intention of Council, in consultation with Business Riverview, the business community, and the general public, to undertake a study to implement urban design requirements within the Suburban Commercial Zone.

This Plan acknowledges that, within the Suburban Commercial Zone, the reality is that the majority of the clientele arrive by car. While a goal of this plan is to increase residential density in these areas, and bring residents and services closer together, almost all Suburban Commercial Zoned land fronts upon, or gains access to, the town's major arterial or collector streets. As a result, maintenance of public safety, both on the street network and on undeveloped sites, will be increasingly important as these areas continue to develop. The manner in which generated traffic is integrated with flows on public streets is significantly affected by driveway design, location and separation. Good access management is supported by this Plan and as such, developments that generate significant traffic volumes will need to be carefully reviewed. These large automotive related developments will be subject to terms and conditions by the Committee.

Policy 7.1.3 Notwithstanding policy 7.1.1, it shall be the intention of Council to direct the Committee to permit automotive related businesses that may have significant traffic implications, such as drive thru restaurants and other drive thru businesses, service stations, car washes or any development within the Suburban Commercial Zone containing more than 1,500 square metres of gross floor area, and additions thereto, subject to imposition of terms and conditions. Furthermore, it shall be the intention of Council to direct the Committee, in considering the imposition of terms and conditions, to have the utmost planning regard for the following:

- (a) estimated traffic generated by the proposal and its effect upon public street systems;
- (b) adequacy of the proposed site plan in respect to parking, pedestrian access, aisles, fire lanes, loading and delivery areas and on-site circulation systems;
- (c) adequate provision of landscaping;
- (d) location, size and design of driveways and appropriateness of traffic lights at driveways; and
- (e) provisions contained in policy 13.1.10; and
- (f) such other matters as Council deems advisable.

One particular land use that needs special consideration because of traffic and environmental concerns is service stations. While Council supports this land use, and will accommodate these types of business which are currently developed, Council intends to exercise strict control over new future development. To ensure that these developments are carried out in appropriate locations, and are designed and reviewed appropriately, specific requirements for service stations, including a minimum lot size and site design requirements, shall be provided in the Zoning By-law.

Policy 7.1.4 It shall be the intention of Council to provide special requirements for service stations within the Suburban Commercial Zone in the Zoning By-law.

Existing commercial areas are always under pressure to expand. This can be problematic when the land uses are well established and when low density residential uses are close by. In Riverview, particularly along Coverdale Road, established suburban commercial uses directly abut low density housing. In these cases, throughout Riverview, it is important that commercial uses are contained and an orderly pattern of development is upheld. Generally, it is undesirable to have commercial uses creeping into residential areas.

This Plan supports and protects existing neighbourhoods, but in some cases, it may be beneficial to permit the expansion of the suburban commercial zone into established residential areas. These cases must demonstrate that the expansion is a genuine necessity, and that the expansion will improve the site in terms of safety and beautification. Such expansions must clearly demonstrate that they will have a positive impact on the neighbourhood. These expansions will be determined on a case by case basis by rezoning.

Policy 7.1.5 It shall be the intention of Council to consider expansions of the SC Zone through the rezoning process. In considering such amendments, Council shall have regard for:

- (a) the location, number, layout and design of vehicular access, and, without limiting the generality of the foregoing, consideration of joint access where individual accesses are deemed not to be desirable;
- (b) the design and location of above grade parking lots;
- (c) the proposed landscaping and provision of amenity space;
- (d) the protection of important view lines and prevention of overshadowing by controlling building height, bulk and site location;
- (e) the design of the proposed development in terms of building orientation, relationship to other housing types and nearby land uses, the layout of the buildings, rights of-way and open spaces;
- (f) the traffic impacts;
- (g) measures for the preservation of the site's natural state by minimizing tree and soil removal;
- (h) provisions for adequate site grading with respect to the impact on neighbouring properties;
- (i) the adequacy of municipal services; and
- (j) such other matters as Council deems advisable.

Dobson and Philip Roads form one of the southern boundaries of a commercial area along Coverdale Road. Many of the businesses which front on Coverdale Road have acquired lands to the rear of the buildings for use as parking lots or storage. It has also been identified that additional land is needed for commercial development in the area. This situation was acknowledged in past Plan reviews, which creates difficulties for residential uses on the south sides of Dobson and Philip Roads. In this regard, it will be important for Council to ensure that such conflicts are minimized and that future commercial expansions are appropriate for the surrounding context.

Policy 7.1.6 Despite 7.1.5, it shall not be the intention of Council to consider any applications for amendments to the zoning by-law which would permit new commercial development on the South sides of Dobson and Philip Roads.

7.2 Commercial Mix

While it is important to recognize the existing commercial areas in the Town, it is equally important to recognize that there are other greenfield areas within the Urban Growth Boundary that are appropriate locations for commercial development. Normally, these areas are located at major intersections, both existing and planned, and all have the potential to develop as mix use commercial nodes that provide services to motorists, as well as residents who live close by. Given the proximity of current and future residential development to these areas, the development of such commercial nodes will be expected to be planned and designed in a manner that is consistent with sound urban design principles and is sensitive to the surrounding residential uses.

As noted previously, Bridgedale Boulevard is a planned east-west corridor that will extend from Gunningsville Boulevard to Hillsborough Road. It is a major project that, when completed, will help facilitate circulation in the municipality and open up a large part of east Riverview that without it, would be difficult to develop. The alignment of the planned boulevard has already been acquired and it is anticipated that access along the boulevard will be controlled.

The intersection of this future street and Gunningsville Boulevard will create a new centralized commercial hub that will become an important new focal point of the Town; it presents great opportunities to phase in new commercial and medium to high-density residential developments and is well positioned to central Moncton. Small portions of low density residential development could be appropriately integrated within this node. This area also offers potential views of the Petitcodiac River and downtown Moncton.

New residential developments south of Hillsborough Road are slowly getting closer to the Bridgedale Boulevard alignment. A new school will also be located north of the boulevard, which will further increase the demand for residential development in this location. As the population increases in this area, commercial opportunities will follow.

For this site to develop as a unique and distinct mix use commercial centre, it will require a range of commercial and business oriented developments together with the support of a range of residential developments and other amenities, such as public parks and open spaces. As such, secondary planning will be used to ensure that this area is developed in a manner that is consistent with the planning and development goals of this Plan.

Policy 7.2.1 Within the Commercial Designation, it shall be the intention of Council to establish a Commercial Mix (CM) Zone, to accommodate a range of land uses on greenfield sites along Bridgedale Boulevard and Gunningsville Boulevard and at major street intersections.

Policy 7.2.2 Within the Commercial Mix (CM) Zone, Council shall create special zoning provisions to achieve a quality urban streetscape treatment, reduced building

setbacks, controlled on-site parking location from the Boulevard, minimum architectural control, and similar controls to attain a proper urban character.

Policy 7.2.3 To ensure that the large undeveloped Commercial Mix (CM) node, located at the western portion of Bridgedale Boulevard, where it intersects with Gunningsville Boulevard, is developed in a coordinated manner that is consistent with this Plan, developers, in cooperation with the Town of Riverview and the Committee, will need to provide a secondary plan to guide the overall development of these lands.

Proposal 7.2.4 To assist with the implementation of Policy 7.2.3, Council will consider the following objectives when evaluating the secondary plan:

- (a) the plan provides an appropriate amount of mix uses which may include commercial, community, medium to high-density residential and small portions of low density residential located on local streets;
- (b) the efficient layout of streets and traffic in general;
- (c) the potential to minimize the number of driveways serving developments and to encourage the development of shared access;
- (d) quality urban design, landscaping, and streetscaping;
- (e) the connectivity with adjacent lands;
- (f) the provision of appropriate pedestrian, transit and cycling infrastructure to accommodate alternate modes of transportation;
- (g) detailed servicing and infrastructure information; and
- (h) any other applicable information.

7.3 Residential Business Service

It is recognized by Council that the nature and style of business activity that the Town is capable of and wishes to attract, changes over time. Recent trends in the regional markets have generated substantial service sector investment to the region and Riverview has been receiving a share. The Town, at the same time, wishes to facilitate the development of small businesses in the commercial designation while still providing for residential opportunities. The area along Pine Glen Road, from Philip Street to McAllister Street, has developed with a variety of land uses. In order to accommodate these existing uses, but provide options for redevelopment and improvement, this area will be considered a residential business service area.

Policy 7.3.1 It shall be the intention of Council to support the development of a wide range of commercial and technologically oriented businesses, social and educational amenities and residential uses in portions of the Commercial designation by establishing a Residential and Business Services (RBS) zone. Within the residential and business services zone, Council shall permit multiple unit residential uses, business service and general commercial uses, including some indoor storage, as well as a wide range of community and educational uses.

Many of the commercial areas in the Town are in very close proximity to established residential areas. While these residential areas can be expected to change over time, they will not change as rapidly as the rate at which commercial changes occur. In order to attempt to mitigate potential differences that result, Council will create certain limitations and design requirements within the Residential and Business Services zone.

Policy 7.3.2 Within the Residential and Business Services zone it shall be the intention of Council to establish specific guidelines in the Zoning By-Law for buildings and sites in recognition of the proximity of residential uses.

While much of the commercial area along Pine Glen Road has been pre-zoned for residential and business service zone uses, there may, in fact, be additional locations within the commercial designation where this zone can be appropriately utilized. Therefore, Council is prepared to consider further use of the Residential and Business Services zone subject to rezoning.

Policy 7.3.3 In recognition of the changing nature of the business community and adaptable objectives of the Town in respect of commercial development it shall be the intention of Council to consider the development of additional land within the Commercial designation, for residential and business services uses by amendment to the Zoning By-law. In considering such amendments Council shall have regard for the provisions of the Implementation section of this Plan.

CHAPTER 8: INDUSTRIAL DEVELOPMENT

8.0 Industrial Development

In light of the fact that there are a number of well-established urban industrial parks within the Greater Moncton area, and given the town's limited land base servicing industrial land, as well as the absence of rail lines and the proximity of the Trans-Canada Highway, the town clearly has a subordinate role in pursuing traditional industrial development. Nonetheless, the Town recognizes that there may be other land uses that are light industrial in nature (e.g. indoor manufacturing/fabrication/assembly), which do not require direct access to the transportation network and have the potential to bring economic growth to Riverview.

8.1 Business and Technology

Modern communication systems allow knowledge-based industries the freedom to use any location for production. While the "front office" may still require proximity and visibility to attract clients, production can be located anywhere. Modern publishing, design, engineering, pharmaceutical, general consulting, communications and software firms are among the types of firms which will grow in importance. Those types of businesses are important employment generators and could contribute to overall economic growth of the Town. Generally, these uses do not cause the typical nuisance of traditional industrial developments (e.g. smoke, noise, smell) and occupy buildings which, in most aspects, resemble office buildings.

Policy 8.1.1 Council shall establish special provisions in the SC (Suburban Commercial) Zone and CM (Commercial Mix) Zone whereby the Committee may consider business and technology related uses, subject to terms and conditions that it deems appropriate.

Policy 8.1.2 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;
- (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. setbacks and spatial separation,
 - 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
- (i) availability and adequacy of municipal services.

8.2 Existing Industrial Uses

At the present time, there are a number of industrial land uses in the town, particularly at the southern edge of the town boundary along Pine Glen Road. Although there are few industrial properties in town, Council believes it has a significant responsibility in providing quality shelter environments and services to its current and future citizens. It is this critical responsibility which provides the impetus for Council to become fiercely competitive in attracting a larger share of the future housing market. As the region grows and develops, the Town must maintain or improve its significance as a community entity. Therefore, in order to maintain and enhance Riverview's image as a residential community, A Great Place To Grow:

Policy 8.2.1 It shall be the intention of Council to limit industrial development within the Town by establishing an Industrial Designation on the Future Land Use map only to those lands currently developed. The permitted uses and applicable standards shall be further defined in the zoning by-law.

There are several legal non-conforming industrial land uses along Pine Glen Road. As a result, future expansions of these businesses are limited. While Council recognizes that these businesses pre-date the current zoning, it must be understood that Pine Glen Road is transforming. The upgrading of Pine Glen Road to a proper collector street is a priority for the town. This work has commenced, and over the coming years, it will be completely reconstructed to include a sidewalk and multi-purpose trail. As the reconstruction takes place, new developments will be expected to address the street and good urban design will be essential.

While Council anticipates this area developing as a mix of residential and business uses, it must be recognized that maintaining and fostering employment in Riverview is a major objective of this Plan. Relocating these businesses poses challenges, as Riverview has a limited amount of industrial land. Therefore, while the non-conforming uses would ideally be relocated to a more appropriate area, it may not be possible. At the same time, the future expansions of these businesses may present opportunities to improve these sites through the rezoning process.

Policy 8.2.2 Furthermore, Council shall encourage and, when cost effective, may assist, in the relocation of visually noxious industrial uses to more appropriately designed and designated land within the urban region.

Policy 8.2.3 Notwithstanding Policy 8.2.1, Council may consider rezoning existing industrial lands, on a case by case basis, to accommodate expansion of an existing industrial use if, in addition to all other criteria set out in the various policies of this Plan, the development has respect for the following:

- (a) the expansion will not cause additional nuisances to surrounding properties;
- (b) the expansion will improve the site in terms of safety, design and moving the operations indoors; and
- (c) all other provisions, as stated in Policy 8.1.2, are reflected.

Policy 8.2.4 In choosing to locate new greenfield neighbourhoods or greenfield neighbourhood expansion, Council shall prescribe, through the Zoning By-law, a minimum spatial buffer and screening requirements from existing industrial developments in order to minimize the potential conflicts between these two uses.

8.3 Industrial/Business Park

Section 8.2 emphasizes the importance of protecting Riverview's image as a residential community. Therefore, industrial developments are not mentioned as a priority as they have been traditionally seen as being noisy, polluting and potentially dangerous, and thus incompatible with residential developments. However, as developed countries are adjusting to world influences, their economies are moving to knowledge based industries. Dependence on older style labour and capital intensive, "metal bending" industries is in decline.

This Plan provides guidance for development within the Town for the next 20 years. While this Plan recognizes the Town is primarily a residential community, it also acknowledges that Riverview is changing and is increasingly becoming a proper urban municipality offering a variety of services. As the Town urbanizes, residents expect to have a complete range of services within their own municipal boundaries. Services, employment and population growth are all interrelated. Given that industrial/business parks are important employment generators, and also significant contributors to the municipal tax base, this Plan provides policy guidance for Council in the event that interest in developing an industrial/business park would arise within the town.

Policy 8.3.1 Within the life of this Plan, Council may consider amending the Municipal Plan and Zoning by-law to accommodate the development of an industrial/business park.

Proposal 8.3.2 To assist with the implementation of Policy 8.3.1, Council, in addition to all other criteria set out in the various policies of this Plan, shall have appropriate regard for the following:

- (a) That the lands to be redesignated and rezoned are appropriately located and ensure future land uses around the proposed industrial areas are of a type and design that are not affected by adjacent industrial activities;
- (b) That the proposed industrial park provides natural open spaces, greenway trails, and passive parks as a means to ensure adequate spatial separation and buffering with neighbouring non-industrial uses;
- (c) That the lands will be developed in a park setting, by establishing site development standards for setbacks, parking lots, landscaping requirements, height limits and signage in the Zoning By-law;
- (d) The type of industrial uses being proposed, and specifically the exclusion of primary manufacturing;
- (e) Measures to ensure that the proposed use will not interfere with the operation of any adjacent use by virtue of the creation of vibrations, noise, or other nuisances;
- (f) The delivery of municipal services and any effects the proposed development will have on existing and planned services;
- (g) The industrial park is secondary planned; and
- (h) The implementation policies of this plan.

Proposal 8.3.3 To assist with the implementation of Policy 8.3.1, Council will consider the following objectives when evaluating the secondary plan as noted in proposal 8.3.1 (g):

- (a) the plan provides a detailed map of the type of uses being proposed and their location within the proposed industrial/business park;
- (b) the efficient layout of streets and traffic in general;
- (c) quality design, landscaping, and streetscaping;

- (d) the connectivity with adjacent lands;
- (e) the provision of buffering with the neighbouring properties;
- (f) the provision of appropriate pedestrian, transit and cycling infrastructure to accommodate alternate modes of transportation;
- (g) detailed servicing and infrastructure information; and
- (h) any other applicable information deemed important by Council.

CHAPTER 9: PARKS, OPEN SPACES AND RECREATIONAL FACILITIES

9.0 Parks, Open Spaces and Recreational Facilities

The Town has developed a variety of parks, open spaces and recreational facilities that appeal to residents of all ages. These are major amenities which play an important role in the social, cultural, economic, environmental and physical health and well-being of our community. The quality of these spaces and facilities in Riverview, and the availability of them to residents, is well recognized and as a result, Riverview is perceived as a desirable community. The continued growth of these amenities is a major goal of this Plan.

The need for a Recreational Master Plan has been well documented in past Plans. In addition, as Riverview continues to grow and become more accessible, the need for an Active Transportation Plan has been noted. These two plans will outline a long-term Town-wide strategy for creating and developing parks, open spaces and trails throughout the Town.

The development of Riverfront Park has always been the Town's major recreational priority. However, with Riverfront Park now complete, there is a need to protect the existing unique attributes throughout the Town. Mill Creek has been identified as a future Regional Park, with a potential to draw users from other communities and create economic development opportunities. The Town has acquired land in this area, both inside and outside the Town boundary.

As more areas develop into new residential neighbourhoods, there will be a growing demand for the town to keep pace with its parks and recreational facilities. As such, it will be important for the town to monitor changes in population and demographics to ensure changing user needs are adequately addressed.

In addition, the need will continue for the Town to take land for public purposes as part of the subdivision process. When obtaining land for public purposes, the potential for new park spaces and open spaces, the potential for linkages to other parks and playgrounds, the need to buffer residential areas, as well as undertaking conservation measures, must be considered. In general, larger district parks, and the connectivity to them, will be the priority, while smaller lots will be less desirable. The Recreation Master Plan will help lead the acquisition of land for public purposes.

Lastly, continued growth and demand will increase the costs of new parks and recreational facilities, as well as the maintenance of the town's existing amenities. The Town should continue its efforts to encourage the use of existing programs and facilities owned and operated by other organizations in the town and will continue to be open to new proposals from private providers of recreation services and facilities.

- Policy 9.0.1** It shall be the intention of Council to create a CU (Community Use) Designation on the Generalized Future Land Use Map, to recognize community uses such as parks, recreational facilities, open spaces and public services.
- Policy 9.0.2** Council shall ensure that all Town-owned parks and recreation facilities are safe and adequately maintained.
- Policy 9.0.3** It shall be the intention of Council to establish a long-term, town-wide strategy for creating and developing future parks, open spaces and trails through a Recreation Master Plan and an Active Transportation Plan.
- Policy 9.0.4** Council shall protect the Town owned land around Mill Creek for a future Regional Park.
- Policy 9.0.5** Council shall permit active recreation land uses in all zones.
- Policy 9.0.6** Demographic trends and facility and program usage shall be monitored to ensure that changing user needs are addressed through:
- (a) the development or redevelopment of parks and recreation facilities;
 - (b) the tailoring and designing of programs that suit the intended users.
- Policy 9.0.7** It shall be the intention of Council to instruct the Committee, when a proposed subdivision involves dedication of lands for public purposes or cash in lieu, to have regard for the following:
- (a) the existence of other nearby facilities;
 - (b) quantity and nature of local recreation demand;
 - (c) land suitability for intended purpose;
 - (d) accessibility;
 - (e) site frontage;
 - (f) potential for integration with existing park and open space network;
 - (g) compatibility with existing and proposed land uses;
 - (h) potential vehicular generation and necessity for on-site parking; and

- (i) potential maintenance and property tax cost.

Policy 9.0.8 When a subdivision plan involves the dedication of land for public purposes, Council shall instruct the Committee, the Town's Parks & Recreation Department and Engineering and Public Works Department to have consideration for the following site planning guidelines:

- (a) compatibility of the proposed use with the natural environment, natural drainage pattern and surrounding land uses;
- (b) adequacy of the proposed site plan;
- (c) potential impact on the adjacent property owners, including noise generation, drainage, light spill-over and privacy protection;
- (d) user safety and security;
- (e) ensure sufficient site frontage to provide ample visibility to encourage maximum use;
- (f) provision of adequate site parking, if required;
- (g) consideration of special needs groups and individuals;
- (h) traffic impact considerations; and
- (i) any other matter deemed necessary by either the Committee or Council.

Policy 9.0.9 It shall be the intention of Council to discourage small park spaces, such as tot lots, and instead encourage district parks and connectivity between them, so that all residents have adequate accessibility to parks, open spaces and recreational facilities.

Policy 9.0.10 Council shall consider co-operation with community groups, the local School District, and other private recreation facilities, clubs and service groups to facilitate the wider use of their existing services and programs.

Policy 9.0.11 Council will aggressively pursue senior government funding to improve the recreation facilities and open space in Riverview.

Proposal 9.0.12 To assist in the implementation of Policy 9.0.3, Council proposes to complete a Recreation Master Plan, which will be used to guide future recreational development and the enhancement of current recreation systems, programs and facilities. The Plan should include the following:

- (a) Preserving and enhancing existing parks, open spaces and facilities.
- (b) Ensuring and improving connectivity for all users.
- (c) Ensuring an appropriate supply and quality of community and neighbourhood open space.
- (d) Preserving the Mill Creek area as the Town's future regional park.
- (e) Promoting and encouraging green development that conserves greater amounts of vegetation and green spaces than conventional style development.

Proposal 9.0.13 To assist in the implementation of Policy 9.0.3, Council proposes to complete an Active Transportation Plan, which will be used improve and expand the existing transportation network for cycling, walking and public transit. The Plan should include the following:

- (a) Ensure safe and efficient accessibility for non-motorized transportation within the community.
- (b) Identify and create a network of trails and other paths providing connectivity to neighbourhoods, schools, work and shopping destinations.
- (c) Develop an educational and promotional program that encourages the use of alternative modes of transportation.

CHAPTER 10: INSTITUTIONAL AND PUBLIC SERVICES

10.0 Institutional and Public Services

Institutional and public services play an essential role in enhancing the social, cultural and economic potential of individuals and communities and are an important aspect of urban planning. This section refers to such uses as schools, senior care, health facilities, churches, day care centres, police station, fire station and municipal buildings. As integral parts of our community, the Town wishes to ensure that these facilities are well situated, planned and designed to meet our community's needs, today and well into the future.

Policy 10.0.1 Council shall include institutional and public services type use within the Community Use Designation on the Generalized Future Land Use Map.

Public schools are central to the lives of our community's young people, their families and our neighbourhoods. While it is recognized that the Province has the primary responsibility for school facilities planning and management, school planning is an important and a natural part of community planning. The Town believes that both the Province and the Municipality would benefit from the opportunity to work together to ensure that education plans and municipal plans integrate well and support one another.

Policy 10.0.2 The Town supports the development of Provincial methods and procedures to coordinate school district facility planning with local governments and municipal plans.

Policy 10.0.3 The Town will offer assistance to the Province in planning for school locations.

Policy 10.0.4 Council encourages school facility planning to take into account the long-range growth management and land use strategies and other policies of this Municipal Plan.

School facilities have the potential to serve the needs of the community beyond the requirements of education. However, in order for the community to fully benefit from these infrastructures, better cooperation between Town officials and the School Board must be achieved. Similarly, various religious facilities, and other non-profit volunteer associations have the potential resources and facilities to aid the community in achieving its improved quality of life objectives. The efficient use of the community's current building stock will reduce any future demand for capital expenditure on recreational facility development. Therefore:

Policy 10.0.5 It shall be the intention of Council to encourage the effective use of school, religious and other non-profit facilities throughout the Town to serve as community centres.

Policy 5.1.1 provided for the development or expansion of non-residential developments within the Residential designation in order to achieve complete communities. The provision of schools, churches, parks and open space have generally been determined to be compatible land uses within all types and forms of development. However, Council is also aware of the potential which large buildings and intense developments may have on the environment and immediate area. Although Council wishes to facilitate development, it also wishes to exercise sufficient police powers to ensure minimum impact on stable neighbourhoods.

Policy 10.0.6 It shall be the intention of Council to instruct the Committee, when considering the imposition of terms and conditions to permit the establishment or expansion of schools and/or places of worship in any land use designation, to have regard for the following consideration:

- (a) sites should be planned, landscaped and buffered in such a manner to minimize negative impacts of traffic, noise and visual intrusion on residential neighbourhoods and other land uses;
- (b) the scale and design of the proposal shall complement and be deemed compatible with adjacent land uses;
- (c) adequate parking is provided; and
- (d) the site is fully serviced.

Policy 10.0.7 Furthermore, Council shall instruct the Committee to have regards for policy 10.0.6 when considering any of the following land uses:

- (a) fire and police stations; and
- (b) assisted living or independent living facilities.

10.1 Protective Services

Police and Fire departments are considered protective services for life and property. The Town of Riverview has its own fire department located in a new state-of-the-art facility on Pinewood Road and police protection is provided by the Codiac RCMP. Municipalities are responsible for dealing with emergency situations within these jurisdictions. The ability of a municipality to respond to serious situations depends on the effectiveness of its protective and other services to coordinate and respond appropriately.

Policy 10.1.1 Council shall permit police, fire and ambulance stations in any area designated and suitable for such development on the Generalized Future Land Use Map.

Policy 10.1.2 It is essential for fire and life safety protection, that Fire and Rescue staff be included in discussions, planning and implementation of building and / or development application, including, where necessary, subdivision applications. The particular issues that need to be reviewed include, but are not limited to, access to property for fire and emergency vehicles, minimizing emergency response time, ensuring appropriate water flows as required under the National Building Code of Canada and the National Fire Code of Canada (with local Fire and Rescue Department input). Input for life safety and fire issues shall be required for all developments, whether access is by way of a public street or private road.

Policy 10.1.3 Council shall examine the distribution of fire hydrants and ensure that existing deficient areas and future development areas have adequate fire protection systems.

Policy 10.1.4 As required, Council shall authorize the preparation of a fire flow analysis study for the purpose of identifying existing deficiencies in the water system for firefighting needs.

Under the provisions of the New Brunswick Emergency Measures Act, the Council in each municipality is responsible for dealing with emergencies within its administrative boundaries. The Act also requires that each municipality “shall establish and maintain a municipal emergency organization” and “shall prepare and approve an emergency measures plan.” The Act defines an Emergency Measures Plan as “any plan, program or procedure prepared by a municipality that is intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property and the environment in the event of such occurrence.”

Policy 10.1.5 Council shall ensure that the firefighting and emergency response function of the department is maintained at a suitable level to ensure that residents of the Town are adequately served.

Policy 10.1.6 Council shall ensure that the Emergency Measures Plan and the Municipal Emergency Measures Organization are updated on a regular basis so as to ensure the most effective response to an emergency situation or disaster within the Town boundaries.

CHAPTER 11: ENVIRONMENT

11.0 Environmental Policies

A healthy natural environment and the ability to manage the natural resources that residents depend upon in a sustainable way are fundamental principles by which Riverview wishes to develop.

The community's most dominant feature is the Petittcodiac River. Another key component of the Town is Mill Creek and the surrounding forest. They are community resources, which must be protected for generations to come. The Town has acquired significant portions of water frontage property and hundreds of acres surrounding Mill Creek and should continue acquiring lands that are deemed important for the community to remain accessible for public uses.

Similarly, tributaries and wetlands play an important and vital role in the overall function and protection of rivers and lakes. These watercourses and environmentally sensitive areas should also be protected primarily by prohibiting development activity and secondly by land acquisition when recreational uses can be twined with conservation measures, therefore:

The Town of Riverview's Environmental priorities are:

1. To identify and protect those areas of significant scenic, environmental and wildlife habitat value.
2. To provide for the orderly and comprehensive management of watercourses and floodplains.
3. To sustain or enhance, where possible, the quality of the environment within the town as it relates to urban development and human activity.

Policy 11.0.1 Council shall designate the town's most significant environmentally sensitive areas as Community Use on the Generalized Future Land Use Map.

11.1 Environmentally Sensitive Areas

Policy 11.1.1 Council shall endeavour to protect and limit development in all environmentally sensitive areas, including:

- (a) river banks and ravines;
- (b) areas with flooding risk;
- (c) areas with significant development constraints;

- (d) significant natural habitat; and
- (e) other areas of open space value.

Policy 11.1.2 Council shall endeavour to secure land within environmentally sensitive areas:

- (a) through appropriate zoning mechanisms;
- (b) as land for public purposes when required through the subdivision process, where appropriate and;
- (c) through land acquisitions, where appropriate.

11.2 Compatible Uses

Policy 11.2.1 Council shall endeavour to ensure that land uses within and abutting designated open spaces and other environmentally sensitive areas are compatible with and have minimal impacts on the natural environment.

Policy 11.2.2 Council shall encourage the use of environmentally-sensitive areas for trails, interpretive centres, wildlife habitat and any other combination of recreational uses that has minimal impact on the surrounding environment.

11.3 Provincial Regulations

Policy 11.3.1 It shall be the intention of Council to ensure that a sustainable approach to development is taken. Part of this approach will require working with the Province to ensure that Regulations relating to watercourses, coastal marshes, environmental impact assessments, protection of watersheds and ground water resources, salt storage and snow removal, solid waste, and regulations related to petroleum storage are respected.

11.4 Watercourse Protection

Policy 11.4.1 It shall be the intention of Council to protect watercourses by establishing an Open Space and Conservation (OS) Zone on riparian areas, as determined by the Digital Topographic Data Base 1998 (DTDB98) published by Service New Brunswick. Watercourses, including Mill Creek and Turtle Creek, shall therefore be subject to a minimum watercourse protection buffer of 30 metres.

Policy 11.4.2 It shall also be the intention of Council, without limiting the generality of the aforementioned policy, to seek acquisition of lands situated within the open space (OS) Zone.

CHAPTER 12: URBAN DESIGN

12.0 Urban Design Policies

The Town of Riverview prides itself on having a beautiful riverfront community. One of the tools that can be used to preserve this image is the application of Urban Design principles. The Urban Design objectives of this plan shall endeavour to reinforce the goals of the Town of Riverview's Municipal Plan, as well as to facilitate urban design review in areas of the town where there is a clear public interest to preserve existing character or to promote a selected design theme. Design involves subjective matters related to the visual character, aesthetics and compatibility of land use and to the qualitative aspects of development, and should take into consideration "seasonality"(i.e. snowfall).

Design principles will be implemented through Secondary Plans, Rezoning, Terms and Conditions applications and standards contained in Zoning and Subdivision By-laws.

Policy 12.0.1 During the review of new development or significant redevelopment, or subdivision the Town will promote the use of the following urban design principles, where applicable, as a means of enhancing the quality of the public realm, and enhancing the health, safety and welfare of the general public:

- (a) Natural Features – Designing developments that preserve and complement significant natural features, topography and landscape, as well as respect the physical capacity of land to accommodate development. The preservation of wetlands, waterbodies, unique ecosystems, vegetation, and urban forests and parks shall be encouraged.
- (b) Heritage Resources – The design of new developments shall encourage the preservation, restoration and enhancement of identified heritage features.
- (c) Building Design – Building and development review processes will encourage a high standard of building design.
- (d) Landscaping and Buffering – Landscaping shall be encouraged in all new developments to achieve and maintain aesthetically pleasing appearances of building sites, parking areas, and streetscapes. The compatibility of adjacent residential and non-residential development shall be encouraged through site design and buffering measures, including landscape screening and fencing.

- (e) Public Open Spaces – Areas dedicated to public open space shall be used to help shape the Town's goal to enhance the quality of life. Opportunities to improve links to existing public opens spaces shall be encouraged.
- (f) View and Vistas – Ensure wherever possible the views and vistas of the built and natural environment are preserved and enhanced.
- (g) Barrier Free Access – New buildings and public spaces and the retrofitting of existing buildings shall be designed to be accessible to all persons.
- (h) Respect the Urban Tradition of Streets and Blocks – Maintain the street as the primary public space. Maintain the characteristic building setback that defines the street and public environment.
- (i) Streetscapes – The character of the street environment shall be enhanced through the integrated design of sites, buildings, streets and streetscape improvements. Existing streets shall be examined for their qualities as pedestrian spaces and visual links as well as carriers of traffic, and guidelines may be adopted to enhance these qualities.
- (j) Traffic Calming – Traffic-calming measures shall be implemented in certain areas through reduced speeds, road widths and on-street parking to enhance the potential for pedestrian activity.
- (k) Intersections – Council shall place particular emphasis on the design of intersections of major roads in the Town as marking major entrances into nearby neighbourhoods, and may require design measures that define these intersections.
- (l) Transit and Pedestrian Oriented Development – All development shall be designed having regard for Active Transportation modes, including public transit and pedestrian- oriented accessibility, convenience and comfort.
- (m) Utilities – Lands are required for public and private utility services such as hydro, water and sewage facilities, gas and oil pipelines and telephone lines. The manner and location in which these services are provided may have certain impacts on the surrounding area. Utility facilities shall be located in a manner that avoids adverse visual, environmental, health and safety impacts.
- (n) Parking Areas – The location, amount, position and design of parking areas shall be reviewed to minimize their potential to erode the qualities of the public streetscape, and to lessen their visual impact. Council shall

require landscaped islands and screening in the design of large parking lots.

- (o) Integrate Public Art – Treat architecture as an art. Integrate public art in the building fabric and in important spaces.

12.1 Signage Policies

It is highlighted in many sections of this Plan that urban design is a major priority for the Town. Urban design is not only for buildings, it is also about our streets and streetscapes and how they interact with the public realm. The streetscape is a very challenging component of urban design, as streets are generally seen as piece of infrastructure with one function; to move people from one place to another. Often, we tend to overlook the importance of the public realm component that is formed by the arrangement of the streets, sidewalks, landscaping, parking lots, signage, and building facades. Given that the streetscape in its entirety is formed by both elements from the public and private realms, it requires a collaborative effort to achieve good urban design.

The question of signage has often been a challenging component for municipalities. The purpose of signs, to advertise, requires visibility and that typically involves them being located as close as possible to the street. As a result, they become a prominent part of the streetscape and may consequently have a negative impact on community aesthetics as well as public safety. This is further challenged with the arrival of new technology making signage even more visible.

Electronic message signs are increasing in popularity throughout our community. What used to be single-colour incandescent screens, typically used to broadcast time and temperature, have grown into dynamic displays using picture-quality resolution allowing unlimited options for businesses to advertise their goods and services. However, this introduces new elements potentially affecting the visual character and safety of our streets.

Depending on the street type and the built form, signage can contribute to enhancing the streetscape or detracting from it. Good design is often said to be subjective; however, proper attention to context and location is very real and objective. The Town's role is to find a balance which allows businesses and other organizations to advertise their offerings, while at the same time, maintain standards of public safety and community aesthetics.

OBJECTIVES

It is an objective of Council to:

1. Recognize the benefits of ensuring a quality streetscape throughout the Town.
2. Recognize the impact of signage on the streetscape and adjacent land uses.

3. Recognize the importance of signage for businesses and other organizations to communicate their brand or offerings.
4. Recognize the need for a new approach in regulating electronic message signs.
5. Ensure that public safety and community aesthetics are not compromised by signage.

Policy 12.1.1 In order to ensure signage does not affect public safety or deteriorate streetscapes and community aesthetics, Council shall establish general zoning provisions to control sign design, type, dimension, height and location;

Policy 12.1.2 Further to Policy 12.1.1, in order to ensure signage respects its context and location, Council may establish special design requirements for signage within specific urban areas of the Town.

Policy 12.1.3 In recognizing potential impacts of the increase in use of electronic message signs, Council shall establish special zoning provisions to address the following:

- (a) Ensuring appropriate distances between electronic message signs and traffic control devices;
- (b) Regulating message transition and duration;
- (c) Restricting the brightness of signs;
- (d) Restricting their hours of operation;
- (e) Requiring signs to have automatic dimming capability; and
- (f) Prohibiting them in sensitive locations.

Policy 12.1.4 In order to ensure community aesthetics and public safety, Council shall direct the PAC to have special attention to the following when considering a variance or the imposition of terms and conditions for certain types of signs in sensitive locations:

- (a) Ensuring there is no conflict with traffic control devices;
- (b) Design criteria and features to ensure the signage is sensitive to its context and location;
- (c) Ensuring potential light pollution and light trespass into adjacent sensitive land uses is mitigated;

- (d) Protecting special view line and heritage building and sites; and
- (e) The impact of the sign on the streetscape.

Policy 12.1.5 Given that billboard signs may have a significant impact on the streetscape as well as the overall community aesthetics, Council shall not allow them as-of-right in any zone.

Proposal 12.1.6 It is proposed that Council may, subject to a conditional zoning agreement, consider allowing for billboard signs in commercial areas of the Town, subject to Policy 12.1.5.

CHAPTER 13: IMPLEMENTATION

13.0 Implementation Policies

This Plan is the primary policy document to guide decision making for growth, development and investment within the Town over the course of the next 20 years. The Plan will be implemented through various regulatory documents including a new Zoning By-law which will be established in conjunction with the adoption of the Plan.

13.1 Development Approvals and Amendments

Over the course of implementing this Plan, it is intended that all by-law amendments complement and/or support the objectives and policies of the Plan. In situations where there is conflict between any provision in the Zoning By-law or the Subdivision By-law, the Plan prevails. The Town's objectives are:

1. To ensure all future planning, regulation and decision making by the Town conforms to the general intent of the Municipal Plan;
2. To consider amendments to the Municipal Plan when deemed beneficial to the community's interest; and
3. To ensure that developments, permitted by way of a conditional rezoning or a terms and conditions application, have been carried out in conformance with the conditions imposed.

Policy 13.1.1 Council shall recognize that this Municipal Plan is the principal document for guiding development in the Town. The Municipal Plan shall be used in decision making as follows:

- (a) All forms of development approval including zoning amendments, land subdivision and construction shall be consistent with this Municipal Plan.
- (b) The Zoning By-law and Subdivision By-law shall contain regulations that implement the Municipal Plan.
- (c) Other Town By-laws will support the implementation of this Plan.

- (d) The Town's five year capital budgeting program and all major public works and capital expenditures will support the implementation of this Plan.
- (e) Secondary plans will be prepared to address specific areas or issues in greater detail. All secondary plans shall be in alignment with the Municipal Plan.

Policy 13.1.2 Council shall require amendments to the policies or schedules of this Plan where:

- (a) any policy or proposal has to be changed;
- (b) there is a request for an amendment to the Zoning By-law which is not permitted by this Plan and subsequent documented studies confirm that the policies of the Plan should be amended; or
- (c) subject to policy 13.1.12 secondary plans have been implemented

Policy 13.1.3 Providing the intentions of all other pertinent policies are satisfied, Council may, for purposes of providing for development of similar uses on properties which abut one another, consider amendments to the Zoning By-law within a designation to provide for development of uses permitted by the zone on the abutting property within the abutting designation as shown on the Generalized Future Land Use Map, forming part of Schedule "A" of this Plan, except where specifically precluded by the policies of this Plan.

Policy 13.1.4 It is not intended that all lands should be pre-zoned for specific uses. Rather, in order to give Council a greater degree of control, this Plan provides that certain land uses shall be considered only as amendments to the Zoning By-law or, in certain instances, pursuant to the imposition of terms and conditions. Such amendments and imposition of terms and conditions shall be considered only if they meet the policies of this Plan.

Policy 13.1.5 As a condition of rezoning approval, Council may require an applicant to enter into a Conditional Rezoning agreement, to be registered on the title of the property. This agreement may require:

- (a) That a time frame be set for the completion of the development, or in the case of a phased development, for the first phase of the development. The time frame will be determined by the scale and nature of the project;

- (b) That, if construction of the development or the first phase of the development has not been completed on the date established as per (a) above, no subsequent phases of development will be permitted;
- (c) That, if construction of the development or the first phase of the development has not been completed within the time frame referred to in (b) above, Council may take steps to cancel the agreement and repeal the re-zoning pursuant to subsections 59(5) and 59(6) of the Community Planning Act;
- (d) That, upon repeal of the re-zoning pursuant to subsections 59(5) and 59(6) of the Community Planning Act, the land to which the agreement pertains shall revert to the type of zone under which it fell before rezoning.
- (e) Development plans, conditions and other information that form part of the approval.
- (f) That, in addition to any other securities or bonds Council considers appropriate under section 59(8) of the Community Planning Act, the applicant provide a certified cheque in the amount of \$1,000, to cover expenses relating to the cancellation of the agreement and/or repeal of the re-zoning. The \$1,000 security shall be repayable on completion of the development for which the re-zoning is granted.

Policy 13.1.6 Notwithstanding any other policy or proposal of this Plan, Council may consider applications for developments which contain a mix of land uses in any designation pursuant to the provisions of the Community Planning Act in respect to an Integrated Development Zone.

Policy 13.1.7 This Plan may be reviewed when the Minister or Council deems it necessary, but in any case, and pursuant to section 32 of the Community Planning Act, not later than ten years from the date of its coming into force or from the date of its last review;

Policy 13.1.8 Council shall instruct the Committee to establish a monitoring system for developments in which conditions were imposed through either a rezoning agreement or terms and condition application.

Policy 13.1.9 In recognition of the transitional status of many developments approved pursuant to conditional rezonings under the former plan and by-law, and the need to maintain these conditions for the immediate future, it shall not be the intention of Council to repeal all amendments to the former by-law. However, it shall also be the intention of Council to review all conditional rezonings carried over from the

former by-law on an annual basis, and where appropriate, consider repeal of the conditional by-law. In addition where any change is proposed in the applicable conditions pursuant to the conditional agreements it shall be the intention of Council to consider such a change by an agreement made pursuant to section 59 of the Community Planning Act.

Policy 13.1.10

In considering amendments to the Zoning By-law or the imposition of terms and conditions, the Council and the Committee, in addition to all other criteria set out in the various policies of this Plan, shall have appropriate regard for the following:

- (a) the proposal is in conformity with the intent of this Plan and with the requirements of all municipal by-laws and regulations;
- (b) that the proposal is neither premature nor inappropriate by reason of:
 - i. financial inability of the Municipality to absorb costs relating to the development,
 - ii. adequacy of central or on-site sewage and water supply services and storm drainage measures,
 - iii. adequacy or proximity of school, recreation or other community facilities,
 - iv. adequacy of road networks leading to, adjacent to, or within the development; and
 - v. potential for damage to or destruction of designated historic buildings/sites.
- (c) that controls are placed on any proposed development, where necessary, to reduce conflict with any adjacent or nearby land uses by reason of:
 - i. type of use,
 - ii. height, bulk, appearance and lot coverage of any proposed building,
 - iii. traffic generation,
 - iv. vehicular, pedestrian, bicycle and transit access to/from the site,
 - v. parking,
 - vi. open storage,
 - vii. signs; and
 - viii. any other relevant matter of urban planning.
- (d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, location of watercourses, marshes or bogs and susceptibility flooding as well as any other pertinent environmental subject; and

- (e) that the proposal meets all necessary public health and safety considerations and that the site design meets all fire protection and access requirements.

Policy 13.1.11 During the review of subdivisions, the Town will have careful consideration for how the goals and objectives of this plan have been applied. Considerations will include, but not be limited to:

- (a) How wetlands and watercourses are preserved and integrated;
- (b) How natural vegetation and trees are incorporated into the design;
- (c) How concept of the complete neighbourhoods (mix of uses, neighbourhood centre, more compact design, walkability...) is applied;
- (d) How the concept of complete streets (walking, cycling, transit, vehicles) is applied;
- (e) How well the proposal addresses the Town's requirements for infrastructure.

Policy 13.1.12 Council shall ensure that the Generalized Future Land Use Map, depicted in Schedule A, is updated annually or when practical to show areas of the Town that are subject to a secondary plan.

13.2 Traffic Studies

Policy 13.2.1 A traffic study may be required in order to assess a proposed development or subdivision. This requirement will be identified at the development review stage of the application.

Policy 13.2.2 Where an application is subject to terms and conditions, rezoning, or a subdivision agreement, the Town may require the developer to contribute to transportation improvements to address matters in the Traffic Impact Study.

13.3 Municipal Organization and Governance

The Town regularly works with other organizations, other levels of government and neighbouring municipalities in the delivery of efficient services to its citizens. This Plan encourages a strategic, cooperative approach with other levels of government and external agencies to foster collaboration and ultimately the realization of plan policies which are beyond the authority of the Town to implement. Although the jurisdiction of the Plan is the Town of Riverview, there are many planning issues that transcend its borders.

The Town's objective is:

1. To maintain its ongoing collaboration with neighbouring municipalities and other levels of government on issues of common interest in the Greater Moncton Area.

Policy 13.3.1 It shall be the intention of Council to take a proactive role within the tri-community on local issues such as, but not limited to:

- (a) harmonizing the development / planning process;
- (b) tri-community sustainability;
- (c) urban forestry;
- (d) climate change mitigation; and
- (e) Tri-community Sustainable Transportation Master Plan.

Policy 13.3.2 It shall be the intent of Council to request that the appropriate federal and provincial officials consult the Town prior to disposal of any surplus government lands to private interests.

Policy 13.3.3 The Town, in the interests of administrative efficiency, will seek amendments to the Municipalities Act to permit the municipality to create a method of administering encroachments into street right of ways through a duly adopted by-law. In the case of current and future encroachments, it shall be the intention of Council to recognize that the primary purpose for streets is the movement of people either on foot or in vehicles and to seek to maintain the safety of the public in dealing with any encroachment.

Policy 13.3.4 The Town will seek the cooperation of the New Brunswick Department of Environment in providing advice and comments in respect to zoning amendments, subdivision, general planning, land use, other municipal development initiatives and capital projects and will seek an opportunity to ensure the coordination of municipal environmental interests with those of the Province.

Policy 13.3.5 Town and planning staff will review any new federal or provincial environmental legislation and will advise Council of any change in administrative procedures, capital project planning or plan and/or by-law amendments necessary to facilitate Council's continuing commitment to maintaining environmental accountability.

Policy 13.3.6 In recognition of the regional nature of most services and the mutual benefits of sharing information, the Town will explore opportunities with the City of Moncton

and the City of Dieppe and other organizations and governments for the shared use of databases and application systems.

SCHEDULE A: GENERALIZED FUTURE LAND USE MAP

SCHEDULE B: FUTURE ROADS MAP

SCHEDULE C: 5-YEAR CAPITAL BUDGET

Town of Riverview Five Year Capital Plan

	Budget 2018	Budget 2019	Budget 2020	Budget 2021	Budget 2022	Total
GENERAL GOVERNMENT SERVICES	703,160	45,000	45,000	125,000	45,000	963,160
PROTECTIVE SERVICES - FIRE AND RESCUE	332,000	460,000	0	100,000	0	892,000
RECREATION & CULTURAL SERVICES	2,219,300	2,358,500	224,000	500,000	15,430,000	20,731,800
TRANSPORTATION SERVICES (Works/Engineering)	6,522,500	6,135,000	6,330,000	8,545,000	4,695,000	32,227,500
TOTAL						54,814,460

SCHEDULE D: GLOSSARY OF TERMS

Active Transportation

The different modes of transportation that rely on human power rather than machine power. These may include cycling, walking, running and skateboarding.

Amendment

A change made to a previously adopted policy or by-law.

Committee

Means the Town of Riverview's Planning Advisory Committee

Community

A group of people with similar or shared culture, concerns or geography.

Community Planning Act (the Act)

The provincial Act that establishes the jurisdiction and responsibilities of municipalities within the province of New Brunswick to undertake planning and related activities. (*Community Planning Act*, S.N.B. 2017, c. 19)

Complete Neighbourhoods

Complete neighbourhoods are places that both offer and support a variety of lifestyle choices, providing opportunities for people of all ages and abilities to live, work, shop, learn and play in close proximity to one another.

Council

The elected legislative body that governs the Town of Riverview.

Density

In a planning context, density usually refers to the number of dwelling units, square metres of floor space, or people per acre or hectare of land.

Greenfield

With the exception of agricultural or forestry uses, usually represents a piece of undeveloped property, and is considered as a site for expanding urban development.

Infill / Infill Development

A type of development occurring in established areas of the Town. Infill can occur on long-time vacant lots, or on pieces of land with existing buildings, or can involve changing the land use of a property from one type of land use to another.

Land Use

The various ways in which land may be used or occupied.

Land Use Designations

Geographic-specific land use categories. They have associated sets of land use and management policies that are applied to specific areas.

Land Use Policy

Policies that include general land use intent as well as permitted and restricted uses in an area and selective guidelines associated with some land uses. Policies are derived from legislation, broad government direction, studies and best urban planning practices.

Mix-Use

The development of a tract of land, building or structure that includes two or more different land uses, such as, but not limited to; residential, office, community or retail.

Municipal Plan

A statutory policy document that describes the intended location and character of future development as identified in the Growth Strategy, in addition to policy for other important planning matters.

Parks & Natural Areas

Lands identified as inappropriate for any form of development, including resource use.

Plan Review Committee

A citizen-based committee created to help develop a new Municipal Plan for the Town of Riverview.

Province

The Province of New Brunswick

Public Realm

The public realm includes all exterior places, linkages and built-form elements that are physically and/or visually accessible regardless of ownership. These elements can include, but are not limited to streets, pedestrian ways, bikeways, bridges, plazas, nodes, squares, transportation hubs, gateways, parks, waterfronts, natural features, view corridors, landmarks and building interfaces.

Secondary Plan

A term used to describe a detailed statutory plan which includes a statement of the Town's policies and proposals for the development, redevelopment or improvement of a specific area of the Town.

Streetscape

The scene as may be observed along a public street, composed of natural and man-made components including buildings, paving, planting, street hardware and miscellaneous structures.

Subdivision

The process (and the result) of dividing a parcel of raw land into smaller buildable sites, blocks, streets, open space and public areas and the designation of the location of utilities and other improvements.

Town

Refers to the corporation of the Town of Riverview.

Urban Growth Boundary

The urban boundary of an urban area defines the boundary between the areas which are designated for eventual urban development and the areas intended to remain in rural uses over the long-term (i.e. the next 30 years, or longer).

Urban Design

The complete arrangement, look and functionality of any area(s) within a town, city or village.

Urban Form

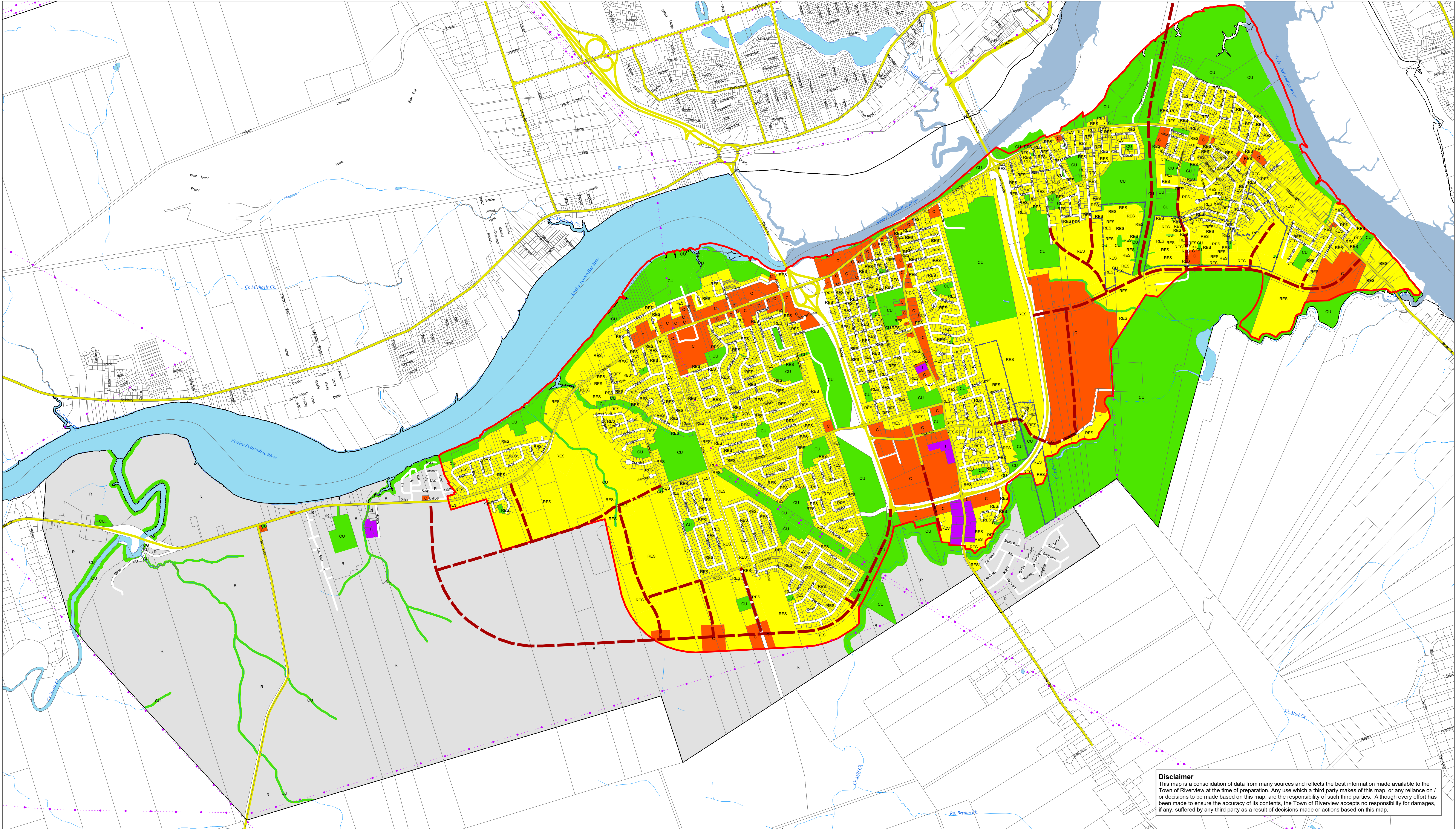
The three dimensional expression of buildings, landscapes and urban spaces.

Urban Structure

A spatial articulation of Town building objectives based on land use, physical layout and design.










Walkable or Walkability

Refers to the measurement of how conducive a place is to walking. This includes the physical nature of a place and other factors, such as safety and perceived enjoyment. Walkability is influenced by several factors including proximity to one's destination (for example, work or school), the quality of pedestrian facilities, availability of parks and public spaces, urban density, mixture of uses and the presence of a defined urban centre.



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.

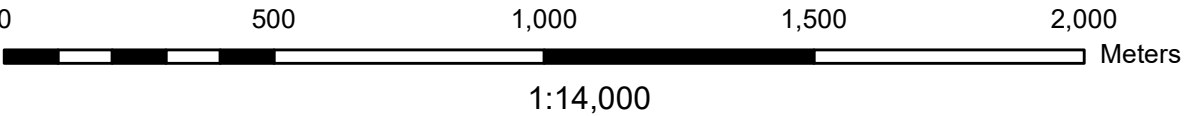
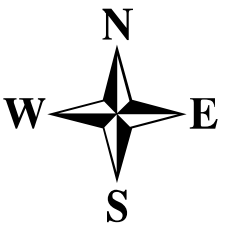
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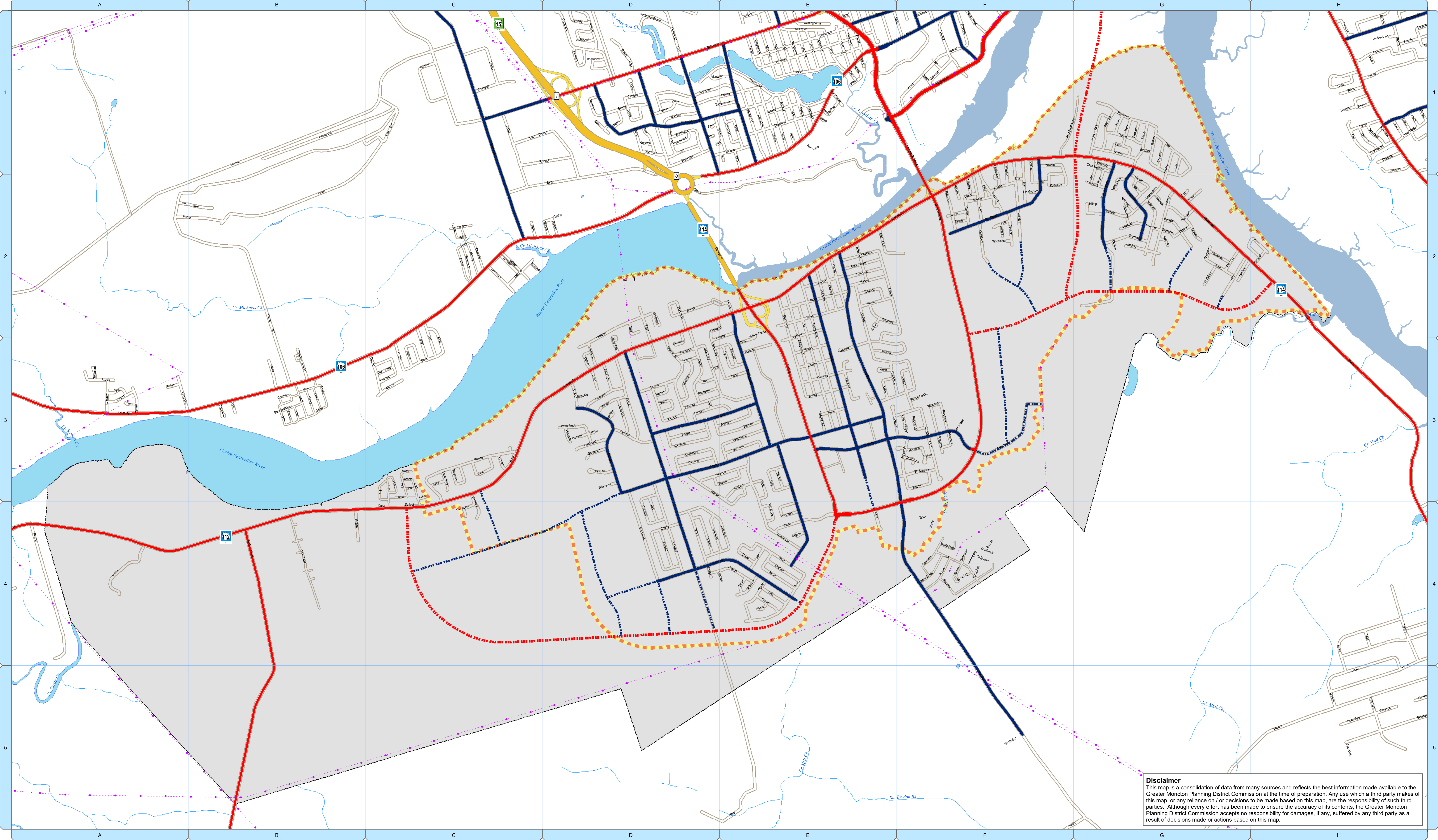
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|--|-----|-------------|---|----|------------------------|---|---|
|  | RES | Residential |  | I | Industrial |  | Urban Growth Boundary |
|  | R | Rural |  | CU | Community Use |  | Secondary Plan Areas |
|  | C | Commercial |  | ID | Integrated Development |  | Future Streets (Arterials and Collectors) |

Schedule A
Town of Riverview
Generalized Future Land Use Map

By-Law No. 300-33

Land Use Amendments





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Legend

Transmission Lines

Freeway

Future Arterial

Arterial

Future Collector

Collector

Urban Growth Boundary

Riverview Town Limits

Schedule B

Town of Riverview

Future Roads Map

By-Law No. 300-33

Amendments

W N E S

0 500 1,000 1,500 2,000 Meters



Addition of Signage Section in By-law No. 300-33

INTRO

The following are the proposed changes to the existing Municipal Development Plan By-law No. 300-32, as integrated into the proposed re-adoption, being Municipal Plan By-law No. 300-33. The proposed changes include a new section on signage policies and proposals titled ‘12.1 Signage Policies,’ which is under the current ‘Chapter 12: Urban Design.’

- 1. By adding at the end of CHAPTER 12: URBAN DESIGN, the following text:

12.1 SIGNAGE POLICIES

It is highlighted in many sections of this Plan that urban design is a major priority for the Town. Urban design is not only for buildings, it is also about our streets and streetscapes and how they interact with the public realm. The streetscape is a very challenging component of urban design, as streets are generally seen as piece of infrastructure with one function; to move people from one place to another. Often, we tend to overlook the importance of the public realm component that is formed by the arrangement of the streets, sidewalks, landscaping, parking lots, signage, and building facades. Given that the streetscape in its entirety is formed by both elements from the public and private realms, it requires a collaborative effort to achieve good urban design.

The question of signage has often been a challenging component for municipalities. The purpose of signs—to advertise—requires visibility and that typically involves them being located as close as possible to the street. As a result, they become a prominent part of the streetscape and may consequently have a negative impact on community aesthetics as well as public safety. This is further challenged with the arrival of new technology making signage even more visible.

Electronic message signs are increasing in popularity throughout our community. What used to be single-colour incandescent screens, typically used to broadcast time and temperature, have grown into dynamic displays using picture-quality resolution allowing unlimited options for businesses to advertise their goods and services. However, this introduces new elements potentially affecting the visual character and safety of our streets.

Depending on the street type and the built form, signage can contribute to enhancing the streetscape or detracting from it. Good design is often said to be subjective; however, proper attention to context and location is very real and objective. The Town’s role is to find a balance which allows businesses and other organizations to advertise their offerings, while at the same time, maintain standards of public safety and community aesthetics.

Objectives

- 1. To recognize the benefits of ensuring a quality streetscape throughout the Town.
- 2. To recognize the impact of signage on the streetscape and adjacent land uses.
- 3. To recognize the importance of signage for businesses and other organizations to communicate their brand or offerings.
- 4. To recognize the need for a new approach in regulating electronic message signs.
- 5. To ensure that public safety and community aesthetics are not compromised by signage.

Policies

- 12.1.1 In order to ensure signage does not affect public safety or deteriorate streetscapes and community aesthetics, Council shall establish general zoning provisions to control sign design, type, dimension, height and location;
- 12.1.2 Further to Policy 12.1.1, in order to ensure signage respects its context and location, Council may establish special design requirements for signage within specific urban areas of the Town.
- 12.1.3 In recognizing potential impacts of the increase in use of electronic message signs, Council shall establish special zoning provisions to address the following:
 - a) Ensuring appropriate distances between electronic message signs and traffic control devices;
 - b) Regulating message transition and duration;
 - c) Restricting the brightness of signs;
 - d) Restricting their hours of operation;
 - e) Requiring signs to have automatic dimming capability; and
 - f) Prohibiting them in sensitive locations.
- 12.1.4 In order to ensure community aesthetics and public safety, Council shall direct the PAC to have special attention to the following when considering a variance or the imposition of terms and conditions for certain types of signs in sensitive locations:
 - a) Ensuring there is no conflict with traffic control devices;
 - b) Design criteria and features to ensure the signage is sensitive to its context and location;
 - c) Ensuring potential light pollution and light trespass into adjacent sensitive land uses is mitigated;
 - d) Protecting special view line and heritage building and sites; and
 - e) The impact of the sign on the streetscape.
- 12.1.5 Given that billboard signs may have a significant impact on the streetscape as well as the overall community aesthetics, Council shall not allow them as-of-right in any zone.

Proposals

- 12.1.6 It is proposed that Council may, subject to a conditional zoning agreement, consider allowing for billboard signs in commercial areas of the Town, subject to Policy 12.1.5.



Guide to Town of Riverview Proposed By-law Signage Provisions

Overview

The Town is undertaking a review of its signage provisions to help ensure that they are current with best safety practice and protect community aesthetics and neighbourhood character. Signs are currently regulated through the Zoning By-law. This By-law, however, is silent on increasingly popular sign types such as portable and electronic message signs, which remain prohibited under the current regulatory framework.


The proposed by-law signage provisions include:

- 1. Re-adopting the existing Municipal (Development) Plan By-law with an added section on signage policies and proposals;
- 2. Re-adopting the existing Zoning By-law with a replaced, modernized section on signage provisions; and
- 3. Adopting a new Portable Sign By-law, which would contain specific provisions for these types of signs.

Summary of Proposed Changes

The following tables summarize the key proposed changes to signage provisions. Please refer to the proposed by-law documents for a comprehensive outline of the proposed changes.

Table 1: Freestanding Sign Changes

(Sub)Section of Proposed Zoning By-law	Proposed Additions/Changes	Rationale	Sign Type Example
94(1)(a) & (b)	Larger sign height (10m to 15m) and area (9m ² to 10m ²) permitted	*See 94(1)(d) below	<div>Freestanding</div> 
94(1)(c)	Double in area (10m ² to 20m ²) permitted where three (3) or more businesses on a lot	Accommodate multi-business lots	
94(1)(d)	Though larger signs are permitted, less are permitted per frontage (1 per 30m to 1 per 100m)	Larger, but fewer freestanding signs are permitted to help maintain community aesthetics	
94(2)(c)	Small signs (3m ²) permitted for farm or home business in RA Zone	Accommodate rural businesses	


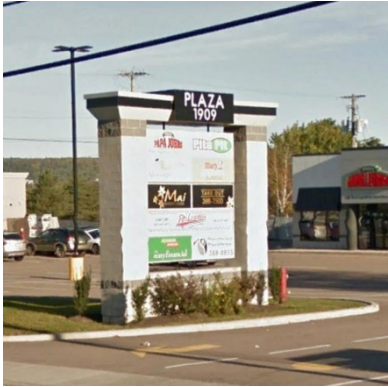
94(2)(d)	Provides for neighbourhood identification signs	Allow for neighbourhood entrance type signs	Neighbourhood identification 
92(2)(e)	Additional provisions for lots in the CM Zone fronting onto Bridgedale Blvd and Gunningsville Blvd	Help maintain community aesthetics along these corridors	
98	Provides for directory signs	Accommodate multi-business lots	Directory 

Table 2: Projecting Sign Changes


(Sub)Section of Proposed Zoning By-law	Proposed Additions/Changes	Rationale	Example
95(a)	Max area reduced (6m ² to 1m ²)	Help ensure signs are not overwhelming and take aware from built form	Projecting 
95(b)	Projection distance reduced (2.5m to 1.5m)	Safety provision	
95(f)	Prohibit swinging signs	Safety provision	

Table 3: Wall Sign Changes and New Provisions for Canopy Sign



(Sub)Section of Proposed Zoning By-law	Proposed Additions/Changes	Rationale	Example
96(1)(b)	Area controlled by length of wall of which the sign is affixed (1m ² per linear m of wall)	Help ensure signs are not overwhelming and take away from built form	Wall 
96(2)	Permit wall signs as identification signs for multiple unit dwelling or daycare centres	Harmonize with freestanding sign provisions	
97	Provides for canopy signs	Regulate separately from wall signs	Canopy 

Table 4: New Provisions for Portable and Sandwich Signs



(Sub)Section of Proposed Zoning By-law	(Sub)Section of Proposed Portable Sign By-law	Proposed Additions/Changes	Rationale	Example
99		Reference to new Portable Sign By-law		Portable 
92(5)		Development permit exemption for portable signs		
	3. & 7.(4)	License permit required and valid for 30-day period		
	6.(f)	\$25 application fee		
	7.(5)	Maximum of three (3) license permits allowed per year per lot		
100		Provides for sandwich, 'A-frame' signs		Sandwich 
92(6)	13.	Development permit and license permit exemption for sandwich signs		

Table 5: New Provisions for Electronic Message Sign



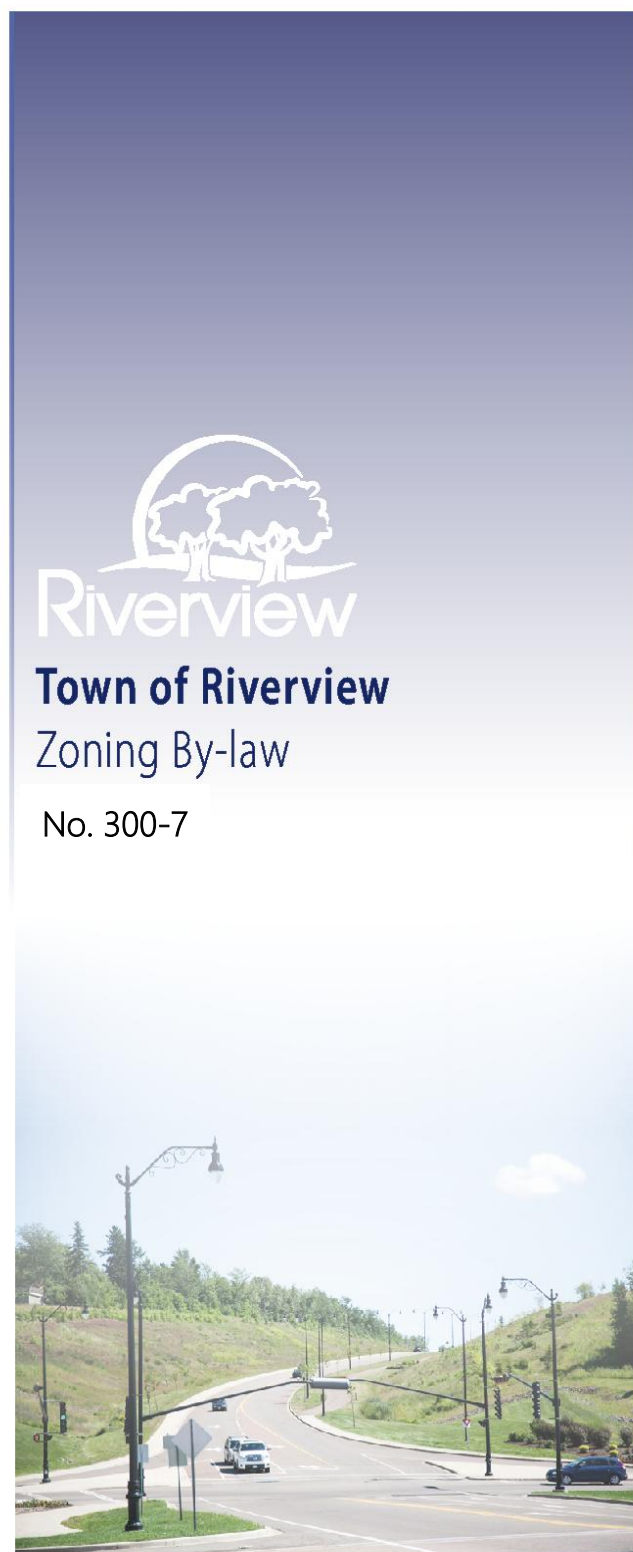
(Sub)Section of Proposed Zoning By-law	Proposed Additions/Changes	Rationale	Example
100.1(1)(a) & (b)	Allowed as a permitted use in primarily commercial and industrial zones; and a conditional use in mixed, parks and institutional zones	Helps protect community aesthetics and includes a trigger for public input and conditions to potentially mitigate neighbourhood impacts	Electronic message 
100.1(1)(c), (d), & (e)	Provisions for message duration and transition	Safety standards as per Transportation Association of Canada (TAC) guidelines	
100.1(1)(f) & (g)	Provisions for message brightness	Safety provisions	
100.1(2)	Electronic message sign shall not exceed 50% of the total size of the host sign	To facilitate on-site information and advertising	
100.1(3)	Acknowledgement letter required	Safety provision; helps ensure adherence to operational provisions	
100.1(4)	Provisions for hours of operation	To facilitate on-site information and advertising	
93(2)	Restriction zone for electronic message signs around traffic control devices, as per Schedule C.1 (attached)	Safety provisions	

Table 6: New Policy for Billboard Sign

(Sub)Section of Proposed Municipal Plan By-law	Proposed Additions/Changes	Rationale	Example
Policy 12.1.5 & Proposal 12.1.6	Billboards are not permitted as-of-right in any zone; they may be considered through the Zoning By-law amendment process	Sign type can have a significant impact on streetscape and community aesthetics	Billboard 



BY-LAW # 300-7
TOWN OF RIVERVIEW ZONING BY-LAW

Definitions 1

abut
accessory building
accessory dwelling
accessory use
Act
adult cabaret
adult entertainment use
adult motion picture theatre
adult retail outlet or adult bookstore
agricultural use
assisted living facility
automobile repair shop
automobile sales establishment
basement
bed and breakfast
bicycle parking space
billboard sign
building
building, accessory, see "accessory building".
bus
campground
canopy sign
carport
car wash
cemetery
church
commercial parking lot
commercial use
commercial vehicle
Committee
communication use
community garden
corner lot
Council
convenience store
critical elevation
daycare centre
deck line
development
development officer
directional sign
directory sign
display court
dissolving
distribution use
drive thru
driveway
driveway aisle
dwelling

dwelling, accessory, see "accessory dwelling".
dwelling, manufactured", see "manufactured dwelling".
dwelling, multiple unit, see "multiple unit dwelling".
dwelling, rowhouse, see "rowhouse dwelling".
dwelling, semi-detached, see "semi-detached dwelling".
dwelling, single unit, see "single unit dwelling".
dwelling, townhouse, see "townhouse dwelling".
dwelling, two unit, see "two unit dwelling".
dwelling unit
educational use
electronic message sign
electronic moving copy
electronic static copy
engineered solution
entertainment use
erect
escort service
established grade
exotic entertainment
extraction
façade
fading
farmers' market
flankage
flankage lot line
flankage yard
flashing
forestry use
freestanding sign
front lot line
front yard
frontage
full cut-off lighting fixtures
fully screened
funeral home
garden suite
geodetic datum
geodetic elevation
golf course
government use
gross floor area
ground floor
habitable space
heavy equipment sales establishment
height
home business
home daycare
home occupation
hotel or motel
household pet
identification sign
illuminated sign
independent living facility
industrial use
institutional use
kennel

landscaping
loading space
lot
lot, corner", see "corner lot".
lot coverage
lot line
lot line, flankage, see "flankage lot line".
lot line, front, see "front lot line".
lot line, rear, see "rear lot line".
lot line, side, see "side lot line".
lot width
main building
main wall
manufactured dwelling
massage parlour
message duration
message transition
mini storage warehouse
mobile stand
motor vehicle
multiple unit dwelling
municipality
neighbourhood identification sign
nursery
occupied floor space
office use
off-site parking lot
outdoor storage
parking aisle
parking block
parking garage
parking lot
parking lot, commercial, see "commercial parking lot".
parking lot, off site, see "off-site parking lot".
parking space
paved
personal service shop
pet services
philanthropic use
porch
portable sign
projecting sign
private school
public entrance
public park
public school
rear lot line
rear yard
recreational use
recreational vehicle
recreational vehicle sale establishment
required flankage yard
required front yard
required rear yard
required side yard
redemption centre

research and development
residential care facility
restaurant
retail store
rooming house
rowhouse dwelling
sandwich sign
second farmstead residence
school, private, see "private school".
school, public, see "public school".
screening
scrolling
secondary use
semi-detached dwelling
semi-trailer
service shop
service station
side lot line
side yard
sight triangle
single unit dwelling
sign
sign, billboard, see "billboard sign".
sign, canopy, see "canopy sign".
sign copy
sign, directional, see "directional sign".
sign, directory, see "directory sign".
sign, electronic message, see "electronic message sign".
sign, freestanding, see "freestanding sign".
sign, identification, see "identification sign".
sign, illuminated, see "illuminated sign".
sign, neighbourhood identification, see "neighbourhood identification sign".
sign, portable, see "portable sign".
sign, projecting, see "projecting sign".
sign, sandwich, see "sandwich sign".
sign, wall, see "wall sign".
specified anatomical areas
specified sexual activities
storey
street
street façade
street line
street tree
street, stub", see "stub street".
structure
stub street
swimming pool
swimming pool enclosure
telecommunication tower
technology use
Town
townhouse dwelling
traditional materials
trailer
transportation use
truck tractor

two unit dwelling

use

use, accessory, see "accessory use".

use, adult entertainment, see "adult entertainment use".

use, agricultural, see "agricultural use".

use, commercial, see "commercial use".

use, communication, see "communication use".

use, distribution, see "distribution use".

use, educational, see "educational use".

use, entertainment, see "entertainment use".

use, forestry, see "forestry use".

use, government, see "government use".

use, industrial, see "industrial use".

use, philanthropic, see "philanthropic use".

use, recreational, see "recreational use".

use, secondary, see "secondary use".

use, transportation, see "transportation use".

utility

vending facility

veterinary clinic

wall sign

watercourse

wholesale store

yard

yard, flankage, see "flankage yard".

yard, rear, see "rear yard".

yard, required flankage, see "required flankage yard".

yard, required front, see "required front yard".

yard, required rear, see "required rear yard".

yard, required side, see "required side yard".

yard, side, see "side yard".

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BY-LAW # 300-7

TOWN OF RIVERVIEW ZONING BY-LAW

BE IT ENACTED by the Council of the Town of Riverview under the authority vested in it by the *Community Planning Act*, S.N.B., 2017, c. 19, as follows:

DEFINITIONS

1 Unless the context requires a different meaning, the following definitions apply in this By-law

"abut" means a lot line that has any point in common with another lot line.

"accessory building" means a detached building on the same lot as the main building devoted, with the exception of a garden suite, exclusively to an accessory use.

"accessory dwelling" means a dwelling unit which is secondary to the principal dwelling unit and, with the exception of a garden suite, contained in the same building.

"accessory use" means a use incidental to and exclusively devoted to a main use of land, building or structure and located on the same lot.

"Act" means the *Community Planning Act*, S.N.B. 2017, c. 19.

"adult cabaret" means a nightclub, bar, restaurant, or similar establishment that features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities.

"adult entertainment use" means a use that includes adult cabarets, adult motion picture theatres, adult retail outlets or adult bookstores, escort services and massage parlours, whether these stated purposes are developed as a main, secondary or accessory use.

"adult motion picture theatre" means a commercial establishment where films, motion pictures, or other photographic reproductions are shown which are characterized by an emphasis on the depiction of specified sexual activities or specified anatomical areas.

"adult retail outlet or adult bookstore" means a building or part of a building with the principal purpose to offer for sale or rent, either of the following:

- (a) books, magazines, or other printed matter, or photographs, films, motion pictures, or other visual representations that are characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas; or
- (b) instruments, devices, or paraphernalia that are designed for use in connection with sexual activities.

"agricultural use" means the use of land, buildings or structures, other than a kennel or cattery, for the production and sale of food, fibre or flora products, the breeding and handling of animals, or the sale of agricultural goods or animals.

"assisted living facility" means a multiple unit residential building that provides supervision and medical assistance to residents and offers the coordination of services by outside health care providers and may include such secondary uses as medical offices or clinics, personal service shops or a retail store and similar uses not exceeding 50 m² each.

"automobile repair shop" means a building or part of a building used for servicing or repair of motor vehicles including but not limited to auto body work, muffler, brake, tire and glass replacement and repair, transmission repair and replacement, wheel alignment, and other customizing activities directly related to the repair or alteration of motor vehicles for commercial gain but shall not include the manufacturing or fabrication of motor vehicle parts for the purpose of sale nor the retailing of petroleum products.

"automobile sales establishment" means a building and/or land used for the display, sale, leasing or renting of motor vehicles, accessories and related products and may include an automobile repair shop.

"basement" means that portion of a building between two floors which is partially underground and which has at least one-half of the distance from the finished floor to the finished ceiling above grade.

"bed and breakfast" means a single unit dwelling in which overnight accommodation and meals are provided for the travelling public.

"bicycle parking space" means a slot in a bicycle rack to which an adult sized bicycle may be secured by means of an 8 inch U lock, or a bicycle locker capable of being locked.

"billboard sign" means a sign with changing advertising copy used for the advertisement of goods produced or services rendered at locations other than the premises on which the sign is located.

"building" means a roofed structure, including a vessel or container, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

"bus" means any motor vehicle designed for carrying ten or more passengers and used for the transportation of persons as defined under the Motor Vehicle Act, R.S.N.B., 1973, c. M-17.

"campground" means an area of land, managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers.

"canopy sign" means a sign attached to a building or structure which extends outward from the exterior wall of the building or structure, including but not limited to marquees and self-supporting service station canopies.

"carport" means a building or structure which is designed for the parking and storage of motor vehicles and is opened on at least two ends in order to provide unobstructed access to the rear yard.

"car wash" means the use of a lot on which vehicles are washed for commercial gain.

"caterer's establishment" means a building or part of a building where food and or beverages are prepared for consumption elsewhere.

"cemetery" means land primarily used for internment of human or animal remains and where chapels, churches, funeral homes, columbarium, crematoria and related facilities may be incorporated as accessory uses.

"church" means a place of worship and its related facilities.

"commercial parking lot" means a surface parking lot where parking spaces are rented or leased, but does not include parking lots as an accessory use.

"commercial use" means an occupation, employment or enterprise that is carried on for profit by the owner or occupier.

"commercial vehicle" means a commercial vehicle that has a gross mass of four thousand five hundred kilograms or more, and includes a bus, as defined under 265.1 of the Motor Vehicle Act, R.S.N.B., 1973, c. M-17.

"Committee" means the Town of Riverview Planning Advisory Committee

"communication use" means the use of land, buildings or structures for the production, storage and dissemination of information and information products including but not limited to broadcast studios, television services, publishing and printing facilities, telecommunication services and call centres.

"**community garden**" means a piece of land, not exploited for commercial uses, that is cultivated by a group of people rather than a single family or individual.

"**Council**" means the mayor and councillors of the Town of Riverview.

"**convenience store**" means a building or part of a building which is intended to serve the needs of residents of the immediate area with a variety of goods for sale.

"**corner lot**" means a lot situated at the intersection of, and abutting on, two or more streets.

"**critical elevation**" means the lowest point on a foundation wall where surface water would first enter, and more specifically means the lower of:

- (a) the lowest point of the top of the foundation wall, and
- (b) the lowest point of an opening or depression in the foundation wall, including basement windows, doorways or other non-watertight openings, but excluding basement windows equipped with window wells in conformity with the National Building Code of Canada edition adopted under the Building By-law.

"**daycare centre**" means a day care centre as defined and regulated under the *Day Care Regulation* under the *Family Services Act*, R.S.N.B., 1973, c. F-2.2.

"**deck line**" means, in relation to a gambrel or mansard roof, the horizontal line created by the change of pitch in that part of the roof surface lying between the ridge line at the top of the roof and the point where the roof rafters rest on the vertical exterior walls.

"**development**" means development as defined in the Act.

"**development officer**" means a development officer as defined under the Act.

"**directional sign**" means a sign directing vehicles or pedestrians to an access or driveway on a lot.

"**directory sign**" means a sign listing only the names or business logos of businesses located on a commercial, institutional or industrial site consisting of one or more lots.

"**display court**" means an area of land where goods are displayed for sale from a retail outlet located on the same lot.

"**dissolving**" means a mode of message transition on an electronic message sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

"**distribution use**" means a use carried out primarily in a building used for the storage, wholesaling and distribution of goods and materials.

"**drive thru**" means an establishment that is designed to provide services or products to customers while in their vehicle.

"**driveway**" means that portion of a lot designed or intended to provide vehicular access to the property.

"**driveway aisle**" means the area within a parking lot designed or intended for internal vehicular circulation providing direct access to a parking aisle, but does not provide direct access to a parking space.

"**dwelling**" means a building or part of a building, occupied or capable of being occupied as a home or residence by one or more persons, but does not include a hotel, a motel, apartment hotel or hostel.

"**dwelling, accessory**", see "accessory dwelling".

"dwelling, manufactured", see "manufactured dwelling".

"dwelling, multiple unit", see "multiple unit dwelling".

"dwelling, rowhouse", see "rowhouse dwelling".

"dwelling, semi-detached", see "semi-detached dwelling".

"dwelling, single unit", see "single unit dwelling".

"dwelling, townhouse", see "townhouse dwelling".

"dwelling, two unit", see "two unit dwelling".

"dwelling unit" means one or more habitable rooms designed, occupied or intended for the exclusive use by one or more persons as an independent and separate housekeeping unit in which a kitchen, sleeping and sanitary facilities are provided.

"educational use" means a college, university, vocational or trade school, public or private school, and includes supportive amenities, facilities and residential buildings for staff and students, if the buildings are on the same lot as the place of instruction.

"electronic message sign" means a sign that uses changing lights to form a sign message or messages in which the sequence of messages and the rate of change can be electronically programmed or modified.

"electronic moving copy" means a sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy displays moving images.

"electronic static copy" means a sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy is fixed for a set period of time, but does not include gas price indicators.

"engineered solution" means a drainage plan, stamped by a professional engineer, providing for drainage and surface water management adequate to prevent surface water from entering a main building during a precipitation event up to and including a 100-year return period for a 24-hour duration and consistent with a drainage agreement in effect for the property in question, and which furthermore will not negatively impact drainage on adjacent properties.

"entertainment use" means a commercial use in a building or on a lot which involves entertainment, amusement or relaxation including but not limited to a theatre, tavern, nightclub or other beverage room, an arcade or amusement centre and a pool or billiard hall, but does not include adult entertainment or exotic entertainment.

"erect" means to build, construct, reconstruct, alter, locate or relocate, and without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling, or draining and structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

"escort service" means an establishment where, for consideration, escorts are provided for sexual purposes; and which is characterized by an emphasis on specified sexual activities.

"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.

"exotic entertainment" means live entertainment subject to the conditions prescribed in the *General Regulation* under the *Liquor Control Act*, R.S.N.B., 1973, c. L-10.

"extraction" means the excavation of rock, borrow material, soil for commercial sale or use, but does not include buildings, structures or storage areas which are used for mining activities.

"facade" means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

"fading" means a mode of message transition on an electronic message sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

"farmers' market" means an establishment or premises where foods, wines, health and wellness products, arts and crafts are sold by local vendors within buildings or from uncovered or open air areas designated for individual retailers.

"flankage" means the length of the flankage lot line measured to the actual or hypothetical point of intersection of the front lot line and flankage lot line.

"flankage lot line" means the longer lot line abutting the street on a corner lot.

"flankage yard" means the side yard of a corner lot that abuts a street.

"flashing" means an intermittent or flashing light source where the identical electronic message sign message is constantly repeated at extremely fast intervals.

"forestry use" means the general raising and harvesting of wood and includes the raising and cutting of fuel wood, pulp, wood, lumber, Christmas trees and other products.

"freestanding sign" means a sign supported independently of a building and permanently fixed to the ground.

"front lot line" means either the shorter lot line abutting the street on a corner lot or the only lot line abutting the street or access road, but when the lot lines on a corner lot are of equal distance, and a building is located thereon, the front lot line shall be that line that is parallel to the front of the building.

"front yard" means a yard extending across the full width of a lot between the front lot line and the nearest main wall of a main building or main structure on the lot.

"frontage" means the length of the front lot line, however, for the purpose of calculating frontage on a corner lot, the distance will be measured to the actual or hypothetical point of intersection of the front lot line and flankage lot line

"full cut-off lighting fixtures" means a lighting fixture from which no light output is emitted at or above a horizontal plane drawn through the bottom of the lighting fixture.

"fully screened" means not visible from the established grade of the street or adjacent property.

"funeral home" means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment and includes a crematorium.

"garden suite" means a detached accessory dwelling placed or erected in the rear yard of an existing single unit dwelling lot.

"geodetic datum" means the elevation at sea level

"geodetic elevation" means the elevation or height of given point on land above geodetic datum

"golf course" means a public or private area operated for the purpose of playing golf and related activities including a club house, and administration buildings. Golf course uses, may include dwelling units as a secondary use.

"government use" means a municipal, provincial or federal government use, but does not include a public school.

"gross floor area" means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building.

"ground floor" means the lowest full storey that is entirely located above the established grade.

"habitable space" means the space within a dwelling unit in which living functions are normally carried on.

"heavy equipment sales establishment" means land, building or structure used for the display, sale, servicing, storage, leasing or renting of truck tractors, heavy equipment, motor homes, travel trailers, and related products or accessories.

"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.

"home business" means a commercial use on a lot that contains a single unit dwelling.

"home daycare" means a community day care home or family day care home as defined and regulated under the *Day Care Regulation* under the *Family Services Act*, R.S.N.B., 1973, c. F-2.2, that operates as a secondary use in a single unit dwelling.

"home occupation" means a use conducted entirely in a portion of a single unit dwelling, two unit dwelling or semi-detached dwelling which is incidental and secondary to the main use and may include:

- (a) an office;
- (b) a personal service shop;
- (c) an instructional service, including but not limited to the teaching of music, arts and crafts or dance;
- (d) a domestic and household art workshop, including but not limited to dressmaking, woodworking, arts and crafts, painting, sculpturing, moulding, or otherwise making or repairing garden or household ornaments, articles of clothing, personal effects or toys, and a caterer's establishment; and
- (e) a service shop.

"hotel" or "motel" means a commercial building providing temporary accommodations for travellers or transients on a year round basis, and may have a public dining room and convention room.

"household pet" means a domestic animal customarily kept within a dwelling or in an outside pen or accessory building for the sole purpose of pleasure rather than utility, including but not limited to dogs, cats, rabbits, small birds, and Vietnamese potbellied pigs, but does not include cattle, sheep, horses, pigs, poultry, bees and animals customarily kept as farm animals.

"identification sign" means a sign listing only the development or building name, civic number, and contact information of its developer or agent.

"illuminated sign" means a sign illuminated by an artificial light source.

"independent living facility" means a multiple unit residential building which includes common area(s) consisting of a space equal to at least 10% of the total floor area of each dwelling unit of which up to 50% may be exterior to the building and may also include such secondary uses within the building as medical offices or clinics, personal service shops or a retail store and similar uses not exceeding 50 m² each.

"industrial use" means the use of land, buildings or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods.

"institutional use" means the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes, including but not limited to churches, places of worship, public or private schools and preschool.

"kennel" means a building or structure used for the enclosure of more than four dogs which are kept for the purposes of commercial breeding or for commercial boarding.

"landscaping" means lawn, ornamental shrubs and may include paths, patios, walkways, fountains, reflecting pools, art work, screens, walls, fences, benches and existing natural rock or treed areas, but does not include driveways, vehicle ramps, lanes, parking areas, or space beneath, within or on top of a building.

"loading space" means an area of land which is used for the temporary parking of a commercial vehicle while merchandise or materials are being loaded or unloaded from the vehicles.

"lot" means one parcel of land described in a deed, transfer or subdivision plan, used or intended to be used as the site of a building or structure.

"lot, corner", see "corner lot".

"lot coverage" means that percentage of the lot area that is permitted to be covered by all buildings and structures, other than swimming pools, but does not include that portion of the lot area which is occupied by a building or portion of a building which is completely below ground level.

"lot line" means a common line between a lot and an abutting lot, lane, street, parcel of land or body of water.

"lot line, flankage", see "flankage lot line".

"lot line, front", see "front lot line".

"lot line, rear", see "rear lot line".

"lot line, side", see "side lot line".

"lot width" means the distance measured between the side lot lines, or a side lot line and a flankage lot line, at the required front yard.

"main building" means the building designed or used for the principal use on the lot.

"main wall" means the exterior front, side or rear wall of a building.

manufactured dwelling means a factory-built structure, equipped with the necessary service connections and made to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit with or without a permanent foundation.

"massage parlour" means an establishment where, for consideration, massage is administered to the human body for sexual purposes.

"message duration" means the period of time that sign copy is displayed on a sign face.

"message transition" means the period of time involved for each change of sign copy displayed on a sign face.

"mini storage warehouse" means a building containing at least three self storage units divided from the floor to the ceiling or roof, by a wall, with an independent entrance to each unit.

"mobile stand" means a vending operation on wheels which is established at a location on a temporary basis and which may change location.

"motor vehicle" means a motor vehicle as defined under the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17.

"multiple unit dwelling" means a building, other than a rowhouse dwelling, containing three or more dwelling units.

"municipality" means the Town of Riverview.

"neighbourhood identification sign" means a sign that identifies a residential neighbourhood or subdivision.

"nursery" means the use of land and buildings for the growing of plants for sale, and the sale of related accessory supplies.

"occupied floor space" means an habitable space as well as an indoor floor space devoted to commercial, institutional or industrial uses.

"office use" means a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government, including but not limited to data processing and data storage operations.

"off-site parking lot" means a surface parking lot for the exclusive use of a main use situated on another lot, and excludes commercial parking lots.

"outdoor storage" means the storage of merchandise, goods, inventory, materials or equipment or other items outside a building on the same lot, but does not include a display court.

"parking aisle" means the area within a parking lot designed or intended for internal vehicular circulation providing direct access to one or more parking spaces, but shall not include a portion of a driveway aisle.

"parking block" means a segment of a parking lot containing no more than 150 parking spaces.

"parking garage" means a building or structure containing parking spaces for the parking of vehicles.

"parking lot" means an area of land for the parking of vehicles.

"parking lot, commercial", see "commercial parking lot".

"parking lot, off site", see "off-site parking lot".

"parking space" means an area reserved for the temporary parking or storage of motor vehicles, which does not include part of a parking aisle or driveway.

"paved" means the hardening or smoothing of a surface through the use of tar and gravel, asphaltic or Portland cement, concrete or other similar substance, including bituminous penetration, but does not include the use of clay, dirt or slag.

"personal service shop" means a building or part of a building in which persons are employed in furnishing direct services, including but not limited to barber shops, beauty parlours, pet grooming establishments, hairdressing shops, shoe repair shops, tailor shops, laundry and dry cleaning collection depots and shops.

"pet services" means care, other than veterinary care, provided to household pets, including but not limited to doggie daycares and pet grooming salons, but does not include a commercial kennel or overnight accommodation of animals.

"philanthropic use" means the use of building or land for the purpose of promoting charitable, benevolent, or educational objectives, and does not include a commercial use.

"porch" means a roofed open area which may be screened or glazed to a minimum of 50 percent fenestration ratio, usually attached to or part of and with direct access to or from a building.

"portable sign" means any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes sandwich signs and signs commonly known as a "mobile" sign and "inflatable" device tethered to any building, structure, vehicle or other device.

"private school" means a building or part of a building where academic subjects are taught or which is maintained for philanthropic or religious purposes, but does not include a public school

"projecting sign" means a sign which is wholly or partially dependent on a building for support and which projects more than 0.3 metres from the building, but does not include a canopy sign

"public entrance" means an entrance that is the primary entrance to the building

"public park" means an area of land specifically set aside for recreational uses by the general public.

"public school" means a building or part of a building providing public education through a structured learning environment.

"rear lot line" means the lot line or point of intersection of the side lot lines farthest from and opposite the front lot line.

"rear yard" means a yard extending across the lot width, or in the case of a corner lot the yard extending to the flankage lot line, between the rear lot line and nearest main wall of a main building or main structure on the lot..

"recreational use" means the use of land, buildings or structures for the conduct of sports and other customary and usual leisure time activities, but does not include campgrounds or racetracks for motor vehicles or animals.

"recreational vehicle" means a vehicle intended for recreational use such as, but not limited to, a boat, boat trailer, chassis mounted camper, motorized home, slide-in camper, tent trailer, or travel trailer but does not include a bus

"recreational vehicle sale establishment" means a building and/or land used for the display, sale, leasing or renting of recreational vehicles, accessories and related products, but does not include an automobile sales establishment.

"redemption centre" means a redemption centre not exceeding 40m², as defined by the Beverage Containers Act, R.S.N.B., 2011, c. 121.

"required flankage yard" means the minimum flankage yard depth required by the lot requirement tables in this By-law measured from the street line toward the nearest point on a main wall of a main building or main structure on the lot.

"required front yard" means the minimum front yard depth required by the lot requirement tables in this By-law measured from the street line toward the nearest point on a main wall of a main building or main structure on the lot.

"required rear yard" means the minimum rear yard depth required by the lot requirement tables in this By-law measured from the rear lot line toward the nearest point on a main wall of a main building or main structure on the lot.

"required side yard" means the minimum side yard depth required by the lot requirement tables in this By-law measured from the side lot line toward the nearest point on a main wall of a main building or main structure on the lot.

"research and development" means the use of land, buildings or structures for research, invention, design, engineering, the testing of products, processes, software or a combination of them, and manufacturing or processing related to the use.

"residential care facility" means a building used for 24 hour non-medical care of four or more persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living, or for the protection of the individual, but does not include a hospital, sanatorium, jail, prison, reformatory, or hostel.

"residential use" means a use of land for the purpose of accommodating one or more dwelling.

"restaurant" means a building or part of a building where food is offered for sale or sold to the public primarily for consumption on site but does not, unless otherwise specified, include a drive thru.

"retail store" means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public, and may include minor food processing and packaging in connection with the sale of food products, but does not include a heavy equipment sales establishment or an automobile sales establishment.

"rooming house" means a dwelling in which the proprietor supplies individual rooms for a fee for persons exclusive of the proprietor, members of the proprietor's family or employees of the establishment.

"rowhouse dwelling" means a building containing three or more dwelling units side by side, under one roof and each unit having a separate front and rear access.

"sandwich sign" means a two-sided A-frame style, self-supporting portable sign which is not permanently affixed to the ground. A single panel of a sandwich sign has a maximum area of 0.75 square metres.

"school, private", see "private school".

"school, public", see "public school".

"screening" means the use of landscaping, fences or berms to visually or audibly separate areas or uses.

"scrolling" means a mode of message transition on an electronic message sign where the message appears to move vertically across the display surface.

"second farmstead residence" means a second single family dwelling that is located on the same lot as the main single family dwelling and the farm, and which is used exclusively by those directly involved with the farm operation.

"secondary use" means a use, other than a main or accessory use, that is conducted entirely within a building containing the main use unless otherwise specified.

"semi-detached dwelling" means a dwelling unit attached to another dwelling unit by a common above grade wall with each dwelling unit located on a separate lot.

semi-trailer means a semi-trailer as defined in the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17.

"service shop" means a building or part of a building used for the sale and repair of household articles, including but not limited to glass replacement shops, home electronics and appliance repair shops, but does not include industrial uses, manufacturing uses or automobile repair shops.

"service station" means the use of land, buildings or structures for the sale of fuels, lubricating oils or automobile accessories, and may include the servicing and repair of motor vehicles or a car wash.

"side lot line" means a lot line other than a front lot line, flankage lot line or rear lot line.

"side yard" means a yard extending between the front yard and the rear yard between a side lot line and the nearest main wall of a main building or main structure on the lot.

"sight triangle" means the triangular area formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each point being a distance as determined in this By-law from the point of intersection of the street lines, and in the case where the street lines do not intersect, their point of intersection shall be deemed to be the intersection of the extension of the street lines.

"single unit dwelling" means a detached building containing only one main dwelling unit, but does not include a manufactured dwelling, travel trailer or motor home.

"sign" means a device, used to communicate a visual message, and for the purpose of calculating its area, shall include only that portion of the sign on which the message is contained, but in the case of a multi-sided sign, only the larger side will be used.

"sign, billboard", see "billboard sign".

"sign, canopy", see "canopy sign".

"sign copy" means any colour, graphic, logo, symbol, word, numeral, text, image, message, picture or combination thereof displayed on a sign face.

"**sign, directional**", see "directional sign".

"**sign, directory**", see "directional sign".

"**sign, electronic message**", see "electronic message sign".

"**sign, freestanding**", see "freestanding sign".

"**sign, illuminated**", see "illuminated sign".

"**sign, neighbourhood identification**", see "neighbourhood identification sign".

"**sign, portable**", see "portable sign".

"**sign, projecting**", see "projecting sign".

"**sign, wall**", see "wall sign".

"**specified anatomical areas**" means any of the following:

- (a) less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola, or
- (b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

"**specified sexual activities**" means any lawful sexual activities including:

- (a) causing human genitals to be in a state of sexual stimulation or arousal;
- (b) fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

"**storey**" means that portion of a building, excluding any portion of the building located below the ground floor, which is situated between the top of a floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of such floor and the ceiling above it.

"**street**" means the whole and entire right-of-way of every public highway, road, or road allowance.

"**street façade**" means the façade facing a street.

"**street line**" means the boundary line of a street.

"**street tree**" means a tree to be planted between the lot line and the curb or the travelled portion of the street where there is no curb.

"**street, stub**", see "stub street".

"**structure**" means anything that is erected, built, or constructed of parts joined together.

"**stub street**" means a street or a future street that is reserved to provide access to unserviced land.

"**swimming pool**" means a tank or body of water which is intended to be used for swimming and which has a possible maximum depth greater than one metre, but does not include an existing natural body of water or stream.

"**swimming pool enclosure**" means a wall, a structure or a building, designed to be sturdy and impede climbing, which encloses a swimming pool.

"telecommunication tower" means a structure that is intended to send or receive wireless signals for communications purposes, and may include an equipment shelter containing related electronic equipment.

"technology use" means the use of land for the purpose of the development of electronic technology, bio technology or other technologies for commercial, industrial or governmental applications.

"Town" means the Town of Riverview

"townhouse dwelling" means

- (a) a building divided vertically into three or more attached dwelling units on separate lots, each of which has an independent entrance either directly or through a common vestibule,
- (b) a building divided vertically by common walls extending from the foundation to the roof into three or more attached dwelling units on separate lots, each having a separate entrance at grade,
- (c) a building that is divided vertically into three or more attached dwelling units on separate lots, each of which has independent entrances, to a front yard and rear yard immediately abutting the front and rear walls of each dwelling unit, or
- (d) a building divided vertically into three or more attached dwelling units on separate lots, each of which has a separate entrance from an outside yard area.

"traditional materials" means materials consistent with construction techniques and architecture of the pre-World War Two era, including but not limited to brick, masonry, brick or masonry veneer, glass, wood, composite wood, shingle or stucco, insulated stucco-type and metal-type panels, but does not include vinyl, aluminum or other plastic type sidings, tar paper, asphalt shingle and corrugated metal finishes.

"trailer" means a trailer as defined in the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17

"transportation use" means a use of land, buildings or structures to support transportation services and infrastructure, including but not limited to ports, airports, train or bus terminals, maintenance shops, and the storage of road maintenance equipment, but does not include automobile sales establishments or service stations.

"truck tractor" means a truck tractor as defined in the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17.

"two unit dwelling" means a building containing two dwelling units

"use" means the purpose for which land, buildings or structures, or a combination of them, are designated, arranged, erected, intended, occupied or maintained.

"use, accessory", see "accessory use".

"use, adult entertainment", see "adult entertainment use".

"use, agricultural", see "agricultural use".

"use, commercial", see "commercial use".

"use, communication", see "communication use".

"use, distribution", see "distribution use".

"use, educational", see "educational use".

"use, entertainment", see "entertainment use".

"use, government", see "government use".

"use, industrial", see "industrial use".

"use, philanthropic", see "philanthropic use".

"use, recreational", see "recreational use".

"use, secondary", see "secondary use".

"use, transportation", see "transportation use".

"utility" means a public or private system, works, plant or equipment or services that are intended for the use of the general public, including but not limited to water, wastewater, storm drainage, natural gas line, treatment facilities, lift stations, pumping stations, power lines, telephone lines and cable lines.

"vending facility" means a readily moveable building or structure where produce or goods are offered or kept for sale, primarily on a seasonal basis, including but not limited to ice cream or food stands, or garden centres, but does not include a mobile food stand.

"veterinary clinic" means a facility for the medical care and treatment of animals, including provision for their overnight accommodation, but does not include outdoor facilities such as kennels, pen runs and enclosures.

"wall sign" means a sign, other than a canopy sign, roof sign or projecting sign, which is parallel and attached to a wall of a building.

"watercourse" means watercourse as defined in the *Clean Water Act*, R.S.N.B., 1973, c. C-6.1.

"wholesale store" means buildings or structures in which commodities are offered for sale in bulk, primarily for resale or business use.

"yard" means an open, uncovered space on a lot appurtenant to a building, except a court bounded on two or more sides by buildings.

"yard, flankage", see "flankage yard".

"yard, rear", see "rear yard".

"yard, required flankage", see "required flankage yard".

"yard, required front", see "required front yard".

"yard, required rear", see "required rear yard".

"yard, required side", see "required side yard".

"yard, side", see "side yard".

"zero net" means the peak discharge rate of stormwater runoff from a post development property is equal to or less than the peak pre-development discharge rate of stormwater runoff for the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year design storm event as outlined in the Design Criteria Manual.

PART 1 – ADMINISTRATION AND INTERPRETATION

Title

- 2 This By-law may be cited as the "Zoning By-law".

Scope

- 3(1) This By-law:
- (a) divides the municipality into zones;
 - (b) prescribes the purposes for which land, buildings and structures in any zone may be used, and standards to which land use, and the placement, erection, alteration and use of buildings and structures shall conform; and
 - (c) prohibits the use, placement, erection or alteration of land, buildings or structures other than in conformity with the purposes and standards mentioned in paragraph (b).
- 3(2) Under subsection 31(1) of the Act, this By-law shall be reviewed no later than ten years from its commencement or the last review.

Interpretation

- 4(1) In this By-law, unless the context is not applicable, the provisions of the Interpretation Act, R.S.N.B., 1973, c. I-13 shall apply.
- 4(2) When a word is defined, other parts of speech and grammatical forms of the same word have corresponding meanings.

Division 1.1 Zoning classifications and use of Tables

Zones

- 5 The town is divided into zones as listed in Table 7 and delineated on the "Town of Riverview Zoning Map" attached as Schedule A and forming part of this By-law.

Zone boundaries

- 6(1) When a zone boundary as set out in Schedule A is depicted near a lot line, it shall be deemed to be on the lot line.
- 6(2) Despite (1), for the purposes of the street tree planting provisions of this By-law, the zone on any lot shall be extended to the centre line of the street right-of-way.
- 6(3) In the event that a street or portion of a street is closed permanently, the property within the former street shall be zoned consistently with the land on either side of the closed street, however if the zoning on either side of the street is different, the respective zones will extend to the centre line of the former street.

Use of Tables

- 7(1) The permitted main, accessory and secondary uses for the zones listed in Table 7, and their lot requirements are prescribed in Parts 11 to 15, and the following conditions apply to those uses:
- (a) any purpose for which land, buildings or structures may be used is identified by the letter "P";

- (b) any particular purpose for which land, buildings or structures may be used, and which the Committee may approve subject to terms and conditions, is identified by the letter "C"; and
 - (c) the use of land, buildings or structures for any purpose not identified by the letter "P" or "C", whether they are main, secondary or accessory uses, are otherwise prohibited and identified by the symbol "-", except in the lot requirement tables, where the symbol "-" means the requirement is not applicable.
- 7(2) If there is a conflict between the permitted main, accessory and secondary uses and their lot requirements prescribed in Parts 11 to 15 and the specific requirements of a particular zone in any other Parts of this By-law, the latter shall apply.
- 7(3) All uses not permitted in this By-law are prohibited.

Table 7	
Town of Riverview Zones	
Residential Zones (see also Part 11)	
Single Unit Dwelling	R1
Single Unit Dwelling – Compact	R1-C
Two Unit Dwelling	R2
Residential Mix	RM
Multiple Unit Dwelling	R3
Rural Area	RA
Manufactured Dwelling	MD
Commercial Zones (see also Part 12)	
Suburban Commercial	SC
Residential Business Service	RBS
Commercial Mix	CM
Neighbourhood Commercial	NC
Industrial Zones (see also Part 13)	
Industrial	I
Community Use Zones (see also Part 14)	
Parks, Recreation, Institutional	PRI
Open Space	OS
Integrated Developments Zones (see also Part 15)	
Integrated Developments	ID

Division 1.2 Powers of Council

Requirement for servicing

- 8 Despite any other provision of this By-law, no building may be erected in the Town in respect of which, in the opinion of Council, satisfactory arrangements have not been made for the supply of electric power, water, sewerage, streets or other services or facilities.

Dilapidated, dangerous or unsightly buildings or structures

- 9 When, in the opinion of Council, a building or structure is dilapidated, dangerous, or unsightly, Council may
- (a) require the improvement, removal or demolition of the building or structure at the expense of its owner, or

- (b) acquire the parcel of land on which the building or structure is located.

Application to amend By-law

- 10(1) A person who seeks to have this By-law amended shall apply in writing to Council and include with their application the following:
- (a) when the application involves rezoning of land,
 - (i) the signature of the owner of the land to be rezoned;
 - (ii) a copy of the registered deed or certificate of registered ownership of the land to be rezoned;
 - (iii) a letter outlining the reason for the amendment, including a site plan and plans of proposed new buildings;
 - (iv) a completed application in the form prescribed by the development officer; and
 - (v) a fee of \$2,750;
 - (b) when the application involves another amendment,
 - (i) a letter outlining the reason for the amendment;
 - (ii) a completed application in the form prescribed by the development officer; and
 - (iii) a fee of \$2,750.
- 10(2) The Council may return all or any part of the fee required to have this By-law amended.
- 10(3) When an application for rezoning has been denied, Council shall not entertain a new application within 12 months of the denial unless it is substantially different from the previous application.

Division 1.3 Powers of the Committee

Unsuitable soil, location or topography

- 11 No building or structure may be erected on a site where it would otherwise be permitted under this By-law when, in the opinion of the Committee, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.

Temporary use application and fees

- 12(1) Upon receiving an application in the form prescribed by the development officer and a fee of \$450, the Committee may, subject to such terms and conditions as it considers fit:
- (a) authorize, for a temporary period not exceeding one year, a development otherwise prohibited by this By-law;
 - (b) authorize, for an additional temporary period not exceeding one year, a development otherwise prohibited by this By-law if:
 - (i) the applicant has an authorization under paragraph (a) that is to expire or has expired;
 - (ii) an application with respect to the land has been made to amend this By-law; and

- (iii) the Committee has received a resolution from Council confirming that Council will consider the application referred to in subparagraph (ii);
 - (c) require the termination or removal of a development authorized under paragraph (a) or (b) at the end of the authorized period.
- 12(2) The Committee may by resolution
 - (a) delegate its authority under paragraph (1)(a) to the development officer, and
 - (b) authorize the development officer to further delegate his or her authority to any person.

Terms and conditions application

- 13(1) If purposes are subject to terms and conditions, the Committee may, upon receipt of a complete application, impose such terms and conditions as it considers necessary to protect:
 - (a) the properties within the zone or abutting zones, or
 - (b) the health, safety and welfare of the general public.
- 13(2) The Committee may prohibit purposes if compliance with the terms and conditions imposed under subsection (1) cannot reasonably be expected.

Other applications and fees

- 14 Upon receipt of an application in the form prescribed by the development officer, and a fee of \$450, the Committee may consider proposed uses of land, buildings or structures that are sufficiently similar to, or compatible with, permitted uses in this By-law, or such reasonable variances from the zoning requirements, both of which are further outlined by section 55 of the Act.

Zoning letters and fees

- 15(1) Upon receipt of an application and a fee of \$125, the development officer may issue a letter of confirmation regarding the zone applied to the lot.
- 15(2) Upon receipt of an application accompanied by a current Building Location Survey Certificate and a fee of \$125, the development officer may issue a letter regarding the compliance of the lot with the requirements of this By-law.

PART 2 – GENERAL PROVISIONS

Division 2.1 Development permits

Requirement for development permit

- 16(1) No person shall undertake a development without having obtained a development permit and no development permit shall be issued unless the proposed development conforms with this By-law.
- 16(2) A development permit may be revoked if the development undertaken exceeds the scope of the work authorized under the development permit.
- 16(3) No development permit shall pertain to more than one lot.

Fees

- 17(1) No development permit shall be issued under this By-law unless an application has been submitted, in the form prescribed by the development officer, and the following fees have been paid:
- (a) if the development is a single unit dwelling, two unit dwelling or semi-detached dwelling, \$ 50;
 - (b) if the development consist of a manufactured dwelling, an addition or renovations to a single unit dwelling, manufactured dwelling, two unit dwelling or semi-detached dwelling, \$35;
 - (c) if the development is a secondary use, accessory building or structure, temporary building or structure permitted under section 65 or a demolition of a building or structure, \$35;
 - (d) if the development is site preparation work related to an approved subdivision, \$100; or
 - (e) for other developments with a construction value of:
 - (i) under \$500,000, \$100;
 - (ii) between \$500,000 and \$999,999, \$150
 - (iii) between \$1,000,000 and \$4,999,999, \$300; and
 - (iv) over \$5,000,000, \$500.
- 17(2) Despite subsection 17(1), no development permit shall be required for a tent that does not exceed 18.6 square metres floor area.
- 17(3) If a development involves an application for terms and conditions under section 13, no development permit shall be issued unless the applicant has paid a \$450 fee, in addition to the fees prescribed in subsection (1).
- 17(4) If a development involves an application for a non-conforming use subject to the approval of the Committee, no development permit shall be issued unless the applicant has paid a \$450 fee, in addition to the fees prescribed in subsection (1) where applicable.
- 17(5) If a development involves an application for a new main building construction and requires street trees, no development permit shall be issued unless the applicant has paid a fee of \$400 per required tree to the Town of Riverview, in addition to the fees prescribed in subsection (1).
- 17(6) Despite other provisions contained in this by-law, if the development involves an application by or on behalf of the Town, application fees shall be waived.

Duration and renewal of development permit

- 18(1) A development permit issued under this By-law shall remain valid for a period of one year from the date of issue or until the development has been completed, unless:
- (a) the development has not begun within six months from the date of issue or
 - (b) the development has been discontinued for a period of six consecutive months.
- 18(2) When a permit has expired pursuant to subsection (1), it may be reinstated by the development officer under the same terms as the original permit if the scope of the work has not changed and is still permitted under this By-law.

Division 2.2 Existing conditions

Undersized lots

- 19 In any zone, if an existing lot does not conform to the minimum lot frontage or lot area requirements of the zone in which it is located, the minimum lot frontage or lot area requirement shall not prevent the use of the lot if all other applicable provisions of this By-law are satisfied.

Existing building or lot

- 20 If a building, existing before the adoption of this By-law, is either built or placed contrary to the requirements of this By-law, it may be enlarged, reconstructed, repaired or renovated if the requirements of this By-law are not further compromised.

Division 2.3 Site preparation and initial stages of development

Making of land by cutting and filling

- 21(1) In any zone, a development which is for the purpose of making land and involves the cutting or filling to a depth or height exceeding one metre shall be a purpose for which the Committee may impose terms and conditions.
- 21(2) Subsection (1) does not apply to the cutting or filling of land that is directly related to the construction of buildings or structures for which a development permit has been issued or is not required.

Minimum geodetic elevation

- 22 No development of occupied floor space or parking garage shall be permitted in any zone, unless the minimum geodetic elevation is at least 10.5 metres.

Foundation elevations

- 23(1) A building containing habitable space to be constructed within 30 metres of a public street shall not be permitted unless:
- (a) the foundation wall has a critical elevation of at least 0.5 metres above the point at which the centerline of the driveway would meet the crown of the street to which it gains access, and where there are two or more driveways, the higher of these points; and
 - (b) the top of the foundation wall is not higher than two metres above the point specified in paragraph (a).
- 23(2) Despite subsection (1), the development may be permitted when an engineered solution is provided with the permit application, or it has been exempted by the Director of Engineering and Works or their designate.

Attached garage slab elevations

- 24(1) A building containing habitable space and having an attached garage to be constructed within 30 metres of a street shall not be permitted unless the lowest point of the edge of the garage's foundation slab is at least 0.35 metres above the point at which the centerline of the driveway would meet the crown of the street to which it gains access, and where there are two or more driveways, the higher of these points; and
- 24(2) Despite subsection (1), the development may be permitted when an engineered solution is provided with the permit application, or it has been exempted by the Town Engineer or their designate.

Maximum Driveway Slope

- 25 The maximum driveway, parking aisle and parking space slope shall not exceed ten percent, unless an engineered solution is provided with the permit application.

Subdivision Development Site Preparation Work

- 26 No subdivision development site preparation work requiring a development permit shall be undertaken on land until a subdivision agreement, pursuant to the Subdivision By-law, has been entered into with the Town of Riverview and a development permit has been issued.

Lot grading and drainage

- 26.1(1) The altering of land levels for building or other purposes, with the exception of an accessory building or structure, in so far as they may affect surface drainage shall require a lot drainage and grading plan, which shall be implemented by the developer.
- 26.1(2) With the exception of single unit dwelling, two unit dwelling or semi-detached dwelling, the lot drainage and grading plan referred to in subsection (1) shall provide for adequate stormwater detention storage to achieve a zero net solution, which shall be implemented by the developer.
- 26.1(3) The requirements in subsection (2) may be waived when, in the opinion of the Town Engineer, a zero net solution is impossible to achieve.

Division 2.4 Illumination and exterior lighting

Lighting for residential buildings

- 27(1) The following lighting conditions shall apply to residential buildings containing up to three units:
- (a) exterior lighting fixtures attached to the wall shall not exceed 2000 lumens;
 - (b) all lighting poles shall:
 - (i) have full cut-off lighting fixtures not exceeding 2000 lumens;
 - (ii) be permitted in a yard, if 2.1 metres in height or less;
 - (iii) be subject to section 29, if greater than 2.1 metres in height; and
 - (iv) not exceed four metres in height.

27(2) Exterior lighting fixtures provided for residential buildings of four units or more shall be full cut-off lighting fixtures, and if attached to a pole shall:

- (a) if greater than 2.1 metres in height, be subject to section 29 and incorporate shielding to prevent the escaping of light to adjoining properties; and
- (b) not exceed six metres in height.

Lighting for another use

28 For a use not provided for in section 27, exterior lighting fixtures shall:

- (a) be full cut-off;
- (b) be subject to section 29; and
- (c) incorporate shielding to prevent the escaping of light to adjoining residential properties.

Lighting Height Formula

29 The maximum height of a lighting fixture shall not be more than one-third of the horizontal distance from the lighting fixture to the nearest property line of a lot containing a residential use.

Division 2.5 Other general provisions

Number of buildings on the same lot

- 30(1) Except in the MD Zone, no more than one main building shall be placed or erected and no building or structure may be altered to become a second main building on a lot.
- 30(2) Despite subsection (1), except for the R1, R1-C and R2 Zone, the Planning Advisory Committee may permit, subject to any terms and conditions, more than one main building on a lot.

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.

Vehicles and vehicle bodies as main or accessory buildings

- 32(1) A motor vehicle, trailer or semi-trailer, container designed for commercial transport, and a vehicle drawn, propelled or driven by any kind of power, even though modifications have been made to it, shall not be used, in any zone, as a dwelling unit or commercial main building nor be used as an accessory building or structure.
- 32(2) Despite subsection (1), mobile stands may be used in a commercial or community use zone.
- 32(3) Despite subsection (1) and section 31, containers designed for commercial transport may be used as a main building for the purpose of a redemption centre where permitted.

Screening of garbage storage areas

33 All outside storage of garbage shall be fully screened by an opaque fence of at least two metres in height.

Location of garbage storage areas

- 34 An outdoor garbage storage area shall not be located in the front or flankage yard, in a required yard, or within six metres of a street.

PART 3 – ACCESSORY USES, BUILDINGS AND STRUCTURES

Division 3.1 Accessory buildings and structures

Standards

- 35(1) Accessory buildings and structures are permitted in any zone, but in a residential zone other than a RA Zone, they shall not:
- (a) exceed six metres in height from the established grade to the top of the structure or roof of the building, not including ornamental features such as weather vanes or cupolas having a horizontal dimension not exceeding one metre;
 - (b) exceed 4.5 metres in height from the established grade to the deck line in the case of a building with a gambrel or mansard roof;
 - (c) exceed three metres in height from the established grade to the underside of the eaves in the case of a building with a gable or hip roof;
 - (d) be placed, erected or altered:
 - (i) within the required front or required flankage yard of the main building;
 - (ii) within the required side yard or in the case of a semi-detached dwelling or two unit dwelling, within 1.5 metres of the main building; and
 - (iii) within 1 metre of a side or rear lot line;
 - (e) exceed the least of 12 percent of the area of a lot, or:
 - (i) 85 square metres in ground floor if the main use is a single unit dwelling;
 - (ii) 56 square metres in ground floor per unit if the main use is a two unit dwelling or a semi-detached dwelling;
 - (iii) 26 square metres in ground floor per unit if the main use is a multiple unit dwelling; or
- in any case, the number of accessory buildings or structures shall not exceed three on a lot;"
- (f) be used for:
 - (i) agricultural purposes, or
 - (ii) the keeping of animals other than household pets.
- 35(2) Accessory buildings and structures not in a residential zone shall not be placed, erected or altered:
- (a) within the front or required flankage yard of the main building;
 - (b) within 2.4 metres or one half the height of the accessory building or structure, whichever is the greater, from any lot line.
- 35(3) A stable, kennel or cattery may be permitted as an accessory use within the RA Zone, if the building:
- (a) does not exceed 120 square metres;

- (b) does not exceed a height of nine metres;
- (c) is used for the accommodation of no more than four horses, eight dogs or 16 cats;
- (d) is located at least three metres from a property line, and 30 metres from a watercourse; and
- (e) is not located within the front yard or flankage yard.

Lot coverage

- 36 For all zones other than a residential zone no more than 12 percent of the area of a lot shall be occupied by accessory buildings and structures.

Dormer windows

- 37 The total wall area of the outermost vertical walls of all dormer windows projecting above the eave line shall not exceed 25 percent of the first floor wall area of the corresponding façade of the building.

Exceptions to side or rear setbacks for accessory buildings

- 38 Despite subparagraph 35(1)(d)(iii):
- (a) common semi-detached garages may be centered on the mutual side lot line; and
 - (b) float plane hangars, boat houses and boat docks may be built to the lot line if the lot line corresponds to the high water mark.

Division 3.2 Fences and enclosures

Placement of fences in yards

- 39(1) Subject to section 81, a fence may be placed or located in a yard if its height does not exceed:
- (a) one metre in the required front yard in any zone, except for a chain link fence located in a commercial or industrial zone;
 - (b) two metres in any other yard in a residential zone; and
 - (c) 2.5 metres in any other yard in another zone.
- 39(2) No fence in a residential zone, other than a RA Zone, shall be electrified, incorporate barbed wire or other sharp dangerous material in its construction.

Enclosures around pool areas

Swimming pools & swimming pool enclosures

- 40(1) No swimming pool shall be placed or built on a lot unless:
- (a) it is enclosed by a swimming pool enclosure; and
 - (b) it is located in a rear or side yard.

40(2) The swimming pool enclosure in subsection (1)(a) shall:

- (a) completely enclose the entire swimming pool;
- (b) be a minimum of 1.5 metres in height;
- (c) be at least 1.2 metres from the edge of the swimming pool;
- (d) have no opening greater than 100 millimetres;
- (e) have horizontal rails spaced no less than 1.05 metres apart; and
- (f) in the case of a chain link fence, have diamond mesh no greater than 50 millimetres.

40(3) The pool shall only be accessible by:

- (a) a self-closing gate with a self-latching device located inside and at a minimum height of 1.3 metres from the bottom of the gate;
- (b) a double gate provided one gate must be affixed to the ground or pinned so as to remain closed when not in use, while the other gate must be constructed to provide the same standards in paragraph (a);
- (c) a service gate provided that the gate be affixed to the ground or pinned so as to remain closed when not in use or be constructed to provide the same standards in paragraph (a);
- (d) a main building or structure enclosing the entire pool provided the main building or structure satisfies the requirements of subsection (2) and does not allow unobstructed access to the pool;
- (e) an accessory building or structure enclosing the entire pool provided the accessory building or structure satisfies the requirements of subsection 2 and does not allow unobstructed access to the pool; or
- (f) any combination of the above.

Temporary swimming pool enclosures

40(4) Despite subsection 40(1), a temporary swimming pool enclosure may be permitted during the construction of the swimming pool for a maximum of 90 days if:

- (a) it completely encloses the entire swimming pool;
- (b) it is a minimum of 1.2 metres in height;
- (c) in the case of a chain link fence, plastic mesh or wire fencing have no opening greater than 50 millimetres;
- (d) in the case of other materials not mentioned in paragraph (c) have no opening greater than 100 millimetres;
- (e) supported vertically by T-bars or a similar type of posts placed at a maximum spacing of 3 metres apart;
- (f) supported horizontally at the top and bottom of the enclosure by wood, wire or rope or other materials; and
- (g) the ground clearance is not greater than 50 millimetres.

Maintenance of the swimming pool enclosure

- 40(5) It is the responsibility of the home owners to maintain either the temporary or the permanent swimming pool enclosure by carrying out repairs of any part or parts of the enclosure so that it can properly perform the intended function during construction or for as long as the pool is in place.

Other requirements

- 40(6) If a deck or platform is attached to the swimming pool enclosure, it shall be subject to the setbacks applicable to the main building, unless otherwise permitted under section 83.
- 40(7) Screening or privacy walls forming part of the deck or platform shall not exceed 2.5 metres in height above the deck or platform.

PART 4 – PARKING, ACCESS, QUEUING AND LOADING

Off street vehicular parking spaces required

41(1) No development shall be permitted unless off street parking spaces are provided and maintained in conformity with Schedule D and the parking spaces shall:

- (a) be parallel or oriented at an angle of 90 or 45 degrees to the parking aisle, and have dimensions as specified in Table 41;
- (b) be separately and readily accessible by a driveway, a driveway aisle, or by a parking aisle to be of width specified in Table 41;

Table 41: Size of Parking Spaces and Aisles			
	Parallel parallèles	Angle (90°) angle (90°)	Angle (45°) angle (45°)
Minimum width (m) Largeur minimale (m)	2.75	2.75	2.75
Minimum length (m) Longueur minimale (m)	6.0	5.50	5.20
Minimum aisle width (m) Largeur minimale de l'allée (m)	6.0	6.00	3.50
Minimum height clearance (m) Hauteur libre minimale (m)	2.20	2.20	2.20

- (c) be located on the lot and in the zone containing the use for which the spaces are provided;
 - (d) not be located in the required front or required flankage yard area in a residential zone, except for single, two unit, semi-detached, townhouse and rowhouse dwellings, and
 - (e) in a commercial, industrial or community use zone, not be located in a required side or rear yard that abuts a residential zone.
- 41(2) When a parking aisle has spaces oriented at one angle on one side of the aisle and a different angle on the other side, the aisle dimensions shall be the greater of the two requirements specified in Table 41;
- 41(3) When a lot is subject to more than one use, the required parking will be the total of the parking required for each individual use less 10%.

Standards for parking lots

- 42(1) When a parking lot of more than six parking spaces is required or proposed, the following provisions shall apply:
- (a) except in the case of a home business or home occupation or, the parking lot shall be paved;
 - (b) subject to sections 27 to 29, lights used for illumination of the lot shall be arranged to divert the light away from streets, adjacent lots and main buildings;
 - (c) a structure, not more than 4.6 metres in height and not more than five square metres in area may be erected in the parking lot for the use of attendants;
 - (d) the parking shall be provided on the same lot as the main use;
 - (e) no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;

- (f) driveways and driveway aisle to the parking lot shall:
 - (i) be paved;
 - (ii) have a curbing radius of ten metres where they meet a public street; and
 - (iii) be defined by a curb of asphalt or concrete;
- (g) the parking lot shall be delineated by one, or a combination of, a fence, curb or other feature which defines the boundary;
- (h) a driveway, driveway aisle and parking aisle or loading space shall:
 - (i) in the case of a one-way driveway, driveway aisle and parking aisle have a width of at least 3.5 metres;
 - (ii) in the case of a two-way driveway, driveway aisle and parking aisle have a width of at least 6.7 metres; and
 - (iii) not exceed a width of 7.6 metres in a residential zone or 9 metres when a fire lane is required and 12 metres in any other zone;
- (i) subject to paragraph (h), a right-of-way over a neighbouring property shall be deemed to satisfy all or part of the driveway requirement, if an agreement is in place between the respective property owners governing the use and maintenance of the right-of-way.

Parking lot screening requirements

- 42(2) Except when street trees are planted pursuant to paragraph 53(1)(c), a parking lot for more than four parking spaces shall be screened from a public, future or private street by a two metre wide planting strip of at least 1.5 metres in height consisting of deciduous trees and shrubs, to be perpetually maintained, along the street line, and spaced no further apart than ten metres in the case of trees, and 1.5 metres in the case of shrubs, but no plantings shall be placed to conflict with sight triangle requirements.
- 42(3) Except when a parking lot abuts another parking lot on an adjacent property, a parking lot for more than four parking spaces shall be screened from abutting residential zones or uses through the use of:
 - (a) a two metre wide planting strip between 1.5 metres and two metres in height, consisting of coniferous or deciduous trees and shrubs, to be perpetually maintained, along the lot line, and spaced no further apart than ten metres in the case of trees, and 1.5 metres in the case of shrubs, and no plantings shall be placed in conflict with sight triangle requirements; or
 - (b) a wall, wooden fence or chain link fence with filler strips woven into the mesh, between 1.5 metres and two metres in height, if it is not located in conflict with sight triangle requirements.

Large scale parking lot requirements

- 42(4) An outdoor parking lot with more than 20 parking spaces shall include landscaping covering not less than ten percent of the outdoor parking area, and at least five percent shall be located in the interior of the parking area;
- 42(5) Despite subsection 42(4), all parking lots with more than 150 parking spaces shall be designed in accordance with the following standards:

- (a) landscaped islands, consisting primarily of trees with a minimum branching height of two metres, flowering shrubs and perennials, designed with a minimum width of three metres, measured from inside of curbs, including 254 millimetres of topsoil, shall be provided:
 - (i) at the end of all rows of parking; and
 - (ii) between all parking blocks;
- (b) on-site pedestrian walkways shall be provided on the property to provide access between the primary entrance or entrances to each main building and:
 - (i) all other main buildings;
 - (ii) public sidewalks, walkways, and trails;
 - (iii) parking areas that serve the building; and
 - (iv) where appropriate, buildings on adjacent properties;
- (c) on-site pedestrian walkways that cross a parking lot, driveway, driveway aisle, parking aisle shall be clearly marked through the use of paint or a change in paving materials, distinguished by their color, texture, or height; and
- (d) a continuous pedestrian walkway with a minimum width of 1.5 metres shall be provided along the full length of all façades featuring a customer entrance or customer parking area.

Driveways for residential zones

- 43(1) Properties within a residential zone having less than 30 metres of frontage shall have no more than one driveway except:
 - (a) in the case of a corner lot with a combined frontage and flankage of more than 30 metres, in which case, two will be permitted provided that only one driveway shall be permitted on each street;
 - (b) in the case of two unit dwellings, which may have one for each dwelling unit; or
 - (c) subject to 90, in the case of a townhouse or rowhouse dwelling, which may have one for each dwelling unit.
- 43(2) Despite subsection 43(1), properties within a residential zone located on a corner lot may have an additional driveway along the flankage lot line.
- 43(3) When a driveway provides access to a residential corner lot, it shall be at least 11 metres from the intersection of the street lines, or the point of intersection of their extensions.
- 43(4) Unless otherwise provided in this By-law, all driveways to a residential property shall be paved or surfaced with crushed rock or gravel.
- 43(5) The total area of driveways, driveway aisles, parking aisles, and parking spaces shall occupy no more than 40% of the required front yard or required flankage yard in the case of a single unit dwelling and multiple unit dwelling and no more than 60% in the case of a semi-detached dwelling or two unit dwelling.
- 43(6) Unless otherwise permitted in this By-law, no driveway shall have access to a future street or a stub street which does not have a temporary turnaround constructed to the Town of Riverview's Subdivision Development – Procedures, Standards and Guidelines.

Driveways for non-residential zones

44(1) In all zones other than residential zones:

- (a) the number of two-way driveways shall be limited to one per lot unless:
 - (i) the lot has a frontage of more than 75 metres, in which case, two will be permitted;
 - (ii) in the case of a corner lot has combined frontage and flankage of more than 75 metres, in which case, two will be permitted; and
 - (iii) in both cases they are not less than 20 metres apart, measured between the centre line of each driveway at the street line;
- (b) two one-way driveways may be located in place of a two-way driveway permitted under subsection 44(1)(a) if they are more than 20 metres apart, measured between the centre line of each driveway at the street line;
- (c) all driveways to a corner lot shall be located at least 15 metres from the intersection of the street lines;
- (d) no driveway shall meet the travelled portion of the street at an angle of less than 60 degrees;
- (e) driveways, and driveway aisles shall be located at least three metres from the rear lot line or side lot line; and
- (f) every driveway, driveway aisles, parking aisles and parking spaces shall be paved and maintained with an all-weather, dust-free surfacing.

44(2) Unless otherwise permitted in this By-law, no driveway shall have access to a future street or a stub street which does not have a temporary turnaround constructed to the Town of Riverview's Subdivision Development – Procedures, Standards and Guidelines document.

Parking lot requirements for bicycle parking

45 With the exception of single unit dwellings, semi-detached dwellings, two unit dwellings, townhouse dwellings or rowhouse dwellings, a development involving the erecting, placing, relocating, of a building must include bicycle parking spaces in conformity with the following:

- (a) the number of bicycle parking spaces shall be the greater of:
 - (i) one for every 20 vehicular parking spaces required by this By-law;
 - (ii) one for every 20 vehicular parking spaces on the lot; and
 - (iii) four.
- (b) bicycle racks shall be securely anchored to the ground or a building.
- (c) outdoor bicycle parking areas:
 - (i) shall be no less than three metres deep;
 - (ii) shall be clearly marked and delineated on the pavement or ground surface;
 - (iii) shall not encroach on, or be encroached on by, vehicular circulation lanes, service lanes or loading bays; and

- (iv) shall be cleared of snow.

Loading space requirements

- 46(1) Land, buildings or structures used for retail stores, restaurants, redemption centres, wholesale stores and industrial uses involving the use of commercial vehicles for the receipt or distribution of material or merchandise shall include off street loading spaces in accordance with the following requirements:
- (a) at least one space if the gross floor area is less than 500 square metres;
 - (b) at least two spaces if the gross floor area is 500 square metres or more, but less than 2,323 square metres; and
 - (c) an additional space for each 2,323 square metres, or fraction of it, of gross floor area in excess of the first 2,323 square metres;
- 46(2) A loading space required under subsection 46(1) shall:
- (a) have a minimum length of nine metres, a minimum width of three metres, and a minimum overhead clearance of 4.5 metres;
 - (b) provide unobstructed access; and
 - (c) be surfaced with a durable and dustproof material.

Drive thru

- 47 When permitted, a drive thru shall incorporate the following design standards:
- (a) in the case of drive thru restaurants and automated car washes:
 - (i) 11 inbound queuing spaces for vehicles approaching the drive up service area; and
 - (ii) two outbound spaces on the exit side of each service position located so as not to interfere with service to the next vehicle;
 - (b) in the case of drive thru automobile repair shops, banks and retail stores:
 - (i) five inbound queuing spaces for vehicles approaching the drive up service area; and
 - (ii) two outbound spaces on the exit side of each service position located so as not to interfere with service to the next vehicle;
 - (c) in the case of a car wash with individual self-served washing bays:
 - (i) one inbound queuing spaces for each washing bays;
 - (ii) two inbound queuing spaces for vehicles entering the property; and
 - (iii) one outbound spaces on the exit side of each washing bays.
 - (d) queuing spaces shall be a minimum of 6.5 metres long and three metres wide;
 - (e) queuing lanes shall be located at the side or rear of buildings;

- (f) when the entrance to the main building requires crossing of the queuing lane by pedestrians, a pedestrian crossing that is distinguished from the queuing lane by either a change in paving materials, colour, texture or height must be provided;
- (g) despite paragraph (e), a queuing lane may be located in the front yard or flankage yard if it is in compliance with subsection 42(2);
- (h) queuing lanes shall be defined by raised curbs and a 1.2 metre wide landscaped island where adjacent to parking, spaces and parking aisles and a three metre wide landscaped island where adjacent to driveways;
- (i) queuing lanes, order boards, or order speakers shall be set back a minimum of 20 metres from an adjacent R1 Zone, R1-C Zone, R2 Zone or RM Zone, unless the drive thru does not include an order board or order speaker, in which case they shall be set back a minimum of 4.5 metres;
- (j) the minimum requirements in subsection 47(i) may be reduced if, upon completion of a noise study by a duly certified noise consultant, mitigation measures proposed in the study will achieve at least the same noise levels that would be expected by compliance with subsection 47(i).

Daycare centre requirements

- 48** In addition to the parking requirements as set out in Schedule D, a daycare centre located where on street parking is prohibited within 20 metres of the lot shall provide two parking spaces for the first ten children and one additional parking space for every ten additional children.

PART 5 – STREET TREES AND LANDSCAPING

Division 5.1 Residential landscaping requirements

Landscaping required in residential developments

49 Except in a RA Zone, the owner of a lot being developed for residential purposes in any zone shall:

- (a) landscape the front yard;
- (b) subject to section 81, landscape any yard that abuts a street;
- (c) landscape the side yard;
- (d) landscape the rear yard within four metres of the main building thereon; and
- (e) provide or retain street trees pursuant to paragraph 51(b) or (c).

Landscaping standards for residential purposes

50 The landscaping required under section 49 shall:

- (a) include, after compaction, at least 152.4 millimetres of topsoil and seeding or sodding;
- (b) include at least one deciduous street tree, with a minimum diameter of 60 millimetre and have a minimum branching height of two metres, and shall be planted at a rate of one per lot when the frontage is less than 20 metres, or otherwise as follows:
 - (i) for a single unit dwelling or multiple unit dwelling, at least one tree for every ten metres of frontage; and
 - (ii) for a two unit dwelling, at least one tree for every 22 metres of frontage;
- (c) in the case of a corner lot, have at least one street tree, meeting the requirements of paragraph (b), along the flankage lot line and one additional tree for every 30 metres of frontage.

51 The street tree in subsections 51(b) and (c) shall be planted by the Town of Riverview at the cost of the developer as set in subsection 17(5)

Driveways

52 Despite sections 49 and 50, a yard may be used for the purposes of driveway access to the lot, if it does not exceed the standards specified in subsection 43(5).

Division 5.2 Community Uses / commercial / industrial landscaping requirements

Landscaping required for community Uses, commercial and industrial zones

53(1) In a community uses, commercial or industrial zone, that portion of a lot not occupied by buildings, structures, driveways or parking lots shall be landscaped and shall:

- (a) include trees and shrubs shall be planted at a minimum rate of one tree or shrub for each 93 square metres of landscaped area;
- (b) include after compaction, at least 152.4 millimetres of topsoil and seeding or sodding; and

(c) provide or retain street trees pursuant to paragraph 53(2) or 53(3).

- 53(2) The owner of a lot being developed for purposes or uses in subsection 53(1) shall provide for at least one deciduous street tree for every ten metres of frontage, with a minimum diameter of 60 millimetre and have a minimum branching height of two metres.
- 53(3) In the case of a corner lot have at least one street tree, meeting the requirements of subsection 53(2), along the flankage lot line and one additional tree for every 30 metres of frontage
- 53(4) The street tree in subsections 53(2) and (3) shall be planted by the Town of Riverview at the cost of the developer as set in section 17(5).

Screening from residential zones or uses

- 54(1) When a commercial zone, industrial zone or community uses zone abuts a residential zone or use, the lot shall not be developed unless a minimum three metre wide landscaped buffer, including screening of a minimum height of two metres consisting of a hedge or opaque fence, or a combination of them, is provided and maintained along the common property line.
- 54(2) If there is a conflict between subsection 54(1) and the specific screening requirements of a particular zone, the latter shall apply.

Precedence of zone specific landscaping standards

- 55 If there is a conflict between the general landscaping provision in section 49 to 54 and the specific landscaping requirements of a particular zone, the latter shall apply.

Landscaping to be completed within one year

- 56 The landscaping required in this By-law shall be completed no later than September 30th of the year following issuance of the development permit for the main building.

PART 6 – SPECIFIC USES

Utility uses permitted in all zones

- 57 With the exception of a building, all utility uses shall be permitted in any zone and no development permit shall be required.

Service stations

- 58 When permitted a service station shall not have any portion of a pump island or canopy located within 15 metres of a lot line.

Screening of outdoor storage areas

- 59(1) When a use involves outdoor storage, other than a display court, the portion of the lot used for outdoor storage shall be fully screened from the street by a wall, wooden fence or chain link fence with filler strips woven into the mesh or other screening facility of equal screening value, between 2.0 and 2.5 metres in height.
- 59(2) Within the outdoor storage area, no materials shall be amassed higher than the height of the surrounding fence.
- 59(3) If there is a conflict between subsection (1) and the specific screening requirements of a particular zone, the latter shall apply.

Display courts

- 60 If permitted, a display court shall:
- (a) be located no closer than two metres from a street; and
 - (b) the area between a display court and street line shall be landscaped in accordance with section 54.

Division 6.1 Uses subject to terms and conditions

Clearing or cutting of trees

- 61(1) Within the Urban Growth Boundary, a use requiring or involving the cutting or clearing of trees or the clearing of natural vegetation on one or more contiguous hectares of land is a particular purpose subject to terms and conditions unless a development permit has been issued.
- 61(2) As part of the application for terms and conditions under subsection 61(1), the applicant shall submit an erosion and sediment control plan, including a narrative report and a site plan, prepared and certified by a qualified professional engineer or by other professionals qualified to do the work.

Larger commercial uses in any zone subject to terms and conditions

- 62 A permitted use within a SC Zone and CM Zone occupying more than 1,500 square metres in gross floor area shall be considered a particular purpose subject to terms and conditions.

Division 6.2 Temporary uses permitted

Temporary real estate sales offices

- 63 Temporary real estate sales offices may be set up in new display homes within new subdivisions but not for more than 12 months.

Vending facilities

- 64 Vending facilities shall be permitted in commercial, industrial and community uses zones if:
- (a) the vending facilities meet the required setback requirements for main buildings in the zone; and
 - (b) the property be kept clean and free of waste.

Temporary structures

- 65 A structure, not including vending facilities, erected for a temporary period shall be permitted in any zone if:
- (a) the use of the structure is a permitted main, secondary or accessory use for the zone in which it is proposed and is removed no later than 14 days after being erected or placed, or
 - (b) the use of the structure is accessory to construction in progress, and the structure be removed within 14 days of the completion of the work.

PART 7 – ADDITIONAL RESIDENTIAL PROVISIONS

Division 7.1 Secondary uses

Home daycare

- 66 When permitted as a secondary use, a home daycare shall:
- (a) be permitted in a single unit dwelling only
 - (b) be located on a local street which permits on street parking within 20 metres of the lot; and
 - (c) be permitted to erect a non-illuminated sign not exceeding 0.75 square metres.

Accessory dwelling

- 67 When permitted, an accessory dwelling shall:
- (a) not exceed 35% of the dwelling's gross floor area; and
 - (b) have one parking space in addition to the parking required for the main use of the lot; and
 - (c) be permitted in a single unit dwelling only.

Home occupation

- 68 When permitted, a home occupation shall:
- (a) be limited to 25 percent of the gross floor area of the dwelling unit;
 - (b) not involve a change in the external appearance of the building that will alter its residential character;
 - (c) only supply or sell goods or services directly related to the home occupation;
 - (d) be permitted to erect a non-illuminated sign not exceeding 0.75 square metres;
 - (e) not have outside storage;
 - (f) provide one off street parking space, in addition to the parking space requirements of the zone in which it is located; and
 - (g) be limited to the residents of the dwelling or in the case of a home office an additional support employee.

Garden suite

- 69 When permitted, a garden suite shall:
- (a) despite the yard requirements for the zone in which it is located, not be closer than 1.2 metres from a side lot line or 2.5 metres from the rear lot line;
 - (b) not exceed six metres in height;
 - (c) be located in the rear yard;
 - (d) be located on a lot occupied by a single unit dwelling as a main use;

- (e) not exceed 75 square metres of ground gross floor area;
- (f) be fully serviced by water and sanitary sewer;
- (g) provide one parking space in addition to the parking required for the main use;
- (h) use the same driveway and parking aisle as the main use;

Bed and breakfast

70 When permitted, a bed and breakfast shall:

- (a) be conducted within a single unit dwelling;
- (b) be limited to five bedrooms for the accommodation of guests; and
- (c) be permitted to erect a non-illuminated sign not exceeding 0.75 square metres; and
- (d) parking is provided at the side and/or rear of the lot, but not within the required yard.

Secondary uses in the RA Zone

71 A home business, a home occupation or a home daycare may be permitted in the RA Zone, subject to the following conditions:

- (a) the area of the dwelling unit devoted to such use shall not exceed 50% of the gross floor area;
- (b) not more than one home business, home occupation or home daycare shall be permitted on a lot;
- (c) not more than three commercial vehicles or pieces of equipment may be stored on the lot; and
- (d) A home business may be conducted in an accessory building or structure.

Secondary residential use in the NC Zone

72 In a NC Zone, a residential use to a maximum of 4 units shall be permitted as a secondary use to a commercial use if the dwelling units are not located on the ground floor frontage.

Division 7.2 Other residential uses

Garages and carports

- 73 Except in a RA Zone, a garage or carport attached to a dwelling shall not exceed 85 square metres in gross floor area.
- 74 When a garage or carport is attached to a dwelling, it becomes part of the main building for purposes of determining a yard.

Residential development near a lagoon or treatment plant

75 Despite any other provision of this By-law, no dwelling shall be located within 90 metres of a sewage lagoon or treatment plant, and no sewage lagoon or treatment plant shall be located within 90 metres of a lot line.

Commercial vehicles and construction equipment in residential zones

- 76 In a residential zone, other than a RA Zone, no land shall be used for the parking or storage of commercial vehicles, buses, or construction or other equipment including bulldozers, backhoes, high hoes and payloaders or similar equipment.

Storage of vehicles and parking of recreational vehicles in residential zone

- 77(1) In the Residential Zone, other than a RA Zone no vehicles or other chattels shall be stored except in a carport, garage, or in a rear or side yard.
- 77(2) Despite subsection 77(1), a recreational vehicle may be parked in a driveway located within a front or flankage yard, provided it is wholly within the lot, between May 1st and October 31st.

Two unit dwellings and semi-detached dwellings

- 78 Except in the case of a two unit dwelling containing one unit wholly above the other, no two unit dwelling or semi-detached dwelling shall be developed except when the units are joined by a common wall both above and below grade and the common wall constitutes at least 60% of the vertical and horizontal axis between the two units.

PART 8 – SETBACKS

Building within the setback

- 79 Despite any other front yard or flankage yard requirement, a building may be placed, erected or altered within the setback:
- (a) if there are buildings within 30 meters on both sides of the building encroaching into the required setback, at a distance which is the average of the distance between the street line and those buildings; or
 - (b) if there is only one building within 30 metres of the building encroaching into the required setback area, at a distance which is the average of the required setback and the distance between the street line and the adjacent building.

Setback from watercourses

- 80 Unless otherwise permitted in this By-law, except for walking or cycling trails, a boat house, wharf, dock, boardwalk or bridge, no development shall be located within:
- (a) 30 metres of the Petlocodiac River;
 - (b) 30 metres of Mill Creek;
 - (c) 30 metres of Turtle Creek; and
 - (d) 10 metres of any other watercourse.

Sight triangle

- 81 On a corner lot, no building, structure, fence, wall, hedge, shrub, tree or other object, except a column of up to 0.2 metres in diameter supporting an upper storey projection, shall be erected or permitted to grow to obstruct an area between one metre and three metres above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of 4.6 metres measured from their points of intersection.

Reduced frontage on a curve

- 82 Despite any provision of this By-law, when the front lot line of a lot is a curved line or when the side lot lines are not parallel, the frontage shall be determined by measuring the distance between the points on each side lot line which are a distance from the street line equal to the required setback.

Permitted encroachments

- 83(1) Subject to section 81, every part of a required yard shall be open and unobstructed by structures, with the exception of the following:
- (a) wheelchair ramps and lifting devices;
 - (b) steps providing access at the ground floor in a required front yard, required rear yard or required flankage yard;
 - (c) sills, cornices, eaves, gutters, chimneys, pilasters, canopies or other architectural features, projecting to a maximum of 0.6 metres;
 - (d) window bays and solar collectors in a required front yard, required rear yard or required flankage yard, projecting to a maximum of 0.9 metres;

- (e) exterior staircases providing access to the basement or a floor above the ground floor, balconies, porches, verandas and sun decks in a required front yard, required rear yard or required flankage yard, projecting to a maximum of two metres; and
 - (f) climate control equipment in a required yard projecting to a maximum of 0.9 metres.
- 83(2) Despite paragraph (1)(e), when located between a façade and the street line, an exterior staircase giving access to a floor above the ground floor is a purpose subject to terms and conditions.

PART 9 – DESIGN STANDARDS

Exemptions from height restrictions

- 84 The height restrictions of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, telecommunication towers, ventilators, skylights, barns, chimneys, clock towers, or solar collectors attached to the main building or structure.

Public entrances

- 85 Despite any other section of this By-law, in the case of a corner lot, a public entrance oriented to face the corner of two street lines, shall be deemed to be located on both facades

Division 9.1 Design standards for commercial zones

RBS Zone Building Design Requirements

- 86 In the RBS zone, no development shall be permitted and no main building or structure may be used on a lot unless:
- (a) a minimum of 50% of the facade facing the street is finished with traditional materials;
 - (b) at least one public entrance is facing the street;
 - (c) no sign is located in a side yard where the property line in common with a residential zone; and
 - (d) despite Part 10, no more than one back-lit freestanding sign, not exceeding six metres in height, shall be erected or displayed and no part of such sign, other than its support, shall be within three metres of the established grade.

CM Zone Building Design Requirements

- 87(1) In the CM Zone, no development shall be permitted and no main building or structure may be used on a lot unless:
- (a) no less than 25% of the facade of the main building fronting a street is composed of windows or doors;
 - (b) no less than 50% of the facade facing any public street is finished with traditional materials; and
 - (c) at least one public entrance is facing the public street.

Lots fronting on Bridgedale Boulevard and Gunningsville Boulevard

- 87(2) In the CM Zone, no development shall be permitted and no main building or structure may be used on a lot fronting on Bridgedale Boulevard or Gunningsville Boulevard unless:
- (a) at least 40% of the ground floor facade of the main building fronting a street is composed of windows or doors;

- (b) at least 25% of the main building facades above the ground floor fronting a street is composed of windows;
- (c) at least 60% of the frontage is occupied by the main building;
- (d) awnings, canopies, porches or overhangs cover no less than 20% of the ground floor façade fronting a street;
- (e) buildings facades occupying more than 20 m of frontage length are broken down into 20 m compartments with a distinct change in vertical architectural style using different façade materials, projections, roof changes or colors;
- (f) at least one public entrance is facing the street;
- (g) a walkway shall be provided between the sidewalk and the public entrance;
- (h) no dwelling units are located on the first floor fronting the street;
- (i) no less than 90% of the facade facing the street is finished with traditional materials;
- (k) all mechanical, electrical, air conditioning or other similar equipment located on the roof of a building and shall be screened from the adjacent public street.

CM Zone Special Height Requirements

- 87(3) A building or structure in the CM Zone, on a lot fronting on Bridgedale Boulevard or Gunningsville Boulevard, shall have:
- (a) a minimum height of seven metres and no fewer than two full stories above the established grade within ten metres of a street; and
 - (b) a maximum height of 13 metres within ten metres of a street line.

CM Zone vehicular access

- 87(4) In the CM Zone, no development shall be permitted and no main building or structure may be used on a lot unless:
- (a) no vehicle queuing areas for a drive thru is located between the main building the street;
 - (b) only a single row of parking spaces is located between the main building and the street; and
 - (c) despite subsection 87(b), no parking spaces shall be located between the main building and Bridgedale Boulevard or Gunningsville Boulevard.

Other commercial zones special requirement

- 88(1) Despite any other provision of this By-law, no development shall be permitted and no main building or structure shall be used in the area as set out in Schedule B, unless a 20 m wide buffer area preserving the existing vegetation is maintain along the R1 zoned lots.
- 88(2) When permitted, the height of a main building with the NC Zone 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; and
 - (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;

- 88(3) If a NC Zone abuts a R1 Zone, R1-C Zone or R2 Zone, except where the lot is used for a single, two unit or semi-detached dwelling, a six metre wide landscaping buffer shall be provided and maintained along the common property lines, 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) a minimum of one shrub for every 15 square metres of landscaping area;
 - (b) 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
 - (c) 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
- 88(4) The landscaping buffer required in subsection 88(3) shall not be used for parking, garbage storage or public utility structures.

Technology uses

- 89 When permitted, a lot developed for the purpose of a technology use shall have:
- (a) not less than 25% of the facade of the main building fronting a street composed of windows or doors;
 - (b) not less than 50% of the facade facing any public street finished with traditional materials;
 - (c) at least one public entrance is facing the street;
 - (d) only a single row of parking spaces is located between the main building and the street; and
 - (e) manufacturing, processing or fabricating related to the main use is contained inside the main building.;

Division 9.2 Design standards for rowhouse dwellings, townhouse dwellings, multiple unit dwellings or single unit dwellings with compact lot configurations

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.

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.
- 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;
 - (e) 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;
 - (f) 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;

- (g) 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;
- (h) for buildings on corners, windows or doors must address both street frontages and shall be designed to the same quality;
- (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 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.

Single unit dwelling with a compact lot configuration

91.1 When permitted, a lot developed for the purpose of a compact single family dwelling shall be subject to the following conditions:

- (a) the façade, is finished with at least three different materials that includes at least twenty percent brick or masonry;
- (b) the main entrance to the dwelling shall face a street;
- (c) no building façade and color shall be repeated on adjacent lots within the same side of a street as well as the lot on the opposite side of the street;
- (d) despite subsection 43(4), the driveway shall be paved or finished with other hard surfaces such as stone pavers or bricks; and
- (e) despite subsection 43(5), the driveway shall have a maximum width of 4 m at the street line and may open up to a maximum width of 5.5 m in the front yard.

PART 10 – SIGNS

Division 10.1 Conditions and standards of signs

92(1) The following signs, are permitted in any zone:

- (a) without the requirement of a development permit, if:
 - (i) in the case of a real estate sale sign, it does not exceed one square metre in area in a residential zone or three square metres in area any other zone;
 - (ii) it is erected by, or under the direction of, a government body;
 - (iii) it is a memorial; or
 - (iv) it announces a candidate for public office.
- (b) with the requirement of a development permit, if in the case of:
 - (i) a directional sign provided:
 - (A) there shall be a maximum of one for each entrance, exit, and drive thru lane;
 - (B) the sign shall not exceed 0.5 metres in area;
 - (C) the sign shall not exceed 1.5 metres in height; and
 - (D) the sign shall have a minimum setback of two metres from a front or flankage lot line.
 - (ii) a sign incidental to a construction project provided it does not exceed nine square metres in area and is removed upon completion of the construction;
 - (iii) a sign identifying a charitable, religious or fraternal organization provided it does not exceed 0.6 square metres in area in a residential zone or three square metres in area any other zone; or
 - (iv) a sign regulating the use of a property provided it does not exceed 0.5 square metres in area.

92(2) No sign shall be erected unless in compliance with the following:

- (a) it shall not create a hazard to public safety or health;
- (b) it shall not obstruct the vision of drivers, or detract from the visibility or effectiveness of a traffic sign or control device on streets;
- (c) it shall not obstruct ingress to or egress from a fire escape or other required exit;
- (d) it shall not include electronic moving copy;
- (e) it does not incorporate a searchlight, strobe lights, flashing lights, or emit sounds or be interactive in any way;
- (f) unless it is a portable sign, it shall be permanently affixed to the ground or a building; and
- (g) despite subsection 92(1)(a), the consent of the property owner is attained prior to installing any sign.

Non-conforming signs

- 92(3) If a sign, existing before the adoption of this By-law, is either built or placed contrary to the requirements of the By-law, it may be repaired or renovated and the sign copy may be replaced if the requirements of this By-law or standards that do not conform to this By-law are not further compromised.
- 92(4) Despite subsection 92(3), the requirements of subsection 93(2) and sections 100.1 and 100.2 shall apply to the installation or replacement of an electronic static copy on an existing sign.

Development permit exemption for portable and sandwich signs

- 92(5) A portable sign licensed under the Portable Sign By-law is exempt from the requirement of a development permit, but must adhere to all other requirements of this By-law and the Portable Sign By-law.
- 92(6) A sandwich sign is exempt from the requirement of a development permit, but must adhere to all other requirements of this By-law and the Portable Sign By-law.

Sign setback and location

- 93(1) Subject to section 81, except in the CM Zone, no sign shall be placed, erected or altered within the minimum required setback as set out in Schedule C.

Signs in Proximity to Traffic Control Devices

- 93(2) Despite subsection 93(1), no signs having electronic static copy shall be located within the restriction area of an illuminated traffic control device or illuminated crosswalk, as determined in Schedule C.1.

Division 10.2 Types of signs

Freestanding signs

- 94(1) Except in a residential zone, a freestanding sign is permitted subject to the following:
- (a) it shall not exceed 15 metres in height;
 - (b) it shall not exceed 10 square metres in area;
 - (c) despite subsection 94(1)(b), in the case of a lot containing three or more businesses, it shall not exceed 20 square metres in area; and
 - (d) no more than one freestanding sign shall be permitted for every 100 metres of lot frontage.
- 94(2) Despite subsection 94(1), a freestanding sign may be permitted:
- (a) in a residential zone for a church, but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not be back lit or include an electronic static copy;
 - (iii) it shall not exceed 4.5 square metres in area; and
 - (iv) it shall not exceed three metres in height;

- (b) in a residential zone to identify a multiple unit dwelling or a daycare centre, but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not be back lit or include an electronic static copy;
 - (iii) it shall not exceed 1.5 square metres in area for a multiple unit dwelling;
 - (iv) it shall not exceed 2.5 square metres in area for a daycare centre; and
 - (v) it shall not exceed two metres in height;
- (c) to identify a farm or home business operated in the RA Zone but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not exceed three square metres in area;
 - (iii) it shall not exceed two metres in height; and
 - (iv) it shall not be back lit or include an electronic static copy;
- (d) As a neighbourhood identification sign in a residential zone but it shall:
 - (i) be limited to one for each entrance into the neighbourhood or subdivision;
 - (ii) be limited to identifying the name of the neighbourhood or subdivision where it is situated;
 - (iii) not exceed three square metres in area;
 - (iv) not exceed two metres in height; and
 - (v) not be back lit or include electronic static copy;
- (e) on a lot in the CM Zone fronting on Bridgedale Boulevard or Gunningsville Boulevard but:
 - (i) There shall be no more than one per lot;
 - (ii) It shall not be back lit or include electronic static copy;
 - (iii) It shall not exceed 2.5 square metres in area; and
 - (iv) It shall not exceed two metres in height.

Projecting signs

95 Except in a residential zone, a projecting sign may be permitted, but:

- (a) it shall not exceed one square metre in area;
- (b) it shall not project more than 1.5 metres from the building wall;
- (c) it shall not be erected less than three metres above the established grade;
- (d) there shall be a maximum of one for every six metres of lot frontage;

- (e) it shall not project more than 0.3 metres above the roof of a building; and
- (f) it shall not be permitted to swing freely on its supports.

Wall signs

96(1) A wall sign is permitted in all zones except residential zones if:

- (a) it does not extend beyond the wall on which it is placed; and
- (b) it shall not cover more than one square metre per linear metre of the wall on which the sign is affixed.

96(2) Despite any other provision in this By-law, wall signs may be permitted as identification signs for a multiple unit dwelling or a daycare centre, but:

- (a) they shall be placed on no more than two sides of a building and be below the level of the second floor windows;
- (b) they shall not be back lit or include electronic static copy; and
- (c) they shall not exceed 1.5 square metres in area for a multiple unit dwelling and 2.5 square metre for a daycare centre.

Canopy signs

97 A canopy sign is permitted in all zones except residential zones if it does not exceed two square metres in area for each metre of the exterior length of the canopy.

Directory signs

98 A directory sign may be permitted in commercial, industrial and community use zones, subject to the following:

- (a) despite subsection 94(1)(a), it shall not exceed 20 square metres in area;
- (b) despite subsection 94(1)(b), it shall not exceed a height of 15 metres in height; and
- (c) not more than one be permitted per entrance to the site.

Portable signs

99 A portable sign may be permitted in the commercial, industrial, and community use zone subject to the Portable Sign By-law.

Sandwich signs

100 A sandwich sign may be permitted in all zones, except residential zones, subject to the following:

- (a) not more than one is displayed for each business located thereon;
- (b) each of the two panels of a sandwich sign must have equal dimensions and areas; and
- (c) it does not obstruct pedestrian or vehicular access to the premises.

Electronic message signs

100.1(1) A sign with an electronic static copy may be used as part of a freestanding sign, wall sign, projecting sign, canopy sign, or directory sign subject to the following standards:

- (a) the sign shall be a permitted use in the SC, CM and I Zones;
- (b) the sign shall be a particular purpose, subject to terms and conditions as per Municipal Plan Policy 12.1.4, RBS Zone, NC Zone, PRI Zone, OS Zone, ID Zone, or within 30m of any residential zone;
- (c) the message duration shall not be less than 20 seconds;
- (d) the message transition shall be instantaneous;
- (e) message transition shall not involve any visible effects including but not limited to scrolling, fading, dissolving, intermittent or flashing light, or the illusion of such effects;
- (f) brightness levels of the sign do not exceed 3.23 lux above ambient light conditions measured at a distance which is determined by the square root of the sign area multiplied by 100;
- (g) the sign shall use automatic dimming technology which automatically adjusts the sign copy's brightness in direct correlation with ambient light conditions; and
- (h) the sign shall be turned off in the case of a malfunction.

100.1(2) The portion of the sign devoted to an electronic static copy shall not exceed 50 percent of the maximum allowable area.

100.1(3) The application for a development permit shall include an acknowledgement by the owner of the sign that the sign is capable of meeting the conditions in subsections 100.1(1) and 100.1(4).

Electronic message sign limitations

100.1(4) Electronic static copy shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the business is open or in operation during those hours.

PART 11 - RESIDENTIAL ZONES

101(1) In accordance with section 7, Table 11.1 (a) or Table 11.1 (b) identifies the land uses permitted within each residential zone.

101(2) Except in the RM Zone and R3 Zone, only one of the main uses listed in Table 11.1 (a) is permitted on a lot.

TABLE 11.1 (a) RESIDENTIAL ZONES USE TABLE

P = Permitted

C = Conditional Use Subject to Terms and Conditions

- = Use Not Permitted

ONE OR MORE OF THE FOLLOWING MAIN USES	R1	R1-C	R2	RM	R3
Single unit dwelling	P	P Subject to section 91.1	P	P	-
Semi-detached dwelling	-	-	P	P	-
Two unit dwelling	-	-	P	P	-
Multiple unit dwelling subject to section 91	-	-	-	C (maximum 15 units / acre)	C
Townhouse / rowhouse dwelling unit subject to section 90	-	-	-	C (maximum 15 units / acre)	C
Assisted living facility or independent living facility	-	-	-	C	C
Church	C	C	C	C	C
Daycare Centre	-	-	-	-	P
Fire and/or police station	C	C	C	C	C
Funeral home	-	-	-	-	C
Philanthropic use	-	-	-	-	C
Public park	P	P	P	P	P
Public or private school	C	C	C	C	C
Retail commercial or office use on the ground floor in conjunction with a multiple dwelling unit	-	-	-	C	C
ACCESSORY USES, BUILDINGS & STRUCTURES					
Accessory building, structure or use, subject to Division 3.1	P	P	P	P	P

TABLE 11.1 (b) RESIDENTIAL ZONES USE TABLE

P = Permitted
 C = Conditional Use Subject to Terms and Conditions
 - = Use Not Permitted

ONE OR MORE OF THE FOLLOWING MAIN USES	RA	MD
Single unit dwelling	P	P
Agricultural use	P	-
Billboard Sign	P	-
Church	C	-
Extraction use	C	-
Fire and/or police station	C	-
Forestry use	P	-
Manufactured dwelling	-	P
Manufactured dwelling display court or sales lot	-	C
Philanthropic use	C	-
Public park	P	P
Public or private school	C	-
Roadside stand for the sale of agricultural produce	P	-
Veterinary clinic	C	-
ACCESSORY USES, BUILDINGS & STRUCTURES		
Accessory building, structure or use, subject to Division 3.1	P	P

102 In accordance with section 7, Table 11.2 (a) or Table 11.2 (b) identifies the secondary land uses permitted within each residential zone.

TABLE 11.2 (a) RESIDENTIAL ZONES SECONDARY USE TABLE

P = Permitted
 C = Conditional Use Subject to Terms and Conditions
 - = Use Not Permitted

ONE OF THE FOLLOWING SECONDARY USES	R1	R1-C	R2	RM	R3
Accessory dwelling unit, within a single unit subject section 67	P	P	P	P	-
Bed and breakfast subject to section 70	P	-	P	P	-
Garden Suite subject to section 69	P	-	P	P	-
Home Daycare subject to section 66	P	-	P	P	-
Home occupation subject to section 68	P	P	P	P	-
Residential care facility to a maximum of 6 beds within a Single Unit Dwelling	P	-	P	P	-

TABLE 11.2 (b) RESIDENTIAL ZONES SECONDARY USE TABLE

P = Permitted
 C = Conditional Use Subject to Terms and Conditions
 - = Use Not Permitted

	RA	MD
PERMITTED SECONDARY USES		
Accessory dwelling unit, within a single unit dwelling subject section 67	P	P
Bed and breakfast subject to section 70	P	P
Garden Suite subject to section 69	P	-
Home Daycare subject to section 66	P	P
Home business, home daycare or home occupation subject to section 71	P	-
Residential care facility to a maximum of 6 beds within a Single Unit Dwelling	P	-
Stable	P	-
Second Farmstead Residence	P	

- 103 No development shall be permitted and no main building or structure shall be used on a lot in a residential zone unless the requirements within Table 11.3 (a) or Table 11.3 (b) are complied with.

TABLE 11.3 (a) RESIDENTIAL ZONES LOT REQUIREMENTS

- = not applicable

	R1	R1-C	R2	RM	R3
LOT REQUIREMENTS					
Minimum Lot Area					
Lot Area for Single Unit Dwelling	460 m ²	350 m ²	460 m ²	460 m ²	-
Lot Area for Two Unit Dwelling	-	-	630 m ²	630 m ²	-
Lot Area for Semi-Detached Dwelling	-	-	315 m ²	315 m ²	-
Lot Area for Multiple Unit Dwelling	-	-	-	630 m ² plus 50 m ² for each additional units	630 m ² plus 50 m ² for each additional units
Lot Area for Townhouse / Rowhouse Dwelling Unit	-	-	-	180 m ²	180 m ²
Minimum Lot Frontage					
Lot Frontage for Single Unit	15 m	12.19 m	15 m	15 m	-
Lot Frontage for Two Unit Dwelling	-	-	21 m	21 m	-
Lot Frontage for Semi-Detached Dwelling	-	-	10.5 m	10.5 m	-
Lot Frontage for Multiple Unit Dwelling	-	-	-	21 m	25 m
Lot Frontage for Townhouse / Rowhouse Dwelling Unit	-	-	-	6 m	6 m
Required Front or Required Flankage Yard					
Front or Flankage yard for Single Unit Dwelling, Two Unit Dwelling, Semi-Detached Dwelling	6 m	6 m	6 m	6 m	-
Front or flankage yard for Multiple Unit Dwelling or Townhouse / Rowhouse	-	-	-	4.5 m	4.5 m

TABLE 11.3 (a) RESIDENTIAL ZONES LOT REQUIREMENTS

- = not applicable

LOT REQUIREMENTS	R1	R1-C	R2	RM	R3
Dwelling Units					
Required Side Yard					
Side Yard – Single Unit Dwelling	3 m & 1.2 m	2.6 m & 1.6 m	3 m & 1.2 m	3 m & 1.2 m	-
Side Yard – Two Unit Dwelling	-	-	3 m (0 m on common wall side)	3 m (0 m on common wall side)	-
Side Yard – Semi-Detached Dwelling	-	-	3 m (0 m on common wall side)	3 m (0 m on common wall side)	-
Side Yard – Multiple Unit Dwelling, Townhouse / Rowhouse Dwelling Units	-	-	-	The greater of 3 m or ½ the height of building to a maximum of 6 m	The greater of 3 m or ½ the height of building to a maximum of 6 m
Required rear yard	6 m	6 m	6 m	6 m	6 m (subject to 91)
Maximum Lot Coverage	50%	50%	50%	50%	50%
Maximum Height	9 m	9 m	9 m	10 m	15 m (subject to 91)

TABLE 11.3 (b) RESIDENTIAL ZONES LOT REQUIREMENTS

- = not applicable

LOT REQUIREMENTS	RA	MD
Minimum lot area	2 Hectares	450 m ²
Minimum lot frontage	150 m	15 m
Required front or required flankage yard	7.5 m	4.5 m
Required side yard	6 m	2.5 m
Required rear yard	6 m	4.5 m
Maximum height	11 m for residential & 26 m for agricultural uses	11 m

PART 12 - COMMERCIAL ZONES

104 In accordance with section 7, Table 12.1 identifies the land uses permitted within each commercial zone

TABLE 12.1 COMMERCIAL ZONES USE TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted				
ONE OR MORE OF THE FOLLOWING MAIN USES	SC	CM	RBS	NC
Art gallery, library or museum	P	P	P	-
Automobile repair shop or automobile sales establishment	C	-	-	-
Bank or financial institution	P	P	P	-
Brewery, distillery or winery	P	P	-	-
Call center	P	P	P	-
Car Wash	C	-	-	-
Church	C	C	C	C
Communication use	P	P	P	-
Daycare centre	P	P	P	P
Drive thru	C	C	-	-
Educational use	C	C	C	-
Entertainment use	P	P	-	-
Farmer's market	P	P	-	-
Funeral home	P	P	P	-
Government use	P	P	P	-
Hospital, treatment centre or medical clinic	P	P	P	-
Mini storage warehouse	C	-	-	-
Motel, hotel, bed and breakfast or rooming house	P	P	P	-
Multiple unit dwelling, subject to section 91	C	C	C	-
Nursery	P	-	-	-
Office use	P	P	P	P
Parking garage or off-site parking lot	C	C	-	-
Personal service shop	P	P	P	P
Pet service use	P	P	-	-
Philanthropic use	P	P	P	-
Public Park	P	P	P	P
Recreational use	P	P	-	-
Recreational vehicles sale establishment	C	-	-	-
Redemption Centre	P	P	-	-
Research and development, subject to section 89	C	C	-	-
Restaurant	P	P	P	C
Restaurant, including a drive thru	C	C	-	-

Retail store	P	P	-	P (maximum 750 m ²)
Townhouse/rowhouse dwelling unit subject to section 90			C	
Service shop	P	P	P	P
Service station subject to section 58	C	-	-	-
Single, two unit or semi-detached dwelling	-	-	-	P
Technology use, subject to section 89	C	C	-	-
Veterinary clinic	P	P	P	-
Wholesale store	P	P	-	-
ACCESSORY USES, BUILDINGS & STRUCTURES				
Accessory building, structure or use, subject to Division 3.1	P	P	P	P

105 In accordance with section 7, Table 12.2 identifies the secondary land uses permitted within each commercial zone.

TABLE 12.2 COMMERCIAL ZONES SECONDARY USE TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted				
ONE OR MORE OF THE FOLLOWING SECONDARY USES	SC	CM	RBS	NC
Accessory dwelling unit, within a single unit dwelling subject section 67	-	-	-	P
Bed and breakfast subject to section 70	-	-	-	P
Dwelling unit	P	-	-	-
Daycare centre	P	P	P	P
Display court	P	-	-	-
Garden Suite subject to section 69	-	-	-	P
Home daycare subject to section 66	-	-	-	P
Home occupation subject to section 68	-	-	-	P
Outdoor storage subject to section 59	P	-	-	-
Residential care facility to a maximum of 6 beds within a Single Unit Dwelling	-	-	-	P
Residential use subject to section 72	-	-	-	P

106 No development shall be permitted and no main building or structure shall be used on a lot in a commercial zone unless the requirements within Table 12.3 are complied with.

TABLE 12.3 COMMERCIAL ZONE LOT REQUIREMENTS				
- = not applicable				
LOT REQUIREMENTS / NORMES	SC	CM	RBS	NC
Minimum lot area	1300 m ²	600 m ²	590 m ²	540 m ²
Minimum lot frontage	30 m	20 m	21 m	18 m
Required front yard or required flankage yard	4.5 m	4.5 m	4.5 m	4.5 m
Required front yard or required flankage yard for residential uses located at established grade	-	4.5 m	-	-
Required front yard or required flankage yard for a lot fronting on Bridgedale Boulevard or Gunningsvill Boulevard	-	3 m and 5 m maximum	-	-
Required rear yard	6 m	6 m	6 m	6 m
Required side yard	1.5 m	1.5 m	The greater of 3 m or ½ the height of the main building to a maximum of 6 m	2.5 m
Maximum lot coverage	50%	50%	50%	50%
Height	Maximum 15 m	Maximum 18 m subject to 87(3)	Maximum 15 m	Maximum 13 m subject to 88(2)

PART 13 - INDUSTRIAL ZONES

107 In accordance with section 7, Table 13.1 identifies the land uses permitted within each industrial zone.

TABLE 13.1 INDUSTRIAL ZONES USE TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted	
ONE OR MORE OF THE FOLLOWING MAIN USES	I
Automobile repair shop or automobile repair shop	P
Car wash	C
Distribution use	P
Educational use	C
Heavy equipment sales establishment	P
Industrial use	P
Mini-storage warehouse	P
Office use	P
Recreational vehicle sales and service establishments	P
Redemption centres	P
Single unit dwelling	P
Technology use, subject to 89	C
Transportation use	P
Veterinarian clinic	P
Wholesale store	P
ACCESSORY USES, BUILDINGS & STRUCTURES	
Accessory building, structure or use, subject to Division 3.1	P

108

No development shall be permitted and no main building or structure shall be used on a lot in an industrial zone unless the requirements within Table 13.2 are complied with.

TABLE 13.2 INDUSTRIAL ZONES LOT REQUIREMENTS	
LOT REQUIREMENTS	I
Minimum lot Area	540 m ²
Minimum lot frontage	18 m
Required front or required flankage yard	7.5 m
Required rear yard	6 m
Required side yard	The greater of 3 m or ½ the height of the main building to a maximum of 6 m
Maximum lot coverage	50 %
Maximum height	11 m

PART 14 – COMMUNITY USE ZONES

109 In accordance with section 7, Table 14.1 identifies the land uses permitted within each community use zone.

TABLE 14.1 PARK AND COMMUNITY USE ZONES TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted		
ONE OR MORE OF THE FOLLOWING MAIN USES	PRI	OS
Air Traffic Control Center	P	-
Art gallery, library or museum	P	-
Assisted living facility or independent living facility	C	-
Cemetery	P	-
Church	C	-
Community garden	P	P
Daycare Centre	P	-
Educational use	C	-
Farmers' market	P	-
Funeral home	P	-
Golf course	P	-
Governmental use	P	-
Hospital, treatment centre or medical clinic	P	-
Recreational use	P	-
Interpretive centres	P	P
Philanthropic use	P	-
Public park	P	P
Residential Care Facility	C	-
ACCESSORY USES, BUILDINGS & STRUCTURES		
Accessory building, structure or use, subject to Division 3.1	P	P

- 110 No development shall be permitted and no main building or structure shall be used on a lot in a park and community use zone unless the requirements within Table 14.2 are complied with.

TABLE 14.2 PARK AND COMMUNITY USE ZONES LOT REQUIREMENTS		
- = not applicable		
LOT REQUIREMENTS	PRI	OS
Minimum lot Area	810 sq. m	-
Minimum lot frontage	27 m	-
Required front or required flankage yard	6 m	-
Required rear yard	6 m	-
Required side yard	The greater of 3 m or ½ the height of the main building to a maximum of 6 m	-
Maximum lot coverage	50 %	-
Maximum building height	15 m	-

PART 15 - INTEGRATED DEVELOPMENT ZONE

- 111(1) No development shall be undertaken nor shall any land, building or structure be used on a lot within an integrated development zone unless Council has approved the development of a specific proposal under section 59 of the Act.
- 111(2) Standards or requirements for development in an integrated development zone shall be established by agreement entered into pursuant to section 59 of the Act.

PART 16 – REPEAL, SAVING AND TRANSITIONAL PROVISIONS

Division 16.1 Repeal

114 The Town of Riverview Zoning By-law, being By-law 300-6, is repealed.

Division 16.2 Saving and transitional provisions

Conditional agreements carried over

- 112(1) The lots affected by a conditional rezoning agreement or conditional by-law amendment made before this By-law are zoned as set out in Schedule A.
- 112(2) Despite subsection (1), the owner's covenants under a conditional rezoning agreement as set out in Schedule E shall continue to apply to the lot.

Previous approvals

- 113 Any previous approvals granted prior to the coming into force of this By-law will be subject to the current provision within this By-law

ORDAINED AND PASSED _____

First Reading: _____

Second Reading: _____

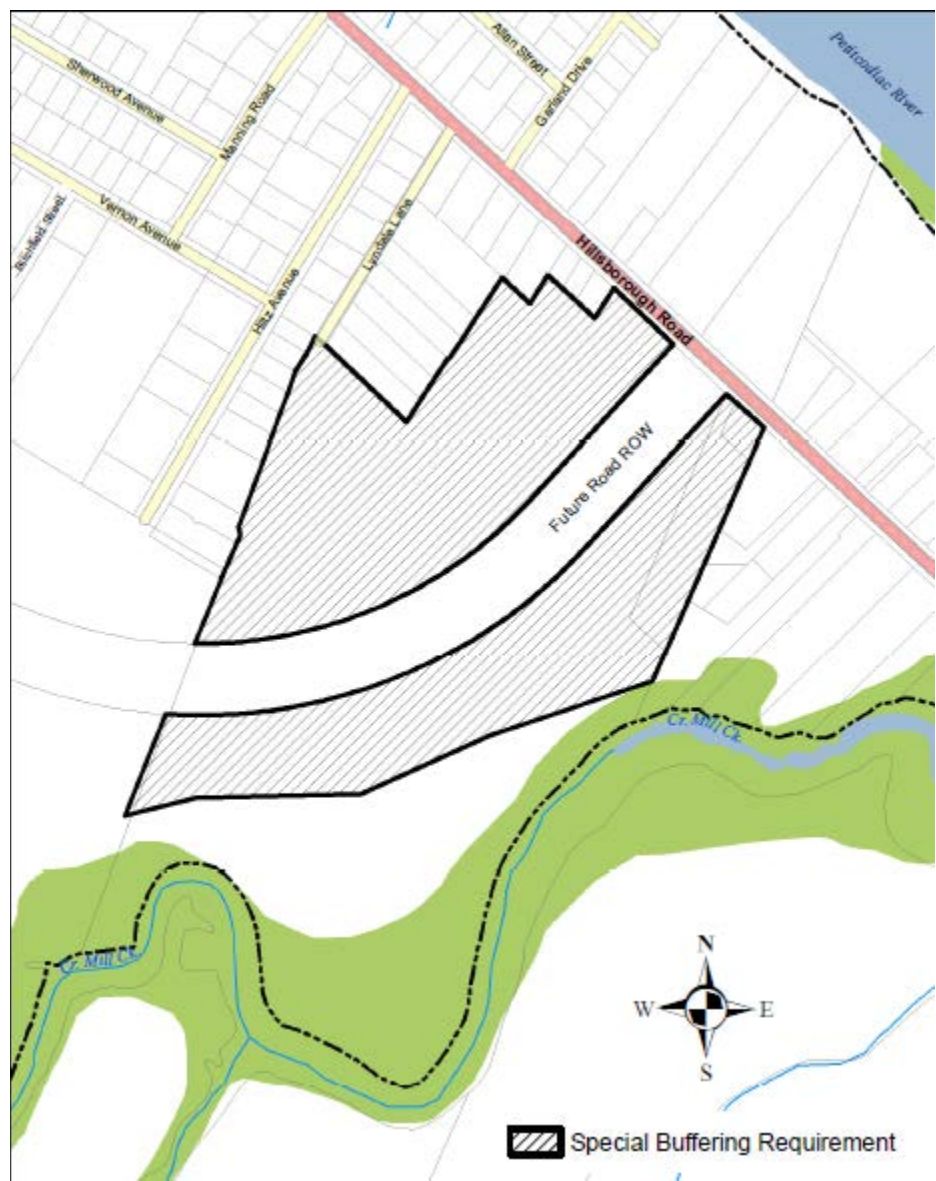
Third Reading: _____

Mayor - Ann Seamans

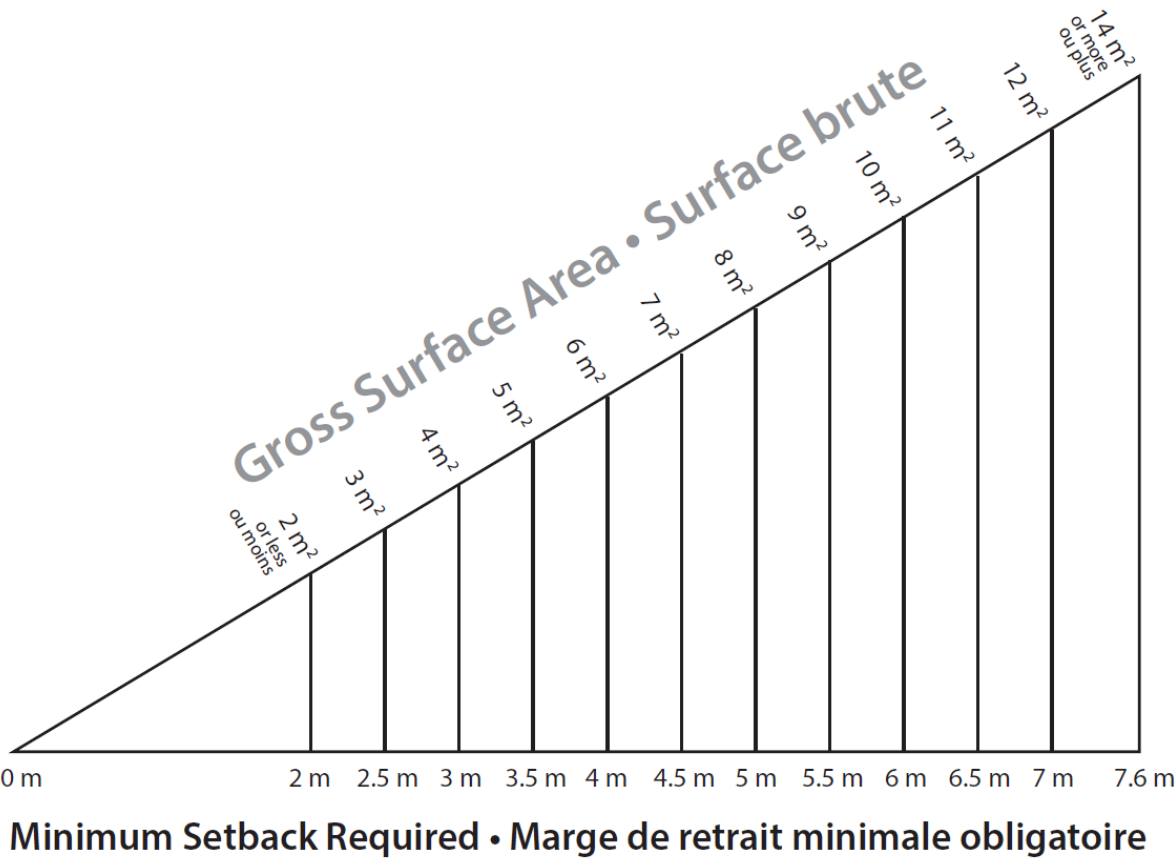
Town Clerk – Annette Crummey

Schedule A – Zoning Map

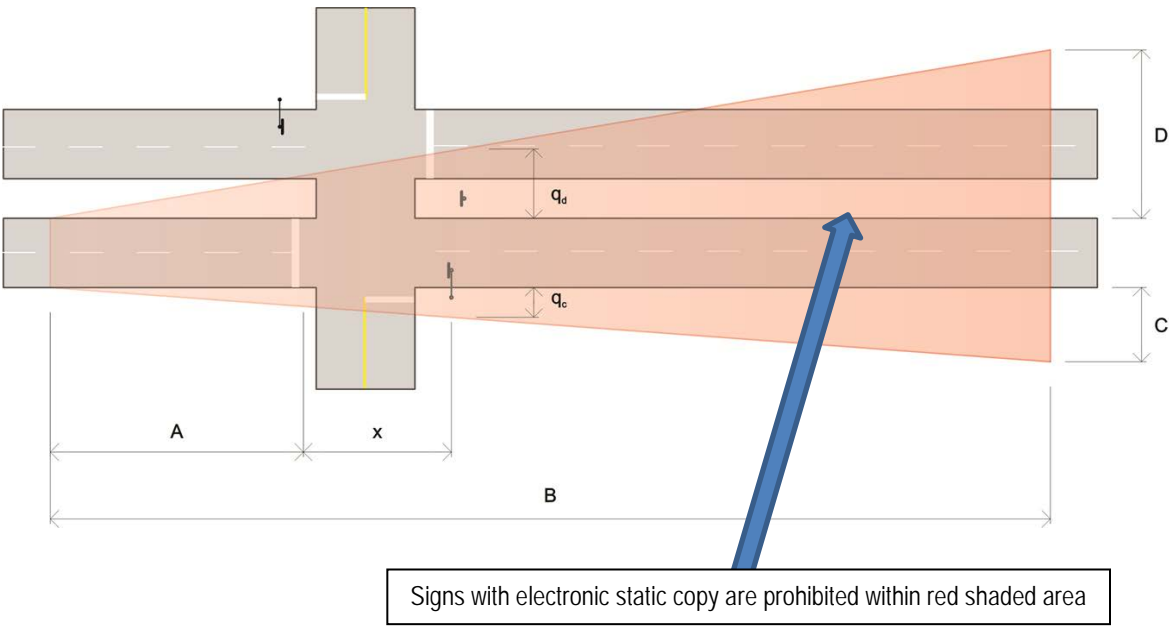
Schedule B – Special Buffering Requirement



Schedule C – Signs: Gross Surface Area & Minimum Setback Required



Schedule C.1 – Restriction Area for Electronic Message Signs



Variable	Description	Source
A	Stopping distance, measured from stop bar	Given
B	Decision sight distance	Given
C	Maximum lateral dimension of the prohibited area for a sign with an electronic static copy in the direction of travel	Calculated
D	Maximum lateral dimension of the prohibited area for a sign with an electronic static copy in the opposite direction of travel	Calculated
q_c	Lateral clearance from the traffic control device, measured from the curb line of the rightmost lane	3 m
q_d	Lateral clearance from the traffic control device, measured from the curb line of the leftmost lane	3 m
x	Distance between the stop bar and the nearest traffic control signal	Measured

Posted Speed Limit (km/h)	A (m)	B (m)
50	65	200
60	85	235
70	110	275
80	140	315
90	170	360
100	210	405
110	250	435

Formulas / Formules:

$$C = q_c \times \left(\frac{B}{A + x} \right)$$

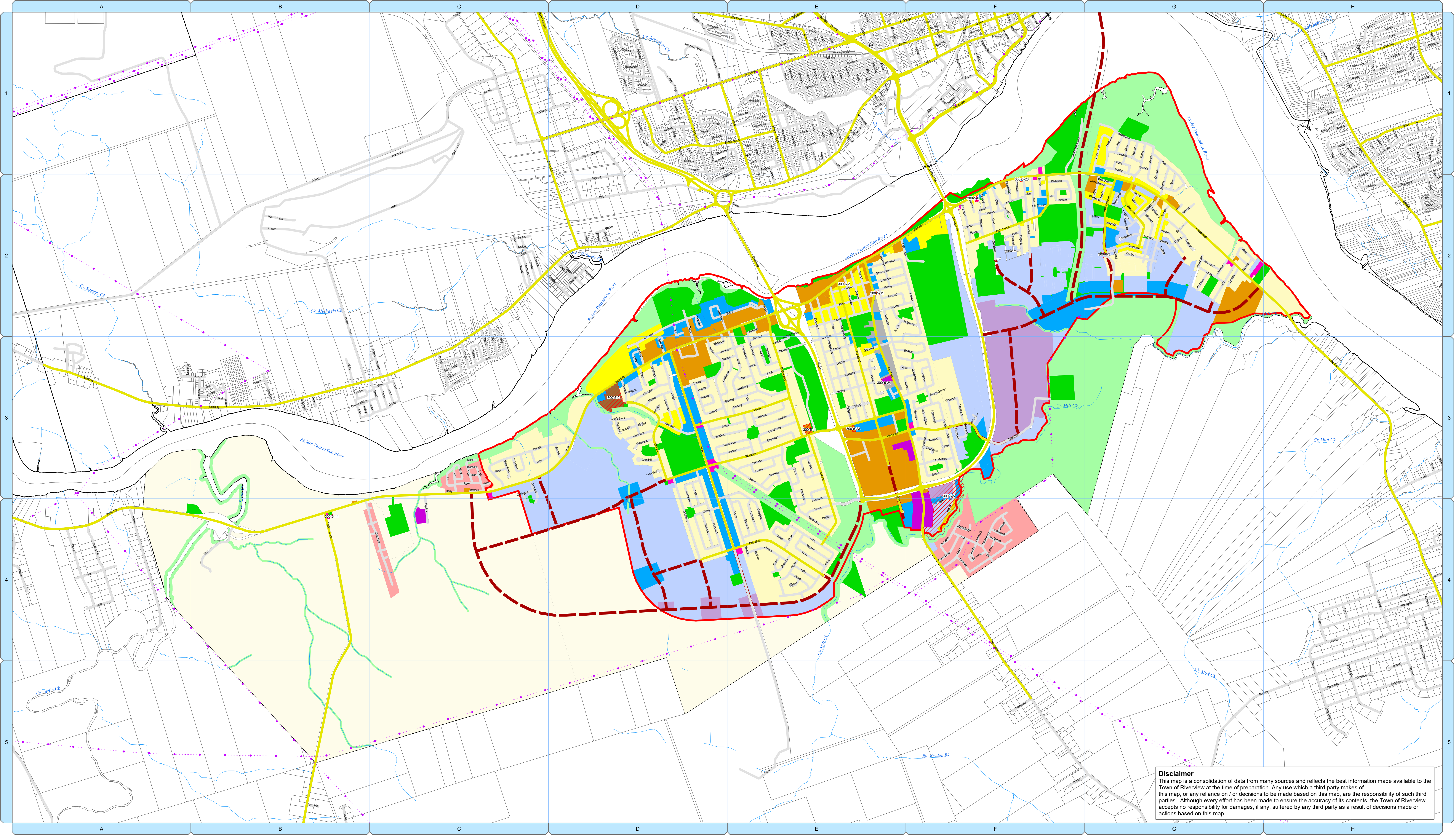
$$D = q_d \times \left(\frac{B}{A + x} \right)$$

Schedule D – Parking Requirements Chart

PARKING REQUIREMENTS CHART	
USE	NUMBER OF PARKING SPACES REQUIRED
Single unit dwelling or home daycare	1
Two unit, semi-detached, three-unit or rowhouse/townhouse dwellings	1 for each unit
Multiple unit dwellings	1.25 for each unit
Rooming houses or bed & breakfast	1.5 for each two bedrooms
Retail, service & personal service greater than 1 000 m ² of gross floor area	1 for each 40 m ² of gross floor area
Retail, service & personal service less than 1 000 m ² of gross floor area	1 for each 35 m ² of gross floor area
Banks, financial institutions & offices	1 for each 50 m ² of gross floor area
Restaurants	1 for each 4 seats
Entertainment use	1 for each 10 m ² of gross floor area
Theatres	1 for each 5 seats
Motels or hotels	1.25 for each unit
Institutional uses except as otherwise specified	1 for each 10 m ² of gross floor area
Public School	3 per classroom, or in the case of a high school 4 per classroom
Post-secondary educational establishment	1 per classroom + 1 per 5 students based on the maximum number of students attending classes at any one time
Residential care facility, assisted living facility or independent living facility	0.5 per bed
Daycare centres	1 for the first 2 employees, plus 0.5 per additional employee + 1 per 10 children
Medical clinics & offices of a health practitioner	3 per examining room
Funeral homes and crematoria with associated chapels	15 per viewing room and 1 for each 5 m ² of gross floor area used for chapel
Distribution, manufacturing or transportation use	1 for each 200 m ² of gross floor area
Telephone call centres	7 per 100 m ² of gross floor area
Redemption centre	3
A use or development not specified in this chart	3.5 per 100 m ² of gross floor area

Schedule E - Conditional rezoning agreements carried over

Amending By-law Number	Location	Registration Date	By-law Registration Number	Agreement Registration Number	General Description of Amendment
300-5-1	330 Whitepine Road PID: 05047758	June 1, 2007	23917082	23988935	To allow for a funeral home subject to terms and conditions.
300-5-6	142 Hillsborough Road PID:00649863	January 18, 2013	25097396	25097099	To allow for a daycare subject to terms and conditions
300-5-9	822 Coverdale Road PID:05093521	June 25 2008	25744633	25830291	ID zone agreement to allow for a retirement campus
300-5-11	Corner of Pine Glen Road and Harvey Road PID: 05095682	October 2, 2009	27840348	27840348	To allow for a physiotherapy clinic and dwelling unit subject to terms and conditions
300-5-23	Whitepine Road PID: 05051347	September 17, 2012	31953988	32082258	To allow for a car wash subject to terms and conditions
300-5-24	405 Pine Glen Road PID:00653741	October 11, 2012	32045719	32046527	To allow for a heavy equipment repair shop subject to terms and conditions
300-5-26	230 Hillsborough Road PID: 00648402	September 12, 2013	33097180	33098055	To allow for a multiple unit dwelling subject to terms and conditions
300-6-2	21 McClellan Avenue PID: 00656090	August 14, 2014	34069907	34070301	To allow an office building expansion subject to terms and conditions
300-6-3	Runnymede Road PID: 05103874	August 14, 2014	34069980	34070319	To allow two semi-detached dwellings subject to terms and conditions
300-6-5	Gunningsville Boulevard PIDs: 00662868, 05058484, and 05058490	January 16, 2015	34552662	34552795	To allow a mixed-use, residential neighbourhood subject to terms and conditions
300-6-14	1174 Coverdale Road PID: 05112701	June 11, 2018	38078623	38078649	To allow a residential home, with secondary entertainment use, subject to terms and conditions



Legend

R1 Single Unit Dwelling	RA Rural Area	NC Neighborhood Commercial
R1 - C Single Unit Dwelling (Compact)	MD Manufactured Dwelling	I Industrial
R2 Two Unit Dwelling	SC Suburban Commercial	PRI Parks, Recreation, Institutional
R3 Multiple Unit Dwelling	RBS Residential Business Service	OS Open Space & Conservation
RM Residential Mix	CM Commercial Mix	ID Integrated Development

Conditional Zoning Agreements
 Urban Growth Boundary
 Future Collector or Arterial

Schedule A
Town of Riverview
Zoning Map
By-Law No. 300-7

Zoning Amendments

W N E S

0 500 1,000 1,500 2,000 Meters

Path: \\unicon\\data\\unicon\\common\\Section 9 Planning and Development\\2000 General GIS Mapping\\Riverview\\ZoningMap\\Riverview_Zoning_ByLaw_300_07.mxd



Changes to Signage Provisions in Zoning By-law No. 300-7

INTRO

The following are the proposed changes to the existing Zoning By-law No. 300-6, as integrated into the proposed re-adoption, being Zoning By-law No. 300-7. In general, the proposed changes include new signage definitions and a replacement of the provisions within ‘Part 10: Signage.’

1. The list of definitions immediately after the cover page is amended by adding the following definitions in alphabetical order:

- canopy sign
- directional sign
- directory sign
- dissolving
- electronic message sign
- electronic moving copy
- electronic static copy
- fading
- flashing
- message duration
- message transition
- neighbourhood identification sign
- portable sign
- sandwich sign
- scrolling
- sign copy
- sign, canopy
- sign, directional
- sign, directory
- sign, electronic message
- sign, neighbourhood identification
- sign, portable

2. Section 1 (Definitions) is amended by adding the following definitions in alphabetical order:

“canopy sign” means a sign attached to a building or structure which extends outward from the exterior wall of the building or structure, including but not limited to marquees and self-supporting service station canopies.

“directional sign” means a sign directing vehicles or pedestrians to an access or driveway on a lot.

“directory sign” means a sign listing only the names or business logos of businesses located on a commercial, institutional or industrial site consisting of one or more lots.

“dissolving” means a mode of message transition on an electronic message sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

“electronic message sign” means a sign that uses changing lights to form a sign message or messages in which the sequence of messages and the rate of change can be electronically programmed or modified.

“electronic moving copy” means a sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy displays moving images.

“electronic static copy” means a sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy is fixed for a set period of time, but does not include gas price indicators.

“fading” means a mode of message transition on an electronic message sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

“flashing” means an intermittent or flashing light source where the identical electronic message sign message is constantly repeated at extremely fast intervals.

“message duration” means the period of time that sign copy is displayed on a sign face.

“message transition” means the period of time involved for each change of sign copy displayed on a sign face.

“neighbourhood identification sign” means a sign that identifies a residential neighbourhood or subdivision.

“portable sign” means any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes sandwich signs and signs commonly known as a “mobile” sign and “inflatable” device tethered to any building, structure, vehicle or other device.

“sandwich sign” means a two-sided A-frame style, self-supporting portable sign which is not permanently affixed to the ground. A single panel of a sandwich sign has a maximum area of 0.75 square metres.

“scrolling” means a mode of message transition on an electronic message sign where the message appears to move vertically across the display surface.

“sign copy” means any colour, graphic, logo, symbol, word, numeral, text, image, message, picture or combination thereof displayed on a sign face.

“sign, canopy”, see “canopy sign”.

“sign, directional”, see “directional sign”.

“sign, directory”, see “directional sign”.

“sign, electronic message”, see “electronic message sign”.

“sign, neighbourhood identification”, see “neighbourhood identification sign”.

“sign, portable”, see “portable sign”.

3. Part 10 (Signs) is repealed and replaced with the following:

PART 10 - SIGNS

Signs: conditions and standards

92(1) The following signs, are permitted in any zone

- (a) without the requirement of a development permit, if:
 - (i) in the case of a real estate sale sign, it does not exceed one square metre in area in a residential zone or three square metres in area any other zone;
 - (ii) it is erected by, or under the direction of, a government body;
 - (iii) it is a memorial; or
 - (iv) it announces a candidate for public office.
- (b) with the requirement of a development permit, if in the case of:
 - (i) a directional sign provided:
 - (A) there shall be a maximum of one for each entrance, exit, and drive thru lane;
 - (B) the sign shall not exceed 0.5 metres in area;
 - (C) the sign shall not exceed 1.5 metres in height; and
 - (D) the sign shall have a minimum setback of two metres from a front or flankage lot line.
 - (ii) A sign incidental to a construction project provided it does not exceed nine square metres in area and is removed upon completion of the construction;
 - (iii) A sign identifying a charitable, religious or fraternal organization provided it does not exceed 0.6 square metres in area in a residential zone or three square metres in area any other zone; or
 - (iv) a sign regulating the use of a property provided it does not exceed 0.5 square metres in area.

92(2) No sign shall be erected unless in compliance with the following:

- (a) it shall not create a hazard to public safety or health;
- (b) it shall not obstruct the vision of drivers, or detract from the visibility or effectiveness of a traffic sign or control device on streets;
- (c) it shall not obstruct ingress to or egress from a fire escape or other required exit;
- (d) it shall not include electronic moving copy;
- (e) it does not incorporate a searchlight, strobe lights, flashing lights, or emit sounds or be interactive in any way;
- (f) unless it is a portable sign, it shall be permanently affixed to the ground or a building; and
- (g) despite subsection 92(1)(a), the consent of the property owner is attained prior to installing any sign.

Non-conforming signs

92(3) If a sign, existing before the adoption of this By-law, is either built or placed contrary to the requirements of the By-law, it may be repaired or renovated and the sign copy may be replaced if the requirements of this By-law or standards that do not conform to this By-law are not further compromised.

92(4) Despite subsection 92(3), the requirements of subsection 93(2) and sections 100.1 and 100.2 shall apply to the installation or replacement of an electronic static copy on an existing sign.

Development permit exemption for portable and sandwich signs

92(5) A portable sign licensed under the Portable Sign By-law is exempt from the requirement of a development permit, but must adhere to all other requirements of this By-law and the Portable Sign By-law.

92(6) A sandwich sign is exempt from the requirement of a development permit, but must adhere to all other requirements of this By-law and the Portable Sign By-law.

Sign setback and location

93(1) Subject to section 81, except in the CM Zone, no sign shall be placed, erected or altered within the minimum required setback as set out in Schedule C.

Signs in Proximity to Traffic Control Devices

93(2) Despite subsection 93(1), no signs having electronic static copy shall be located within the restriction area of an illuminated traffic control device or illuminated crosswalk, as determined in Schedule C.1.

Division 10.1 Types of signs

Freestanding signs

94(1) Except in a residential zone, a freestanding sign is permitted subject to the following:

- (a) it shall not exceed 15 metres in height;
- (b) it shall not exceed 10 square metres in area;
- (c) despite subsection 94(1)(b), in the case of a lot containing three or more businesses, it shall not exceed 20 square metres in area; and
- (d) no more than one freestanding sign shall be permitted for every 100 metres of lot frontage;

94(2) Despite subsection 94(1), a freestanding sign may be permitted:

- (a) in a residential zone for a church, but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not be back lit or include an electronic static copy;
 - (iii) it shall not exceed 4.5 square metres in area; and
 - (iv) it shall not exceed three metres in height;
- (b) in a residential zone to identify a multiple unit dwelling or a daycare centre, but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not be back lit or include an electronic static copy;
 - (iii) it shall not exceed 1.5 square metres in area for a multiple unit dwelling;
 - (iv) it shall not exceed 2.5 square metres in area for a daycare centre; and
 - (v) it shall not exceed two metres in height;
- (c) to identify a farm or home business operated in the RA Zone but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not exceed three square metres in area;
 - (iii) it shall not exceed two metres in height; and
 - (iv) it shall not be back lit or include an electronic static copy.

- (d) As a neighbourhood identification sign in a residential zone but it shall:
 - (i) be limited to one for each entrance into the neighbourhood or subdivision;
 - (ii) be limited to identifying the name of the neighbourhood or subdivision where it is situated;
 - (iii) not exceed three square metres in area;
 - (iv) not exceed two metres in height; and
 - (v) not be back lit or include electronic static copy.
- (e) on a lot in the CM Zone fronting on Bridgedale Boulevard or Gunningsville Boulevard but:
 - (i) There shall be no more than one per lot;
 - (ii) It shall not be back lit or include electronic static copy;
 - (iii) It shall not exceed 2.5 square metres in area; and
 - (iv) It shall not exceed two metres in height.

Projecting signs

95 Except in a residential zone, a projecting sign may be permitted, but:

- (a) it shall not exceed one square metre in area;
- (b) it shall not project more than 1.5 metres from the building wall;
- (c) it shall not be erected less than three metres above the established grade;
- (d) there shall be a maximum of one for every six metres of lot frontage;
- (e) it shall not project more than 0.3 metres above the roof of a building; and
- (f) it shall not be permitted to swing freely on its supports.

Wall signs

96(1) A wall sign is permitted in all zones except residential zones if:

- (a) it does not extend beyond the wall on which it is placed; and
- (b) it shall not cover more than one square metre per linear metre of the wall on which the sign is affixed.

96(2) Despite any other provision in this By-law, wall signs may be permitted as identification signs for a multiple unit dwelling or a daycare centre, but:

- (a) they shall be placed on no more than two sides of a building and be below the level of the second floor windows;
- (b) they shall not be back lit or include electronic static copy; and
- (c) they shall not exceed 1.5 square metres in area for a multiple unit dwelling and 2.5 square metre for a daycare centre.

Canopy signs

97 A canopy sign is permitted in all zones except residential zones if it does not exceed two square metres in area for each metre of the exterior length of the canopy.

Directory signs

- 98** A directory sign may be permitted in commercial, industrial and community use zones, subject to the following:
- (a) despite subsection 94(1)(a), it shall not exceed 20 square metres in area;
 - (b) despite subsection 94(1)(b), it shall not exceed a height of 15 metres in height; and
 - (c) not more than one be permitted per entrance to the site.

Portable signs

- 99** A portable sign may be permitted in the commercial, industrial, and community use zone subject to the Portable Sign By-law.

Sandwich signs

- 100** A sandwich sign may be permitted in all zones, except residential zones, subject to the following:
- (a) not more than one is displayed for each business located thereon;
 - (b) each of the two panels of a sandwich sign must have equal dimensions and areas; and
 - (b) it does not obstruct pedestrian or vehicular access to the premises.

Electronic message signs

100.1(1) A sign with an electronic static copy may be used as part of a freestanding sign, wall sign, projecting sign, canopy sign, or directory sign subject to the following standards:

- (a) The sign shall be a permitted use in the SC, CM and I Zones;
- (b) The sign shall be a particular purpose, subject to terms and conditions as per Municipal Plan Policy 12.1.4, RBS Zone, NC Zone, PRI Zone, OS Zone, ID Zone, or within 30m of any residential zone;
- (c) The message duration shall not be less than 20 seconds;
- (d) The message transition shall be instantaneous;
- (e) Message transition shall not involve any visible effects including but not limited to scrolling, fading, dissolving, intermittent or flashing light, or the illusion of such effects;
- (f) Brightness levels of the sign do not exceed 3.23 lux above ambient light conditions measured at a distance which is determined by the square root of the sign area multiplied by 100;
- (g) The sign shall use automatic dimming technology which automatically adjusts the sign copy's brightness in direct correlation with ambient light conditions; and
- (h) The sign shall be turned off in the case of a malfunction.

100.1(2) The portion of the sign devoted to an electronic static copy shall not exceed 50 percent of the maximum allowable area.

100.1(3) The application for a development permit shall include an acknowledgement by the owner of the sign that the sign is capable of meeting the conditions in subsections 100.1(1) and 100.1(4).

Electronic message sign limitations

100.1(4) Electronic static copy shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the business is open or in operation during those hours.

4. Schedule C.1, as shown on the attachment hereto, is added following Schedule C.



BY-LAW No. 700-60

**A BY-LAW RELATING TO LICENSING AND REGULATING THE
ERECTION AND USE OF PORTABLE SIGNS IN THE TOWN OF RIVERVIEW**

BE IT ENACTED by the Town Council of the Town of Riverview under the authority vested in it by the Local Governance Act, S.N.B. 2017, c. 18, as follows:

Definition

1. In this by-law

“non-profit organization” means a corporation, society, association, organization or body organized and operated exclusively for social welfare, civic improvement, pleasure or recreation or for any purpose except profit, no part of the income of which is payable to, or otherwise available for the personal benefit of any proprietor, member or shareholder thereof;

“portable sign” means any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes sandwich signs and signs commonly known as a “mobile” sign and “inflatable” device tethered to any building, structure, vehicle or other device;

“property” means one parcel of land described in a deed or subdivision plan; and

“sandwich sign” means a two-sided A-frame style, self-supporting portable sign which is not permanently affixed to the ground. A single panel of a sandwich sign has a maximum area of 0.75 square metres.

General Prohibitions

2. No person shall erect, place or permit to be erected or placed, or allow to remain on lands owned, rented or leased or occupied by them, any portable sign other than in accordance with the provisions of this by-law.

3. No person shall erect, place or permit to be erected or placed, or allow to remain on the lands owned, rented, leased or occupied by them, any portable sign without first having obtained a sign permit from the Town of Riverview for that sign.

4. No person shall erect, place or permit to be erected or placed, or allow to remain on the lands owned, rented, leased or occupied by them, any portable sign in a location on those lands other than the location indicated on the site plan for which the permit is granted.

5. No person shall permit a sign to remain on lands owned or occupied by them that is deteriorated, damaged, upset or dislodged, or with no message.

Application for Permit

6. An application for a sign permit shall be made in writing to the Town of Riverview and shall include:

- (a) name and address of the owner of the portable sign;

- (b) name and address of the owner and occupant of the lands upon which the sign is to be located;
- (c) address of the property upon which the sign is to be located;
- (d) a copy of a site plan showing
 - (i) the street line and/or other boundaries of the property on which it is proposed to erect the sign;
 - (ii) the proposed location of the sign upon the property in relation to all other structures existing or proposed on such property, including measurements adequate to show its location;
 - (iii) the dimensions and total area of the proposed sign;
 - (iv) where the sign face exceeds three (3) square meters a certificate from a professional engineer as to the structural integrity and stability of the sign so that the sign will not be dislodged or damaged by the wind;
 - (v) all other information as may be required by the Town of Riverview, which may include a survey prepared by a N. B. Licensed Land Surveyor.
- (e) a signed consent from the owner or occupier of land authorizing the Town of Riverview, their agent or designate, to enter onto the property and to remove the sign at the owner’s cost where any of the provisions of this by-law are being violated, or where a permit has been revoked or expired;
- (f) an application fee in the amount of \$100.00 or \$25.00 for a special permit;
- (g) paragraph (f) herein shall not apply to a non-profit organization.

Issuance

7. (1) Upon receipt of a complete application pursuant to section 6, the Town of Riverview shall, within a reasonable time, shall issue a permit, provided that:
- (a) the Development Officer has approved the application pursuant to subsection 108(1) of the *Community Planning Act*, S.N.B. 2017, c. 19; and
 - (b) portable signs are a permitted use for the property on which the sign is to be located pursuant to the Town of Riverview Zoning By-Law No. 300-7, and all other applicable laws.
- (2) Despite the Town of Riverview By-law No. R300-10-1, Building By-law, no building permit is required for the placing or erecting of a portable sign.
- (3) Portable signs are exempt from the setback provisions provided for in the Town of Riverview Zoning By-law No. 300-7.
- (4) A permit issued hereunder expires on March 31st of the year following the year it was issued, except for a special permit which expires 30 days from the date of issuance.
- (5) Despite any other provision of this By-law, the Town of Riverview shall not issue more than two special permits per calendar year for any one lot.

Regulations

8. A portable sign shall not:
- (a) have more than two sign faces and any one sign face shall not exceed 3.7 square meters in area with no one dimension being greater than 2.4 meters;

- (b) have a maximum height, measured from grade, greater than 2.7 meters;
- (c) be illuminated except by indirect lighting reflected off the sign message, or employ any flashing or sequential light, or any mechanical or electronic device or provide or simulate motion;
- (d) be erected on a property so as to interfere with pedestrian and/or vehicular traffic;
- (e) be located on a public right-of-way, except as provided for in By-law No. 700-10-3, A By-law Relating to the Regulation of Traffic, Parking and the Use of Streets in Town of Riverview;
- (f) be located closer than 1.5 meters from a property line, 3 meters from a driveway, or within the sight triangle referred to in section 81 of the Town of Riverview Zoning By-law No. 300-7; and
- (g) be located on Town-owned lands without the approval of the Town of Riverview.

9. (1) The total number of portable signs permitted on a lot shall be in accordance with the following table:

Street Frontage	0 – 75m	>75m – 150m	>150m – 225m	>225m
Signs Permitted	1	2	3	4

- (2) Despite subsection (1), only one portable sign per business is permitted on a lot.
 - (3) Portable signs shall be spaced a minimum distance of 50m from one another.
 - (4) Sandwich signs are exempt from this section and the total number of sandwich signs permitted on a lot shall be in accordance with the Town of Riverview Zoning By-law No. 300-7.
10. (1) A permit holder shall immediately, upon the expiration of their sign permit, or upon his permit being revoked, remove the portable sign from the property.
- (2) Where a permit holder fails to remove the portable sign as required by subsection (1) herein, the Town of Riverview, their agent or designate, may enter the property and remove said sign at the permit holder’s expense.
 - (3) Where a sign is placed on Town-owned lands contrary to any provisions of this by-law, the Town of Riverview, his or her agent or designate, shall remove said sign at the owner’s expense.
 - (4) The Town of Riverview, their agent or designate, is authorized to destroy or otherwise dispose of any signs removed pursuant to the provisions of this by-law, if such sign is not claimed and retrieved by the owner thereof within thirty days of its removal.

Revocation

11. (1) The Town of Riverview may revoke a permit issued under this by-law
- (a) where it was issued on mistaken, false or incorrect information;
 - (b) where it was issued in error; or
 - (c) where the sign or its location does not comply with the provisions of this by-law.

(2) Prior to revoking a permit in accordance with this by-law, the Town of Riverview shall give written notice of intention to revoke to the permit holder at their last known address and, if on the expiration of five (5) days from the date of such notice, the ground for revocation continues to exist, the permit shall be revoked without further notice.

Exemptions

12. Except for (sub)sections 7(3), 8(c), 8(d), 8(e), 8(f), 8(g), 10(3), 10(4), 14, and 15, the provisions of this by-law do not apply to signs erected by a federal, provincial, or municipal government, or to any candidate during any election campaign.

13. Except for (sub)sections 7(3), 8(c), 8(d), 8(e), 8(f), 8(g), 10(3), 10(4), 14, and 15, sandwich signs are exempt from all provisions of this by-law. Sandwich signs are subject to all provisions within the Town of Riverview Zoning By-law No. 300-7.

Enforcement and Penalty

14. Any peace officer or by-law enforcement officer are hereby authorized to take such action or issue such tickets as they may deem to be necessary to enforce any provision of this by-law.

15. Despite any other provision of this by-law, any person who violates any provision of this by-law is guilty of an offence and upon conviction is liable to a minimum fine of \$100.00 and a maximum fine of \$500.00.

ORDAINED AND PASSED _____ , 2018.

First Reading:
Second Reading:
Third Reading:

Town of Riverview

Municipal Plan

By-law No. 300-33



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CHAPTER 1: INTRODUCTION

1.0 Introduction

This plan is prepared under the provisions of Section 21 of the *Community Planning Act*, S.N.B 2017, c. 19, Province of New Brunswick. This document constitutes the Municipal Plan for the Town of Riverview. It replaces the Municipal Development Plan adopted by Town Council on September 9, 2013, being By-law No. 300-32.

The re-adoption of By-law No. 300-32, establishing this By-law No. 300-33 in 2018, does not constitute the 10-year review from the previous date of adoption above (September 9, 2013). In other words, despite the adoption of this By-law, this Plan should still be comprehensively reviewed in 2023 pursuant to section 32 of the *Community Planning Act*. This Municipal Plan also contains all amendments to the previous Municipal Development Plan By-law No. 300-32. The primary purpose of re-adoption is to bring the Town's Municipal Plan into conformance with section 142 of the *Community Planning Act*.

The objective of this Plan is to establish policies and proposals which will guide and encourage the orderly economic, physical, social and environmental development of the Town of Riverview. This Plan is prepared to guide all future use of land within the Town. The Plan has a 20-year implementation horizon and is in effect for a maximum of ten years prior to a full review. It is written to be flexible and provide procedures for adapting to changing circumstances over time. Nevertheless, periodic amendments to this document may be required over time and Council shall confer with the Committee regarding any proposed amendments.

The review and update of the Town of Riverview Municipal Plan required updating background information including the examination of land use issues to ensure that the objectives and policies of the Municipal Plan remain current. To assist with this process, the Town of Riverview established a Plan Review Committee made up of representatives of the general public, Council, town administrative staff, and members of the former Greater Moncton Planning District Commission. The work involved with the review of the Municipal Plan consisted of four main components: background studies and analysis; consultation process; preparation of Municipal Plan By-law; and the formal by-law adoption process.

Several important planning issues are identified in this Plan which may require more detailed studies. The Plan therefore provides a basis to undertake planning initiatives during its period of implementation and provides for continuity and consistency where a wide range of activities are occurring.

How to Read and Use this Plan

This Municipal Plan is a long-range, forward-thinking Plan, which describes Riverview's planning vision. Based on more detailed planning goals and objectives, this Plan outlines Riverview's planning policies and proposals. It is also important to note that while various

sections of the Plan contain preamble statements or contain statements on intended vision, outline goals and objectives, these are intended to assist with setting the context for policies and proposals that follow.

To fully understand the policies and proposals of this Plan and to properly identify which apply to a particular proposed development, it is important to read and to become familiar with this document in its entirety.

Throughout this Municipal Plan, policies and proposals are either stated in a manner that conveys intent or is preceded by a heading entitled “Policy” or “Proposal”. Examples of intent include: “Council shall...”, “... It shall be the intention of Council to ...” or “... the following proposals reflect Council’s priorities...”. Policies are identified by “Policy” followed by appropriate numbering (ex: **Policy 5.1.2**) whereas proposals are identified by “Proposal” followed by numbering in keeping with the relevant Policy (ex: **Proposal 5.1.3**).

The policies and proposals of this Plan have special meaning within the context of the Act. Development undertaken by the Town of Riverview cannot be contrary to the policies and proposals of this Plan. Also, neither the Province nor any person can carry out an undertaking or any development that is in any manner inconsistent or at variance with a proposal in this Plan.

This Plan includes a 5-year Capital Works Budget at the end of this document (Schedule C), which details those actions that Council proposes to be taken to help implement the Plan. The Act does not require Council or the Province of New Brunswick to carry out any proposals in the Plan or actions listed in this schedule.

While efforts have been made to use plain language as much as possible in this document, there may be times when a specific word or phrase is required. A glossary in this Plan (Schedule D) helps to explain a number of words or phrases used in this document. Please note that the terms “Municipal Plan” and “Plan” are used interchangeably throughout this By-law and both are intended to refer equally to this By-law.

Amendments to this Plan

Municipal Plans are long-term plans that should be monitored and adjusted to better meet the needs of the community over time as conditions change and new information becomes available. Amendments to this Plan may be made by Riverview Town Council following the plan amendment process outlined in the Act.

Future Reviews of this Plan

The Act requires Municipal Plans to be reviewed periodically in order to ensure that it still meets the goals and aspirations of the municipality. In order to allow the time to fully appreciate the effectiveness of the policies and proposals outlined herein, Council is required to review this Municipal Plan no later than ten years from its commencement.

CHAPTER 2: PLANNING AND DEVELOPMENT GOALS

2.0 Planning and Development Goals

The Municipal Plan must address “Where the Community is at and Where it wants to be in the Future.” The background reports have uncovered a number of trends and opportunities that are significantly tied to the past and provide a sound basis for the community to capitalize on in the future. The Council and the community are appreciative of its attributes in terms of a quiet residential community, physical endowments, particularly the Petitcodiac River, the scale of development and overall quality of life. Within the Greater Moncton area, Council is aware that the town is cited more for its residential nature and the amenities it offers. However, there is a need to recognize that with the new infrastructure enhancements such as the new bridge, the town's connectivity is set to improve more than it ever has in the past providing new opportunities for growth and development. These infrastructure enhancements ensure that the Town will have a unique and important role to play in achieving regional prosperity. Therefore, the overall vision of this Municipal Plan is to enable Council and the community the requisite tools to fulfill the Town of Riverview's mission statement:

“Riverview is a lifestyle. Our town balances its unique rural and urban qualities to build a welcoming, safe, healthy and economically vibrant community.”

The dynamics of the population in terms of household size, families, structure and age will affect the demand for traditional forms of housing. Council recognizes this change as an opportunity for further development. In addition, the delivery of hard and soft services will have to respond to the changing needs of its current and future citizens. New residential neighbourhoods will be cost efficient and effective, planned and logically integrated with one another. Existing and new future streets will provide for safe and efficient movement of vehicles, pedestrians and cyclists with provision for convenient public transit.

Thus, in order to focus the activities of all the stakeholders within the community, the Town must adopt goals which demonstrate and describe the communities' vision for the future. The following strategic statements form the foundation of this plan. They have been arrived at after a careful review of the current Municipal Plan and other reports on the area as well as through discussions with town officials. Members of Council will work toward each of these goals as they pass the necessary by-laws to implement this review of the municipal plan, as they undertake municipal development projects and as they evaluate and approve development proposals that come before them.

Goals of the Municipal Plan

- (a) Continue to enhance, maintain and develop the Town of Riverview's image as a pleasant, safe, clean, accessible community with an attractive quality of life within the greater Moncton area;
- (b) Attract and accommodate a greater percentage of regional population growth and encourage immigration;
- (c) Provide for new growth and development in an orderly manner while, at the same time, maintaining and enhancing the community's existing neighbourhoods;
- (d) Maintain a high level of recreation programming in the town, as well as ensure that new developments provide access to recreational facilities such as sports fields, parks, and walking trails;
- (e) Strengthen the trails network by focusing on connectivity and providing access to riverfront and protected watercourses;
- (f) Provide a residential housing mix reflective of the diversity of current and future needs, range of income levels and lifestyle choices;
- (g) Establish a strong and vibrant downtown area;
- (h) Develop retail and service uses at a scale and range to serve the Town, as well as the regional population, which should contain a concentrated mix of retail and commercial land uses and serve as significant employment areas;
- (i) Provide adequate municipal services and associated utilities to sustain existing and facilitate future development;
- (j) Protect and enhance the natural environment; and
- (k) Protect the rural land area from premature development by focusing growth where municipal services and infrastructure already exist.

CHAPTER 3: GENERAL DEVELOPMENT

3.0 General Development

The Town of Riverview has continued to experience population growth since the 1980s. The Town's population grew by 7.3% from 2006 to 2011 to a total of 19,128 residents. It is also recognized that the Town of Riverview has experienced significant change over the last twenty years. The level of urbanization has changed the community and it has become clear that planning policy must keep pace, ensuring that these changes benefit our Town.

Within the Greater Moncton area, the Town of Riverview benefits from the prosperous growth and development occurring in the region. Major development in the region brings new people to the area. Riverview's socio-economic profile is poised to improve with the new Petitcodiac River crossing in Gunningsville. This document takes into account that the Town has made significant infrastructure investments over the past few years. These investments have enabled continued development on vacant lands within the urban growth boundary. Major infrastructure investments such as the Gunningsville Bridge and Gunningsville Boulevard have created an effective link between Riverview and downtown Moncton. Moreover, the new boulevard and crossing, combined with the completion of the Mill Creek Collector Sewer and the announcement of the new school site, should result in an increase demand for housing in East Riverview.

In the south area of town, the Findlay Business Park has been made much more accessible with the location of Gunningsville Boulevard. This has facilitated development and this growth is expected to continue as prime land is still available.

This Plan also recognizes that, as municipalities move toward fiscal autonomy and smart growth principles, it is imperative that new development be as efficient as possible, concentrating growth where municipal services are available or can easily be provided.

It will also be important for Council to ensure that there is a proactive environment for sustainable community development. Part of this requires flexible planning policies and regulations that can respond to new development proposals. There is a need to make neighbourhoods work for all of its residents, as well as create a thriving business community that provides a tax base that assists the town with the important services it delivers to its residents and business people.

Policy 3.0.1 Council shall provide a development policy environment which:

- (a) facilitates an efficient and cost effective pattern of development;
- (b) enables the economic provision of municipal services;

- (c) directs the location of development in a manner consistent with the capital works programs and the Town's economic, social and environmental objectives;
- (d) assists in the expansion of the Town's tax base in order to remain competitive with other municipalities; and seek alternative means to generate revenue to assist in the reduction of the Town's dependence on the residential tax base.

3.1 Community Development and Strategic Economic Development Initiatives

Contemporary community development requires significant municipal effort and investment of human capital. A community which is not aggressive in promotion and marketing is severely limited in seeking future development prospects. It is imperative that Council provide a development environment which is attractive to potential investors but also cognizant of the needs of the established community. Council has the ability to influence and create such an environment and to provide for the opportunity for new economic growth. The provision of a high standard of community infrastructure, such as streets, piped services, recreation and leisure services and facilities, while maintaining competitive property tax rates, will add to the positive development environment of the Town. Council is charged with the responsibility of effecting and influencing change and growth within the community.

Policy 3.1.1 In recognition of the benefits that collaborative economic development initiatives can have, Council shall continue to actively participate with senior governments, adjacent municipalities and development associations in the promotion of the region.

Policy 3.1.2 Council shall endeavor to provide for employment growth opportunities in appropriately designated commercial and industrial areas within the Town. Furthermore, Council shall endeavor to provide appropriate home occupations and home based businesses within residential areas.

Council has not delegated to any single agency the responsibility of promoting the town for economic development. The town's Economic Development Director has the primary responsibility of business attraction along with promoting the community as 'A Great Place to Grow.' This direction for promoting the town's economic benefits and growth potential is provided in the town's Economic Development Strategy. In addition, other groups, such as Business Riverview, Enterprise Greater Moncton and the Greater Moncton Chamber of Commerce all play a role in assisting the town with fostering a positive business climate. With the exception of the Business Association, which is focused primarily towards business promotion and beautification, no regional development authority is fully responsible for the Town's special needs. Therefore;

Policy 3.1.3 Council shall promote the town's economic benefits and growth potential under the direction of the Economic Development Strategy.

Policy 3.1.4 It shall be the intention of Council to seek the support and cooperation of the relevant regional development authorities and the provincial government to reinforce and promote the quality of life of our residents. Furthermore, it shall be the intention of Council, in cooperation with other government agencies and the business community, to undertake strategic economic development initiatives and to identify specific development opportunities arising from the tri-community regional development efforts.

3.2 Growth Management – The Urban Growth Boundary

The Town of Riverview recognizes the importance of ensuring that Riverview grows efficiently by making the most use of existing services, infrastructure and resources. Accommodating growth within the existing fabric of the town, where existing services, facilities and infrastructure are already in place, reduces costs to the Town (and citizens) over the long run, as fewer roads, pipes and other hard infrastructure, as well as soft services (e.g. street sweeping, sidewalk clearing, protective and emergency services) are needed in a more compact town. When more residents can share the same facility or service (e.g. a community centre or transit service), the financial viability of that facility or service can be improved. A more compact community, with density that is located in the right places, creates a more sustainable environmental footprint and helps to protect a rural landscape at the fringes of the town.

The growth that has occurred in Riverview to date has benefitted from the infrastructure investments the Town has made, such as major roads, and storm, water and sewer infrastructure, as well as recreation and cultural facilities. However, from a financial perspective, the Town does not want to expand the Urban Growth Boundary and commit to further infrastructure costs (both short term capital and long term operating costs), when there are numerous parts of the town where new development can utilize existing infrastructure and contribute to the development of a more compact town. Continued expansion of the urban boundary works against the development of a vibrant downtown area and the development of a transit-supportive town.

The Urban Growth Boundary of this Plan is a means to control the future growth of the town. The boundary is based on existing infrastructure capacity and is meant to accommodate the projected growth of the Town over the long-term. As such, the goal of this Plan is to direct growth within the Urban Growth Boundary and maximize the use of existing services. The land outside the Urban Growth Boundary will be primarily reserved for rural, agricultural and recreation uses.

Growth Management Policies

- 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.
- Policy 3.2.3** It shall be the intention of Council to ensure that land use designations bear a reasonable relationship to demand within the context of a medium to long range planning horizon.
- Policy 3.2.4** It shall be the intention of Council, prior to any further expansion of the Urban Boundary, that the capacity of the existing sanitary collection, water distribution, and storm water systems be fully assessed and that a long-term, multi-phase infrastructure review be prepared and used to amend, where appropriate, any elements of the Urban Growth Boundary. Efforts will be made first to accommodate additional growth within the Urban Growth Boundary before expanding the boundary.
- Policy 3.2.5** Should it be determined that additional land supply is required in order to accommodate housing demand, an assessment of the costs and benefits of the proposed expansion shall be undertaken by the proponent(s) of the

proposed expansion. The analysis shall consider both short term and long term (25 years) costs and benefits associated with the proposed expansion. Considerations shall include, but not be limited to:

- (a) anticipated impacts and costs/benefits associated with infrastructure and servicing requirements (roads, sewers, infrastructure requirements);
- (b) anticipated impacts and costs/benefits associated with parks, open space, recreation or other anticipated community facility requirements (e.g. schools, community centres, etc.);
- (c) anticipated impacts and costs/benefits associated with transit, fire, police and solid waste services;
- (d) potential environmental impacts and costs/benefits of the proposed expansion;
- (e) potential impacts on the timely completion of existing new neighbourhood areas within the urban boundary and the potential delay for the Town in recouping funds in existing infrastructure charge areas;
- (f) potential impacts of the proposed expansion on surrounding land uses.

Policy 3.2.6 It shall be the intention of Council to ensure that large lot or rural residential development be intended to cater to a rural lifestyle and as such, lots within them should not be so small as to lose their rural characteristics or to compete with urban-sized lots inside the town.

3.3 Municipal Boundary Study

Given the development pressure to open up new land for development in the south part of Riverview, along Pine Glen Road in the unincorporated area, it may also be an advantage for the Town of Riverview to undertake a Municipal Boundary Expansion study as a means to control the sprawl taking place on its boundaries.

Policy 3.3.1 Within the life of this plan, Council may undertake a Municipal Boundary Study to explore the feasibility of expanding its boundaries southwards along Pine Glen Road as a means to control the type of development occurring on its boundaries. However, before considering any annexation, an economic and environmental impact analysis will need to show that the municipal expansion is in the best interest of the Town of Riverview.

CHAPTER 4: INFRASTRUCTURE AND MUNICIPAL SERVICES

4.0 Municipal Infrastructure

Municipal infrastructure such as sanitary sewers, water supply and distribution systems and storm sewers are essential physical elements that make towns and cities function. The quality of life and economic vitality of a municipality is a direct result of the presence and condition of these facilities. However, since the majority of this infrastructure is hidden from the public view, they are often unnoticed or taken for granted by the community's citizens. The provision of these hard municipal services (water, sanitary and storm sewers) is one of the fundamental factors which separate urban from rural environments. The provision, and therefore the control, of these centralized services enabled the process of urbanization to occur at a historically phenomenal rate.

Policy 4.0.1 Council shall seek financial assistance from senior governments in carrying out improvements to the Town's water, sanitary sewer and storm sewer system.

Policy 4.0.2 Council shall ensure that the public water, sanitary sewer, and storm sewer systems are maintained to the proper Town of Riverview municipal development standards.

Policy 4.0.3 Council shall discourage the creation of easements to service land and encourage all services to be placed within the public right-of-way.

4.1 Water

The Turtle Creek Reservoir and transmission system serves the Greater Moncton area. The water distribution system (130 kilometres of piped water) within the town is owned by the Town of Riverview, but water is purchased from the City of Moncton's transmission system for distribution in the town system. As a result, the adequacy and quality of the potable water supply is a matter of regional significance.

There are effectively three major components to the water system: the supply, the treatment system and the distribution system. The Turtle Creek Watershed, the Greater Moncton area's only source of drinking water, is for the most part located in the unincorporated area which is under provincial jurisdiction. The City of Moncton has undertaken a number of measures to protect the water quality of the watershed. It is essential that the water quality of the Turtle Creek Watershed be protected.

Policy 4.1.1 It shall be the intention of Council to support all efforts to protect and improve the water quality in the Turtle Creek Watershed.

In order to ensure the integrity of the potable water distribution system and to keep the water supply, treatment and distribution in the public domain, the Town of Riverview is proposing to limit the development of private water systems.

Policy 4.1.2 Council shall not approve any developments within the serviceable boundary, which have private water distribution infrastructure.

4.2 Storm Sewer

A storm water system provides protection for public and private property and general public safety during storm events. Urbanization causes portions of the land surface to become impervious to water infiltration, causing the water to flow above the surface of the ground instead of naturally seeping into the soil or being absorbed by the vegetation or atmosphere. This disruption of the natural drainage system significantly increases the volume and flow characteristics of the surface water. The basis for storm water collection and conveyance is to reduce to generally accepted levels of risk the potential of flooding.

Policy 4.2.1 It shall be the intention of Council to pursue any available Provincial or Federal financial assistance in carrying out improvements, upgrading or expansion to the Town's storm water system in accordance with the Town's Storm Water Management Plan.

Policy 4.2.2 It shall also be the intention of Council to ensure that potential downstream effects of development are accounted for in the review process.

Policy 4.2.3 Furthermore, Council may, from time to time, require developers or land owners to assume the cost of surface water remedial initiatives to ensure minimum impact on neighbouring properties and existing infrastructure.

Policy 4.2.4 Council shall seek methods of ensuring that approved lot grading is carried out in new subdivision and on infill development through the building and development permitting process.

Policy 4.2.5 It shall be the intention of Council to protect the water quality of local streams, rivers, lakes and channels by ensuring:

- (a) the increase in runoff resulting from development is minimized through the use of appropriate storm water management techniques (retention and detention ponds, grassed swales and other techniques).
- (b) all necessary Provincial approvals, including setback regulations from watercourses and watercourse alteration permits have been obtained prior to the issuance of any municipal permit.

- (c) periodic monitoring of water quality entering the storm sewer system occurs and the appropriate action is taken.
- (d) Storm water conveyance systems shall be separated from the sanitary sewer collection system.

4.3 Sanitary Sewage

The collection and treatment of sanitary sewage is one of the “core” services provided by local government. In the Town of Riverview, the service is the responsibility of two separate authorities. The major collection system, sewage treatment and effluent disposal are the responsibilities of the Greater Moncton Sewage Commission. Local collection systems are the responsibilities of the three municipalities’ Engineering and Public Works Departments. The Town currently owns and maintains over 110 kilometres of sanitary pipe throughout the community. This infrastructure alone represents a significant capital investment. The basic purpose of the sanitary pipe is to intercept and convey household wastewater to the treatments facility prior to discharge into the Petitcodiac River.

Policy 4.3.1 It shall be the intention of Council to ensure that all future development separate storm water discharge from the sanitary sewer system.

Policy 4.3.2 It shall be the intention of Council to continue to support the operations of the Greater Moncton Sewage Commission and the continuing efforts to improve the level and efficiency of sewage treatment as fiscal and environmental considerations warrant.

The Town’s Engineering and Public Works Department has identified the theoretical limits of the overall existing sanitary drainage system for Riverview. The area of land which this system is capable of servicing is based upon the design capacity of the pipe, the amount of extraneous storm water flow and current levels of use.

Policy 4.3.3 It shall be the intention of Council to maintain gravity flow in all new and replacement sewage pipe installations.

4.4 Solid Waste Disposal

The Town of Riverview along with other nearby Municipalities and surrounding area utilize the Westmorland – Albert Sanitary Landfill facility located on the Berry Mills Road. The site is managed by the Westmorland – Albert Solid Waste Corporation.

Policy 4.4.1 Council shall continue to participate in the Westmorland – Albert Solid Waste Corporation and continue to dispose of its solid waste at the facility.

The life span of the existing facility can be significantly increased if the volume of waste going to the site is reduced.

Policy 4.4.2 Council shall encourage initiatives from the Solid Waste Commission aimed at waste reduction, reuse, recycling and recovery.

4.5 Utilities

Although the Town of Riverview does not provide utility services such as power, telephone, cable, natural gas as a Municipal Service to its residents, the suppliers of the services often utilize the municipality's street right-of-ways to distribute the service by a series of utility poles and lines. The appearance of these utility poles and lines periodically detract from the area that they serve. When it is feasible, effort should be made to minimize the intrusion of the lines by adopting alternative means, such as rear lot servicing or underground trenching to service the site.

Policy 4.5.1 Council shall encourage the underground placement of power, telephone, cable services and natural gas within the street right-of-ways. When above ground utilities are to be provided, Power lines and other utilities shall be generally located so as to minimize the aesthetic and environmental impact. Rear lot servicing for above ground utilities should be implemented where feasible.

The provision of sewage collection, storm drainage and water supply are essential to urban development. Similarly, telephone and electric power supply are also essential services. Some components of these utilities are necessarily located in every area of the municipality with regard to zoning. Structures range from transmission towers and switching or transformer stations to water pumping stations and water towers. It is important that such developments be permitted in any zone within the municipality if efficient and effective public utility services are to be provided to the Town's residents.

Policy 4.5.2 It shall be the intention of Council, in recognition of the essential importance of utility services to the residents, to permit the development of utility-related uses in all zones.

Some utility uses, such as transformer stations and high-voltage transmission lines, have a major impact on nearby users. Careful planning of the location of transmission lines and the attractive development of transformer station can diminish much of the impact. It is appropriate for the municipality to seek the cooperation of the Power Corporation and the communication companies in developing guidelines for the location for such developments.

- Policy 4.5.3** In recognition of the impact of utility structures upon neighboring users, it shall be the intention of Council to seek the cooperation of utility firms in establishing guidelines for the general location, siting and site development of utility uses. Furthermore, Council shall seek to establish a public information process in order to ensure that any community concerns are addressed by the public utility firms prior to the commencement of construction.

Federal communication authorities are in the process of deregulating the provision of local telephone services, and the North American Free Trade Agreement may open the community to competitive sources of electrical power supply in the future. At the same time, the Maritimes and Northeast Pipeline, which carries natural gas to the United States, is fully operational. As a result, additional and new utility developments can be expected. It will be important for Council to seek to restrict the amount of utility clutter as these new services develop and, in respect to gas distribution, to establish the municipality's role, if any, in the maintenance of public safety.

- Policy 4.5.4** It shall be the intention of Council to recognize the increasing competition among utilities as being generally beneficial to the municipality, while seeking to ensure that all new utilities do not create clutter.

- Policy 4.5.5** It shall be the intention of Council to seek the cooperation of the Province in establishing the responsibility and level of inspection required, to ensure the safe distribution and consumption of natural gas in the Greater Moncton area.

4.5A Radiocommunication Facilities

Radiocommunication towers and antennas provide important expected communication needs to the community. Communication technologies require some level of flexibility in locating communication equipment to cover specific geographic areas it serves. These services are provided by various communication companies and networks.

In Canada, all communication systems are governed by Federal legislation and regulations. For wireless communications facilities (cellular towers, antennae, etc.), Industry Canada, Spectrum Management & Telecommunications, is the licensing body. Communication companies must apply to Industry Canada for a licence to operate an installation at each specific location.

The Town of Riverview is not the approving authority for communication installations. However, as part of the licensing process, Industry Canada requires that the communication companies (referred to as the carriers) contact the municipality for input.

Towers and antennas facilities can be unsightly as they are often predominant in the landscape. It is in the best interest of the community to seek minimizing their overall number and encourage design options that will make their presence in the community more compatible. Therefore, it is

important that the town establish criteria and guidelines for the evaluation of new radiocommunication towers that are more compatible with their surroundings and seek to minimize their impact on the community. Providing the opportunity for local public consultation in the siting process is essential.

Objectives

It is an objective of Council to:

- (1) minimize the number of new radiocommunication towers to be erected within the town;
- (2) establish criteria and guidelines for the evaluation of new radiocommunication towers that will seek to minimize their impact on the community;
- (3) provide the opportunity for local public consultation with neighboring property owners; and
- (4) encourage tower design options that make towers more aesthetically pleasing and compatible to their surroundings.

Policy 4.5A.1 It shall be the intention of Council to encourage consultation between radiocommunication carriers and the Town, that will address matters such as co-location and optimal site selection.

Proposal 4.5A.2 To assist in implementing Policy 4.5A.1, the Town proposes, as part of the planning and site selection process, for radiocommunication tower and/or antenna sites that consideration be given to:

- (a) appropriate design aspects to minimise impacts on surrounding land uses;
- (b) the use of monopoles with co-location capability, rather than lattice tower design;
- (c) Avoid locating radiocommunication towers and/or antennas or minimizing their impacts in predominant residential areas, or locations characterized by a designated heritage structure or feature, environmentally significant sites, important public views and vistas, or important natural or human-made features; and
- (d) Encourage minimum setback to all property lines of a distance equivalent to the height of the tower whenever possible.

Proposal 4.5A.3 It shall be the intention of Council to continue to stay current on national radiocommunication policy and to continue to explore manners in which to communicate the city's preferences with regards to the location and design of radiocommunication towers and antennas.

Proposal 4.5A.4 The Town may join an independent agency or service to process and handle antenna siting applications on behalf of the municipality.

4.6 Transportation and Connectivity

Transportation plays a major role in the lives of Riverview's residents and businesses. Although the use of the automobile will continue to be the primary method of transport in Riverview, this Plan will endeavour to improve and provide alternative modes of transportation to its residents and businesses, including public transit, pedestrian and bicycle traffic. This will improve connectivity and accessibility and help move toward a more sustainable community, all of which are goals of this Plan.

Riverview has no major circulation problems. Gunningsville Bridge and Gunningsville Boulevard have improved the ability for people to move about the Town. The future Bridgedale Boulevard and the eventual West Riverview Boulevard will continue to improve the transportation system in Riverview. While new transportation projects will undoubtedly be developer driven, the Town will continue to take a progressive approach to transportation planning to ensure that local, collector and arterial streets are laid out efficiently and that automobiles, buses, pedestrians and cyclists can move about the Town in a safe and enjoyable manner.

Road Network

The fact that Riverview has traditionally served as a bedroom community for employers in Moncton and Dieppe raises many challenges for the ongoing maintenance of the public street system. With the automobile continuing to be the major mode of transport, funding from senior levels of government becoming harder to acquire, and increased through traffic to Moncton and beyond (e.g. Fundy National Park), the future road network must be carefully planned.

The Town has acknowledged the importance of this issue and is committed to working on a tri-community Sustainable Transportation Plan. Improving the connectivity of streets will enhance traffic movement in the Town, increase the choices for travel, and influence traffic patterns and travel behavior.

The *Future Roads Map*, attached to this Plan as Schedule B, will help guide the subdivision process to ensure that streets in the Town are developed in a coordinated and efficient way. The hierarchy of all future streets, and the detailed definitions and design of these streets, will continue to be provided in the *Subdivision Development – Procedures, Standards and Guidelines* document that is administered by the Town.

Policy 4.6.1 The following types of streets are shown on Schedule B: Future Roads Map, attached to this Plan, which identifies street classifications of existing streets and proposed connections.

Arterial Streets

Arterial streets carry the majority of traffic that moves through the community. Daily traffic volumes will range between 7,000 and 30,000. Although the primary emphasis is on maintaining a high level of mobility for through movement, a secondary role of arterial streets is to provide access to adjacent land. In most situations access will be limited, controlled or eliminated. On-street parking is often restricted. To allow for the safe movement of pedestrian traffic, sidewalks are required on both sides of the street. Arterial streets are a Level I priority for winter maintenance.

- (a) Coverdale Road and Hillsborough Road are the Town's major arterial streets. These east-west arterial carry traffic from the eastern and western extremities of the Town up to the river crossings.
- (b) Gunningsville Boulevard, Findlay Boulevard are the major arterials that move traffic to the northern and southern regions of the Town.
- (c) Bridgedale Boulevard and Riverview West Boulevard are the Town's future arterial streets.

Collector Streets

Collector streets offer a compromise between land access and through movement. Collectors will infiltrate into residential neighbourhoods and connect the local streets to arterial streets. They provide for the movement of substantial, but less important travel volumes than arterial roads, and typically carry daily traffic volumes of 1,000 to 10,000. They are often considered for bus routes. A sidewalk is required on at least one side of the street and in some cases, sidewalks on both sides of the street may be necessary. On-street parking is often restricted. Normally, the intersection of a collector street with an arterial street warrants signalization and at times, access control may be necessary. In Riverview, collector streets are also a Level I priority for winter maintenance and have a right-of-way width of 20-23 metres.

- (a) The Trites Road, Canusa Drive, Callowhill Road, Pinewood Road, Sussex Avenue, Buckingham Drive, Whitepine, Cleveland, Sawgrass (future), Runnymede, Lawson Avenue, Pine Glen Road and the Old Coach Road comprise the Town of Riverview's existing and future collector street system.
- (b) As residential development progresses and subdivisions occur, more streets may have to be designated as collector streets. As a result, Schedule B – Future Roads Map will have to be updated as necessary.

Local Streets

Local streets are municipal streets that provide access to property, while some may provide access to the higher order street systems. The majority of the streets in the Town of Riverview are within this category. Local streets provide the lowest level of mobility and through traffic is generally discouraged. They usually are not considered for transit routes. Sidewalks may be required on one side of the street. Local streets are a Level II priority for winter maintenance and have a right of way widths ranging from 18-20 metres.

Cul-De-Sacs

Cul-de-sacs are part of the local street system. To facilitate an efficient means of service delivery, cul-de-sacs are generally discouraged in the Town of Riverview. However, cul-de-sacs may be permitted when the topography and dimension of the land provides no other option of design. When necessary, depending on the length and land uses along these streets, sidewalks may be necessary.

Policy 4.6.2 Council shall discourage new cul-de-sacs in new subdivisions.

Policy 4.6.3 Cul-de-sacs shall be permitted to a limited extent in any subdivision or when the topography and dimension of the land provide for no other option of design.

Private Roads

Private roads are typically built to provide access to, or within, private developments. They are not intended for general traffic circulation. In some cases they may provide access to individual lots, while in other cases they may provide access to large multiple unit buildings, or condominium clusters. Other than gaining access from a public street, they are usually disconnected from other developments and the public transportation network. The Town is not responsible for the maintenance of private roads.

This Town contains many private roads and in the future, requests may be made to the Town to convert these to public streets. In some cases, this can be problematic as these private roads have been built to different standards and usually do not meet the minimum requirements as set by the Town's engineering department. The costs associated with assuming ownership and maintenance of these roads raises economic challenges for Council. Therefore, private roads, in general, should be discouraged in the Town.

Policy 4.6.4 New lots shall not be created unless they have frontage on a public street. Exceptions will be provided in the Subdivision By-law for lands owned or to be acquired by the Town of Riverview, public utilities and in recognizing existing conditions.

Policy 4.6.5 Council shall discourage development on new private roads.

Policy 4.6.6 Council may, in extraordinary circumstances, allow the creation of new private roads if the following conditions are met:

- (a) The development on the private road does not impede any future developments or access to adjacent lands, with respect to streets, infrastructure or lands for public purposes; and
- (b) The private road is built to same standards as a public street as set in the Standard Municipal Specifications.

Ensuring that all modes of transport move safely and efficiently is a major goal of this Plan. The Controlled Access Streets By-law will be used to achieve this goal and access management in general will be promoted throughout the Town to help reduce traffic conflicts and congestion.

Policy 4.6.7 Council shall endeavor to provide and maintain a system of local, collector and arterial streets to meet the transportation needs of the Town.

Policy 4.6.8 To ensure that streets in the Town are developed in a coordinated and efficient way, the Future Roads Map (Schedule B) will serve as the primary guide for the location of new arterial and collector streets during the subdivision and development review process.

Policy 4.6.9 Council will ensure that the public street system is efficient and safe through the use of the Controlled Access Streets By-law and by implementing access management principles in the Zoning By-law.

Policy 4.6.10 Council shall continue to work with the City of Dieppe, the City of Moncton and the Province on a tri-community Sustainable Transportation Master Plan and any other initiatives that will improve the transportation system at the regional level.

Policy 4.6.11 Council shall continue to ensure that the Province retains responsibility for the maintenance and construction of provincially designated roads within the municipality.

Policy 4.6.12 Council shall encourage connectivity between neighbourhoods and local streets based on the smart growth principles of this Plan.

Sidewalks, Pathways and Trails

In order to promote and improve connectivity in the Town, people need to be able to move about safely and efficiently. In the past, sidewalks, trails and pathways were not recognized as being fundamental to the transportation network. Priority was given to the automobile and as a result, sidewalks and other important connections are missing throughout the Town. However, as part of this plan-making process, residents have voiced their opinion about the importance of connectivity and accessibility by alternative forms of transport. As such, making the Town more accessible to pedestrians and cyclists is a major goal of this Plan.

Policy 4.6.13 It shall be the intention of Council to consider sidewalks, trails and paths to be essential components of the Town's transportation network and to evaluate the need for these important connections during the review of all subdivision and terms and conditions applications.

Policy 4.6.14 Council shall provide specific direction in the Subdivision Standards to ensure that sidewalks are an integral part of all newly developed areas.

4.7 Public Transit

Codiac Transpo operates a regionalized urban transit system for the three municipalities of Riverview, Moncton and Dieppe. Each municipality decides its specific level of service and works with Codiac Transpo to determine the cost associated with provision of that service. Council can facilitate and improve the operation and efficiency of the transit system by implementing measures that enhance the ability of the transit service to meet the needs of Town's residents and current customers. Moreover, there may be grounds for Council to seek the cooperation of participating municipalities through the Public Transit Authority in funding of a mid to long term transit service plan. Such an initiative can provide the Public Transit Authority with guidance and allow for a measured response to transit service demands.

The Town's population density is relatively low per hectare, thus there are few corridors of high population density. However, an aging population and decreasing family sizes will result in the need for smaller more affordable housing which will lead to increased density in specific areas of the Town. Increases in density, combined with the rise of fuel prices, will likely translate to increased public transit ridership. In the interest of decreasing the level of municipal subsidy to the service, it is both logical and reasonable to seek methods of improving the viability and growth potential of Codiac Transpo. As such, increasing the amount of residential density and commercial activity along transit corridors is a major objective of this Plan.

Policy 4.7.1 It shall be the intention of Council to improve frequency of service during peak travel times and to consider the possibility of expanding night services and weekend services as budget permits.

- Policy 4.7.2** It shall be the intention of Council to provide staff support to Codiac Transpo to manage / liaise transit inquiries and develop improvement plans.
- Policy 4.7.3** It shall be the intention of Council to recognize public transit as a component of the transportation system and to continue fiscal support for cost effective, publicly convenient transit services linking major employment, shopping and residential areas as well as to active transportation corridors.
- Policy 4.7.4** In an effort to improve the viability and growth of public transit and to promote accessibility and connectivity in Riverview it shall be intention of Council to direct residential and commercial intensification along transit corridors.
- Policy 4.7.5** It shall be the intention of Council to support and encourage the Transit Authority to prepare a mid to long term transit service plan encompassing a scheme for improvement of transit service as well as an aggressive marketing strategy in the metropolitan region.
- Policy 4.7.6** It shall be the intention of Council to support that all future bus purchases be Low Floor Accessible buses for the expansion of accessible transit throughout Codiac Transpo's service area.
- Policy 4.7.7** It shall be the intention of Council to evaluate its public transit service with public consultations every 3-5 years as growth of the community warrants.

Most of the Town's new streets are created by private developers through the subdivision process. The width provision for new streets is generally more than adequate to allow for the operation of buses. However, longer vehicles have a wider turning radius at intersections, and buses have difficulties safely negotiating turns in residential subdivisions. The Town expects future transit corridors to be located along collector and arterial streets, where street construction standards can accommodate larger vehicles, and where future high density residential and commercial growth is expected to occur.

- Policy 4.7.8** It shall be the intention of Council to ensure that new collector and arterial streets are capable of accommodating transit services. Without limiting the generality of the foregoing, these streets should include:
- (a) a turning radius at intersections of not less than fifteen metres;
 - (b) an additional travelled way width of one half metre along the turning radius identified in (a); and
 - (c) a requirements for bus laybys/ shelters in new subdivisions on collector streets or corridors.

Public bus shelters have been installed at a number of locations. The shelters provide protection from inclement weather. Council and Codiac Transpo should continue, as a priority, to position such shelters throughout the system contingent upon demand parameters.

Policy 4.7.9 It shall be the intention of Council to continue to install bus shelters along major transit routes and key transit stops, and that all such shelters and stops are accessible for persons with disabilities.

4.8 Rail and Air Transport

Historically, the Moncton area was the focus of the railway activity in the Province. Over the past decades, the prominence of rails has significantly declined. The displacement caused by reduced rail service has resulted in increased truck traffic. Council's ability to influence decisions regarding downsizing of rail service is limited. However, Council can present a strong united voice with other municipalities to show their support for maintaining rail service. It is therefore in the interest of the municipalities and local business to combine efforts to ensure that the area is adequately served by rail.

Policy 4.8.1 In recognition of the importance of rail service to the economic development of the region, Council shall continue to support initiatives aimed at ensuring adequate passenger and freight rails service.

Policy 4.8.2 Council shall endeavour to ensure that all levels of transportation service provided by outside agencies, including rail, air and road transit, are maintained at the highest possible level providing quality services to all segments of the community.

The Greater Moncton International Airport is located in the eastern portion of the City of Dieppe. The Federal Department of Transportation has turned ownership of the airport over to a local airport authority, charged with the management and operation of the facility. Council, together with representatives of Moncton and Dieppe participate in the management of the Greater Moncton Airport Authority.

Policy 4.8.3 It shall be the intention of Council to participate in the Airport Authority in order to insure the continued presence of quality air services in the Moncton region.

4.9 Infrastructure Cost Recovery

Traditionally, theory on urban growth suggested that governments should be the sole providers of these services in all levels of physical expansion. Today, there has been a shift in that governments will only accept the maintenance of existing urban infrastructure and with the cost of infrastructure passed onto the beneficiary. Within the Urban Growth Boundary, there are

areas where the Town has paid for, and constructed infrastructure, such as a new water pressure zone and water tower and the Mill Creek Collector Sewer, to facilitate growth. Without these investments, development would not be possible. In these cases, the Town will endeavor to receive a return on the investment made, through cost-recovery. This will also be the case if future infrastructure investments are made by the Town of Riverview.

Policy 4.9.1 As a condition of subdivision or rezoning approval, applicants will be required to pay for the costs of infrastructure facilities, such as roads, sidewalks, streetlights, sewers, water systems and drainage, traffic signals, water towers, street trees, and landscaped boulevards through Conditional Zoning and Subdivision Agreement processes, as well as through the establishment of infrastructure charge areas. The Town's Subdivision By-law and Subdivision Development, Procedures, Standards and Guidelines will include infrastructure charge area maps to be used as a guide for cost-recovery.

Policy 4.9.2 Further to Policy 4.9.1, to ensure that future sanitary flows are directed appropriately, drainage catchment regions will be used to delineate the infrastructure charge areas.

Bridgedale Boulevard and Infrastructure Over-Sizing

As noted in the transportation section of this Plan, Bridgedale Boulevard will be an important east-west arterial street. This street is expected to function in the same way as Gunningsville Boulevard, in that it will be designed to move people, in automobiles and buses, as well as on foot and bicycle. Although Gunningsville Boulevard was paid for by the Town, in conjunction with the Provincial and Federal Governments, the construction of Bridgedale Boulevard is expected to be driven by development. The funding arrangements for Bridgedale Boulevard have not yet been determined.

The Town has already secured the right-of-way alignment for this future street. Subdivisions along the Boulevard, particularly along the north side, will gain entry from it and will rely on it, in order to properly disperse traffic throughout east Riverview. This Plan recognizes that the Town will undoubtedly have to pay for the street. However, much like other hard services that the Town has paid for to enable growth, such as a water tower and Mill Creek Collector Sewer, which will be subject to cost-recovery, future transportation projects may be treated the same way. Projects like Bridgedale Boulevard will open up additional lands for development, which will add value to the properties along it. The benefits of the project will be far reaching and therefore, in the future, the Town should explore its options for cost-recovery so that it does not have to endure the full cost.

Furthermore, in some cases, developers have to provide more infrastructure than is required for their development. This is referred to as "oversizing." Historically, the Town has paid for the additional infrastructure costs, whether it is a larger pipe or wider street. While the benefits of

this work may extend beyond a particular subdivision, it does facilitate growth in other areas. As such, those who benefit from the oversized infrastructure should pay for it because without these investments, development would not be possible. Quantifying the share of the infrastructure needs to be carefully planned so that the costs are allocated accordingly.

Proposal 4.9.3 To assist with the implementation of policy 4.9.1, it is proposed that Council will explore the possibility of cost-recovery on future transportation projects, such as Bridgedale Boulevard and West Riverview Boulevard, as well as infrastructure oversizing.

CHAPTER 5: RESIDENTIAL DEVELOPMENT

5.0 Residential Development Policies

The Town of Riverview is primarily a residential community with the majority of its population working in the City of Moncton. Current residential development in Riverview is predominantly low density. Approximately 74% of the dwelling units within the Town are single detached dwelling units, which is the highest proportion of single unit dwellings in the tri-community area. As such, this Plan and this section on residential development are intended to protect the character of existing neighbourhoods.

Changes in population, demographics and housing have influenced and will continue to shape the residential land use strategy of the future. This Plan establishes a residential land use framework that anticipates and accommodates change and most importantly, provides a vision of how new residential development can be carried out in a manner that enhances and complements our growing urban environment.

Recent trends show that the Town has an increasing proportion of lone-parent families and seniors living alone. These trends will put pressure on the Town to diversify its housing stock. While current residential development in the Town is generally low density, there are a few areas of higher density residential uses along Hillsborough, Coverdale, Pine Glen and Trites Roads, as well as around the Findlay Park area. This Plan acknowledges the existing higher density residential uses and provides guidance for them within the Plan and Zoning By-law for future higher density housing in specific areas of the Town. New development will be expected to complement existing housing and be located in areas that are appropriate and compatible with the overall development vision of this Plan.

Council considers the design of new developments to be fundamental in creating attractive, healthy and high quality urban environment for its residents. This emphasis on design will allow Riverview to remain a preferred residential community that offers a variety of housing options that suit the needs of current and future residents.

5.1 Developing Beautiful Complete Neighbourhoods

Policy 5.1.1 It shall be the intention of Council to ensure that Residential areas designated on the Generalized Future Land Use map are predominantly used for residential purposes. Furthermore, it shall be the intention of Council to permit the following compatible uses within the Residential designation, subject to the relevant provisions of this Plan and Zoning By-Law:

- (a) parks, open space and recreation areas, including integrated golf course communities;

- (b) public and private schools;
- (c) religious facilities;
- (d) small scale commercial and convenience retail store;
- (e) home occupations;
- (f) utilities;
- (g) special care homes;
- (h) accessory apartments; and
- (i) day cares.

Policy 5.1.2 It shall be the intention of Council to encourage developments to incorporate smart growth principles such as:

- (a) mix land uses;
- (b) complete, walkable, vibrant neighbourhoods;
- (c) transportation choices;
- (d) housing choices;
- (e) encourage new developments within the existing urban growth boundary;
- (f) preserve green spaces, natural beauty, and environmentally sensitive areas;
- (g) utilize smarter and cost effective infrastructure and green buildings;
- (h) foster a unique sense of identity; and
- (i) community involvement.

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 5.1.4** In order to create beautiful and safe streets, Council shall ensure that street trees are required on all streets, and in an effort to promote walkable communities, provide specific direction in the Subdivision Standards to ensure that sidewalks are an integral part of all newly developed areas.
- Policy 5.1.5** In order to maintain attractive neighbourhoods, it shall be the intention of Council to develop a conservation policy and regulation around tree preservation in order to prevent the clear cutting of lands on parcels 1 hectare or larger.
- 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:
- (a) Low Density: single and two unit dwellings where density does not generally exceed 10 units per acre;
 - (b) Medium Density within the RM – Residential Mix Zone: may consist of townhouses, row houses, apartments and other housing combinations and forms where density generally does not exceed 15 units per acre; and
 - (c) 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.
 - (d) Notwithstanding (c), it shall be the intention of Council to permit density beyond 30 units per acre in certain areas of the Town where underground or at grade parking lots are proposed. These areas are located along or in proximity of major arterials or major intersections, adjacent to major commercial nodes and are well separated from low density areas, such as single unit and two unit dwelling zones.

5.2. Residential Designation

The largest areas of existing residential development are comprised primarily of single unit and two-unit dwellings, with a few areas of high density residential uses throughout the Town. It is the intention of this Plan to recognize all residentially developed land, as well as providing adequate lands to accommodate future residential growth within the Urban Growth Boundary of the Town.

- Policy 5.2.1** It shall be the intention of Council to create a Residential Designation on the Generalized Future Land Use Map, which recognizes all of the residentially developed land in the Town, and provides sufficient lands for future residential development within the Urban Growth Boundary.

5.3 Principles for Residential Development

Urban design contributes to how a community is put together, how it looks, feels and functions. It involves attention to different levels of detail which may include a number of physical elements such as land use, building form, massing, vehicular and pedestrian circulation, open space and landscaping. Together, these elements make our communities more attractive, healthier and more vibrant.

This Plan provides urban design standards for new developments. Within the Residential Designation, all development shall be designed to meet the following principles:

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.

Principle 3: Mixed use will be encouraged in appropriate locations

To provide opportunities for neighbourhood commercial and to create neighbourhood centres, mixed use buildings such as multi-unit residential with main floor commercial are encouraged along major roads adjacent to commercial areas.

Principle 4: Connectivity must be enabled

Developers will need to provide road, open space and trail connections to adjacent developments.

Connectivity is about providing:

- (a) a variety of transportation options including vehicular, bicycle, walking, and other active transportation linkages;
- (b) open space linkages that create a connected network of parks, green spaces and public lands that are based on existing natural features. These networks of linked open space can provide space for trails and should be easily accessible to residents by bike or foot; and
- (c) safe and walkable communities through the use of sidewalks.

Principle 5: Landscaping

To provide a pleasant streetscape, all residential development areas will require street tree planting.

Minimum landscaping requirements will be established for all new subdivisions and multi-unit dwelling buildings.

Principle 6: Limited parking in front of multiple units

No more than one bay of parking may be provided in front of multi-unit residential buildings. Other parking shall be provided at the rear or sides of the building.

Landscape buffers will be required for multi-unit residential parking areas where they abut a street.

Shared driveways or off-street parking will be required for townhouse developments to maximize area for trees, utilities, on-street parking, and snow storage, and to minimize the physical disruption of sidewalks along the street.

5.4 R1 - Single Unit Dwelling Zone

The majority of the areas in the Residential Designation have developed as low residential density under the traditional R1 single unit dwelling zone. Therefore, Council intends to maintain and protect the future stability and physical character of these areas.

Policy 5.4.1 It shall be the intention of Council to maintain the character of existing single unit dwelling neighbourhoods by establishing a Single Unit Dwelling Zone (R1) within the Residential Designation.

The Town of Riverview has traditionally attracted families looking for stable single family neighbourhoods. While the statistics show an aging population, as well as shrinking household sizes, there is still a demand for single family homes. In order to palliate to this demand and in keeping with changing demographics, Council should encourage affordable single family housing developments.

Policy 5.4.2 Within the Residential Designation, it shall be the intention of Council to prezone specific areas within the Town for single unit dwellings as a means to encourage the development of affordable single family developments.

Policy 5.4.3 It shall also be the intention of Council to maintain affordability in new R1 zones by encouraging smaller houses on smaller lots.

At the same time, Council recognizes that, with an aging population, it is desirable to create accessory dwelling units and garden suites within low density neighbourhoods. These units allow low-income seniors or adults with a disability, to live independently in their community, close to family and friends. Alternatively, accessory dwelling units or garden suites can provide a modest source of revenue for a homeowner.

A changing global economy has created a need to provide home occupations as secondary uses in residential neighbourhoods. Advancements in technology mean that people are now able to work from home and as a result, this concept has increased in popularity and is also seen as reducing the need to travel to and from places of work.

Policy 5.4.4 It shall be the intention of Council to permit, as a secondary use within a single unit dwelling, an accessory dwelling unit, a garden suite, a home occupation use, a bed and breakfast or a home daycare.

This Plan recognizes the need to provide daycare opportunities in residential areas. This type of daycare, commonly referred to as “neighbourhood” daycares, offers an essential service to the community.

Policy 5.4.5 It shall be the intention of Council to permit, as a secondary use, home daycare in single unit dwellings. These small daycares are limited to 9 spaces as per provincial daycare regulation.

5.4A R1-C Compact Single Unit Dwelling Zone

Many communities across North America are seeing new trends and concepts in residential typologies. The appetite for single family dwelling is still very present. However, demographics, family composition, affordability and environmental conciseness are forcing developers to rethink how communities are being developed. A growing trend in many larger urban centers is moving towards more compact single family dwelling. By maintaining proper architectural and site design, these communities have attractive streetscapes and become very desirable neighborhoods.

Policy 5.4A.1 Further to Policy 5.4.3, within the Residential Designation it shall be the intention of Council to establish a Compact Single Unit Dwelling zone (R1-C) with a smaller lot configuration.

Policy 5.4A.2 To ensure consistency with other sections of the Municipal Plan, Council shall only consider rezoning lands to the R1-C Zone when combined with an overall secondary plan as per proposal 5.6.4.

Policy 5.4A.3 In order to introduce this new compact form of residential development in the community without sacrificing quality streetscapes, Council shall enforce specific design provisions through the Zoning By-law, related, but not limited, to:

- (a) finishing materials;
- (b) architectural design;

- (c) building repetition;
- (d) parking accommodations;
- (e) lot configurations; and
- (f) landscaping.

5.5 R2 - Two Unit Dwelling Zone

Within the Residential Designation, there are a few areas which have developed almost exclusively as two unit buildings. These developments are generally located at the perimeter of the single unit areas as seen in the Carriage Hill, Point Park and Waterfall Drive areas of the Town. They exhibit similar characteristics and stability to the traditional single unit developments. It is Council's intention to accommodate these types of developments and to encourage efficient two dwelling unit developments in the future.

Policy 5.5.1 Within the Residential Designation, it shall be the intention of Council to create a Two Unit Dwelling Zone (R2) to accommodate existing developments and prepare the community to become competitive in this expanding market.

Policy 5.5.2 It shall also be the intention of Council to permit within a single unit dwelling in the R2 zone, as a secondary use, an accessory dwelling unit, a garden suite, a home occupation, bed and breakfast or, as per Policy 5.4.5, a home daycare.

Policy 5.5.3 Furthermore, as the Town develops, there may be other areas that Council may consider the Two-Unit Dwelling Zone (R2) by amendment to the zoning by-law. In considering such amendments, Council shall have regard to:

- (a) the siting of the proposed structure with the adjacent residential buildings;
- (b) the location and access to off-street parking and the design of the parking lot layout;
- (c) provisions for the preservation of the existing landscape by minimizing tree and soil removal;
- (d) provisions for adequate site grading in respect of the impact on neighbouring properties;
- (e) the design of the proposed development in terms of:
 - (i) building height;
 - (ii) setback;

- (iii) roof type and pitch; and
- (f) the availability and adequacy of municipal services.

5.6 RM - Residential Mix Zone

There are large tracts of land in the Town that are serviceable, but currently undeveloped. This is particularly the case in the east and west ends of Riverview. These areas are essentially the Town's urban land bank for the future. These lands offer a major opportunity for the creation of new socially and economically diverse neighbourhoods wherein the changing housing needs of current and future generations can be satisfied without substantial impact on the older established neighbourhoods.

To ensure that these large greenfield areas are developed in a manner that is consistent with this Plan, Secondary Planning in these areas will be necessary. Secondary Planning is desirable so that a true mix of residential uses can be carefully planned to ensure that neighbourhoods are diverse, well-connected and respectful of the existing developments that they may abut. The layout and connectivity of streets, the location and size of future parklands and the location and number of trails are all essential components to the development of our future communities.

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 5.6.2 It shall be the intention of Council to provide, within the Residential Mix zone (RM) a variety of housing styles, including single and two unit dwellings and semi-detached dwellings as well as permitting within single unit dwellings secondary uses such as an accessory dwelling unit, a garden suite, a home occupation, a bed and breakfast or, as per Policy 5.4.5, a home daycare.

Policy 5.6.3 To ensure that large undeveloped Residential Mix (RM) zoned lands are developed in a coordinated manner that is consistent with this Plan, developers, in cooperation with the Town of Riverview and the Committee, will need to provide secondary plans to guide the overall development of these lands.

Proposal 5.6.4 To assist with the implementation of Policy 5.6.3, Council will use the following objectives to evaluate the secondary plans:

- (a) the plan provides an appropriate amount of mix housing types which should include a combination of single, two unit, semi-detached, and rowhouse / townhouse dwellings;

- (b) the efficient layout of streets and traffic in general;
- (c) the connectivity of the subdivision with adjacent lands;
- (d) the location and size of future parks, open spaces and trails;
- (e) detailed servicing and infrastructure information; and
- (f) any other applicable information.

These residential areas offer the community a number of advantages. Most of these lands are in large block ownership and are reasonably accessible from major roads such as Coverdale, Trites and Pine Glen. Moreover, the development of these lands, as well-planned mix-use areas, has the potential to ease the community's future fiscal restraint because higher density developments distribute servicing and maintenance costs over more households per acre developed. At the same time, it is difficult to predict the changing needs and desires of future citizens. In order to respond to housing changes, this Plan recognizes that community planning must facilitate change and be capable of adapting to new conditions resulting from the rapid change in the taste and desires of the population.

As part of the Secondary Planning for RM – Residential Mix lands, Council considers the transition of the various residential land uses to be very important. This Plan acknowledges this goal, and it is desirable to have a mix of housing styles and a stepped approach to residential density. Secondary Plans must respect this goal and a phased approach to zones and housing densities, such as R1-R2-RM-R3, are used to ensure that, on vacant land, higher density residential uses do not directly abut traditional low density housing.

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, and supportive commercial and service use on a variety of lot sizes where the developer provides a “generalized area development plan” which shows the general location of each building together with any streets, public lands, parking areas and proposed landscaping.

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.

5.7 R3 - Multi-Unit Residential Zone

Several multiple unit residential uses have been established along Trites Road, Pine Glen Road, as well as portions of Coverdale/Hillsborough Road and in the Findlay Park business area. Generally, these buildings are along major transportation corridors and the location of these developments provide service and accessibility advantages to reach desired destinations. Future low density residential development along these high traffic routes is unlikely and is discouraged by this Plan.

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 5.7.1 It shall be the intention of Council to establish, within the Residential Designation, a Multi-Unit Residential Zone (R3) permitting residential development of 3 units or more.

Given the traditional low density residential development of the Town, the integration of higher density residential land uses into the land use strategy in Riverview has been problematic. One of the most sensitive areas of urban planning - when a community wishes to plan for change - is the assurance that the current property owners are not unduly affected by new development. Former zoning by-laws provided little opportunity for review of design and set no standards or guidelines for the quality and character of the design desired, not to mention where higher density residential developments would be ideally located.

To ensure that these new developments meet the intent of this Plan, the design of these developments must be reviewed comprehensively. As such, all new multiple unit buildings containing three units or more shall be subject to a conditional use approval with the Committee.

As part of this review process, Council considers the input of the development review committee to be essential. The development review committee is expected to review applications on a case by case basis, and a major objective of its review is to ensure that new developments meet the design considerations of this Plan. As part of this review, a public process is required and the immediate neighbourhood will be advised of the application. Through this public process, the neighbourhood will also have an opportunity to voice concerns about the development.

Policy 5.7.2 It shall be the intention of Council to establish a special provision in the R3 Zone whereby the Committee may consider multiple unit residential developments, subject to terms and conditions that it deems appropriate.

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
- (i) availability and adequacy of municipal services.

An effective way of achieving growth at no additional cost to the municipality is to intensify development in areas which are currently serviced but have underutilized sewer capacities. These types of developments are generally referred to as infill lots. There appears to be a strong potential for this type of development and a limited supply of infill lots. It is the intention of this plan to accommodate this potential in areas with quality amenities, such as proximity to services, traffic arteries, parks and open space. For example, parts of Gunningsville area, although currently approaching the limit for development, have potential for infill development and older housing stock conversion.

The serviceable area along the south side of Coverdale Road from approximately Pine Glen Road to Rivercrest Drive, and a large block of land situated on Hillsborough Road near the sewage treatment plant, is part of the old lot fabric. Portions of these areas are currently developed as single and two unit residential dwellings on large lots. The future subdivision of these lots is expected, which provides significant opportunity for infill developments. Given the relatively steep sloping topography of these areas and high traffic volumes on Coverdale/Hillsborough Road, the area's potential for low density residential development is limited. These areas will be viewed as potential infill areas and low density developments in these areas are discouraged by this Plan.

While it may not be appropriate for Council to pre-zone this area at this time, it may be appropriate for Council to consider such developments on a case-by-case basis. Future growth in built up areas (infilling) must be reviewed carefully in order to maintain respect for the integrity of the existing built form of the neighbourhood. Therefore, to ensure compatibility, an urban design element should be included for developments involving infilling or conversion of existing housing developments.

Policy 5.7.4 Council may consider amendments to the zoning by-law within the Residential Designation, provided the lot is along the south side of Coverdale Road, from approximately Pine Glen Road to Rivercrest Drive, to permit future infill developments of multiple unit dwellings.

In order to maximize the use of existing infrastructure, this plan recognizes that there may be specific areas of the Town which are suitable for densities beyond 30 units per acre. These

areas are located along or in proximity of major arterials or major intersections or in the vicinity of significant commercial nodes and well separated from low density areas.

Policy 5.7.5 In keeping with policy 5.1.6 (d), it shall be the intention of Council to consider rezoning properties to R3, subject to terms and conditions and design standards, to permit densities beyond 30 units per acre in areas of the Town that are located along or in proximity of major arterials or major intersections or in the vicinity of significant commercial nodes and well separated from low density areas.

Policy 5.7.6 In considering such amendments, Council shall have regard for:

- (a) the location, number, layout and design of vehicular access, and consideration of joint access where individual accesses are deemed not to be desirable;
- (b) the design and location of above grade parking lots;
- (c) the necessity for underground or at grade parking lots;
- (d) the proposed landscaping and provision of amenity space;
- (e) the protection of important view lines and prevention of overshadowing by controlling building height, bulk and site location;
- (f) the design of the proposed development in terms of building orientation and relationship to other housing types and nearby land uses, the layout of the buildings, rights of way and open spaces;
- (g) the traffic impacts;
- (h) measures for the preservation of the site's natural state by minimizing tree and soil removal;
- (i) the adequacy of municipal services; and
- (j) any other matter.

5.8 Neighbourhood Commercial

A major goal of this plan is to improve the level of service to residents. Commercial concentration is required for certain types of developments in order to achieve scale threshold. However, convenience or everyday items should be available within a reasonable walking or cycling distance to where people live. Provision of these convenience services, either within or

in proximity to residential areas, provide community advantages in terms of environmental cost, reduced traffic congestion and general overall human health benefits. These areas are not designated on the Future Land Use map since these types of land use are deemed to be appropriate within a Residential Designation with respect to the general goals and intent of this plan. However, these sites shall be identified on the Zoning map.

Policy 5.8.1 It shall be the intention of Council to establish, within the Residential Designation, a Neighbourhood Commercial Zone (NC). It shall be the intention of Council to permit, within the NC Zone, small scale commercial retail, personal service and associated office use with or without residential uses. It shall also be the intention of Council to permit, as a secondary use within a single unit dwelling, an accessory dwelling unit, a garden suite, a home occupation, a bed and breakfast or home daycare. Furthermore, it shall also be the intention of Council to prohibit gasoline dispensary facilities within the NC Zone.

Policy 5.8.2 It shall be the intention of Council, in reviewing a neighbourhood commercial use, to have regard for the following:

- (a) Council shall define a Neighbourhood Commercial zone as a commercial development predominantly located within a residential area having a maximum of three storeys and a maximum gross leasable area of 750 square metres;
- (b) Proposals for the development of a Neighbourhood Commercial zone where the site has not been rezoned to Neighbourhood Commercial zone shall be considered by Council through the rezoning process provided the proposed development is located within the Residential Designation. Otherwise, an amendment to this plan is required;
- (c) In reviewing a Neighbourhood Commercial zone proposal, Council shall have regard for the following:
 - (i) the proposal is deemed to be beneficial to the local area and community as a whole;
 - (ii) the proposal is deemed to be compatible with the surrounding land uses and the impact on the surrounding residential areas is minimized through the appropriate use of setbacks, landscaping and site layout. In addition, Council shall be satisfied that the following criteria have been met:

- (A) the proposal has adequate access to collector or arterial streets of sufficient capacity to accommodate any increase in traffic;
- (B) the proposal generates minimal traffic noise and lighting impacts on existing residential neighbourhoods;
- (C) adequate provision for access is made for pedestrians, persons with disabilities and other special needs group;
- (D) necessary servicing is readily available;
- (E) adequate parking and service facilities are provided; and
- (F) other criteria are complied with which are deemed appropriate by Council.

CHAPTER 6: RURAL AREAS

6.0 Rural Area Development

The remaining area of Riverview, lying to the west of Rivergarden Estates Park, is currently outside the service boundary of the Town. It is extremely unlikely that this area will require services to accommodate future growth during this plan period. Thus, any future development in this area will require on-site services consisting of drilled well and septic system.

Soils information indicate that the majority of the area is classified as Parry Association, which is generally poorly drained soil caused by a high clay content. These soils are generally unsuitable for on-site sewerage disposal systems.

In addition to the environmental risk associated with rural type development, the Town wishes to adopt a strategy to reduce sprawl or ribbon type development, since these generally contribute to vehicular traffic conflicts (driveways) and results in very low density thus high per unit cost of providing road maintenance, snow removal, parks, police, fire and ambulance services. It also usually results in extremely costly extension of services which the Town is not currently prepared to provide. The current municipal plan permits certain types of rural land uses, such as agricultural and forestry which are generally compatible to a rural environment and are, in fact, the highest and best use for the land. However, residential development in these areas often removes valuable resource rich land and generally results in additional pressure for Council to address the concerns of the rural residents, which, in fact, can only be addressed through an urban development framework. Therefore;

6.1 Rural Residential Subdivisions

Policy 6.1.1 It shall be the intention of Council to limit residential development in the rural area to minimize the potential environmental and health-related risks and the associated economic cost.

Policy 6.1.2 It shall be the intention of Council to ensure that future subdivision of land in the Rural area shall be developed with:

- (a) a minimum individual lot size of 2 hectares;
- (b) a minimum lot frontage of 150 metres; and with
- (c) frontage on a publicly owned street or access approved by the Committee.

Policy 6.1.3 Notwithstanding policy 6.1.2, it shall also be the intention of Council to permit residential development on lots existing on the effective date of this plan.

There are several large farms in the Town of Riverview, many of which are owned and operated by families. To accommodate a member of the family farm, it may be necessary, from time to time, to create building lots on the farmstead to provide housing directly involved with the farm operation. This is considered a traditional method to sustain the farm.

Policy 6.1.4 Notwithstanding Policy 6.1.2, it shall be the intention of Council to recognize and accommodate the future subdivision of family farmsteads, provided the proposed lot sizes can meet the requirements for on-site services and the subdivision provides housing for those directly involved with the farming operation.

6.2 Rural Uses

Policy 6.2.1 It shall be the intention of Council to establish, within the Rural Designation, a rural area zone (RA) permitting land-based uses of forestry, agriculture and related activities and limited Residential uses.

Policy 6.2.2 It shall also be the intention of Council to establish within the rural area zone, pursuant to policy 6.2.1, a provision which will permit the Committee to consider, subject to terms and conditions, other resource-based developments, including topsoil removal, sod farming, pits and quarries. Council shall instruct the Committee in considering the imposition of terms and conditions to have regard for:

- (a) the location and design of vehicular access and the potential traffic generation;
- (b) the environmental impact of the type of use;
- (c) the outside storage of material;
- (d) the rehabilitation of the site to a future urban use (subject to a formal engineering plan); and
- (e) any other matter.

6.3 Manufactured Dwelling

Policy 6.3.1 It shall be the intention of Council to accommodate, within the Rural Designation, existing manufactured dwelling parks and subdivisions by establishing a manufactured dwelling (MD) zone permitting manufactured homes parks, subdivisions and single unit dwellings. It shall also be the intention of Council to permit, as a secondary use, an accessory dwelling unit,

home occupation, a bed and breakfast, or a home daycare, where the use is not visible from the street side of property.

Proposal 6.3.2 It shall be the intention of Council to adopt manufactured dwelling standards in the Zoning By-law to ensure that parks are maintained to meet acceptable safety and aesthetic standards that reflect the Town's image as an attractive and safe place to raise a family.

CHAPTER 7: COMMERCIAL DEVELOPMENT

7.0 Commercial Development

Commercial development in Riverview is intended to support the residential population. However, although Riverview is predominantly a residential community, it is well positioned to grow its commercial tax base by providing for retail uses, businesses and office related uses. This plan anticipates a significant amount of commercial development in the short term given the town's strategic and efficient link to the City of Moncton and major tourism destinations.

The major commercial developments in Riverview have focused on three primary areas: Coverdale Road/Hillsborough Road, the Findlay Business Park and to a limited degree, along Pine Glen Road. The intent of this Plan is to support the existing commercial development in these areas.

The town has also made significant investments in critical infrastructure, such as Gunningsville Boulevard and the Mill Creek Collector Sewer. These investments, together with the future Bridgedale Boulevard, have opened up new commercial areas in the town. While the Town encourages commercial development in this area, this Plan recognizes that this area is a greenfield, and that future development will need to be carefully planned to compete in the regional commercial market.

While it is important to recognize the major commercial areas, this Plan acknowledges Riverview as a residential community. Therefore, a major goal of this Plan is to continue to provide services for those who live here and importantly, to improve the services that are available to existing neighbourhoods in a compatible way.

Policy 7.0.1 It shall be the intention of Council to create a Commercial Designation on the Generalized Future Land Use Map, which recognizes all of the commercially developed land in the Town, and provides sufficient lands for future commercial development within the Urban Growth Boundary.

As a goal of this Plan is to promote smart growth, it is important that new residential developments are located within close proximity to services and amenities, including public transit. The Plan supports a mixed use environment in the Commercial Designation, and by using good urban design, new developments will be expected to be sensitive to their context. Residential uses will be encouraged to locate in the SC, CM, and RBS Zones and will be expected to respect section 5.3 of this Plan.

In some cases, the Commercial Zones will abut low density developments. To ensure that new multiple unit residential uses in a commercial zone meets the intent of this Plan, the design of these developments will be reviewed comprehensively. As such, all new multiple unit buildings

will be subject to a conditional use approval with the Committee where they abut a low density residential zone.

Policy 7.0.2 It shall be the intention of Council to establish a special provision in the Zoning By-law whereby the Committee may consider multiple unit residential developments where the development abuts an R1 or R2 Zone, subject to terms and conditions that it deems appropriate. Furthermore, Council shall instruct the Committee that when considering the imposition of terms and conditions, the Committee shall have regard for the criteria established in Policy 5.7.3.

7.1 Suburban Commercial

The suburban commercial areas of the town have developed along Coverdale Road, west of the Findlay/Causeway interchange, and along the bottom portion of Pine Glen and Trites Road. These areas have been developed with retail strip malls, large grocery stores, service outlets, offices, and restaurants, including drive thru businesses. This Plan supports these types of uses in these locations.

In the past, Riverview considered the commercial area along Coverdale Road, between the Findlay/Causeway interchange and McClellan Avenue as its downtown. The waterfront provides an essential edge, which together with streetscape improvements had defined this area as the distinct commercial node. A major objective of past Plans was to strengthen and enhance the downtown area with the goal of providing a space that was unique and attractive to current and future residents. While improvements had been made, the reality is that this area is dissected by a busy arterial street and that to date, the downtown concept has not evolved. The critical density needed to support a vibrant downtown had not been achieved.

During the consultation process of this Plan Review, business owners have identified that, while the area is unique, it doesn't have the key ingredients of a traditional downtown. It was highlighted that this area is almost completely developed has a suburban commercial node and thus should be zoned accordingly. The existing businesses and land uses combined with the lack of vacant lands renders the development of a typical downtown unfeasible. That being the case, even with a Suburban Commercial Zone, the area will remain a unique area for Riverview as the existing lot fabric will continue to cater and attract smaller businesses.

Further south, the Findlay Business Park has been accommodating new suburban commercial development. This commercial node is the backbone of the town's commercial economic base and this Plan recognizes that this area will serve as the town's big box centre in the years to come.

Although the Findlay Business Park will continue to accommodate large retail uses, it is important to recognize that the neighbourhoods around the park are growing. This growth, together with the business park's location and urbanization, will mean that this area will be

reachable by alternative modes of transport. As such, all new developments must provide connectivity with the existing and future sidewalks and trails, and bicycle parking will be required.

In addition, while the majority of suburban commercial developments in the past have been designed to accommodate private automobile, these developments should still be expected to incorporate proper design principles that enhance the public realm. While the automobile can still be accommodated, there are site design elements which can achieve a balance and improve the streetscape. As stated throughout this Plan, urban design is an essential ingredient in creating healthy and high quality environments. The suburban commercial developments will be expected to meet this goal, and as such, special design requirements for the suburban commercial zone shall be included in the Zoning By-law.

Policy 7.1.1 It shall be the intention of Council to recognize and foster development of retail and service outlets serving the suburban portions of the town by establishing the Suburban Commercial (SC) Zone within the Commercial Designation.

Policy 7.1.2 It shall be the intention of Council, in consultation with Business Riverview, the business community, and the general public, to undertake a study to implement urban design requirements within the Suburban Commercial Zone.

This Plan acknowledges that, within the Suburban Commercial Zone, the reality is that the majority of the clientele arrive by car. While a goal of this plan is to increase residential density in these areas, and bring residents and services closer together, almost all Suburban Commercial Zoned land fronts upon, or gains access to, the town's major arterial or collector streets. As a result, maintenance of public safety, both on the street network and on undeveloped sites, will be increasingly important as these areas continue to develop. The manner in which generated traffic is integrated with flows on public streets is significantly affected by driveway design, location and separation. Good access management is supported by this Plan and as such, developments that generate significant traffic volumes will need to be carefully reviewed. These large automotive related developments will be subject to terms and conditions by the Committee.

Policy 7.1.3 Notwithstanding policy 7.1.1, it shall be the intention of Council to direct the Committee to permit automotive related businesses that may have significant traffic implications, such as drive thru restaurants and other drive thru businesses, service stations, car washes or any development within the Suburban Commercial Zone containing more than 1,500 square metres of gross floor area, and additions thereto, subject to imposition of terms and conditions. Furthermore, it shall be the intention of Council to direct the Committee, in considering the imposition of terms and conditions, to have the utmost planning regard for the following:

- (a) estimated traffic generated by the proposal and its effect upon public street systems;
- (b) adequacy of the proposed site plan in respect to parking, pedestrian access, aisles, fire lanes, loading and delivery areas and on-site circulation systems;
- (c) adequate provision of landscaping;
- (d) location, size and design of driveways and appropriateness of traffic lights at driveways; and
- (e) provisions contained in policy 13.1.10; and
- (f) such other matters as Council deems advisable.

One particular land use that needs special consideration because of traffic and environmental concerns is service stations. While Council supports this land use, and will accommodate these types of business which are currently developed, Council intends to exercise strict control over new future development. To ensure that these developments are carried out in appropriate locations, and are designed and reviewed appropriately, specific requirements for service stations, including a minimum lot size and site design requirements, shall be provided in the Zoning By-law.

Policy 7.1.4 It shall be the intention of Council to provide special requirements for service stations within the Suburban Commercial Zone in the Zoning By-law.

Existing commercial areas are always under pressure to expand. This can be problematic when the land uses are well established and when low density residential uses are close by. In Riverview, particularly along Coverdale Road, established suburban commercial uses directly abut low density housing. In these cases, throughout Riverview, it is important that commercial uses are contained and an orderly pattern of development is upheld. Generally, it is undesirable to have commercial uses creeping into residential areas.

This Plan supports and protects existing neighbourhoods, but in some cases, it may be beneficial to permit the expansion of the suburban commercial zone into established residential areas. These cases must demonstrate that the expansion is a genuine necessity, and that the expansion will improve the site in terms of safety and beautification. Such expansions must clearly demonstrate that they will have a positive impact on the neighbourhood. These expansions will be determined on a case by case basis by rezoning.

Policy 7.1.5 It shall be the intention of Council to consider expansions of the SC Zone through the rezoning process. In considering such amendments, Council shall have regard for:

- (a) the location, number, layout and design of vehicular access, and, without limiting the generality of the foregoing, consideration of joint access where individual accesses are deemed not to be desirable;
- (b) the design and location of above grade parking lots;
- (c) the proposed landscaping and provision of amenity space;
- (d) the protection of important view lines and prevention of overshadowing by controlling building height, bulk and site location;
- (e) the design of the proposed development in terms of building orientation, relationship to other housing types and nearby land uses, the layout of the buildings, rights of-way and open spaces;
- (f) the traffic impacts;
- (g) measures for the preservation of the site's natural state by minimizing tree and soil removal;
- (h) provisions for adequate site grading with respect to the impact on neighbouring properties;
- (i) the adequacy of municipal services; and
- (j) such other matters as Council deems advisable.

Dobson and Philip Roads form one of the southern boundaries of a commercial area along Coverdale Road. Many of the businesses which front on Coverdale Road have acquired lands to the rear of the buildings for use as parking lots or storage. It has also been identified that additional land is needed for commercial development in the area. This situation was acknowledged in past Plan reviews, which creates difficulties for residential uses on the south sides of Dobson and Philip Roads. In this regard, it will be important for Council to ensure that such conflicts are minimized and that future commercial expansions are appropriate for the surrounding context.

Policy 7.1.6 Despite 7.1.5, it shall not be the intention of Council to consider any applications for amendments to the zoning by-law which would permit new commercial development on the South sides of Dobson and Philip Roads.

7.2 Commercial Mix

While it is important to recognize the existing commercial areas in the Town, it is equally important to recognize that there are other greenfield areas within the Urban Growth Boundary that are appropriate locations for commercial development. Normally, these areas are located at major intersections, both existing and planned, and all have the potential to develop as mix use commercial nodes that provide services to motorists, as well as residents who live close by. Given the proximity of current and future residential development to these areas, the development of such commercial nodes will be expected to be planned and designed in a manner that is consistent with sound urban design principles and is sensitive to the surrounding residential uses.

As noted previously, Bridgedale Boulevard is a planned east-west corridor that will extend from Gunningsville Boulevard to Hillsborough Road. It is a major project that, when completed, will help facilitate circulation in the municipality and open up a large part of east Riverview that without it, would be difficult to develop. The alignment of the planned boulevard has already been acquired and it is anticipated that access along the boulevard will be controlled.

The intersection of this future street and Gunningsville Boulevard will create a new centralized commercial hub that will become an important new focal point of the Town; it presents great opportunities to phase in new commercial and medium to high-density residential developments and is well positioned to central Moncton. Small portions of low density residential development could be appropriately integrated within this node. This area also offers potential views of the Petitcodiac River and downtown Moncton.

New residential developments south of Hillsborough Road are slowly getting closer to the Bridgedale Boulevard alignment. A new school will also be located north of the boulevard, which will further increase the demand for residential development in this location. As the population increases in this area, commercial opportunities will follow.

For this site to develop as a unique and distinct mix use commercial centre, it will require a range of commercial and business oriented developments together with the support of a range of residential developments and other amenities, such as public parks and open spaces. As such, secondary planning will be used to ensure that this area is developed in a manner that is consistent with the planning and development goals of this Plan.

Policy 7.2.1 Within the Commercial Designation, it shall be the intention of Council to establish a Commercial Mix (CM) Zone, to accommodate a range of land uses on greenfield sites along Bridgedale Boulevard and Gunningsville Boulevard and at major street intersections.

Policy 7.2.2 Within the Commercial Mix (CM) Zone, Council shall create special zoning provisions to achieve a quality urban streetscape treatment, reduced building

setbacks, controlled on-site parking location from the Boulevard, minimum architectural control, and similar controls to attain a proper urban character.

Policy 7.2.3 To ensure that the large undeveloped Commercial Mix (CM) node, located at the western portion of Bridgedale Boulevard, where it intersects with Gunningsville Boulevard, is developed in a coordinated manner that is consistent with this Plan, developers, in cooperation with the Town of Riverview and the Committee, will need to provide a secondary plan to guide the overall development of these lands.

Proposal 7.2.4 To assist with the implementation of Policy 7.2.3, Council will consider the following objectives when evaluating the secondary plan:

- (a) the plan provides an appropriate amount of mix uses which may include commercial, community, medium to high-density residential and small portions of low density residential located on local streets;
- (b) the efficient layout of streets and traffic in general;
- (c) the potential to minimize the number of driveways serving developments and to encourage the development of shared access;
- (d) quality urban design, landscaping, and streetscaping;
- (e) the connectivity with adjacent lands;
- (f) the provision of appropriate pedestrian, transit and cycling infrastructure to accommodate alternate modes of transportation;
- (g) detailed servicing and infrastructure information; and
- (h) any other applicable information.

7.3 Residential Business Service

It is recognized by Council that the nature and style of business activity that the Town is capable of and wishes to attract, changes over time. Recent trends in the regional markets have generated substantial service sector investment to the region and Riverview has been receiving a share. The Town, at the same time, wishes to facilitate the development of small businesses in the commercial designation while still providing for residential opportunities. The area along Pine Glen Road, from Philip Street to McAllister Street, has developed with a variety of land uses. In order to accommodate these existing uses, but provide options for redevelopment and improvement, this area will be considered a residential business service area.

Policy 7.3.1 It shall be the intention of Council to support the development of a wide range of commercial and technologically oriented businesses, social and educational amenities and residential uses in portions of the Commercial designation by establishing a Residential and Business Services (RBS) zone. Within the residential and business services zone, Council shall permit multiple unit residential uses, business service and general commercial uses, including some indoor storage, as well as a wide range of community and educational uses.

Many of the commercial areas in the Town are in very close proximity to established residential areas. While these residential areas can be expected to change over time, they will not change as rapidly as the rate at which commercial changes occur. In order to attempt to mitigate potential differences that result, Council will create certain limitations and design requirements within the Residential and Business Services zone.

Policy 7.3.2 Within the Residential and Business Services zone it shall be the intention of Council to establish specific guidelines in the Zoning By-Law for buildings and sites in recognition of the proximity of residential uses.

While much of the commercial area along Pine Glen Road has been pre-zoned for residential and business service zone uses, there may, in fact, be additional locations within the commercial designation where this zone can be appropriately utilized. Therefore, Council is prepared to consider further use of the Residential and Business Services zone subject to rezoning.

Policy 7.3.3 In recognition of the changing nature of the business community and adaptable objectives of the Town in respect of commercial development it shall be the intention of Council to consider the development of additional land within the Commercial designation, for residential and business services uses by amendment to the Zoning By-law. In considering such amendments Council shall have regard for the provisions of the Implementation section of this Plan.

CHAPTER 8: INDUSTRIAL DEVELOPMENT

8.0 Industrial Development

In light of the fact that there are a number of well-established urban industrial parks within the Greater Moncton area, and given the town's limited land base servicing industrial land, as well as the absence of rail lines and the proximity of the Trans-Canada Highway, the town clearly has a subordinate role in pursuing traditional industrial development. Nonetheless, the Town recognizes that there may be other land uses that are light industrial in nature (e.g. indoor manufacturing/fabrication/assembly), which do not require direct access to the transportation network and have the potential to bring economic growth to Riverview.

8.1 Business and Technology

Modern communication systems allow knowledge-based industries the freedom to use any location for production. While the "front office" may still require proximity and visibility to attract clients, production can be located anywhere. Modern publishing, design, engineering, pharmaceutical, general consulting, communications and software firms are among the types of firms which will grow in importance. Those types of businesses are important employment generators and could contribute to overall economic growth of the Town. Generally, these uses do not cause the typical nuisance of traditional industrial developments (e.g. smoke, noise, smell) and occupy buildings which, in most aspects, resemble office buildings.

Policy 8.1.1 Council shall establish special provisions in the SC (Suburban Commercial) Zone and CM (Commercial Mix) Zone whereby the Committee may consider business and technology related uses, subject to terms and conditions that it deems appropriate.

Policy 8.1.2 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;
- (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. setbacks and spatial separation,
 - 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
- (i) availability and adequacy of municipal services.

8.2 Existing Industrial Uses

At the present time, there are a number of industrial land uses in the town, particularly at the southern edge of the town boundary along Pine Glen Road. Although there are few industrial properties in town, Council believes it has a significant responsibility in providing quality shelter environments and services to its current and future citizens. It is this critical responsibility which provides the impetus for Council to become fiercely competitive in attracting a larger share of the future housing market. As the region grows and develops, the Town must maintain or improve its significance as a community entity. Therefore, in order to maintain and enhance Riverview's image as a residential community, A Great Place To Grow:

Policy 8.2.1 It shall be the intention of Council to limit industrial development within the Town by establishing an Industrial Designation on the Future Land Use map only to those lands currently developed. The permitted uses and applicable standards shall be further defined in the zoning by-law.

There are several legal non-conforming industrial land uses along Pine Glen Road. As a result, future expansions of these businesses are limited. While Council recognizes that these businesses pre-date the current zoning, it must be understood that Pine Glen Road is transforming. The upgrading of Pine Glen Road to a proper collector street is a priority for the town. This work has commenced, and over the coming years, it will be completely reconstructed to include a sidewalk and multi-purpose trail. As the reconstruction takes place, new developments will be expected to address the street and good urban design will be essential.

While Council anticipates this area developing as a mix of residential and business uses, it must be recognized that maintaining and fostering employment in Riverview is a major objective of this Plan. Relocating these businesses poses challenges, as Riverview has a limited amount of industrial land. Therefore, while the non-conforming uses would ideally be relocated to a more appropriate area, it may not be possible. At the same time, the future expansions of these businesses may present opportunities to improve these sites through the rezoning process.

Policy 8.2.2 Furthermore, Council shall encourage and, when cost effective, may assist, in the relocation of visually noxious industrial uses to more appropriately designed and designated land within the urban region.

Policy 8.2.3 Notwithstanding Policy 8.2.1, Council may consider rezoning existing industrial lands, on a case by case basis, to accommodate expansion of an existing industrial use if, in addition to all other criteria set out in the various policies of this Plan, the development has respect for the following:

- (a) the expansion will not cause additional nuisances to surrounding properties;
- (b) the expansion will improve the site in terms of safety, design and moving the operations indoors; and
- (c) all other provisions, as stated in Policy 8.1.2, are reflected.

Policy 8.2.4 In choosing to locate new greenfield neighbourhoods or greenfield neighbourhood expansion, Council shall prescribe, through the Zoning By-law, a minimum spatial buffer and screening requirements from existing industrial developments in order to minimize the potential conflicts between these two uses.

8.3 Industrial/Business Park

Section 8.2 emphasizes the importance of protecting Riverview's image as a residential community. Therefore, industrial developments are not mentioned as a priority as they have been traditionally seen as being noisy, polluting and potentially dangerous, and thus incompatible with residential developments. However, as developed countries are adjusting to world influences, their economies are moving to knowledge based industries. Dependence on older style labour and capital intensive, "metal bending" industries is in decline.

This Plan provides guidance for development within the Town for the next 20 years. While this Plan recognizes the Town is primarily a residential community, it also acknowledges that Riverview is changing and is increasingly becoming a proper urban municipality offering a variety of services. As the Town urbanizes, residents expect to have a complete range of services within their own municipal boundaries. Services, employment and population growth are all interrelated. Given that industrial/business parks are important employment generators, and also significant contributors to the municipal tax base, this Plan provides policy guidance for Council in the event that interest in developing an industrial/business park would arise within the town.

Policy 8.3.1 Within the life of this Plan, Council may consider amending the Municipal Plan and Zoning by-law to accommodate the development of an industrial/business park.

Proposal 8.3.2 To assist with the implementation of Policy 8.3.1, Council, in addition to all other criteria set out in the various policies of this Plan, shall have appropriate regard for the following:

- (a) That the lands to be redesignated and rezoned are appropriately located and ensure future land uses around the proposed industrial areas are of a type and design that are not affected by adjacent industrial activities;
- (b) That the proposed industrial park provides natural open spaces, greenway trails, and passive parks as a means to ensure adequate spatial separation and buffering with neighbouring non-industrial uses;
- (c) That the lands will be developed in a park setting, by establishing site development standards for setbacks, parking lots, landscaping requirements, height limits and signage in the Zoning By-law;
- (d) The type of industrial uses being proposed, and specifically the exclusion of primary manufacturing;
- (e) Measures to ensure that the proposed use will not interfere with the operation of any adjacent use by virtue of the creation of vibrations, noise, or other nuisances;
- (f) The delivery of municipal services and any effects the proposed development will have on existing and planned services;
- (g) The industrial park is secondary planned; and
- (h) The implementation policies of this plan.

Proposal 8.3.3 To assist with the implementation of Policy 8.3.1, Council will consider the following objectives when evaluating the secondary plan as noted in proposal 8.3.1 (g):

- (a) the plan provides a detailed map of the type of uses being proposed and their location within the proposed industrial/business park;
- (b) the efficient layout of streets and traffic in general;
- (c) quality design, landscaping, and streetscaping;

- (d) the connectivity with adjacent lands;
- (e) the provision of buffering with the neighbouring properties;
- (f) the provision of appropriate pedestrian, transit and cycling infrastructure to accommodate alternate modes of transportation;
- (g) detailed servicing and infrastructure information; and
- (h) any other applicable information deemed important by Council.

CHAPTER 9: PARKS, OPEN SPACES AND RECREATIONAL FACILITIES

9.0 Parks, Open Spaces and Recreational Facilities

The Town has developed a variety of parks, open spaces and recreational facilities that appeal to residents of all ages. These are major amenities which play an important role in the social, cultural, economic, environmental and physical health and well-being of our community. The quality of these spaces and facilities in Riverview, and the availability of them to residents, is well recognized and as a result, Riverview is perceived as a desirable community. The continued growth of these amenities is a major goal of this Plan.

The need for a Recreational Master Plan has been well documented in past Plans. In addition, as Riverview continues to grow and become more accessible, the need for an Active Transportation Plan has been noted. These two plans will outline a long-term Town-wide strategy for creating and developing parks, open spaces and trails throughout the Town.

The development of Riverfront Park has always been the Town's major recreational priority. However, with Riverfront Park now complete, there is a need to protect the existing unique attributes throughout the Town. Mill Creek has been identified as a future Regional Park, with a potential to draw users from other communities and create economic development opportunities. The Town has acquired land in this area, both inside and outside the Town boundary.

As more areas develop into new residential neighbourhoods, there will be a growing demand for the town to keep pace with its parks and recreational facilities. As such, it will be important for the town to monitor changes in population and demographics to ensure changing user needs are adequately addressed.

In addition, the need will continue for the Town to take land for public purposes as part of the subdivision process. When obtaining land for public purposes, the potential for new park spaces and open spaces, the potential for linkages to other parks and playgrounds, the need to buffer residential areas, as well as undertaking conservation measures, must be considered. In general, larger district parks, and the connectivity to them, will be the priority, while smaller lots will be less desirable. The Recreation Master Plan will help lead the acquisition of land for public purposes.

Lastly, continued growth and demand will increase the costs of new parks and recreational facilities, as well as the maintenance of the town's existing amenities. The Town should continue its efforts to encourage the use of existing programs and facilities owned and operated by other organizations in the town and will continue to be open to new proposals from private providers of recreation services and facilities.

- Policy 9.0.1** It shall be the intention of Council to create a CU (Community Use) Designation on the Generalized Future Land Use Map, to recognize community uses such as parks, recreational facilities, open spaces and public services.
- Policy 9.0.2** Council shall ensure that all Town-owned parks and recreation facilities are safe and adequately maintained.
- Policy 9.0.3** It shall be the intention of Council to establish a long-term, town-wide strategy for creating and developing future parks, open spaces and trails through a Recreation Master Plan and an Active Transportation Plan.
- Policy 9.0.4** Council shall protect the Town owned land around Mill Creek for a future Regional Park.
- Policy 9.0.5** Council shall permit active recreation land uses in all zones.
- Policy 9.0.6** Demographic trends and facility and program usage shall be monitored to ensure that changing user needs are addressed through:
- (a) the development or redevelopment of parks and recreation facilities;
 - (b) the tailoring and designing of programs that suit the intended users.
- Policy 9.0.7** It shall be the intention of Council to instruct the Committee, when a proposed subdivision involves dedication of lands for public purposes or cash in lieu, to have regard for the following:
- (a) the existence of other nearby facilities;
 - (b) quantity and nature of local recreation demand;
 - (c) land suitability for intended purpose;
 - (d) accessibility;
 - (e) site frontage;
 - (f) potential for integration with existing park and open space network;
 - (g) compatibility with existing and proposed land uses;
 - (h) potential vehicular generation and necessity for on-site parking; and

- (i) potential maintenance and property tax cost.

Policy 9.0.8

When a subdivision plan involves the dedication of land for public purposes, Council shall instruct the Committee, the Town's Parks & Recreation Department and Engineering and Public Works Department to have consideration for the following site planning guidelines:

- (a) compatibility of the proposed use with the natural environment, natural drainage pattern and surrounding land uses;
- (b) adequacy of the proposed site plan;
- (c) potential impact on the adjacent property owners, including noise generation, drainage, light spill-over and privacy protection;
- (d) user safety and security;
- (e) ensure sufficient site frontage to provide ample visibility to encourage maximum use;
- (f) provision of adequate site parking, if required;
- (g) consideration of special needs groups and individuals;
- (h) traffic impact considerations; and
- (i) any other matter deemed necessary by either the Committee or Council.

Policy 9.0.9

It shall be the intention of Council to discourage small park spaces, such as tot lots, and instead encourage district parks and connectivity between them, so that all residents have adequate accessibility to parks, open spaces and recreational facilities.

Policy 9.0.10

Council shall consider co-operation with community groups, the local School District, and other private recreation facilities, clubs and service groups to facilitate the wider use of their existing services and programs.

Policy 9.0.11

Council will aggressively pursue senior government funding to improve the recreation facilities and open space in Riverview.

Proposal 9.0.12

To assist in the implementation of Policy 9.0.3, Council proposes to complete a Recreation Master Plan, which will be used to guide future recreational development and the enhancement of current recreation systems, programs and facilities. The Plan should include the following:

- (a) Preserving and enhancing existing parks, open spaces and facilities.
- (b) Ensuring and improving connectivity for all users.
- (c) Ensuring an appropriate supply and quality of community and neighbourhood open space.
- (d) Preserving the Mill Creek area as the Town's future regional park.
- (e) Promoting and encouraging green development that conserves greater amounts of vegetation and green spaces than conventional style development.

Proposal 9.0.13 To assist in the implementation of Policy 9.0.3, Council proposes to complete an Active Transportation Plan, which will be used improve and expand the existing transportation network for cycling, walking and public transit. The Plan should include the following:

- (a) Ensure safe and efficient accessibility for non-motorized transportation within the community.
- (b) Identify and create a network of trails and other paths providing connectivity to neighbourhoods, schools, work and shopping destinations.
- (c) Develop an educational and promotional program that encourages the use of alternative modes of transportation.

CHAPTER 10: INSTITUTIONAL AND PUBLIC SERVICES

10.0 Institutional and Public Services

Institutional and public services play an essential role in enhancing the social, cultural and economic potential of individuals and communities and are an important aspect of urban planning. This section refers to such uses as schools, senior care, health facilities, churches, day care centres, police station, fire station and municipal buildings. As integral parts of our community, the Town wishes to ensure that these facilities are well situated, planned and designed to meet our community's needs, today and well into the future.

Policy 10.0.1 Council shall include institutional and public services type use within the Community Use Designation on the Generalized Future Land Use Map.

Public schools are central to the lives of our community's young people, their families and our neighbourhoods. While it is recognized that the Province has the primary responsibility for school facilities planning and management, school planning is an important and a natural part of community planning. The Town believes that both the Province and the Municipality would benefit from the opportunity to work together to ensure that education plans and municipal plans integrate well and support one another.

Policy 10.0.2 The Town supports the development of Provincial methods and procedures to coordinate school district facility planning with local governments and municipal plans.

Policy 10.0.3 The Town will offer assistance to the Province in planning for school locations.

Policy 10.0.4 Council encourages school facility planning to take into account the long-range growth management and land use strategies and other policies of this Municipal Plan.

School facilities have the potential to serve the needs of the community beyond the requirements of education. However, in order for the community to fully benefit from these infrastructures, better cooperation between Town officials and the School Board must be achieved. Similarly, various religious facilities, and other non-profit volunteer associations have the potential resources and facilities to aid the community in achieving its improved quality of life objectives. The efficient use of the community's current building stock will reduce any future demand for capital expenditure on recreational facility development. Therefore:

Policy 10.0.5 It shall be the intention of Council to encourage the effective use of school, religious and other non-profit facilities throughout the Town to serve as community centres.

Policy 5.1.1 provided for the development or expansion of non-residential developments within the Residential designation in order to achieve complete communities. The provision of schools, churches, parks and open space have generally been determined to be compatible land uses within all types and forms of development. However, Council is also aware of the potential which large buildings and intense developments may have on the environment and immediate area. Although Council wishes to facilitate development, it also wishes to exercise sufficient police powers to ensure minimum impact on stable neighbourhoods.

Policy 10.0.6 It shall be the intention of Council to instruct the Committee, when considering the imposition of terms and conditions to permit the establishment or expansion of schools and/or places of worship in any land use designation, to have regard for the following consideration:

- (a) sites should be planned, landscaped and buffered in such a manner to minimize negative impacts of traffic, noise and visual intrusion on residential neighbourhoods and other land uses;
- (b) the scale and design of the proposal shall complement and be deemed compatible with adjacent land uses;
- (c) adequate parking is provided; and
- (d) the site is fully serviced.

Policy 10.0.7 Furthermore, Council shall instruct the Committee to have regards for policy 10.0.6 when considering any of the following land uses:

- (a) fire and police stations; and
- (b) assisted living or independent living facilities.

10.1 Protective Services

Police and Fire departments are considered protective services for life and property. The Town of Riverview has its own fire department located in a new state-of-the-art facility on Pinewood Road and police protection is provided by the Codiac RCMP. Municipalities are responsible for dealing with emergency situations within these jurisdictions. The ability of a municipality to respond to serious situations depends on the effectiveness of its protective and other services to coordinate and respond appropriately.

Policy 10.1.1 Council shall permit police, fire and ambulance stations in any area designated and suitable for such development on the Generalized Future Land Use Map.

Policy 10.1.2 It is essential for fire and life safety protection, that Fire and Rescue staff be included in discussions, planning and implementation of building and / or development application, including, where necessary, subdivision applications. The particular issues that need to be reviewed include, but are not limited to, access to property for fire and emergency vehicles, minimizing emergency response time, ensuring appropriate water flows as required under the National Building Code of Canada and the National Fire Code of Canada (with local Fire and Rescue Department input). Input for life safety and fire issues shall be required for all developments, whether access is by way of a public street or private road.

Policy 10.1.3 Council shall examine the distribution of fire hydrants and ensure that existing deficient areas and future development areas have adequate fire protection systems.

Policy 10.1.4 As required, Council shall authorize the preparation of a fire flow analysis study for the purpose of identifying existing deficiencies in the water system for firefighting needs.

Under the provisions of the New Brunswick Emergency Measures Act, the Council in each municipality is responsible for dealing with emergencies within its administrative boundaries. The Act also requires that each municipality “shall establish and maintain a municipal emergency organization” and “shall prepare and approve an emergency measures plan.” The Act defines an Emergency Measures Plan as “any plan, program or procedure prepared by a municipality that is intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property and the environment in the event of such occurrence.”

Policy 10.1.5 Council shall ensure that the firefighting and emergency response function of the department is maintained at a suitable level to ensure that residents of the Town are adequately served.

Policy 10.1.6 Council shall ensure that the Emergency Measures Plan and the Municipal Emergency Measures Organization are updated on a regular basis so as to ensure the most effective response to an emergency situation or disaster within the Town boundaries.

CHAPTER 11: ENVIRONMENT

11.0 Environmental Policies

A healthy natural environment and the ability to manage the natural resources that residents depend upon in a sustainable way are fundamental principles by which Riverview wishes to develop.

The community's most dominant feature is the Petittcodiac River. Another key component of the Town is Mill Creek and the surrounding forest. They are community resources, which must be protected for generations to come. The Town has acquired significant portions of water frontage property and hundreds of acres surrounding Mill Creek and should continue acquiring lands that are deemed important for the community to remain accessible for public uses.

Similarly, tributaries and wetlands play an important and vital role in the overall function and protection of rivers and lakes. These watercourses and environmentally sensitive areas should also be protected primarily by prohibiting development activity and secondly by land acquisition when recreational uses can be twined with conservation measures, therefore:

The Town of Riverview's Environmental priorities are:

1. To identify and protect those areas of significant scenic, environmental and wildlife habitat value.
2. To provide for the orderly and comprehensive management of watercourses and floodplains.
3. To sustain or enhance, where possible, the quality of the environment within the town as it relates to urban development and human activity.

Policy 11.0.1 Council shall designate the town's most significant environmentally sensitive areas as Community Use on the Generalized Future Land Use Map.

11.1 Environmentally Sensitive Areas

Policy 11.1.1 Council shall endeavour to protect and limit development in all environmentally sensitive areas, including:

- (a) river banks and ravines;
- (b) areas with flooding risk;
- (c) areas with significant development constraints;

- (d) significant natural habitat; and
- (e) other areas of open space value.

Policy 11.1.2 Council shall endeavour to secure land within environmentally sensitive areas:

- (a) through appropriate zoning mechanisms;
- (b) as land for public purposes when required through the subdivision process, where appropriate and;
- (c) through land acquisitions, where appropriate.

11.2 Compatible Uses

Policy 11.2.1 Council shall endeavour to ensure that land uses within and abutting designated open spaces and other environmentally sensitive areas are compatible with and have minimal impacts on the natural environment.

Policy 11.2.2 Council shall encourage the use of environmentally-sensitive areas for trails, interpretive centres, wildlife habitat and any other combination of recreational uses that has minimal impact on the surrounding environment.

11.3 Provincial Regulations

Policy 11.3.1 It shall be the intention of Council to ensure that a sustainable approach to development is taken. Part of this approach will require working with the Province to ensure that Regulations relating to watercourses, coastal marshes, environmental impact assessments, protection of watersheds and ground water resources, salt storage and snow removal, solid waste, and regulations related to petroleum storage are respected.

11.4 Watercourse Protection

Policy 11.4.1 It shall be the intention of Council to protect watercourses by establishing an Open Space and Conservation (OS) Zone on riparian areas, as determined by the Digital Topographic Data Base 1998 (DTDB98) published by Service New Brunswick. Watercourses, including Mill Creek and Turtle Creek, shall therefore be subject to a minimum watercourse protection buffer of 30 metres.

Policy 11.4.2 It shall also be the intention of Council, without limiting the generality of the aforementioned policy, to seek acquisition of lands situated within the open space (OS) Zone.

CHAPTER 12: URBAN DESIGN

12.0 Urban Design Policies

The Town of Riverview prides itself on having a beautiful riverfront community. One of the tools that can be used to preserve this image is the application of Urban Design principles. The Urban Design objectives of this plan shall endeavour to reinforce the goals of the Town of Riverview's Municipal Plan, as well as to facilitate urban design review in areas of the town where there is a clear public interest to preserve existing character or to promote a selected design theme. Design involves subjective matters related to the visual character, aesthetics and compatibility of land use and to the qualitative aspects of development, and should take into consideration "seasonality"(i.e. snowfall).

Design principles will be implemented through Secondary Plans, Rezoning, Terms and Conditions applications and standards contained in Zoning and Subdivision By-laws.

Policy 12.0.1 During the review of new development or significant redevelopment, or subdivision the Town will promote the use of the following urban design principles, where applicable, as a means of enhancing the quality of the public realm, and enhancing the health, safety and welfare of the general public:

- (a) Natural Features – Designing developments that preserve and complement significant natural features, topography and landscape, as well as respect the physical capacity of land to accommodate development. The preservation of wetlands, waterbodies, unique ecosystems, vegetation, and urban forests and parks shall be encouraged.
- (b) Heritage Resources – The design of new developments shall encourage the preservation, restoration and enhancement of identified heritage features.
- (c) Building Design – Building and development review processes will encourage a high standard of building design.
- (d) Landscaping and Buffering – Landscaping shall be encouraged in all new developments to achieve and maintain aesthetically pleasing appearances of building sites, parking areas, and streetscapes. The compatibility of adjacent residential and non-residential development shall be encouraged through site design and buffering measures, including landscape screening and fencing.

- (e) Public Open Spaces – Areas dedicated to public open space shall be used to help shape the Town's goal to enhance the quality of life. Opportunities to improve links to existing public opens spaces shall be encouraged.
- (f) View and Vistas – Ensure wherever possible the views and vistas of the built and natural environment are preserved and enhanced.
- (g) Barrier Free Access – New buildings and public spaces and the retrofitting of existing buildings shall be designed to be accessible to all persons.
- (h) Respect the Urban Tradition of Streets and Blocks – Maintain the street as the primary public space. Maintain the characteristic building setback that defines the street and public environment.
- (i) Streetscapes – The character of the street environment shall be enhanced through the integrated design of sites, buildings, streets and streetscape improvements. Existing streets shall be examined for their qualities as pedestrian spaces and visual links as well as carriers of traffic, and guidelines may be adopted to enhance these qualities.
- (j) Traffic Calming – Traffic-calming measures shall be implemented in certain areas through reduced speeds, road widths and on-street parking to enhance the potential for pedestrian activity.
- (k) Intersections – Council shall place particular emphasis on the design of intersections of major roads in the Town as marking major entrances into nearby neighbourhoods, and may require design measures that define these intersections.
- (l) Transit and Pedestrian Oriented Development – All development shall be designed having regard for Active Transportation modes, including public transit and pedestrian- oriented accessibility, convenience and comfort.
- (m) Utilities – Lands are required for public and private utility services such as hydro, water and sewage facilities, gas and oil pipelines and telephone lines. The manner and location in which these services are provided may have certain impacts on the surrounding area. Utility facilities shall be located in a manner that avoids adverse visual, environmental, health and safety impacts.
- (n) Parking Areas – The location, amount, position and design of parking areas shall be reviewed to minimize their potential to erode the qualities of the public streetscape, and to lessen their visual impact. Council shall

require landscaped islands and screening in the design of large parking lots.

- (o) Integrate Public Art – Treat architecture as an art. Integrate public art in the building fabric and in important spaces.

12.1 Signage Policies

It is highlighted in many sections of this Plan that urban design is a major priority for the Town. Urban design is not only for buildings, it is also about our streets and streetscapes and how they interact with the public realm. The streetscape is a very challenging component of urban design, as streets are generally seen as piece of infrastructure with one function; to move people from one place to another. Often, we tend to overlook the importance of the public realm component that is formed by the arrangement of the streets, sidewalks, landscaping, parking lots, signage, and building facades. Given that the streetscape in its entirety is formed by both elements from the public and private realms, it requires a collaborative effort to achieve good urban design.

The question of signage has often been a challenging component for municipalities. The purpose of signs, to advertise, requires visibility and that typically involves them being located as close as possible to the street. As a result, they become a prominent part of the streetscape and may consequently have a negative impact on community aesthetics as well as public safety. This is further challenged with the arrival of new technology making signage even more visible.

Electronic message signs are increasing in popularity throughout our community. What used to be single-colour incandescent screens, typically used to broadcast time and temperature, have grown into dynamic displays using picture-quality resolution allowing unlimited options for businesses to advertise their goods and services. However, this introduces new elements potentially affecting the visual character and safety of our streets.

Depending on the street type and the built form, signage can contribute to enhancing the streetscape or detracting from it. Good design is often said to be subjective; however, proper attention to context and location is very real and objective. The Town's role is to find a balance which allows businesses and other organizations to advertise their offerings, while at the same time, maintain standards of public safety and community aesthetics.

OBJECTIVES

It is an objective of Council to:

1. Recognize the benefits of ensuring a quality streetscape throughout the Town.
2. Recognize the impact of signage on the streetscape and adjacent land uses.

3. Recognize the importance of signage for businesses and other organizations to communicate their brand or offerings.
4. Recognize the need for a new approach in regulating electronic message signs.
5. Ensure that public safety and community aesthetics are not compromised by signage.

Policy 12.1.1 In order to ensure signage does not affect public safety or deteriorate streetscapes and community aesthetics, Council shall establish general zoning provisions to control sign design, type, dimension, height and location;

Policy 12.1.2 Further to Policy 12.1.1, in order to ensure signage respects its context and location, Council may establish special design requirements for signage within specific urban areas of the Town.

Policy 12.1.3 In recognizing potential impacts of the increase in use of electronic message signs, Council shall establish special zoning provisions to address the following:

- (a) Ensuring appropriate distances between electronic message signs and traffic control devices;
- (b) Regulating message transition and duration;
- (c) Restricting the brightness of signs;
- (d) Restricting their hours of operation;
- (e) Requiring signs to have automatic dimming capability; and
- (f) Prohibiting them in sensitive locations.

Policy 12.1.4 In order to ensure community aesthetics and public safety, Council shall direct the PAC to have special attention to the following when considering a variance or the imposition of terms and conditions for certain types of signs in sensitive locations:

- (a) Ensuring there is no conflict with traffic control devices;
- (b) Design criteria and features to ensure the signage is sensitive to its context and location;
- (c) Ensuring potential light pollution and light trespass into adjacent sensitive land uses is mitigated;

- (d) Protecting special view line and heritage building and sites; and
- (e) The impact of the sign on the streetscape.

Policy 12.1.5 Given that billboard signs may have a significant impact on the streetscape as well as the overall community aesthetics, Council shall not allow them as-of-right in any zone.

Proposal 12.1.6 It is proposed that Council may, subject to a conditional zoning agreement, consider allowing for billboard signs in commercial areas of the Town, subject to Policy 12.1.5.

CHAPTER 13: IMPLEMENTATION

13.0 Implementation Policies

This Plan is the primary policy document to guide decision making for growth, development and investment within the Town over the course of the next 20 years. The Plan will be implemented through various regulatory documents including a new Zoning By-law which will be established in conjunction with the adoption of the Plan.

13.1 Development Approvals and Amendments

Over the course of implementing this Plan, it is intended that all by-law amendments complement and/or support the objectives and policies of the Plan. In situations where there is conflict between any provision in the Zoning By-law or the Subdivision By-law, the Plan prevails. The Town's objectives are:

1. To ensure all future planning, regulation and decision making by the Town conforms to the general intent of the Municipal Plan;
2. To consider amendments to the Municipal Plan when deemed beneficial to the community's interest; and
3. To ensure that developments, permitted by way of a conditional rezoning or a terms and conditions application, have been carried out in conformance with the conditions imposed.

Policy 13.1.1 Council shall recognize that this Municipal Plan is the principal document for guiding development in the Town. The Municipal Plan shall be used in decision making as follows:

- (a) All forms of development approval including zoning amendments, land subdivision and construction shall be consistent with this Municipal Plan.
- (b) The Zoning By-law and Subdivision By-law shall contain regulations that implement the Municipal Plan.
- (c) Other Town By-laws will support the implementation of this Plan.

- (d) The Town's five year capital budgeting program and all major public works and capital expenditures will support the implementation of this Plan.
- (e) Secondary plans will be prepared to address specific areas or issues in greater detail. All secondary plans shall be in alignment with the Municipal Plan.

Policy 13.1.2 Council shall require amendments to the policies or schedules of this Plan where:

- (a) any policy or proposal has to be changed;
- (b) there is a request for an amendment to the Zoning By-law which is not permitted by this Plan and subsequent documented studies confirm that the policies of the Plan should be amended; or
- (c) subject to policy 13.1.12 secondary plans have been implemented

Policy 13.1.3 Providing the intentions of all other pertinent policies are satisfied, Council may, for purposes of providing for development of similar uses on properties which abut one another, consider amendments to the Zoning By-law within a designation to provide for development of uses permitted by the zone on the abutting property within the abutting designation as shown on the Generalized Future Land Use Map, forming part of Schedule "A" of this Plan, except where specifically precluded by the policies of this Plan.

Policy 13.1.4 It is not intended that all lands should be pre-zoned for specific uses. Rather, in order to give Council a greater degree of control, this Plan provides that certain land uses shall be considered only as amendments to the Zoning By-law or, in certain instances, pursuant to the imposition of terms and conditions. Such amendments and imposition of terms and conditions shall be considered only if they meet the policies of this Plan.

Policy 13.1.5 As a condition of rezoning approval, Council may require an applicant to enter into a Conditional Rezoning agreement, to be registered on the title of the property. This agreement may require:

- (a) That a time frame be set for the completion of the development, or in the case of a phased development, for the first phase of the development. The time frame will be determined by the scale and nature of the project;

- (b) That, if construction of the development or the first phase of the development has not been completed on the date established as per (a) above, no subsequent phases of development will be permitted;
- (c) That, if construction of the development or the first phase of the development has not been completed within the time frame referred to in (b) above, Council may take steps to cancel the agreement and repeal the re-zoning pursuant to subsections 59(5) and 59(6) of the Community Planning Act;
- (d) That, upon repeal of the re-zoning pursuant to subsections 59(5) and 59(6) of the Community Planning Act, the land to which the agreement pertains shall revert to the type of zone under which it fell before rezoning.
- (e) Development plans, conditions and other information that form part of the approval.
- (f) That, in addition to any other securities or bonds Council considers appropriate under section 59(8) of the Community Planning Act, the applicant provide a certified cheque in the amount of \$1,000, to cover expenses relating to the cancellation of the agreement and/or repeal of the re-zoning. The \$1,000 security shall be repayable on completion of the development for which the re-zoning is granted.

Policy 13.1.6 Notwithstanding any other policy or proposal of this Plan, Council may consider applications for developments which contain a mix of land uses in any designation pursuant to the provisions of the Community Planning Act in respect to an Integrated Development Zone.

Policy 13.1.7 This Plan may be reviewed when the Minister or Council deems it necessary, but in any case, and pursuant to section 32 of the Community Planning Act, not later than ten years from the date of its coming into force or from the date of its last review;

Policy 13.1.8 Council shall instruct the Committee to establish a monitoring system for developments in which conditions were imposed through either a rezoning agreement or terms and condition application.

Policy 13.1.9 In recognition of the transitional status of many developments approved pursuant to conditional rezonings under the former plan and by-law, and the need to maintain these conditions for the immediate future, it shall not be the intention of Council to repeal all amendments to the former by-law. However, it shall also be the intention of Council to review all conditional rezonings carried over from the

former by-law on an annual basis, and where appropriate, consider repeal of the conditional by-law. In addition where any change is proposed in the applicable conditions pursuant to the conditional agreements it shall be the intention of Council to consider such a change by an agreement made pursuant to section 59 of the Community Planning Act.

Policy 13.1.10

In considering amendments to the Zoning By-law or the imposition of terms and conditions, the Council and the Committee, in addition to all other criteria set out in the various policies of this Plan, shall have appropriate regard for the following:

- (a) the proposal is in conformity with the intent of this Plan and with the requirements of all municipal by-laws and regulations;
- (b) that the proposal is neither premature nor inappropriate by reason of:
 - i. financial inability of the Municipality to absorb costs relating to the development,
 - ii. adequacy of central or on-site sewage and water supply services and storm drainage measures,
 - iii. adequacy or proximity of school, recreation or other community facilities,
 - iv. adequacy of road networks leading to, adjacent to, or within the development; and
 - v. potential for damage to or destruction of designated historic buildings/sites.
- (c) that controls are placed on any proposed development, where necessary, to reduce conflict with any adjacent or nearby land uses by reason of:
 - i. type of use,
 - ii. height, bulk, appearance and lot coverage of any proposed building,
 - iii. traffic generation,
 - iv. vehicular, pedestrian, bicycle and transit access to/from the site,
 - v. parking,
 - vi. open storage,
 - vii. signs; and
 - viii. any other relevant matter of urban planning.
- (d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, location of watercourses, marshes or bogs and susceptibility flooding as well as any other pertinent environmental subject; and

- (e) that the proposal meets all necessary public health and safety considerations and that the site design meets all fire protection and access requirements.

Policy 13.1.11 During the review of subdivisions, the Town will have careful consideration for how the goals and objectives of this plan have been applied. Considerations will include, but not be limited to:

- (a) How wetlands and watercourses are preserved and integrated;
- (b) How natural vegetation and trees are incorporated into the design;
- (c) How concept of the complete neighbourhoods (mix of uses, neighbourhood centre, more compact design, walkability...) is applied;
- (d) How the concept of complete streets (walking, cycling, transit, vehicles) is applied;
- (e) How well the proposal addresses the Town's requirements for infrastructure.

Policy 13.1.12 Council shall ensure that the Generalized Future Land Use Map, depicted in Schedule A, is updated annually or when practical to show areas of the Town that are subject to a secondary plan.

13.2 Traffic Studies

Policy 13.2.1 A traffic study may be required in order to assess a proposed development or subdivision. This requirement will be identified at the development review stage of the application.

Policy 13.2.2 Where an application is subject to terms and conditions, rezoning, or a subdivision agreement, the Town may require the developer to contribute to transportation improvements to address matters in the Traffic Impact Study.

13.3 Municipal Organization and Governance

The Town regularly works with other organizations, other levels of government and neighbouring municipalities in the delivery of efficient services to its citizens. This Plan encourages a strategic, cooperative approach with other levels of government and external agencies to foster collaboration and ultimately the realization of plan policies which are beyond the authority of the Town to implement. Although the jurisdiction of the Plan is the Town of Riverview, there are many planning issues that transcend its borders.

The Town's objective is:

1. To maintain its ongoing collaboration with neighbouring municipalities and other levels of government on issues of common interest in the Greater Moncton Area.

Policy 13.3.1 It shall be the intention of Council to take a proactive role within the tri-community on local issues such as, but not limited to:

- (a) harmonizing the development / planning process;
- (b) tri-community sustainability;
- (c) urban forestry;
- (d) climate change mitigation; and
- (e) Tri-community Sustainable Transportation Master Plan.

Policy 13.3.2 It shall be the intent of Council to request that the appropriate federal and provincial officials consult the Town prior to disposal of any surplus government lands to private interests.

Policy 13.3.3 The Town, in the interests of administrative efficiency, will seek amendments to the Municipalities Act to permit the municipality to create a method of administering encroachments into street right of ways through a duly adopted by-law. In the case of current and future encroachments, it shall be the intention of Council to recognize that the primary purpose for streets is the movement of people either on foot or in vehicles and to seek to maintain the safety of the public in dealing with any encroachment.

Policy 13.3.4 The Town will seek the cooperation of the New Brunswick Department of Environment in providing advice and comments in respect to zoning amendments, subdivision, general planning, land use, other municipal development initiatives and capital projects and will seek an opportunity to ensure the coordination of municipal environmental interests with those of the Province.

Policy 13.3.5 Town and planning staff will review any new federal or provincial environmental legislation and will advise Council of any change in administrative procedures, capital project planning or plan and/or by-law amendments necessary to facilitate Council's continuing commitment to maintaining environmental accountability.

Policy 13.3.6 In recognition of the regional nature of most services and the mutual benefits of sharing information, the Town will explore opportunities with the City of Moncton

and the City of Dieppe and other organizations and governments for the shared use of databases and application systems.

SCHEDULE A: GENERALIZED FUTURE LAND USE MAP

SCHEDULE B: FUTURE ROADS MAP

SCHEDULE C: 5-YEAR CAPITAL BUDGET

Town of Riverview Five Year Capital Plan

	Budget 2018	Budget 2019	Budget 2020	Budget 2021	Budget 2022	Total
GENERAL GOVERNMENT SERVICES	703,160	45,000	45,000	125,000	45,000	963,160
PROTECTIVE SERVICES - FIRE AND RESCUE	332,000	460,000	0	100,000	0	892,000
RECREATION & CULTURAL SERVICES	2,219,300	2,358,500	224,000	500,000	15,430,000	20,731,800
TRANSPORTATION SERVICES (Works/Engineering)	6,522,500	6,135,000	6,330,000	8,545,000	4,695,000	32,227,500
TOTAL						54,814,460

SCHEDULE D: GLOSSARY OF TERMS

Active Transportation

The different modes of transportation that rely on human power rather than machine power. These may include cycling, walking, running and skateboarding.

Amendment

A change made to a previously adopted policy or by-law.

Committee

Means the Town of Riverview's Planning Advisory Committee

Community

A group of people with similar or shared culture, concerns or geography.

Community Planning Act (the Act)

The provincial Act that establishes the jurisdiction and responsibilities of municipalities within the province of New Brunswick to undertake planning and related activities. (*Community Planning Act*, S.N.B. 2017, c. 19)

Complete Neighbourhoods

Complete neighbourhoods are places that both offer and support a variety of lifestyle choices, providing opportunities for people of all ages and abilities to live, work, shop, learn and play in close proximity to one another.

Council

The elected legislative body that governs the Town of Riverview.

Density

In a planning context, density usually refers to the number of dwelling units, square metres of floor space, or people per acre or hectare of land.

Greenfield

With the exception of agricultural or forestry uses, usually represents a piece of undeveloped property, and is considered as a site for expanding urban development.

Infill / Infill Development

A type of development occurring in established areas of the Town. Infill can occur on long-time vacant lots, or on pieces of land with existing buildings, or can involve changing the land use of a property from one type of land use to another.

Land Use

The various ways in which land may be used or occupied.

Land Use Designations

Geographic-specific land use categories. They have associated sets of land use and management policies that are applied to specific areas.

Land Use Policy

Policies that include general land use intent as well as permitted and restricted uses in an area and selective guidelines associated with some land uses. Policies are derived from legislation, broad government direction, studies and best urban planning practices.

Mix-Use

The development of a tract of land, building or structure that includes two or more different land uses, such as, but not limited to; residential, office, community or retail.

Municipal Plan

A statutory policy document that describes the intended location and character of future development as identified in the Growth Strategy, in addition to policy for other important planning matters.

Parks & Natural Areas

Lands identified as inappropriate for any form of development, including resource use.

Plan Review Committee

A citizen-based committee created to help develop a new Municipal Plan for the Town of Riverview.

Province

The Province of New Brunswick

Public Realm

The public realm includes all exterior places, linkages and built-form elements that are physically and/or visually accessible regardless of ownership. These elements can include, but are not limited to streets, pedestrian ways, bikeways, bridges, plazas, nodes, squares, transportation hubs, gateways, parks, waterfronts, natural features, view corridors, landmarks and building interfaces.

Secondary Plan

A term used to describe a detailed statutory plan which includes a statement of the Town's policies and proposals for the development, redevelopment or improvement of a specific area of the Town.

Streetscape

The scene as may be observed along a public street, composed of natural and man-made components including buildings, paving, planting, street hardware and miscellaneous structures.

Subdivision

The process (and the result) of dividing a parcel of raw land into smaller buildable sites, blocks, streets, open space and public areas and the designation of the location of utilities and other improvements.

Town

Refers to the corporation of the Town of Riverview.

Urban Growth Boundary

The urban boundary of an urban area defines the boundary between the areas which are designated for eventual urban development and the areas intended to remain in rural uses over the long-term (i.e. the next 30 years, or longer).

Urban Design

The complete arrangement, look and functionality of any area(s) within a town, city or village.

Urban Form

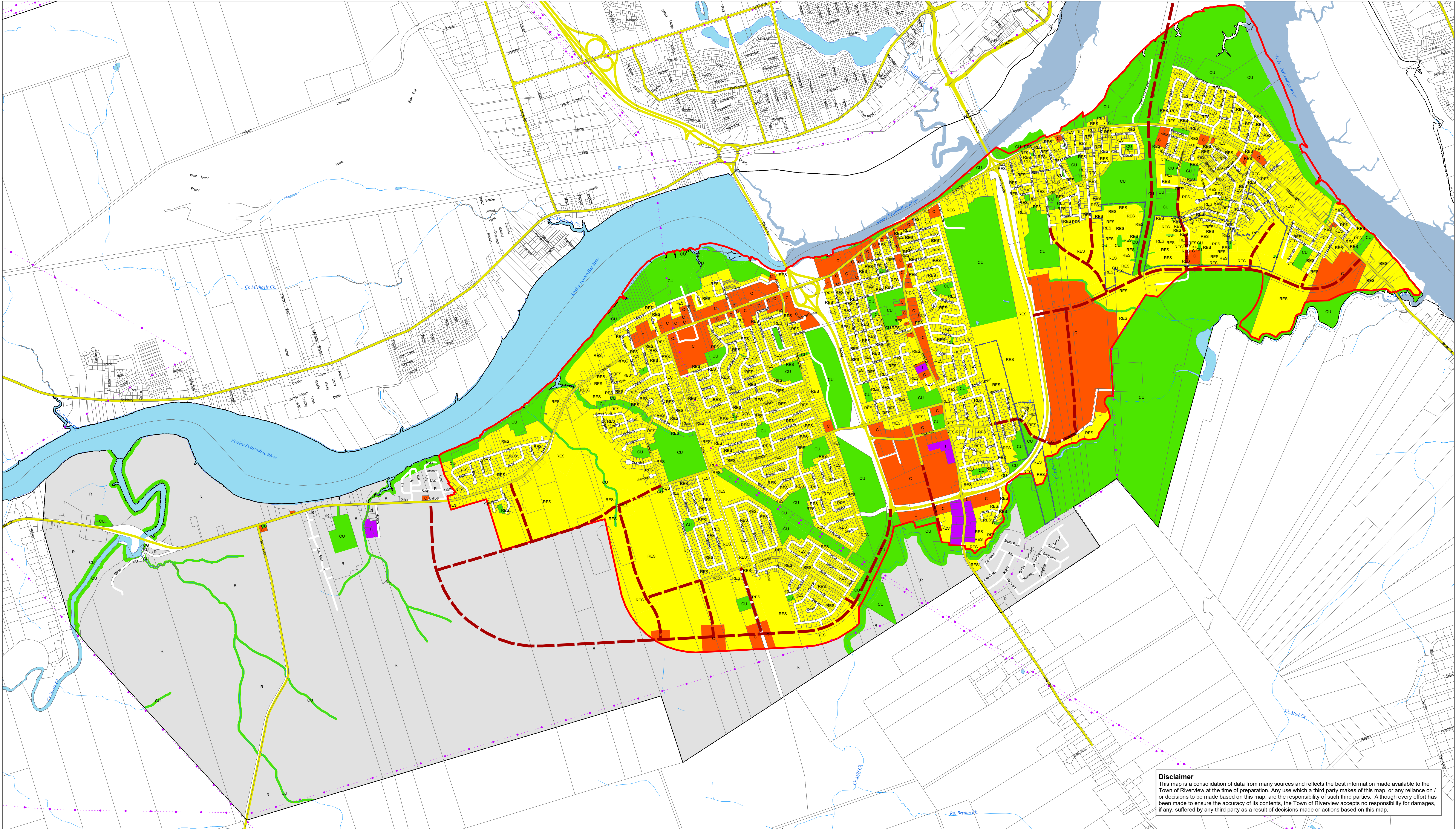
The three dimensional expression of buildings, landscapes and urban spaces.

Urban Structure

A spatial articulation of Town building objectives based on land use, physical layout and design.

Walkable or Walkability

Refers to the measurement of how conducive a place is to walking. This includes the physical nature of a place and other factors, such as safety and perceived enjoyment. Walkability is influenced by several factors including proximity to one's destination (for example, work or school), the quality of pedestrian facilities, availability of parks and public spaces, urban density, mixture of uses and the presence of a defined urban centre.



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

R

Rural

C

Commercial

I

Industrial

CU

Community Use

ID

Integrated Development

Urban Growth Boundary

Secondary Plan Areas

Future Streets (Arterials and Collectors)

Schedule A

Town of Riverview

Generalized Future Land Use Map

By-Law No. 300-33

Land Use Amendments

W

N

E

S

0

500

1,000

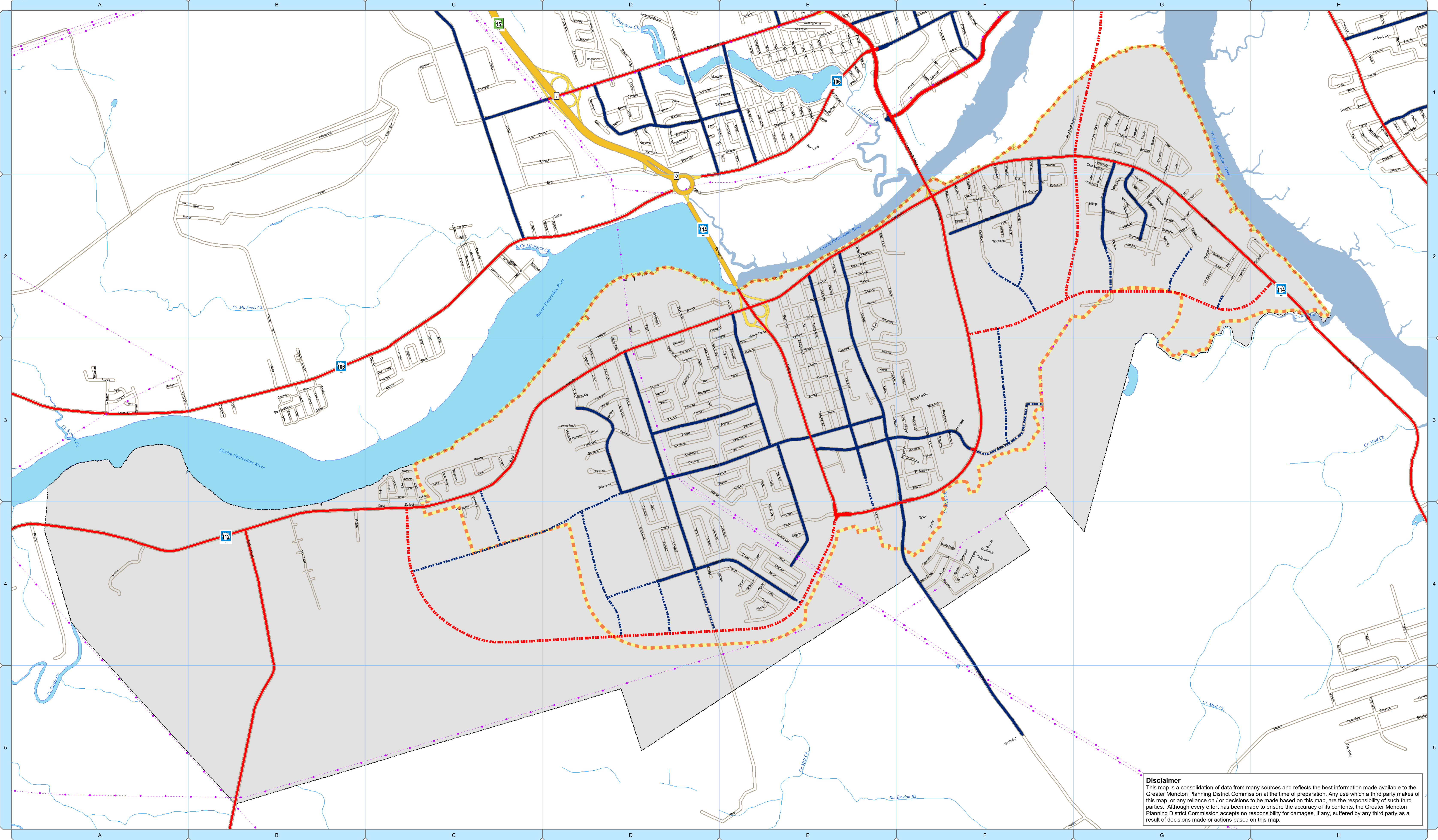
1,500

2,000

Meters

1:14,000

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Disclaimer
This map is a consolidation of data from many sources and reflects the best information made available to the Greater Moncton Planning District Commission 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 Greater Moncton Planning District Commission 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

Transmission Lines

Freeway

Future Arterial

Arterial

Future Collector

Collector

Urban Growth Boundary

Riverview Town Limits

Schedule B

Town of Riverview

Future Roads Map

By-Law No. 300-33

Amendments

W N E S

0 500 1,000 1,500 2,000 Meters



Addition of Signage Section in By-law No. 300-33

INTRO

The following are the proposed changes to the existing Municipal Development Plan By-law No. 300-32, as integrated into the proposed re-adoption, being Municipal Plan By-law No. 300-33. The proposed changes include a new section on signage policies and proposals titled ‘12.1 Signage Policies,’ which is under the current ‘Chapter 12: Urban Design.’

- 1. By adding at the end of CHAPTER 12: URBAN DESIGN, the following text:

12.1 SIGNAGE POLICIES

It is highlighted in many sections of this Plan that urban design is a major priority for the Town. Urban design is not only for buildings, it is also about our streets and streetscapes and how they interact with the public realm. The streetscape is a very challenging component of urban design, as streets are generally seen as piece of infrastructure with one function; to move people from one place to another. Often, we tend to overlook the importance of the public realm component that is formed by the arrangement of the streets, sidewalks, landscaping, parking lots, signage, and building facades. Given that the streetscape in its entirety is formed by both elements from the public and private realms, it requires a collaborative effort to achieve good urban design.

The question of signage has often been a challenging component for municipalities. The purpose of signs—to advertise—requires visibility and that typically involves them being located as close as possible to the street. As a result, they become a prominent part of the streetscape and may consequently have a negative impact on community aesthetics as well as public safety. This is further challenged with the arrival of new technology making signage even more visible.

Electronic message signs are increasing in popularity throughout our community. What used to be single-colour incandescent screens, typically used to broadcast time and temperature, have grown into dynamic displays using picture-quality resolution allowing unlimited options for businesses to advertise their goods and services. However, this introduces new elements potentially affecting the visual character and safety of our streets.

Depending on the street type and the built form, signage can contribute to enhancing the streetscape or detracting from it. Good design is often said to be subjective; however, proper attention to context and location is very real and objective. The Town’s role is to find a balance which allows businesses and other organizations to advertise their offerings, while at the same time, maintain standards of public safety and community aesthetics.

Objectives

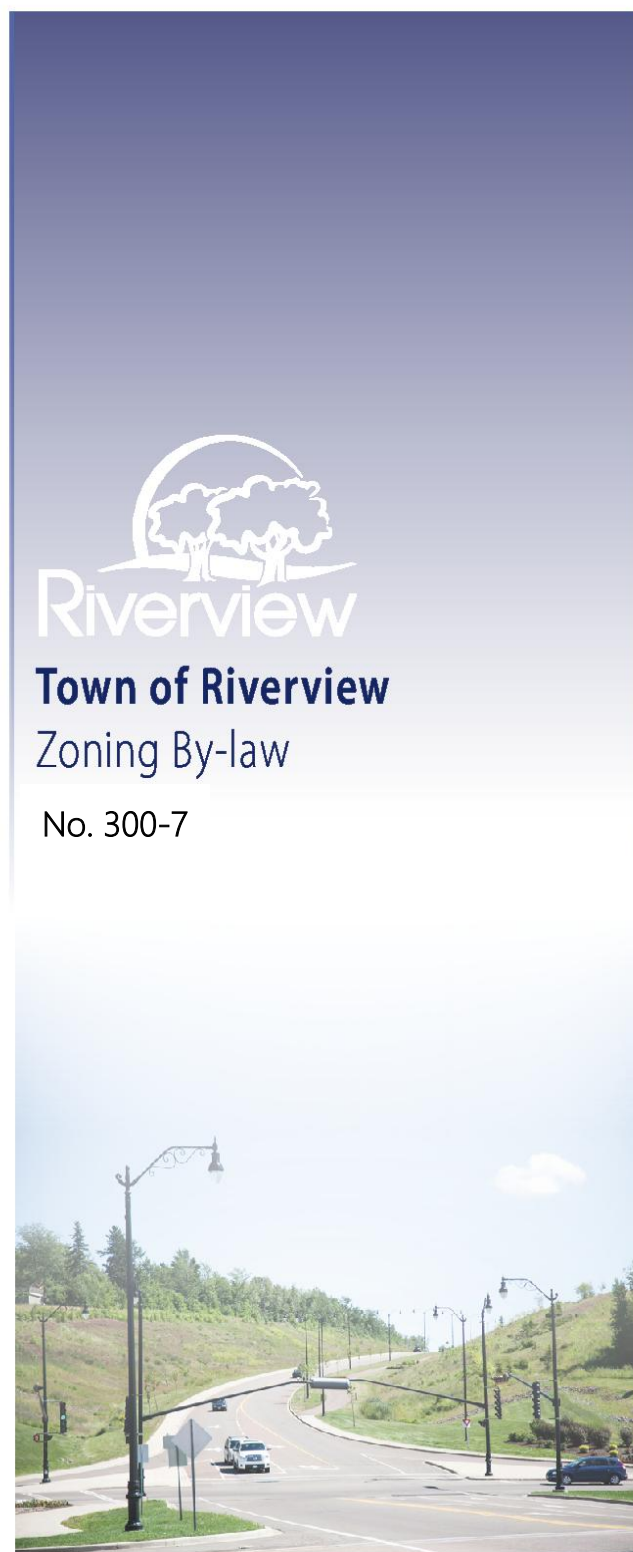
- 1. To recognize the benefits of ensuring a quality streetscape throughout the Town.
- 2. To recognize the impact of signage on the streetscape and adjacent land uses.
- 3. To recognize the importance of signage for businesses and other organizations to communicate their brand or offerings.
- 4. To recognize the need for a new approach in regulating electronic message signs.
- 5. To ensure that public safety and community aesthetics are not compromised by signage.

Policies

- 12.1.1 In order to ensure signage does not affect public safety or deteriorate streetscapes and community aesthetics, Council shall establish general zoning provisions to control sign design, type, dimension, height and location;
- 12.1.2 Further to Policy 12.1.1, in order to ensure signage respects its context and location, Council may establish special design requirements for signage within specific urban areas of the Town.
- 12.1.3 In recognizing potential impacts of the increase in use of electronic message signs, Council shall establish special zoning provisions to address the following:
 - a) Ensuring appropriate distances between electronic message signs and traffic control devices;
 - b) Regulating message transition and duration;
 - c) Restricting the brightness of signs;
 - d) Restricting their hours of operation;
 - e) Requiring signs to have automatic dimming capability; and
 - f) Prohibiting them in sensitive locations.
- 12.1.4 In order to ensure community aesthetics and public safety, Council shall direct the PAC to have special attention to the following when considering a variance or the imposition of terms and conditions for certain types of signs in sensitive locations:
 - a) Ensuring there is no conflict with traffic control devices;
 - b) Design criteria and features to ensure the signage is sensitive to its context and location;
 - c) Ensuring potential light pollution and light trespass into adjacent sensitive land uses is mitigated;
 - d) Protecting special view line and heritage building and sites; and
 - e) The impact of the sign on the streetscape.
- 12.1.5 Given that billboard signs may have a significant impact on the streetscape as well as the overall community aesthetics, Council shall not allow them as-of-right in any zone.

Proposals

- 12.1.6 It is proposed that Council may, subject to a conditional zoning agreement, consider allowing for billboard signs in commercial areas of the Town, subject to Policy 12.1.5.



BY-LAW # 300-7
TOWN OF RIVERVIEW ZONING BY-LAW

Definitions 1

abut
accessory building
accessory dwelling
accessory use
Act
adult cabaret
adult entertainment use
adult motion picture theatre
adult retail outlet or adult bookstore
agricultural use
assisted living facility
automobile repair shop
automobile sales establishment
basement
bed and breakfast
bicycle parking space
billboard sign
building
building, accessory, see "accessory building".
bus
campground
canopy sign
carport
car wash
cemetery
church
commercial parking lot
commercial use
commercial vehicle
Committee
communication use
community garden
corner lot
Council
convenience store
critical elevation
daycare centre
deck line
development
development officer
directional sign
directory sign
display court
dissolving
distribution use
drive thru
driveway
driveway aisle
dwelling

dwelling, accessory, see "accessory dwelling".
dwelling, manufactured", see "manufactured dwelling".
dwelling, multiple unit, see "multiple unit dwelling".
dwelling, rowhouse, see "rowhouse dwelling".
dwelling, semi-detached, see "semi-detached dwelling".
dwelling, single unit, see "single unit dwelling".
dwelling, townhouse, see "townhouse dwelling".
dwelling, two unit, see "two unit dwelling".
dwelling unit
educational use
electronic message sign
electronic moving copy
electronic static copy
engineered solution
entertainment use
erect
escort service
established grade
exotic entertainment
extraction
façade
fading
farmers' market
flankage
flankage lot line
flankage yard
flashing
forestry use
freestanding sign
front lot line
front yard
frontage
full cut-off lighting fixtures
fully screened
funeral home
garden suite
geodetic datum
geodetic elevation
golf course
government use
gross floor area
ground floor
habitable space
heavy equipment sales establishment
height
home business
home daycare
home occupation
hotel or motel
household pet
identification sign
illuminated sign
independent living facility
industrial use
institutional use
kennel

landscaping
loading space
lot
lot, corner", see "corner lot".
lot coverage
lot line
lot line, flankage, see "flankage lot line".
lot line, front, see "front lot line".
lot line, rear, see "rear lot line".
lot line, side, see "side lot line".
lot width
main building
main wall
manufactured dwelling
massage parlour
message duration
message transition
mini storage warehouse
mobile stand
motor vehicle
multiple unit dwelling
municipality
neighbourhood identification sign
nursery
occupied floor space
office use
off-site parking lot
outdoor storage
parking aisle
parking block
parking garage
parking lot
parking lot, commercial, see "commercial parking lot".
parking lot, off site, see "off-site parking lot".
parking space
paved
personal service shop
pet services
philanthropic use
porch
portable sign
projecting sign
private school
public entrance
public park
public school
rear lot line
rear yard
recreational use
recreational vehicle
recreational vehicle sale establishment
required flankage yard
required front yard
required rear yard
required side yard
redemption centre

research and development
residential care facility
restaurant
retail store
rooming house
rowhouse dwelling
sandwich sign
second farmstead residence
school, private, see "private school".
school, public, see "public school".
screening
scrolling
secondary use
semi-detached dwelling
semi-trailer
service shop
service station
side lot line
side yard
sight triangle
single unit dwelling
sign
sign, billboard, see "billboard sign".
sign, canopy, see "canopy sign".
sign copy
sign, directional, see "directional sign".
sign, directory, see "directory sign".
sign, electronic message, see "electronic message sign".
sign, freestanding, see "freestanding sign".
sign, identification, see "identification sign".
sign, illuminated, see "illuminated sign".
sign, neighbourhood identification, see "neighbourhood identification sign".
sign, portable, see "portable sign".
sign, projecting, see "projecting sign".
sign, sandwich, see "sandwich sign".
sign, wall, see "wall sign".
specified anatomical areas
specified sexual activities
storey
street
street façade
street line
street tree
street, stub", see "stub street".
structure
stub street
swimming pool
swimming pool enclosure
telecommunication tower
technology use
Town
townhouse dwelling
traditional materials
trailer
transportation use
truck tractor

two unit dwelling

use

use, accessory, see "accessory use".

use, adult entertainment, see "adult entertainment use".

use, agricultural, see "agricultural use".

use, commercial, see "commercial use".

use, communication, see "communication use".

use, distribution, see "distribution use".

use, educational, see "educational use".

use, entertainment, see "entertainment use".

use, forestry, see "forestry use".

use, government, see "government use".

use, industrial, see "industrial use".

use, philanthropic, see "philanthropic use".

use, recreational, see "recreational use".

use, secondary, see "secondary use".

use, transportation, see "transportation use".

utility

vending facility

veterinary clinic

wall sign

watercourse

wholesale store

yard

yard, flankage, see "flankage yard".

yard, rear, see "rear yard".

yard, required flankage, see "required flankage yard".

yard, required front, see "required front yard".

yard, required rear, see "required rear yard".

yard, required side, see "required side yard".

yard, side, see "side yard".

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BY-LAW # 300-7

TOWN OF RIVERVIEW ZONING BY-LAW

BE IT ENACTED by the Council of the Town of Riverview under the authority vested in it by the *Community Planning Act*, S.N.B., 2017, c. 19, as follows:

DEFINITIONS

1 Unless the context requires a different meaning, the following definitions apply in this By-law

"abut" means a lot line that has any point in common with another lot line.

"accessory building" means a detached building on the same lot as the main building devoted, with the exception of a garden suite, exclusively to an accessory use.

"accessory dwelling" means a dwelling unit which is secondary to the principal dwelling unit and, with the exception of a garden suite, contained in the same building.

"accessory use" means a use incidental to and exclusively devoted to a main use of land, building or structure and located on the same lot.

"Act" means the *Community Planning Act*, S.N.B. 2017, c. 19.

"adult cabaret" means a nightclub, bar, restaurant, or similar establishment that features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities.

"adult entertainment use" means a use that includes adult cabarets, adult motion picture theatres, adult retail outlets or adult bookstores, escort services and massage parlours, whether these stated purposes are developed as a main, secondary or accessory use.

"adult motion picture theatre" means a commercial establishment where films, motion pictures, or other photographic reproductions are shown which are characterized by an emphasis on the depiction of specified sexual activities or specified anatomical areas.

"adult retail outlet or adult bookstore" means a building or part of a building with the principal purpose to offer for sale or rent, either of the following:

- (a) books, magazines, or other printed matter, or photographs, films, motion pictures, or other visual representations that are characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas; or
- (b) instruments, devices, or paraphernalia that are designed for use in connection with sexual activities.

"agricultural use" means the use of land, buildings or structures, other than a kennel or cattery, for the production and sale of food, fibre or flora products, the breeding and handling of animals, or the sale of agricultural goods or animals.

"assisted living facility" means a multiple unit residential building that provides supervision and medical assistance to residents and offers the coordination of services by outside health care providers and may include such secondary uses as medical offices or clinics, personal service shops or a retail store and similar uses not exceeding 50 m² each.

"automobile repair shop" means a building or part of a building used for servicing or repair of motor vehicles including but not limited to auto body work, muffler, brake, tire and glass replacement and repair, transmission repair and replacement, wheel alignment, and other customizing activities directly related to the repair or alteration of motor vehicles for commercial gain but shall not include the manufacturing or fabrication of motor vehicle parts for the purpose of sale nor the retailing of petroleum products.

"automobile sales establishment" means a building and/or land used for the display, sale, leasing or renting of motor vehicles, accessories and related products and may include an automobile repair shop.

"basement" means that portion of a building between two floors which is partially underground and which has at least one-half of the distance from the finished floor to the finished ceiling above grade.

"bed and breakfast" means a single unit dwelling in which overnight accommodation and meals are provided for the travelling public.

"bicycle parking space" means a slot in a bicycle rack to which an adult sized bicycle may be secured by means of an 8 inch U lock, or a bicycle locker capable of being locked.

"billboard sign" means a sign with changing advertising copy used for the advertisement of goods produced or services rendered at locations other than the premises on which the sign is located.

"building" means a roofed structure, including a vessel or container, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

"bus" means any motor vehicle designed for carrying ten or more passengers and used for the transportation of persons as defined under the Motor Vehicle Act, R.S.N.B., 1973, c. M-17.

"campground" means an area of land, managed as a unit, providing short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers.

"canopy sign" means a sign attached to a building or structure which extends outward from the exterior wall of the building or structure, including but not limited to marquees and self-supporting service station canopies.

"carport" means a building or structure which is designed for the parking and storage of motor vehicles and is opened on at least two ends in order to provide unobstructed access to the rear yard.

"car wash" means the use of a lot on which vehicles are washed for commercial gain.

"caterer's establishment" means a building or part of a building where food and or beverages are prepared for consumption elsewhere.

"cemetery" means land primarily used for internment of human or animal remains and where chapels, churches, funeral homes, columbarium, crematoria and related facilities may be incorporated as accessory uses.

"church" means a place of worship and its related facilities.

"commercial parking lot" means a surface parking lot where parking spaces are rented or leased, but does not include parking lots as an accessory use.

"commercial use" means an occupation, employment or enterprise that is carried on for profit by the owner or occupier.

"commercial vehicle" means a commercial vehicle that has a gross mass of four thousand five hundred kilograms or more, and includes a bus, as defined under 265.1 of the Motor Vehicle Act, R.S.N.B., 1973, c. M-17.

"Committee" means the Town of Riverview Planning Advisory Committee

"communication use" means the use of land, buildings or structures for the production, storage and dissemination of information and information products including but not limited to broadcast studios, television services, publishing and printing facilities, telecommunication services and call centres.

"**community garden**" means a piece of land, not exploited for commercial uses, that is cultivated by a group of people rather than a single family or individual.

"**Council**" means the mayor and councillors of the Town of Riverview.

"**convenience store**" means a building or part of a building which is intended to serve the needs of residents of the immediate area with a variety of goods for sale.

"**corner lot**" means a lot situated at the intersection of, and abutting on, two or more streets.

"**critical elevation**" means the lowest point on a foundation wall where surface water would first enter, and more specifically means the lower of:

- (a) the lowest point of the top of the foundation wall, and
- (b) the lowest point of an opening or depression in the foundation wall, including basement windows, doorways or other non-watertight openings, but excluding basement windows equipped with window wells in conformity with the National Building Code of Canada edition adopted under the Building By-law.

"**daycare centre**" means a day care centre as defined and regulated under the *Day Care Regulation* under the *Family Services Act*, R.S.N.B., 1973, c. F-2.2.

"**deck line**" means, in relation to a gambrel or mansard roof, the horizontal line created by the change of pitch in that part of the roof surface lying between the ridge line at the top of the roof and the point where the roof rafters rest on the vertical exterior walls.

"**development**" means development as defined in the Act.

"**development officer**" means a development officer as defined under the Act.

"**directional sign**" means a sign directing vehicles or pedestrians to an access or driveway on a lot.

"**directory sign**" means a sign listing only the names or business logos of businesses located on a commercial, institutional or industrial site consisting of one or more lots.

"**display court**" means an area of land where goods are displayed for sale from a retail outlet located on the same lot.

"**dissolving**" means a mode of message transition on an electronic message sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

"**distribution use**" means a use carried out primarily in a building used for the storage, wholesaling and distribution of goods and materials.

"**drive thru**" means an establishment that is designed to provide services or products to customers while in their vehicle.

"**driveway**" means that portion of a lot designed or intended to provide vehicular access to the property.

"**driveway aisle**" means the area within a parking lot designed or intended for internal vehicular circulation providing direct access to a parking aisle, but does not provide direct access to a parking space.

"**dwelling**" means a building or part of a building, occupied or capable of being occupied as a home or residence by one or more persons, but does not include a hotel, a motel, apartment hotel or hostel.

"**dwelling, accessory**", see "accessory dwelling".

"dwelling, manufactured", see "manufactured dwelling".

"dwelling, multiple unit", see "multiple unit dwelling".

"dwelling, rowhouse", see "rowhouse dwelling".

"dwelling, semi-detached", see "semi-detached dwelling".

"dwelling, single unit", see "single unit dwelling".

"dwelling, townhouse", see "townhouse dwelling".

"dwelling, two unit", see "two unit dwelling".

"dwelling unit" means one or more habitable rooms designed, occupied or intended for the exclusive use by one or more persons as an independent and separate housekeeping unit in which a kitchen, sleeping and sanitary facilities are provided.

"educational use" means a college, university, vocational or trade school, public or private school, and includes supportive amenities, facilities and residential buildings for staff and students, if the buildings are on the same lot as the place of instruction.

"electronic message sign" means a sign that uses changing lights to form a sign message or messages in which the sequence of messages and the rate of change can be electronically programmed or modified.

"electronic moving copy" means a sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy displays moving images.

"electronic static copy" means a sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology where the sign copy is fixed for a set period of time, but does not include gas price indicators.

"engineered solution" means a drainage plan, stamped by a professional engineer, providing for drainage and surface water management adequate to prevent surface water from entering a main building during a precipitation event up to and including a 100-year return period for a 24-hour duration and consistent with a drainage agreement in effect for the property in question, and which furthermore will not negatively impact drainage on adjacent properties.

"entertainment use" means a commercial use in a building or on a lot which involves entertainment, amusement or relaxation including but not limited to a theatre, tavern, nightclub or other beverage room, an arcade or amusement centre and a pool or billiard hall, but does not include adult entertainment or exotic entertainment.

"erect" means to build, construct, reconstruct, alter, locate or relocate, and without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling, or draining and structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

"escort service" means an establishment where, for consideration, escorts are provided for sexual purposes; and which is characterized by an emphasis on specified sexual activities.

"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.

"exotic entertainment" means live entertainment subject to the conditions prescribed in the *General Regulation* under the *Liquor Control Act*, R.S.N.B., 1973, c. L-10.

"extraction" means the excavation of rock, borrow material, soil for commercial sale or use, but does not include buildings, structures or storage areas which are used for mining activities.

"facade" means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

"fading" means a mode of message transition on an electronic message sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

"farmers' market" means an establishment or premises where foods, wines, health and wellness products, arts and crafts are sold by local vendors within buildings or from uncovered or open air areas designated for individual retailers.

"flankage" means the length of the flankage lot line measured to the actual or hypothetical point of intersection of the front lot line and flankage lot line.

"flankage lot line" means the longer lot line abutting the street on a corner lot.

"flankage yard" means the side yard of a corner lot that abuts a street.

"flashing" means an intermittent or flashing light source where the identical electronic message sign message is constantly repeated at extremely fast intervals.

"forestry use" means the general raising and harvesting of wood and includes the raising and cutting of fuel wood, pulp, wood, lumber, Christmas trees and other products.

"freestanding sign" means a sign supported independently of a building and permanently fixed to the ground.

"front lot line" means either the shorter lot line abutting the street on a corner lot or the only lot line abutting the street or access road, but when the lot lines on a corner lot are of equal distance, and a building is located thereon, the front lot line shall be that line that is parallel to the front of the building.

"front yard" means a yard extending across the full width of a lot between the front lot line and the nearest main wall of a main building or main structure on the lot.

"frontage" means the length of the front lot line, however, for the purpose of calculating frontage on a corner lot, the distance will be measured to the actual or hypothetical point of intersection of the front lot line and flankage lot line

"full cut-off lighting fixtures" means a lighting fixture from which no light output is emitted at or above a horizontal plane drawn through the bottom of the lighting fixture.

"fully screened" means not visible from the established grade of the street or adjacent property.

"funeral home" means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment and includes a crematorium.

"garden suite" means a detached accessory dwelling placed or erected in the rear yard of an existing single unit dwelling lot.

"geodetic datum" means the elevation at sea level

"geodetic elevation" means the elevation or height of given point on land above geodetic datum

"golf course" means a public or private area operated for the purpose of playing golf and related activities including a club house, and administration buildings. Golf course uses, may include dwelling units as a secondary use.

"government use" means a municipal, provincial or federal government use, but does not include a public school.

"gross floor area" means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building.

"ground floor" means the lowest full storey that is entirely located above the established grade.

"habitable space" means the space within a dwelling unit in which living functions are normally carried on.

"heavy equipment sales establishment" means land, building or structure used for the display, sale, servicing, storage, leasing or renting of truck tractors, heavy equipment, motor homes, travel trailers, and related products or accessories.

"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.

"home business" means a commercial use on a lot that contains a single unit dwelling.

"home daycare" means a community day care home or family day care home as defined and regulated under the *Day Care Regulation* under the *Family Services Act*, R.S.N.B., 1973, c. F-2.2, that operates as a secondary use in a single unit dwelling.

"home occupation" means a use conducted entirely in a portion of a single unit dwelling, two unit dwelling or semi-detached dwelling which is incidental and secondary to the main use and may include:

- (a) an office;
- (b) a personal service shop;
- (c) an instructional service, including but not limited to the teaching of music, arts and crafts or dance;
- (d) a domestic and household art workshop, including but not limited to dressmaking, woodworking, arts and crafts, painting, sculpturing, moulding, or otherwise making or repairing garden or household ornaments, articles of clothing, personal effects or toys, and a caterer's establishment; and
- (e) a service shop.

"hotel" or "motel" means a commercial building providing temporary accommodations for travellers or transients on a year round basis, and may have a public dining room and convention room.

"household pet" means a domestic animal customarily kept within a dwelling or in an outside pen or accessory building for the sole purpose of pleasure rather than utility, including but not limited to dogs, cats, rabbits, small birds, and Vietnamese potbellied pigs, but does not include cattle, sheep, horses, pigs, poultry, bees and animals customarily kept as farm animals.

"identification sign" means a sign listing only the development or building name, civic number, and contact information of its developer or agent.

"illuminated sign" means a sign illuminated by an artificial light source.

"independent living facility" means a multiple unit residential building which includes common area(s) consisting of a space equal to at least 10% of the total floor area of each dwelling unit of which up to 50% may be exterior to the building and may also include such secondary uses within the building as medical offices or clinics, personal service shops or a retail store and similar uses not exceeding 50 m² each.

"industrial use" means the use of land, buildings or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods.

"institutional use" means the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes, including but not limited to churches, places of worship, public or private schools and preschool.

"kennel" means a building or structure used for the enclosure of more than four dogs which are kept for the purposes of commercial breeding or for commercial boarding.

"landscaping" means lawn, ornamental shrubs and may include paths, patios, walkways, fountains, reflecting pools, art work, screens, walls, fences, benches and existing natural rock or treed areas, but does not include driveways, vehicle ramps, lanes, parking areas, or space beneath, within or on top of a building.

"loading space" means an area of land which is used for the temporary parking of a commercial vehicle while merchandise or materials are being loaded or unloaded from the vehicles.

"lot" means one parcel of land described in a deed, transfer or subdivision plan, used or intended to be used as the site of a building or structure.

"lot, corner", see "corner lot".

"lot coverage" means that percentage of the lot area that is permitted to be covered by all buildings and structures, other than swimming pools, but does not include that portion of the lot area which is occupied by a building or portion of a building which is completely below ground level.

"lot line" means a common line between a lot and an abutting lot, lane, street, parcel of land or body of water.

"lot line, flankage", see "flankage lot line".

"lot line, front", see "front lot line".

"lot line, rear", see "rear lot line".

"lot line, side", see "side lot line".

"lot width" means the distance measured between the side lot lines, or a side lot line and a flankage lot line, at the required front yard.

"main building" means the building designed or used for the principal use on the lot.

"main wall" means the exterior front, side or rear wall of a building.

manufactured dwelling means a factory-built structure, equipped with the necessary service connections and made to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit with or without a permanent foundation.

"massage parlour" means an establishment where, for consideration, massage is administered to the human body for sexual purposes.

"message duration" means the period of time that sign copy is displayed on a sign face.

"message transition" means the period of time involved for each change of sign copy displayed on a sign face.

"mini storage warehouse" means a building containing at least three self storage units divided from the floor to the ceiling or roof, by a wall, with an independent entrance to each unit.

"mobile stand" means a vending operation on wheels which is established at a location on a temporary basis and which may change location.

"motor vehicle" means a motor vehicle as defined under the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17.

"multiple unit dwelling" means a building, other than a rowhouse dwelling, containing three or more dwelling units.

"municipality" means the Town of Riverview.

"neighbourhood identification sign" means a sign that identifies a residential neighbourhood or subdivision.

"nursery" means the use of land and buildings for the growing of plants for sale, and the sale of related accessory supplies.

"occupied floor space" means an habitable space as well as an indoor floor space devoted to commercial, institutional or industrial uses.

"office use" means a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government, including but not limited to data processing and data storage operations.

"off-site parking lot" means a surface parking lot for the exclusive use of a main use situated on another lot, and excludes commercial parking lots.

"outdoor storage" means the storage of merchandise, goods, inventory, materials or equipment or other items outside a building on the same lot, but does not include a display court.

"parking aisle" means the area within a parking lot designed or intended for internal vehicular circulation providing direct access to one or more parking spaces, but shall not include a portion of a driveway aisle.

"parking block" means a segment of a parking lot containing no more than 150 parking spaces.

"parking garage" means a building or structure containing parking spaces for the parking of vehicles.

"parking lot" means an area of land for the parking of vehicles.

"parking lot, commercial", see "commercial parking lot".

"parking lot, off site", see "off-site parking lot".

"parking space" means an area reserved for the temporary parking or storage of motor vehicles, which does not include part of a parking aisle or driveway.

"paved" means the hardening or smoothing of a surface through the use of tar and gravel, asphaltic or Portland cement, concrete or other similar substance, including bituminous penetration, but does not include the use of clay, dirt or slag.

"personal service shop" means a building or part of a building in which persons are employed in furnishing direct services, including but not limited to barber shops, beauty parlours, pet grooming establishments, hairdressing shops, shoe repair shops, tailor shops, laundry and dry cleaning collection depots and shops.

"pet services" means care, other than veterinary care, provided to household pets, including but not limited to doggie daycares and pet grooming salons, but does not include a commercial kennel or overnight accommodation of animals.

"philanthropic use" means the use of building or land for the purpose of promoting charitable, benevolent, or educational objectives, and does not include a commercial use.

"porch" means a roofed open area which may be screened or glazed to a minimum of 50 percent fenestration ratio, usually attached to or part of and with direct access to or from a building.

"portable sign" means any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes sandwich signs and signs commonly known as a "mobile" sign and "inflatable" device tethered to any building, structure, vehicle or other device.

"private school" means a building or part of a building where academic subjects are taught or which is maintained for philanthropic or religious purposes, but does not include a public school

“projecting sign” means a sign which is wholly or partially dependent on a building for support and which projects more than 0.3 metres from the building, but does not include a canopy sign

“public entrance” means an entrance that is the primary entrance to the building

“public park” means an area of land specifically set aside for recreational uses by the general public.

“public school” means a building or part of a building providing public education through a structured learning environment.

“rear lot line” means the lot line or point of intersection of the side lot lines farthest from and opposite the front lot line.

“rear yard” means a yard extending across the lot width, or in the case of a corner lot the yard extending to the flankage lot line, between the rear lot line and nearest main wall of a main building or main structure on the lot..

“recreational use” means the use of land, buildings or structures for the conduct of sports and other customary and usual leisure time activities, but does not include campgrounds or racetracks for motor vehicles or animals.

“recreational vehicle” means a vehicle intended for recreational use such as, but not limited to, a boat, boat trailer, chassis mounted camper, motorized home, slide-in camper, tent trailer, or travel trailer but does not include a bus

“recreational vehicle sale establishment” means a building and/or land used for the display, sale, leasing or renting of recreational vehicles, accessories and related products, but does not include an automobile sales establishment.

“redemption centre” means a redemption centre not exceeding 40m², as defined by the Beverage Containers Act, R.S.N.B., 2011, c. 121.

“required flankage yard” means the minimum flankage yard depth required by the lot requirement tables in this By-law measured from the street line toward the nearest point on a main wall of a main building or main structure on the lot.

“required front yard” means the minimum front yard depth required by the lot requirement tables in this By-law measured from the street line toward the nearest point on a main wall of a main building or main structure on the lot.

“required rear yard” means the minimum rear yard depth required by the lot requirement tables in this By-law measured from the rear lot line toward the nearest point on a main wall of a main building or main structure on the lot.

“required side yard” means the minimum side yard depth required by the lot requirement tables in this By-law measured from the side lot line toward the nearest point on a main wall of a main building or main structure on the lot.

“research and development” means the use of land, buildings or structures for research, invention, design, engineering, the testing of products, processes, software or a combination of them, and manufacturing or processing related to the use.

“residential care facility” means a building used for 24 hour non-medical care of four or more persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living, or for the protection of the individual, but does not include a hospital, sanatorium, jail, prison, reformatory, or hostel.

“residential use” means a use of land for the purpose of accommodating one or more dwelling.

“restaurant” means a building or part of a building where food is offered for sale or sold to the public primarily for consumption on site but does not, unless otherwise specified, include a drive thru.

“retail store” means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public, and may include minor food processing and packaging in connection with the sale of food products, but does not include a heavy equipment sales establishment or an automobile sales establishment.

“rooming house” means a dwelling in which the proprietor supplies individual rooms for a fee for persons exclusive of the proprietor, members of the proprietor’s family or employees of the establishment.

"rowhouse dwelling" means a building containing three or more dwelling units side by side, under one roof and each unit having a separate front and rear access.

"sandwich sign" means a two-sided A-frame style, self-supporting portable sign which is not permanently affixed to the ground. A single panel of a sandwich sign has a maximum area of 0.75 square metres.

"school, private", see "private school".

"school, public", see "public school".

"screening" means the use of landscaping, fences or berms to visually or audibly separate areas or uses.

"scrolling" means a mode of message transition on an electronic message sign where the message appears to move vertically across the display surface.

"second farmstead residence" means a second single family dwelling that is located on the same lot as the main single family dwelling and the farm, and which is used exclusively by those directly involved with the farm operation.

"secondary use" means a use, other than a main or accessory use, that is conducted entirely within a building containing the main use unless otherwise specified.

"semi-detached dwelling" means a dwelling unit attached to another dwelling unit by a common above grade wall with each dwelling unit located on a separate lot.

semi-trailer means a semi-trailer as defined in the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17.

"service shop" means a building or part of a building used for the sale and repair of household articles, including but not limited to glass replacement shops, home electronics and appliance repair shops, but does not include industrial uses, manufacturing uses or automobile repair shops.

"service station" means the use of land, buildings or structures for the sale of fuels, lubricating oils or automobile accessories, and may include the servicing and repair of motor vehicles or a car wash.

"side lot line" means a lot line other than a front lot line, flankage lot line or rear lot line.

"side yard" means a yard extending between the front yard and the rear yard between a side lot line and the nearest main wall of a main building or main structure on the lot.

"sight triangle" means the triangular area formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each point being a distance as determined in this By-law from the point of intersection of the street lines, and in the case where the street lines do not intersect, their point of intersection shall be deemed to be the intersection of the extension of the street lines.

"single unit dwelling" means a detached building containing only one main dwelling unit, but does not include a manufactured dwelling, travel trailer or motor home.

"sign" means a device, used to communicate a visual message, and for the purpose of calculating its area, shall include only that portion of the sign on which the message is contained, but in the case of a multi-sided sign, only the larger side will be used.

"sign, billboard", see "billboard sign".

"sign, canopy", see "canopy sign".

"sign copy" means any colour, graphic, logo, symbol, word, numeral, text, image, message, picture or combination thereof displayed on a sign face.

"sign, directional", see "directional sign".

"sign, directory", see "directional sign".

"sign, electronic message", see "electronic message sign".

"sign, freestanding", see "freestanding sign".

"sign, illuminated", see "illuminated sign".

"sign, neighbourhood identification", see "neighbourhood identification sign".

"sign, portable", see "portable sign".

"sign, projecting", see "projecting sign".

"sign, wall", see "wall sign".

"specified anatomical areas" means any of the following:

- (a) less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola, or
- (b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

"specified sexual activities" means any lawful sexual activities including:

- (a) causing human genitals to be in a state of sexual stimulation or arousal;
- (b) fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

"storey" means that portion of a building, excluding any portion of the building located below the ground floor, which is situated between the top of a floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of such floor and the ceiling above it.

"street" means the whole and entire right-of-way of every public highway, road, or road allowance.

"street façade" means the façade facing a street.

"street line" means the boundary line of a street.

"street tree" means a tree to be planted between the lot line and the curb or the travelled portion of the street where there is no curb.

"street, stub", see "stub street".

"structure" means anything that is erected, built, or constructed of parts joined together.

"stub street" means a street or a future street that is reserved to provide access to unserviced land.

"swimming pool" means a tank or body of water which is intended to be used for swimming and which has a possible maximum depth greater than one metre, but does not include an existing natural body of water or stream.

"swimming pool enclosure" means a wall, a structure or a building, designed to be sturdy and impede climbing, which encloses a swimming pool.

"telecommunication tower" means a structure that is intended to send or receive wireless signals for communications purposes, and may include an equipment shelter containing related electronic equipment.

"technology use" means the use of land for the purpose of the development of electronic technology, bio technology or other technologies for commercial, industrial or governmental applications.

"Town" means the Town of Riverview

"townhouse dwelling" means

- (a) a building divided vertically into three or more attached dwelling units on separate lots, each of which has an independent entrance either directly or through a common vestibule,
- (b) a building divided vertically by common walls extending from the foundation to the roof into three or more attached dwelling units on separate lots, each having a separate entrance at grade,
- (c) a building that is divided vertically into three or more attached dwelling units on separate lots, each of which has independent entrances, to a front yard and rear yard immediately abutting the front and rear walls of each dwelling unit, or
- (d) a building divided vertically into three or more attached dwelling units on separate lots, each of which has a separate entrance from an outside yard area.

"traditional materials" means materials consistent with construction techniques and architecture of the pre-World War Two era, including but not limited to brick, masonry, brick or masonry veneer, glass, wood, composite wood, shingle or stucco, insulated stucco-type and metal-type panels, but does not include vinyl, aluminum or other plastic type sidings, tar paper, asphalt shingle and corrugated metal finishes.

"trailer" means a trailer as defined in the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17

"transportation use" means a use of land, buildings or structures to support transportation services and infrastructure, including but not limited to ports, airports, train or bus terminals, maintenance shops, and the storage of road maintenance equipment, but does not include automobile sales establishments or service stations.

"truck tractor" means a truck tractor as defined in the *Motor Vehicle Act*, R.S.N.B., 1973, c. M-17.

"two unit dwelling" means a building containing two dwelling units

"use" means the purpose for which land, buildings or structures, or a combination of them, are designated, arranged, erected, intended, occupied or maintained.

"use, accessory", see "accessory use".

"use, adult entertainment", see "adult entertainment use".

"use, agricultural", see "agricultural use".

"use, commercial", see "commercial use".

"use, communication", see "communication use".

"use, distribution", see "distribution use".

"use, educational", see "educational use".

"use, entertainment", see "entertainment use".

"use, government", see "government use".

"use, industrial", see "industrial use".

"use, philanthropic", see "philanthropic use".

"use, recreational", see "recreational use".

"use, secondary", see "secondary use".

"use, transportation", see "transportation use".

"utility" means a public or private system, works, plant or equipment or services that are intended for the use of the general public, including but not limited to water, wastewater, storm drainage, natural gas line, treatment facilities, lift stations, pumping stations, power lines, telephone lines and cable lines.

"vending facility" means a readily moveable building or structure where produce or goods are offered or kept for sale, primarily on a seasonal basis, including but not limited to ice cream or food stands, or garden centres, but does not include a mobile food stand.

"veterinary clinic" means a facility for the medical care and treatment of animals, including provision for their overnight accommodation, but does not include outdoor facilities such as kennels, pen runs and enclosures.

"wall sign" means a sign, other than a canopy sign, roof sign or projecting sign, which is parallel and attached to a wall of a building.

"watercourse" means watercourse as defined in the *Clean Water Act*, R.S.N.B., 1973, c. C-6.1.

"wholesale store" means buildings or structures in which commodities are offered for sale in bulk, primarily for resale or business use.

"yard" means an open, uncovered space on a lot appurtenant to a building, except a court bounded on two or more sides by buildings.

"yard, flankage", see "flankage yard".

"yard, rear", see "rear yard".

"yard, required flankage", see "required flankage yard".

"yard, required front", see "required front yard".

"yard, required rear", see "required rear yard".

"yard, required side", see "required side yard".

"yard, side", see "side yard".

"zero net" means the peak discharge rate of stormwater runoff from a post development property is equal to or less than the peak pre-development discharge rate of stormwater runoff for the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year design storm event as outlined in the Design Criteria Manual.

PART 1 – ADMINISTRATION AND INTERPRETATION

Title

- 2 This By-law may be cited as the “Zoning By-law”.

Scope

- 3(1) This By-law:
- (a) divides the municipality into zones;
 - (b) prescribes the purposes for which land, buildings and structures in any zone may be used, and standards to which land use, and the placement, erection, alteration and use of buildings and structures shall conform; and
 - (c) prohibits the use, placement, erection or alteration of land, buildings or structures other than in conformity with the purposes and standards mentioned in paragraph (b).
- 3(2) Under subsection 31(1) of the Act, this By-law shall be reviewed no later than ten years from its commencement or the last review.

Interpretation

- 4(1) In this By-law, unless the context is not applicable, the provisions of the Interpretation Act, R.S.N.B., 1973, c. I-13 shall apply.
- 4(2) When a word is defined, other parts of speech and grammatical forms of the same word have corresponding meanings.

Division 1.1 Zoning classifications and use of Tables

Zones

- 5 The town is divided into zones as listed in Table 7 and delineated on the “Town of Riverview Zoning Map” attached as Schedule A and forming part of this By-law.

Zone boundaries

- 6(1) When a zone boundary as set out in Schedule A is depicted near a lot line, it shall be deemed to be on the lot line.
- 6(2) Despite (1), for the purposes of the street tree planting provisions of this By-law, the zone on any lot shall be extended to the centre line of the street right-of-way.
- 6(3) In the event that a street or portion of a street is closed permanently, the property within the former street shall be zoned consistently with the land on either side of the closed street, however if the zoning on either side of the street is different, the respective zones will extend to the centre line of the former street.

Use of Tables

- 7(1) The permitted main, accessory and secondary uses for the zones listed in Table 7, and their lot requirements are prescribed in Parts 11 to 15, and the following conditions apply to those uses:
- (a) any purpose for which land, buildings or structures may be used is identified by the letter “P”;

- (b) any particular purpose for which land, buildings or structures may be used, and which the Committee may approve subject to terms and conditions, is identified by the letter "C"; and
 - (c) the use of land, buildings or structures for any purpose not identified by the letter "P" or "C", whether they are main, secondary or accessory uses, are otherwise prohibited and identified by the symbol "-", except in the lot requirement tables, where the symbol "-" means the requirement is not applicable.
- 7(2) If there is a conflict between the permitted main, accessory and secondary uses and their lot requirements prescribed in Parts 11 to 15 and the specific requirements of a particular zone in any other Parts of this By-law, the latter shall apply.
- 7(3) All uses not permitted in this By-law are prohibited.

Table 7	
Town of Riverview Zones	
Residential Zones (see also Part 11)	
Single Unit Dwelling	R1
Single Unit Dwelling – Compact	R1-C
Two Unit Dwelling	R2
Residential Mix	RM
Multiple Unit Dwelling	R3
Rural Area	RA
Manufactured Dwelling	MD
Commercial Zones (see also Part 12)	
Suburban Commercial	SC
Residential Business Service	RBS
Commercial Mix	CM
Neighbourhood Commercial	NC
Industrial Zones (see also Part 13)	
Industrial	I
Community Use Zones (see also Part 14)	
Parks, Recreation, Institutional	PRI
Open Space	OS
Integrated Developments Zones (see also Part 15)	
Integrated Developments	ID

Division 1.2 Powers of Council

Requirement for servicing

- 8 Despite any other provision of this By-law, no building may be erected in the Town in respect of which, in the opinion of Council, satisfactory arrangements have not been made for the supply of electric power, water, sewerage, streets or other services or facilities.

Dilapidated, dangerous or unsightly buildings or structures

- 9 When, in the opinion of Council, a building or structure is dilapidated, dangerous, or unsightly, Council may
- (a) require the improvement, removal or demolition of the building or structure at the expense of its owner, or

- (b) acquire the parcel of land on which the building or structure is located.

Application to amend By-law

- 10(1) A person who seeks to have this By-law amended shall apply in writing to Council and include with their application the following:
- (a) when the application involves rezoning of land,
 - (i) the signature of the owner of the land to be rezoned;
 - (ii) a copy of the registered deed or certificate of registered ownership of the land to be rezoned;
 - (iii) a letter outlining the reason for the amendment, including a site plan and plans of proposed new buildings;
 - (iv) a completed application in the form prescribed by the development officer; and
 - (v) a fee of \$2,750;
 - (b) when the application involves another amendment,
 - (i) a letter outlining the reason for the amendment;
 - (ii) a completed application in the form prescribed by the development officer; and
 - (iii) a fee of \$2,750.
- 10(2) The Council may return all or any part of the fee required to have this By-law amended.
- 10(3) When an application for rezoning has been denied, Council shall not entertain a new application within 12 months of the denial unless it is substantially different from the previous application.

Division 1.3 Powers of the Committee

Unsuitable soil, location or topography

- 11 No building or structure may be erected on a site where it would otherwise be permitted under this By-law when, in the opinion of the Committee, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.

Temporary use application and fees

- 12(1) Upon receiving an application in the form prescribed by the development officer and a fee of \$450, the Committee may, subject to such terms and conditions as it considers fit:
- (a) authorize, for a temporary period not exceeding one year, a development otherwise prohibited by this By-law;
 - (b) authorize, for an additional temporary period not exceeding one year, a development otherwise prohibited by this By-law if:
 - (i) the applicant has an authorization under paragraph (a) that is to expire or has expired;
 - (ii) an application with respect to the land has been made to amend this By-law; and

- (iii) the Committee has received a resolution from Council confirming that Council will consider the application referred to in subparagraph (ii);
 - (c) require the termination or removal of a development authorized under paragraph (a) or (b) at the end of the authorized period.
- 12(2) The Committee may by resolution
 - (a) delegate its authority under paragraph (1)(a) to the development officer, and
 - (b) authorize the development officer to further delegate his or her authority to any person.

Terms and conditions application

- 13(1) If purposes are subject to terms and conditions, the Committee may, upon receipt of a complete application, impose such terms and conditions as it considers necessary to protect:
 - (a) the properties within the zone or abutting zones, or
 - (b) the health, safety and welfare of the general public.
- 13(2) The Committee may prohibit purposes if compliance with the terms and conditions imposed under subsection (1) cannot reasonably be expected.

Other applications and fees

- 14 Upon receipt of an application in the form prescribed by the development officer, and a fee of \$450, the Committee may consider proposed uses of land, buildings or structures that are sufficiently similar to, or compatible with, permitted uses in this By-law, or such reasonable variances from the zoning requirements, both of which are further outlined by section 55 of the Act.

Zoning letters and fees

- 15(1) Upon receipt of an application and a fee of \$125, the development officer may issue a letter of confirmation regarding the zone applied to the lot.
- 15(2) Upon receipt of an application accompanied by a current Building Location Survey Certificate and a fee of \$125, the development officer may issue a letter regarding the compliance of the lot with the requirements of this By-law.

PART 2 – GENERAL PROVISIONS

Division 2.1 Development permits

Requirement for development permit

- 16(1) No person shall undertake a development without having obtained a development permit and no development permit shall be issued unless the proposed development conforms with this By-law.
- 16(2) A development permit may be revoked if the development undertaken exceeds the scope of the work authorized under the development permit.
- 16(3) No development permit shall pertain to more than one lot.

Fees

- 17(1) No development permit shall be issued under this By-law unless an application has been submitted, in the form prescribed by the development officer, and the following fees have been paid:
- (a) if the development is a single unit dwelling, two unit dwelling or semi-detached dwelling, \$ 50;
 - (b) if the development consist of a manufactured dwelling, an addition or renovations to a single unit dwelling, manufactured dwelling, two unit dwelling or semi-detached dwelling, \$35;
 - (c) if the development is a secondary use, accessory building or structure, temporary building or structure permitted under section 65 or a demolition of a building or structure, \$35;
 - (d) if the development is site preparation work related to an approved subdivision, \$100; or
 - (e) for other developments with a construction value of:
 - (i) under \$500,000, \$100;
 - (ii) between \$500,000 and \$999,999, \$150
 - (iii) between \$1,000,000 and \$4,999,999, \$300; and
 - (iv) over \$5,000,000, \$500.
- 17(2) Despite subsection 17(1), no development permit shall be required for a tent that does not exceed 18.6 square metres floor area.
- 17(3) If a development involves an application for terms and conditions under section 13, no development permit shall be issued unless the applicant has paid a \$450 fee, in addition to the fees prescribed in subsection (1).
- 17(4) If a development involves an application for a non-conforming use subject to the approval of the Committee, no development permit shall be issued unless the applicant has paid a \$450 fee, in addition to the fees prescribed in subsection (1) where applicable.
- 17(5) If a development involves an application for a new main building construction and requires street trees, no development permit shall be issued unless the applicant has paid a fee of \$400 per required tree to the Town of Riverview, in addition to the fees prescribed in subsection (1).
- 17(6) Despite other provisions contained in this by-law, if the development involves an application by or on behalf of the Town, application fees shall be waived.

Duration and renewal of development permit

- 18(1) A development permit issued under this By-law shall remain valid for a period of one year from the date of issue or until the development has been completed, unless:
- (a) the development has not begun within six months from the date of issue or
 - (b) the development has been discontinued for a period of six consecutive months.
- 18(2) When a permit has expired pursuant to subsection (1), it may be reinstated by the development officer under the same terms as the original permit if the scope of the work has not changed and is still permitted under this By-law.

Division 2.2 Existing conditions

Undersized lots

- 19 In any zone, if an existing lot does not conform to the minimum lot frontage or lot area requirements of the zone in which it is located, the minimum lot frontage or lot area requirement shall not prevent the use of the lot if all other applicable provisions of this By-law are satisfied.

Existing building or lot

- 20 If a building, existing before the adoption of this By-law, is either built or placed contrary to the requirements of this By-law, it may be enlarged, reconstructed, repaired or renovated if the requirements of this By-law are not further compromised.

Division 2.3 Site preparation and initial stages of development

Making of land by cutting and filling

- 21(1) In any zone, a development which is for the purpose of making land and involves the cutting or filling to a depth or height exceeding one metre shall be a purpose for which the Committee may impose terms and conditions.
- 21(2) Subsection (1) does not apply to the cutting or filling of land that is directly related to the construction of buildings or structures for which a development permit has been issued or is not required.

Minimum geodetic elevation

- 22 No development of occupied floor space or parking garage shall be permitted in any zone, unless the minimum geodetic elevation is at least 10.5 metres.

Foundation elevations

- 23(1) A building containing habitable space to be constructed within 30 metres of a public street shall not be permitted unless:
- (a) the foundation wall has a critical elevation of at least 0.5 metres above the point at which the centerline of the driveway would meet the crown of the street to which it gains access, and where there are two or more driveways, the higher of these points; and
 - (b) the top of the foundation wall is not higher than two metres above the point specified in paragraph (a).
- 23(2) Despite subsection (1), the development may be permitted when an engineered solution is provided with the permit application, or it has been exempted by the Director of Engineering and Works or their designate.

Attached garage slab elevations

- 24(1) A building containing habitable space and having an attached garage to be constructed within 30 metres of a street shall not be permitted unless the lowest point of the edge of the garage's foundation slab is at least 0.35 metres above the point at which the centerline of the driveway would meet the crown of the street to which it gains access, and where there are two or more driveways, the higher of these points; and
- 24(2) Despite subsection (1), the development may be permitted when an engineered solution is provided with the permit application, or it has been exempted by the Town Engineer or their designate.

Maximum Driveway Slope

- 25 The maximum driveway, parking aisle and parking space slope shall not exceed ten percent, unless an engineered solution is provided with the permit application.

Subdivision Development Site Preparation Work

- 26 No subdivision development site preparation work requiring a development permit shall be undertaken on land until a subdivision agreement, pursuant to the Subdivision By-law, has been entered into with the Town of Riverview and a development permit has been issued.

Lot grading and drainage

- 26.1(1) The altering of land levels for building or other purposes, with the exception of an accessory building or structure, in so far as they may affect surface drainage shall require a lot drainage and grading plan, which shall be implemented by the developer.
- 26.1(2) With the exception of single unit dwelling, two unit dwelling or semi-detached dwelling, the lot drainage and grading plan referred to in subsection (1) shall provide for adequate stormwater detention storage to achieve a zero net solution, which shall be implemented by the developer.
- 26.1(3) The requirements in subsection (2) may be waived when, in the opinion of the Town Engineer, a zero net solution is impossible to achieve.

Division 2.4 Illumination and exterior lighting

Lighting for residential buildings

- 27(1) The following lighting conditions shall apply to residential buildings containing up to three units:
- (a) exterior lighting fixtures attached to the wall shall not exceed 2000 lumens;
 - (b) all lighting poles shall:
 - (i) have full cut-off lighting fixtures not exceeding 2000 lumens;
 - (ii) be permitted in a yard, if 2.1 metres in height or less;
 - (iii) be subject to section 29, if greater than 2.1 metres in height; and
 - (iv) not exceed four metres in height.

- 27(2) Exterior lighting fixtures provided for residential buildings of four units or more shall be full cut-off lighting fixtures, and if attached to a pole shall:
- (a) if greater than 2.1 metres in height, be subject to section 29 and incorporate shielding to prevent the escaping of light to adjoining properties; and
 - (b) not exceed six metres in height.

Lighting for another use

- 28 For a use not provided for in section 27, exterior lighting fixtures shall:
- (a) be full cut-off;
 - (b) be subject to section 29; and
 - (c) incorporate shielding to prevent the escaping of light to adjoining residential properties.

Lighting Height Formula

- 29 The maximum height of a lighting fixture shall not be more than one-third of the horizontal distance from the lighting fixture to the nearest property line of a lot containing a residential use.

Division 2.5 Other general provisions

Number of buildings on the same lot

- 30(1) Except in the MD Zone, no more than one main building shall be placed or erected and no building or structure may be altered to become a second main building on a lot.
- 30(2) Despite subsection (1), except for the R1, R1-C and R2 Zone, the Planning Advisory Committee may permit, subject to any terms and conditions, more than one main building on a lot.

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.

Vehicles and vehicle bodies as main or accessory buildings

- 32(1) A motor vehicle, trailer or semi-trailer, container designed for commercial transport, and a vehicle drawn, propelled or driven by any kind of power, even though modifications have been made to it, shall not be used, in any zone, as a dwelling unit or commercial main building nor be used as an accessory building or structure.
- 32(2) Despite subsection (1), mobile stands may be used in a commercial or community use zone.
- 32(3) Despite subsection (1) and section 31, containers designed for commercial transport may be used as a main building for the purpose of a redemption centre where permitted.

Screening of garbage storage areas

- 33 All outside storage of garbage shall be fully screened by an opaque fence of at least two metres in height.

Location of garbage storage areas

- 34 An outdoor garbage storage area shall not be located in the front or flankage yard, in a required yard, or within six metres of a street.

PART 3 – ACCESSORY USES, BUILDINGS AND STRUCTURES

Division 3.1 Accessory buildings and structures

Standards

- 35(1) Accessory buildings and structures are permitted in any zone, but in a residential zone other than a RA Zone, they shall not:
- (a) exceed six metres in height from the established grade to the top of the structure or roof of the building, not including ornamental features such as weather vanes or cupolas having a horizontal dimension not exceeding one metre;
 - (b) exceed 4.5 metres in height from the established grade to the deck line in the case of a building with a gambrel or mansard roof;
 - (c) exceed three metres in height from the established grade to the underside of the eaves in the case of a building with a gable or hip roof;
 - (d) be placed, erected or altered:
 - (i) within the required front or required flankage yard of the main building;
 - (ii) within the required side yard or in the case of a semi-detached dwelling or two unit dwelling, within 1.5 metres of the main building; and
 - (iii) within 1 metre of a side or rear lot line;
 - (e) exceed the least of 12 percent of the area of a lot, or:
 - (i) 85 square metres in ground floor if the main use is a single unit dwelling;
 - (ii) 56 square metres in ground floor per unit if the main use is a two unit dwelling or a semi-detached dwelling;
 - (iii) 26 square metres in ground floor per unit if the main use is a multiple unit dwelling; or
- in any case, the number of accessory buildings or structures shall not exceed three on a lot;"
- (f) be used for:
 - (i) agricultural purposes, or
 - (ii) the keeping of animals other than household pets.
- 35(2) Accessory buildings and structures not in a residential zone shall not be placed, erected or altered:
- (a) within the front or required flankage yard of the main building;
 - (b) within 2.4 metres or one half the height of the accessory building or structure, whichever is the greater, from any lot line.
- 35(3) A stable, kennel or cattery may be permitted as an accessory use within the RA Zone, if the building:
- (a) does not exceed 120 square metres;

- (b) does not exceed a height of nine metres;
- (c) is used for the accommodation of no more than four horses, eight dogs or 16 cats;
- (d) is located at least three metres from a property line, and 30 metres from a watercourse; and
- (e) is not located within the front yard or flankage yard.

Lot coverage

- 36 For all zones other than a residential zone no more than 12 percent of the area of a lot shall be occupied by accessory buildings and structures.

Dormer windows

- 37 The total wall area of the outermost vertical walls of all dormer windows projecting above the eave line shall not exceed 25 percent of the first floor wall area of the corresponding façade of the building.

Exceptions to side or rear setbacks for accessory buildings

- 38 Despite subparagraph 35(1)(d)(iii):
- (a) common semi-detached garages may be centered on the mutual side lot line; and
 - (b) float plane hangars, boat houses and boat docks may be built to the lot line if the lot line corresponds to the high water mark.

Division 3.2 Fences and enclosures

Placement of fences in yards

- 39(1) Subject to section 81, a fence may be placed or located in a yard if its height does not exceed:
- (a) one metre in the required front yard in any zone, except for a chain link fence located in a commercial or industrial zone;
 - (b) two metres in any other yard in a residential zone; and
 - (c) 2.5 metres in any other yard in another zone.
- 39(2) No fence in a residential zone, other than a RA Zone, shall be electrified, incorporate barbed wire or other sharp dangerous material in its construction.

Enclosures around pool areas

Swimming pools & swimming pool enclosures

- 40(1) No swimming pool shall be placed or built on a lot unless:
- (a) it is enclosed by a swimming pool enclosure; and
 - (b) it is located in a rear or side yard.

40(2) The swimming pool enclosure in subsection (1)(a) shall:

- (a) completely enclose the entire swimming pool;
- (b) be a minimum of 1.5 metres in height;
- (c) be at least 1.2 metres from the edge of the swimming pool;
- (d) have no opening greater than 100 millimetres;
- (e) have horizontal rails spaced no less than 1.05 metres apart; and
- (f) in the case of a chain link fence, have diamond mesh no greater than 50 millimetres.

40(3) The pool shall only be accessible by:

- (a) a self-closing gate with a self-latching device located inside and at a minimum height of 1.3 metres from the bottom of the gate;
- (b) a double gate provided one gate must be affixed to the ground or pinned so as to remain closed when not in use, while the other gate must be constructed to provide the same standards in paragraph (a);
- (c) a service gate provided that the gate be affixed to the ground or pinned so as to remain closed when not in use or be constructed to provide the same standards in paragraph (a);
- (d) a main building or structure enclosing the entire pool provided the main building or structure satisfies the requirements of subsection (2) and does not allow unobstructed access to the pool;
- (e) an accessory building or structure enclosing the entire pool provided the accessory building or structure satisfies the requirements of subsection 2 and does not allow unobstructed access to the pool; or
- (f) any combination of the above.

Temporary swimming pool enclosures

40(4) Despite subsection 40(1), a temporary swimming pool enclosure may be permitted during the construction of the swimming pool for a maximum of 90 days if:

- (a) it completely encloses the entire swimming pool;
- (b) it is a minimum of 1.2 metres in height;
- (c) in the case of a chain link fence, plastic mesh or wire fencing have no opening greater than 50 millimetres;
- (d) in the case of other materials not mentioned in paragraph (c) have no opening greater than 100 millimetres;
- (e) supported vertically by T-bars or a similar type of posts placed at a maximum spacing of 3 metres apart;
- (f) supported horizontally at the top and bottom of the enclosure by wood, wire or rope or other materials; and
- (g) the ground clearance is not greater than 50 millimetres.

Maintenance of the swimming pool enclosure

- 40(5) It is the responsibility of the home owners to maintain either the temporary or the permanent swimming pool enclosure by carrying out repairs of any part or parts of the enclosure so that it can properly perform the intended function during construction or for as long as the pool is in place.

Other requirements

- 40(6) If a deck or platform is attached to the swimming pool enclosure, it shall be subject to the setbacks applicable to the main building, unless otherwise permitted under section 83.
- 40(7) Screening or privacy walls forming part of the deck or platform shall not exceed 2.5 metres in height above the deck or platform.

PART 4 – PARKING, ACCESS, QUEUING AND LOADING

Off street vehicular parking spaces required

41(1) No development shall be permitted unless off street parking spaces are provided and maintained in conformity with Schedule D and the parking spaces shall:

- (a) be parallel or oriented at an angle of 90 or 45 degrees to the parking aisle, and have dimensions as specified in Table 41;
- (b) be separately and readily accessible by a driveway, a driveway aisle, or by a parking aisle to be of width specified in Table 41;

Table 41: Size of Parking Spaces and Aisles			
	Parallel parallèles	Angle (90°) angle (90°)	Angle (45°) angle (45°)
Minimum width (m) Largeur minimale (m)	2.75	2.75	2.75
Minimum length (m) Longueur minimale (m)	6.0	5.50	5.20
Minimum aisle width (m) Largeur minimale de l'allée (m)	6.0	6.00	3.50
Minimum height clearance (m) Hauteur libre minimale (m)	2.20	2.20	2.20

- (c) be located on the lot and in the zone containing the use for which the spaces are provided;
 - (d) not be located in the required front or required flankage yard area in a residential zone, except for single, two unit, semi-detached, townhouse and rowhouse dwellings, and
 - (e) in a commercial, industrial or community use zone, not be located in a required side or rear yard that abuts a residential zone.
- 41(2) When a parking aisle has spaces oriented at one angle on one side of the aisle and a different angle on the other side, the aisle dimensions shall be the greater of the two requirements specified in Table 41;
- 41(3) When a lot is subject to more than one use, the required parking will be the total of the parking required for each individual use less 10%.

Standards for parking lots

- 42(1) When a parking lot of more than six parking spaces is required or proposed, the following provisions shall apply:
- (a) except in the case of a home business or home occupation or, the parking lot shall be paved;
 - (b) subject to sections 27 to 29, lights used for illumination of the lot shall be arranged to divert the light away from streets, adjacent lots and main buildings;
 - (c) a structure, not more than 4.6 metres in height and not more than five square metres in area may be erected in the parking lot for the use of attendants;
 - (d) the parking shall be provided on the same lot as the main use;
 - (e) no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;

- (f) driveways and driveway aisle to the parking lot shall:
 - (i) be paved;
 - (ii) have a curbing radius of ten metres where they meet a public street; and
 - (iii) be defined by a curb of asphalt or concrete;
- (g) the parking lot shall be delineated by one, or a combination of, a fence, curb or other feature which defines the boundary;
- (h) a driveway, driveway aisle and parking aisle or loading space shall:
 - (i) in the case of a one-way driveway, driveway aisle and parking aisle have a width of at least 3.5 metres;
 - (ii) in the case of a two-way driveway, driveway aisle and parking aisle have a width of at least 6.7 metres; and
 - (iii) not exceed a width of 7.6 metres in a residential zone or 9 metres when a fire lane is required and 12 metres in any other zone;
- (i) subject to paragraph (h), a right-of-way over a neighbouring property shall be deemed to satisfy all or part of the driveway requirement, if an agreement is in place between the respective property owners governing the use and maintenance of the right-of-way.

Parking lot screening requirements

- 42(2) Except when street trees are planted pursuant to paragraph 53(1)(c), a parking lot for more than four parking spaces shall be screened from a public, future or private street by a two metre wide planting strip of at least 1.5 metres in height consisting of deciduous trees and shrubs, to be perpetually maintained, along the street line, and spaced no further apart than ten metres in the case of trees, and 1.5 metres in the case of shrubs, but no plantings shall be placed to conflict with sight triangle requirements.
- 42(3) Except when a parking lot abuts another parking lot on an adjacent property, a parking lot for more than four parking spaces shall be screened from abutting residential zones or uses through the use of:
 - (a) a two metre wide planting strip between 1.5 metres and two metres in height, consisting of coniferous or deciduous trees and shrubs, to be perpetually maintained, along the lot line, and spaced no further apart than ten metres in the case of trees, and 1.5 metres in the case of shrubs, and no plantings shall be placed in conflict with sight triangle requirements; or
 - (b) a wall, wooden fence or chain link fence with filler strips woven into the mesh, between 1.5 metres and two metres in height, if it is not located in conflict with sight triangle requirements.

Large scale parking lot requirements

- 42(4) An outdoor parking lot with more than 20 parking spaces shall include landscaping covering not less than ten percent of the outdoor parking area, and at least five percent shall be located in the interior of the parking area;
- 42(5) Despite subsection 42(4), all parking lots with more than 150 parking spaces shall be designed in accordance with the following standards:

- (a) landscaped islands, consisting primarily of trees with a minimum branching height of two metres, flowering shrubs and perennials, designed with a minimum width of three metres, measured from inside of curbs, including 254 millimetres of topsoil, shall be provided:
 - (i) at the end of all rows of parking; and
 - (ii) between all parking blocks;
- (b) on-site pedestrian walkways shall be provided on the property to provide access between the primary entrance or entrances to each main building and:
 - (i) all other main buildings;
 - (ii) public sidewalks, walkways, and trails;
 - (iii) parking areas that serve the building; and
 - (iv) where appropriate, buildings on adjacent properties;
- (c) on-site pedestrian walkways that cross a parking lot, driveway, driveway aisle, parking aisle shall be clearly marked through the use of paint or a change in paving materials, distinguished by their color, texture, or height; and
- (d) a continuous pedestrian walkway with a minimum width of 1.5 metres shall be provided along the full length of all façades featuring a customer entrance or customer parking area.

Driveways for residential zones

- 43(1) Properties within a residential zone having less than 30 metres of frontage shall have no more than one driveway except:
 - (a) in the case of a corner lot with a combined frontage and flankage of more than 30 metres, in which case, two will be permitted provided that only one driveway shall be permitted on each street;
 - (b) in the case of two unit dwellings, which may have one for each dwelling unit; or
 - (c) subject to 90, in the case of a townhouse or rowhouse dwelling, which may have one for each dwelling unit.
- 43(2) Despite subsection 43(1), properties within a residential zone located on a corner lot may have an additional driveway along the flankage lot line.
- 43(3) When a driveway provides access to a residential corner lot, it shall be at least 11 metres from the intersection of the street lines, or the point of intersection of their extensions.
- 43(4) Unless otherwise provided in this By-law, all driveways to a residential property shall be paved or surfaced with crushed rock or gravel.
- 43(5) The total area of driveways, driveway aisles, parking aisles, and parking spaces shall occupy no more than 40% of the required front yard or required flankage yard in the case of a single unit dwelling and multiple unit dwelling and no more than 60% in the case of a semi-detached dwelling or two unit dwelling.
- 43(6) Unless otherwise permitted in this By-law, no driveway shall have access to a future street or a stub street which does not have a temporary turnaround constructed to the Town of Riverview's Subdivision Development – Procedures, Standards and Guidelines.

Driveways for non-residential zones

44(1) In all zones other than residential zones:

- (a) the number of two-way driveways shall be limited to one per lot unless:
 - (i) the lot has a frontage of more than 75 metres, in which case, two will be permitted;
 - (ii) in the case of a corner lot has combined frontage and flankage of more than 75 metres, in which case, two will be permitted; and
 - (iii) in both cases they are not less than 20 metres apart, measured between the centre line of each driveway at the street line;
- (b) two one-way driveways may be located in place of a two-way driveway permitted under subsection 44(1)(a) if they are more than 20 metres apart, measured between the centre line of each driveway at the street line;
- (c) all driveways to a corner lot shall be located at least 15 metres from the intersection of the street lines;
- (d) no driveway shall meet the travelled portion of the street at an angle of less than 60 degrees;
- (e) driveways, and driveway aisles shall be located at least three metres from the rear lot line or side lot line; and
- (f) every driveway, driveway aisles, parking aisles and parking spaces shall be paved and maintained with an all-weather, dust-free surfacing.

44(2) Unless otherwise permitted in this By-law, no driveway shall have access to a future street or a stub street which does not have a temporary turnaround constructed to the Town of Riverview's Subdivision Development – Procedures, Standards and Guidelines document.

Parking lot requirements for bicycle parking

45 With the exception of single unit dwellings, semi-detached dwellings, two unit dwellings, townhouse dwellings or rowhouse dwellings, a development involving the erecting, placing, relocating, of a building must include bicycle parking spaces in conformity with the following:

- (a) the number of bicycle parking spaces shall be the greater of:
 - (i) one for every 20 vehicular parking spaces required by this By-law;
 - (ii) one for every 20 vehicular parking spaces on the lot; and
 - (iii) four.
- (b) bicycle racks shall be securely anchored to the ground or a building.
- (c) outdoor bicycle parking areas:
 - (i) shall be no less than three metres deep;
 - (ii) shall be clearly marked and delineated on the pavement or ground surface;
 - (iii) shall not encroach on, or be encroached on by, vehicular circulation lanes, service lanes or loading bays; and

- (iv) shall be cleared of snow.

Loading space requirements

- 46(1) Land, buildings or structures used for retail stores, restaurants, redemption centres, wholesale stores and industrial uses involving the use of commercial vehicles for the receipt or distribution of material or merchandise shall include off street loading spaces in accordance with the following requirements:
- (a) at least one space if the gross floor area is less than 500 square metres;
 - (b) at least two spaces if the gross floor area is 500 square metres or more, but less than 2,323 square metres; and
 - (c) an additional space for each 2,323 square metres, or fraction of it, of gross floor area in excess of the first 2,323 square metres;
- 46(2) A loading space required under subsection 46(1) shall:
- (a) have a minimum length of nine metres, a minimum width of three metres, and a minimum overhead clearance of 4.5 metres;
 - (b) provide unobstructed access; and
 - (c) be surfaced with a durable and dustproof material.

Drive thru

- 47 When permitted, a drive thru shall incorporate the following design standards:
- (a) in the case of drive thru restaurants and automated car washes:
 - (i) 11 inbound queuing spaces for vehicles approaching the drive up service area; and
 - (ii) two outbound spaces on the exit side of each service position located so as not to interfere with service to the next vehicle;
 - (b) in the case of drive thru automobile repair shops, banks and retail stores:
 - (i) five inbound queuing spaces for vehicles approaching the drive up service area; and
 - (ii) two outbound spaces on the exit side of each service position located so as not to interfere with service to the next vehicle;
 - (c) in the case of a car wash with individual self-served washing bays:
 - (i) one inbound queuing spaces for each washing bays;
 - (ii) two inbound queuing spaces for vehicles entering the property; and
 - (iii) one outbound spaces on the exit side of each washing bays.
 - (d) queuing spaces shall be a minimum of 6.5 metres long and three metres wide;
 - (e) queuing lanes shall be located at the side or rear of buildings;

- (f) when the entrance to the main building requires crossing of the queuing lane by pedestrians, a pedestrian crossing that is distinguished from the queuing lane by either a change in paving materials, colour, texture or height must be provided;
- (g) despite paragraph (e), a queuing lane may be located in the front yard or flankage yard if it is in compliance with subsection 42(2);
- (h) queuing lanes shall be defined by raised curbs and a 1.2 metre wide landscaped island where adjacent to parking, spaces and parking aisles and a three metre wide landscaped island where adjacent to driveways;
- (i) queuing lanes, order boards, or order speakers shall be set back a minimum of 20 metres from an adjacent R1 Zone, R1-C Zone, R2 Zone or RM Zone, unless the drive thru does not include an order board or order speaker, in which case they shall be set back a minimum of 4.5 metres;
- (j) the minimum requirements in subsection 47(i) may be reduced if, upon completion of a noise study by a duly certified noise consultant, mitigation measures proposed in the study will achieve at least the same noise levels that would be expected by compliance with subsection 47(i).

Daycare centre requirements

- 48** In addition to the parking requirements as set out in Schedule D, a daycare centre located where on street parking is prohibited within 20 metres of the lot shall provide two parking spaces for the first ten children and one additional parking space for every ten additional children.

PART 5 – STREET TREES AND LANDSCAPING

Division 5.1 Residential landscaping requirements

Landscaping required in residential developments

49 Except in a RA Zone, the owner of a lot being developed for residential purposes in any zone shall:

- (a) landscape the front yard;
- (b) subject to section 81, landscape any yard that abuts a street;
- (c) landscape the side yard;
- (d) landscape the rear yard within four metres of the main building thereon; and
- (e) provide or retain street trees pursuant to paragraph 51(b) or (c).

Landscaping standards for residential purposes

50 The landscaping required under section 49 shall:

- (a) include, after compaction, at least 152.4 millimetres of topsoil and seeding or sodding;
- (b) include at least one deciduous street tree, with a minimum diameter of 60 millimetre and have a minimum branching height of two metres, and shall be planted at a rate of one per lot when the frontage is less than 20 metres, or otherwise as follows:
 - (i) for a single unit dwelling or multiple unit dwelling, at least one tree for every ten metres of frontage; and
 - (ii) for a two unit dwelling, at least one tree for every 22 metres of frontage;
- (c) in the case of a corner lot, have at least one street tree, meeting the requirements of paragraph (b), along the flankage lot line and one additional tree for every 30 metres of frontage.

51 The street tree in subsections 51(b) and (c) shall be planted by the Town of Riverview at the cost of the developer as set in subsection 17(5)

Driveways

52 Despite sections 49 and 50, a yard may be used for the purposes of driveway access to the lot, if it does not exceed the standards specified in subsection 43(5).

Division 5.2 Community Uses / commercial / industrial landscaping requirements

Landscaping required for community Uses, commercial and industrial zones

53(1) In a community uses, commercial or industrial zone, that portion of a lot not occupied by buildings, structures, driveways or parking lots shall be landscaped and shall:

- (a) include trees and shrubs shall be planted at a minimum rate of one tree or shrub for each 93 square metres of landscaped area;
- (b) include after compaction, at least 152.4 millimetres of topsoil and seeding or sodding; and

(c) provide or retain street trees pursuant to paragraph 53(2) or 53(3).

- 53(2) The owner of a lot being developed for purposes or uses in subsection 53(1) shall provide for at least one deciduous street tree for every ten metres of frontage, with a minimum diameter of 60 millimetre and have a minimum branching height of two metres.
- 53(3) In the case of a corner lot have at least one street tree, meeting the requirements of subsection 53(2), along the flankage lot line and one additional tree for every 30 metres of frontage
- 53(4) The street tree in subsections 53(2) and (3) shall be planted by the Town of Riverview at the cost of the developer as set in section 17(5).

Screening from residential zones or uses

- 54(1) When a commercial zone, industrial zone or community uses zone abuts a residential zone or use, the lot shall not be developed unless a minimum three metre wide landscaped buffer, including screening of a minimum height of two metres consisting of a hedge or opaque fence, or a combination of them, is provided and maintained along the common property line.
- 54(2) If there is a conflict between subsection 54(1) and the specific screening requirements of a particular zone, the latter shall apply.

Precedence of zone specific landscaping standards

- 55 If there is a conflict between the general landscaping provision in section 49 to 54 and the specific landscaping requirements of a particular zone, the latter shall apply.

Landscaping to be completed within one year

- 56 The landscaping required in this By-law shall be completed no later than September 30th of the year following issuance of the development permit for the main building.

PART 6 – SPECIFIC USES

Utility uses permitted in all zones

- 57 With the exception of a building, all utility uses shall be permitted in any zone and no development permit shall be required.

Service stations

- 58 When permitted a service station shall not have any portion of a pump island or canopy located within 15 metres of a lot line.

Screening of outdoor storage areas

- 59(1) When a use involves outdoor storage, other than a display court, the portion of the lot used for outdoor storage shall be fully screened from the street by a wall, wooden fence or chain link fence with filler strips woven into the mesh or other screening facility of equal screening value, between 2.0 and 2.5 metres in height.
- 59(2) Within the outdoor storage area, no materials shall be amassed higher than the height of the surrounding fence.
- 59(3) If there is a conflict between subsection (1) and the specific screening requirements of a particular zone, the latter shall apply.

Display courts

- 60 If permitted, a display court shall:
- (a) be located no closer than two metres from a street; and
 - (b) the area between a display court and street line shall be landscaped in accordance with section 54.

Division 6.1 Uses subject to terms and conditions

Clearing or cutting of trees

- 61(1) Within the Urban Growth Boundary, a use requiring or involving the cutting or clearing of trees or the clearing of natural vegetation on one or more contiguous hectares of land is a particular purpose subject to terms and conditions unless a development permit has been issued.
- 61(2) As part of the application for terms and conditions under subsection 61(1), the applicant shall submit an erosion and sediment control plan, including a narrative report and a site plan, prepared and certified by a qualified professional engineer or by other professionals qualified to do the work.

Larger commercial uses in any zone subject to terms and conditions

- 62 A permitted use within a SC Zone and CM Zone occupying more than 1,500 square metres in gross floor area shall be considered a particular purpose subject to terms and conditions.

Division 6.2 Temporary uses permitted

Temporary real estate sales offices

- 63 Temporary real estate sales offices may be set up in new display homes within new subdivisions but not for more than 12 months.

Vending facilities

- 64 Vending facilities shall be permitted in commercial, industrial and community uses zones if:
- (a) the vending facilities meet the required setback requirements for main buildings in the zone; and
 - (b) the property be kept clean and free of waste.

Temporary structures

- 65 A structure, not including vending facilities, erected for a temporary period shall be permitted in any zone if:
- (a) the use of the structure is a permitted main, secondary or accessory use for the zone in which it is proposed and is removed no later than 14 days after being erected or placed, or
 - (b) the use of the structure is accessory to construction in progress, and the structure be removed within 14 days of the completion of the work.

PART 7 – ADDITIONAL RESIDENTIAL PROVISIONS

Division 7.1 Secondary uses

Home daycare

- 66 When permitted as a secondary use, a home daycare shall:
- (a) be permitted in a single unit dwelling only
 - (b) be located on a local street which permits on street parking within 20 metres of the lot; and
 - (c) be permitted to erect a non-illuminated sign not exceeding 0.75 square metres.

Accessory dwelling

- 67 When permitted, an accessory dwelling shall:
- (a) not exceed 35% of the dwelling's gross floor area; and
 - (b) have one parking space in addition to the parking required for the main use of the lot; and
 - (c) be permitted in a single unit dwelling only.

Home occupation

- 68 When permitted, a home occupation shall:
- (a) be limited to 25 percent of the gross floor area of the dwelling unit;
 - (b) not involve a change in the external appearance of the building that will alter its residential character;
 - (c) only supply or sell goods or services directly related to the home occupation;
 - (d) be permitted to erect a non-illuminated sign not exceeding 0.75 square metres;
 - (e) not have outside storage;
 - (f) provide one off street parking space, in addition to the parking space requirements of the zone in which it is located; and
 - (g) be limited to the residents of the dwelling or in the case of a home office an additional support employee.

Garden suite

- 69 When permitted, a garden suite shall:
- (a) despite the yard requirements for the zone in which it is located, not be closer than 1.2 metres from a side lot line or 2.5 metres from the rear lot line;
 - (b) not exceed six metres in height;
 - (c) be located in the rear yard;
 - (d) be located on a lot occupied by a single unit dwelling as a main use;

- (e) not exceed 75 square metres of ground gross floor area;
- (f) be fully serviced by water and sanitary sewer;
- (g) provide one parking space in addition to the parking required for the main use;
- (h) use the same driveway and parking aisle as the main use;

Bed and breakfast

70 When permitted, a bed and breakfast shall:

- (a) be conducted within a single unit dwelling;
- (b) be limited to five bedrooms for the accommodation of guests; and
- (c) be permitted to erect a non-illuminated sign not exceeding 0.75 square metres; and
- (d) parking is provided at the side and/or rear of the lot, but not within the required yard.

Secondary uses in the RA Zone

71 A home business, a home occupation or a home daycare may be permitted in the RA Zone, subject to the following conditions:

- (a) the area of the dwelling unit devoted to such use shall not exceed 50% of the gross floor area;
- (b) not more than one home business, home occupation or home daycare shall be permitted on a lot;
- (c) not more than three commercial vehicles or pieces of equipment may be stored on the lot; and
- (d) A home business may be conducted in an accessory building or structure.

Secondary residential use in the NC Zone

72 In a NC Zone, a residential use to a maximum of 4 units shall be permitted as a secondary use to a commercial use if the dwelling units are not located on the ground floor frontage.

Division 7.2 Other residential uses

Garages and carports

- 73 Except in a RA Zone, a garage or carport attached to a dwelling shall not exceed 85 square metres in gross floor area.
- 74 When a garage or carport is attached to a dwelling, it becomes part of the main building for purposes of determining a yard.

Residential development near a lagoon or treatment plant

75 Despite any other provision of this By-law, no dwelling shall be located within 90 metres of a sewage lagoon or treatment plant, and no sewage lagoon or treatment plant shall be located within 90 metres of a lot line.

Commercial vehicles and construction equipment in residential zones

- 76 In a residential zone, other than a RA Zone, no land shall be used for the parking or storage of commercial vehicles, buses, or construction or other equipment including bulldozers, backhoes, high hoes and payloaders or similar equipment.

Storage of vehicles and parking of recreational vehicles in residential zone

- 77(1) In the Residential Zone, other than a RA Zone no vehicles or other chattels shall be stored except in a carport, garage, or in a rear or side yard.
- 77(2) Despite subsection 77(1), a recreational vehicle may be parked in a driveway located within a front or flankage yard, provided it is wholly within the lot, between May 1st and October 31st.

Two unit dwellings and semi-detached dwellings

- 78 Except in the case of a two unit dwelling containing one unit wholly above the other, no two unit dwelling or semi-detached dwelling shall be developed except when the units are joined by a common wall both above and below grade and the common wall constitutes at least 60% of the vertical and horizontal axis between the two units.

PART 8 – SETBACKS

Building within the setback

- 79 Despite any other front yard or flankage yard requirement, a building may be placed, erected or altered within the setback:
- (a) if there are buildings within 30 meters on both sides of the building encroaching into the required setback, at a distance which is the average of the distance between the street line and those buildings; or
 - (b) if there is only one building within 30 metres of the building encroaching into the required setback area, at a distance which is the average of the required setback and the distance between the street line and the adjacent building.

Setback from watercourses

- 80 Unless otherwise permitted in this By-law, except for walking or cycling trails, a boat house, wharf, dock, boardwalk or bridge, no development shall be located within:
- (a) 30 metres of the Petlocodiac River;
 - (b) 30 metres of Mill Creek;
 - (c) 30 metres of Turtle Creek; and
 - (d) 10 metres of any other watercourse.

Sight triangle

- 81 On a corner lot, no building, structure, fence, wall, hedge, shrub, tree or other object, except a column of up to 0.2 metres in diameter supporting an upper storey projection, shall be erected or permitted to grow to obstruct an area between one metre and three metres above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of 4.6 metres measured from their points of intersection.

Reduced frontage on a curve

- 82 Despite any provision of this By-law, when the front lot line of a lot is a curved line or when the side lot lines are not parallel, the frontage shall be determined by measuring the distance between the points on each side lot line which are a distance from the street line equal to the required setback.

Permitted encroachments

- 83(1) Subject to section 81, every part of a required yard shall be open and unobstructed by structures, with the exception of the following:
- (a) wheelchair ramps and lifting devices;
 - (b) steps providing access at the ground floor in a required front yard, required rear yard or required flankage yard;
 - (c) sills, cornices, eaves, gutters, chimneys, pilasters, canopies or other architectural features, projecting to a maximum of 0.6 metres;
 - (d) window bays and solar collectors in a required front yard, required rear yard or required flankage yard, projecting to a maximum of 0.9 metres;

- (e) exterior staircases providing access to the basement or a floor above the ground floor, balconies, porches, verandas and sun decks in a required front yard, required rear yard or required flankage yard, projecting to a maximum of two metres; and
 - (f) climate control equipment in a required yard projecting to a maximum of 0.9 metres.
- 83(2) Despite paragraph (1)(e), when located between a façade and the street line, an exterior staircase giving access to a floor above the ground floor is a purpose subject to terms and conditions.

PART 9 – DESIGN STANDARDS

Exemptions from height restrictions

- 84 The height restrictions of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, telecommunication towers, ventilators, skylights, barns, chimneys, clock towers, or solar collectors attached to the main building or structure.

Public entrances

- 85 Despite any other section of this By-law, in the case of a corner lot, a public entrance oriented to face the corner of two street lines, shall be deemed to be located on both facades

Division 9.1 Design standards for commercial zones

RBS Zone Building Design Requirements

- 86 In the RBS zone, no development shall be permitted and no main building or structure may be used on a lot unless:
- (a) a minimum of 50% of the facade facing the street is finished with traditional materials;
 - (b) at least one public entrance is facing the street;
 - (c) no sign is located in a side yard where the property line in common with a residential zone; and
 - (d) despite Part 10, no more than one back-lit freestanding sign, not exceeding six metres in height, shall be erected or displayed and no part of such sign, other than its support, shall be within three metres of the established grade.

CM Zone Building Design Requirements

- 87(1) In the CM Zone, no development shall be permitted and no main building or structure may be used on a lot unless:
- (a) no less than 25% of the facade of the main building fronting a street is composed of windows or doors;
 - (b) no less than 50% of the facade facing any public street is finished with traditional materials; and
 - (c) at least one public entrance is facing the public street.

Lots fronting on Bridgedale Boulevard and Gunningsville Boulevard

- 87(2) In the CM Zone, no development shall be permitted and no main building or structure may be used on a lot fronting on Bridgedale Boulevard or Gunningsville Boulevard unless:
- (a) at least 40% of the ground floor facade of the main building fronting a street is composed of windows or doors;

- (b) at least 25% of the main building facades above the ground floor fronting a street is composed of windows;
- (c) at least 60% of the frontage is occupied by the main building;
- (d) awnings, canopies, porches or overhangs cover no less than 20% of the ground floor façade fronting a street;
- (e) buildings facades occupying more than 20 m of frontage length are broken down into 20 m compartments with a distinct change in vertical architectural style using different façade materials, projections, roof changes or colors;
- (f) at least one public entrance is facing the street;
- (g) a walkway shall be provided between the sidewalk and the public entrance;
- (h) no dwelling units are located on the first floor fronting the street;
- (i) no less than 90% of the facade facing the street is finished with traditional materials;
- (k) all mechanical, electrical, air conditioning or other similar equipment located on the roof of a building and shall be screened from the adjacent public street.

CM Zone Special Height Requirements

- 87(3)** A building or structure in the CM Zone, on a lot fronting on Bridgedale Boulevard or Gunningsville Boulevard, shall have:
- (a) a minimum height of seven metres and no fewer than two full stories above the established grade within ten metres of a street; and
 - (b) a maximum height of 13 metres within ten metres of a street line.

CM Zone vehicular access

- 87(4)** In the CM Zone, no development shall be permitted and no main building or structure may be used on a lot unless:
- (a) no vehicle queuing areas for a drive thru is located between the main building the street;
 - (b) only a single row of parking spaces is located between the main building and the street; and
 - (c) despite subsection 87(b), no parking spaces shall be located between the main building and Bridgedale Boulevard or Gunningsville Boulevard.

Other commercial zones special requirement

- 88(1)** Despite any other provision of this By-law, no development shall be permitted and no main building or structure shall be used in the area as set out in Schedule B, unless a 20 m wide buffer area preserving the existing vegetation is maintain along the R1 zoned lots.
- 88(2)** When permitted, the height of a main building with the NC Zone 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; and
 - (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;

- 88(3)** If a NC Zone abuts a R1 Zone, R1-C Zone or R2 Zone, except where the lot is used for a single, two unit or semi-detached dwelling, a six metre wide landscaping buffer shall be provided and maintained along the common property lines, 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) a minimum of one shrub for every 15 square metres of landscaping area;
 - (b) 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
 - (c) 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
- 88(4)** The landscaping buffer required in subsection 88(3) shall not be used for parking, garbage storage or public utility structures.

Technology uses

- 89** When permitted, a lot developed for the purpose of a technology use shall have:
- (a) not less than 25% of the facade of the main building fronting a street composed of windows or doors;
 - (b) not less than 50% of the facade facing any public street finished with traditional materials;
 - (c) at least one public entrance is facing the street;
 - (d) only a single row of parking spaces is located between the main building and the street; and
 - (e) manufacturing, processing or fabricating related to the main use is contained inside the main building.;

Division 9.2 **Design standards for rowhouse dwellings, townhouse dwellings, multiple unit dwellings or single unit dwellings with compact lot configurations**

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.

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.
- 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;
 - (e) 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;
 - (f) 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;

- (g) 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;
- (h) for buildings on corners, windows or doors must address both street frontages and shall be designed to the same quality;
- (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 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.

Single unit dwelling with a compact lot configuration

91.1 When permitted, a lot developed for the purpose of a compact single family dwelling shall be subject to the following conditions:

- (a) the façade, is finished with at least three different materials that includes at least twenty percent brick or masonry;
- (b) the main entrance to the dwelling shall face a street;
- (c) no building façade and color shall be repeated on adjacent lots within the same side of a street as well as the lot on the opposite side of the street;
- (d) despite subsection 43(4), the driveway shall be paved or finished with other hard surfaces such as stone pavers or bricks; and
- (e) despite subsection 43(5), the driveway shall have a maximum width of 4 m at the street line and may open up to a maximum width of 5.5 m in the front yard.

PART 10 – SIGNS

Division 10.1 Conditions and standards of signs

92(1) The following signs, are permitted in any zone:

- (a) without the requirement of a development permit, if:
 - (i) in the case of a real estate sale sign, it does not exceed one square metre in area in a residential zone or three square metres in area any other zone;
 - (ii) it is erected by, or under the direction of, a government body;
 - (iii) it is a memorial; or
 - (iv) it announces a candidate for public office.
- (b) with the requirement of a development permit, if in the case of:
 - (i) a directional sign provided:
 - (A) there shall be a maximum of one for each entrance, exit, and drive thru lane;
 - (B) the sign shall not exceed 0.5 metres in area;
 - (C) the sign shall not exceed 1.5 metres in height; and
 - (D) the sign shall have a minimum setback of two metres from a front or flankage lot line.
 - (ii) a sign incidental to a construction project provided it does not exceed nine square metres in area and is removed upon completion of the construction;
 - (iii) a sign identifying a charitable, religious or fraternal organization provided it does not exceed 0.6 square metres in area in a residential zone or three square metres in area any other zone; or
 - (iv) a sign regulating the use of a property provided it does not exceed 0.5 square metres in area.

92(2) No sign shall be erected unless in compliance with the following:

- (a) it shall not create a hazard to public safety or health;
- (b) it shall not obstruct the vision of drivers, or detract from the visibility or effectiveness of a traffic sign or control device on streets;
- (c) it shall not obstruct ingress to or egress from a fire escape or other required exit;
- (d) it shall not include electronic moving copy;
- (e) it does not incorporate a searchlight, strobe lights, flashing lights, or emit sounds or be interactive in any way;
- (f) unless it is a portable sign, it shall be permanently affixed to the ground or a building; and
- (g) despite subsection 92(1)(a), the consent of the property owner is attained prior to installing any sign.

Non-conforming signs

- 92(3) If a sign, existing before the adoption of this By-law, is either built or placed contrary to the requirements of the By-law, it may be repaired or renovated and the sign copy may be replaced if the requirements of this By-law or standards that do not conform to this By-law are not further compromised.
- 92(4) Despite subsection 92(3), the requirements of subsection 93(2) and sections 100.1 and 100.2 shall apply to the installation or replacement of an electronic static copy on an existing sign.

Development permit exemption for portable and sandwich signs

- 92(5) A portable sign licensed under the Portable Sign By-law is exempt from the requirement of a development permit, but must adhere to all other requirements of this By-law and the Portable Sign By-law.
- 92(6) A sandwich sign is exempt from the requirement of a development permit, but must adhere to all other requirements of this By-law and the Portable Sign By-law.

Sign setback and location

- 93(1) Subject to section 81, except in the CM Zone, no sign shall be placed, erected or altered within the minimum required setback as set out in Schedule C.

Signs in Proximity to Traffic Control Devices

- 93(2) Despite subsection 93(1), no signs having electronic static copy shall be located within the restriction area of an illuminated traffic control device or illuminated crosswalk, as determined in Schedule C.1.

Division 10.2 Types of signs

Freestanding signs

- 94(1) Except in a residential zone, a freestanding sign is permitted subject to the following:
- (a) it shall not exceed 15 metres in height;
 - (b) it shall not exceed 10 square metres in area;
 - (c) despite subsection 94(1)(b), in the case of a lot containing three or more businesses, it shall not exceed 20 square metres in area; and
 - (d) no more than one freestanding sign shall be permitted for every 100 metres of lot frontage.
- 94(2) Despite subsection 94(1), a freestanding sign may be permitted:
- (a) in a residential zone for a church, but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not be back lit or include an electronic static copy;
 - (iii) it shall not exceed 4.5 square metres in area; and
 - (iv) it shall not exceed three metres in height;

- (b) in a residential zone to identify a multiple unit dwelling or a daycare centre, but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not be back lit or include an electronic static copy;
 - (iii) it shall not exceed 1.5 square metres in area for a multiple unit dwelling;
 - (iv) it shall not exceed 2.5 square metres in area for a daycare centre; and
 - (v) it shall not exceed two metres in height;
- (c) to identify a farm or home business operated in the RA Zone but:
 - (i) there shall be no more than one sign per lot;
 - (ii) it shall not exceed three square metres in area;
 - (iii) it shall not exceed two metres in height; and
 - (iv) it shall not be back lit or include an electronic static copy;
- (d) As a neighbourhood identification sign in a residential zone but it shall:
 - (i) be limited to one for each entrance into the neighbourhood or subdivision;
 - (ii) be limited to identifying the name of the neighbourhood or subdivision where it is situated;
 - (iii) not exceed three square metres in area;
 - (iv) not exceed two metres in height; and
 - (v) not be back lit or include electronic static copy;
- (e) on a lot in the CM Zone fronting on Bridgedale Boulevard or Gunningsville Boulevard but:
 - (i) There shall be no more than one per lot;
 - (ii) It shall not be back lit or include electronic static copy;
 - (iii) It shall not exceed 2.5 square metres in area; and
 - (iv) It shall not exceed two metres in height.

Projecting signs

95 Except in a residential zone, a projecting sign may be permitted, but:

- (a) it shall not exceed one square metre in area;
- (b) it shall not project more than 1.5 metres from the building wall;
- (c) it shall not be erected less than three metres above the established grade;
- (d) there shall be a maximum of one for every six metres of lot frontage;

- (e) it shall not project more than 0.3 metres above the roof of a building; and
- (f) it shall not be permitted to swing freely on its supports.

Wall signs

96(1) A wall sign is permitted in all zones except residential zones if:

- (a) it does not extend beyond the wall on which it is placed; and
- (b) it shall not cover more than one square metre per linear metre of the wall on which the sign is affixed.

96(2) Despite any other provision in this By-law, wall signs may be permitted as identification signs for a multiple unit dwelling or a daycare centre, but:

- (a) they shall be placed on no more than two sides of a building and be below the level of the second floor windows;
- (b) they shall not be back lit or include electronic static copy; and
- (c) they shall not exceed 1.5 square metres in area for a multiple unit dwelling and 2.5 square metre for a daycare centre.

Canopy signs

97 A canopy sign is permitted in all zones except residential zones if it does not exceed two square metres in area for each metre of the exterior length of the canopy.

Directory signs

98 A directory sign may be permitted in commercial, industrial and community use zones, subject to the following:

- (a) despite subsection 94(1)(a), it shall not exceed 20 square metres in area;
- (b) despite subsection 94(1)(b), it shall not exceed a height of 15 metres in height; and
- (c) not more than one be permitted per entrance to the site.

Portable signs

99 A portable sign may be permitted in the commercial, industrial, and community use zone subject to the Portable Sign By-law.

Sandwich signs

100 A sandwich sign may be permitted in all zones, except residential zones, subject to the following:

- (a) not more than one is displayed for each business located thereon;
- (b) each of the two panels of a sandwich sign must have equal dimensions and areas; and
- (c) it does not obstruct pedestrian or vehicular access to the premises.

Electronic message signs

100.1(1) A sign with an electronic static copy may be used as part of a freestanding sign, wall sign, projecting sign, canopy sign, or directory sign subject to the following standards:

- (a) the sign shall be a permitted use in the SC, CM and I Zones;
- (b) the sign shall be a particular purpose, subject to terms and conditions as per Municipal Plan Policy 12.1.4, RBS Zone, NC Zone, PRI Zone, OS Zone, ID Zone, or within 30m of any residential zone;
- (c) the message duration shall not be less than 20 seconds;
- (d) the message transition shall be instantaneous;
- (e) message transition shall not involve any visible effects including but not limited to scrolling, fading, dissolving, intermittent or flashing light, or the illusion of such effects;
- (f) brightness levels of the sign do not exceed 3.23 lux above ambient light conditions measured at a distance which is determined by the square root of the sign area multiplied by 100;
- (g) the sign shall use automatic dimming technology which automatically adjusts the sign copy's brightness in direct correlation with ambient light conditions; and
- (h) the sign shall be turned off in the case of a malfunction.

100.1(2) The portion of the sign devoted to an electronic static copy shall not exceed 50 percent of the maximum allowable area.

100.1(3) The application for a development permit shall include an acknowledgement by the owner of the sign that the sign is capable of meeting the conditions in subsections 100.1(1) and 100.1(4).

Electronic message sign limitations

100.1(4) Electronic static copy shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the business is open or in operation during those hours.

PART 11 - RESIDENTIAL ZONES

101(1) In accordance with section 7, Table 11.1 (a) or Table 11.1 (b) identifies the land uses permitted within each residential zone.

101(2) Except in the RM Zone and R3 Zone, only one of the main uses listed in Table 11.1 (a) is permitted on a lot.

TABLE 11.1 (a) RESIDENTIAL ZONES USE TABLE

P = Permitted

C = Conditional Use Subject to Terms and Conditions

- = Use Not Permitted

ONE OR MORE OF THE FOLLOWING MAIN USES	R1	R1-C	R2	RM	R3
Single unit dwelling	P	P Subject to section 91.1	P	P	-
Semi-detached dwelling	-	-	P	P	-
Two unit dwelling	-	-	P	P	-
Multiple unit dwelling subject to section 91	-	-	-	C (maximum 15 units / acre)	C
Townhouse / rowhouse dwelling unit subject to section 90	-	-	-	C (maximum 15 units / acre)	C
Assisted living facility or independent living facility	-	-	-	C	C
Church	C	C	C	C	C
Daycare Centre	-	-	-	-	P
Fire and/or police station	C	C	C	C	C
Funeral home	-	-	-	-	C
Philanthropic use	-	-	-	-	C
Public park	P	P	P	P	P
Public or private school	C	C	C	C	C
Retail commercial or office use on the ground floor in conjunction with a multiple dwelling unit	-	-	-	C	C
ACCESSORY USES, BUILDINGS & STRUCTURES					
Accessory building, structure or use, subject to Division 3.1	P	P	P	P	P

TABLE 11.1 (b) RESIDENTIAL ZONES USE TABLE

P = Permitted
 C = Conditional Use Subject to Terms and Conditions
 - = Use Not Permitted

ONE OR MORE OF THE FOLLOWING MAIN USES	RA	MD
Single unit dwelling	P	P
Agricultural use	P	-
Billboard Sign	P	-
Church	C	-
Extraction use	C	-
Fire and/or police station	C	-
Forestry use	P	-
Manufactured dwelling	-	P
Manufactured dwelling display court or sales lot	-	C
Philanthropic use	C	-
Public park	P	P
Public or private school	C	-
Roadside stand for the sale of agricultural produce	P	-
Veterinary clinic	C	-
ACCESSORY USES, BUILDINGS & STRUCTURES		
Accessory building, structure or use, subject to Division 3.1	P	P

102 In accordance with section 7, Table 11.2 (a) or Table 11.2 (b) identifies the secondary land uses permitted within each residential zone.

TABLE 11.2 (a) RESIDENTIAL ZONES SECONDARY USE TABLE

P = Permitted
 C = Conditional Use Subject to Terms and Conditions
 - = Use Not Permitted

ONE OF THE FOLLOWING SECONDARY USES	R1	R1-C	R2	RM	R3
Accessory dwelling unit, within a single unit subject section 67	P	P	P	P	-
Bed and breakfast subject to section 70	P	-	P	P	-
Garden Suite subject to section 69	P	-	P	P	-
Home Daycare subject to section 66	P	-	P	P	-
Home occupation subject to section 68	P	P	P	P	-
Residential care facility to a maximum of 6 beds within a Single Unit Dwelling	P	-	P	P	-

TABLE 11.2 (b) RESIDENTIAL ZONES SECONDARY USE TABLE

P = Permitted
 C = Conditional Use Subject to Terms and Conditions
 - = Use Not Permitted

	RA	MD
PERMITTED SECONDARY USES		
Accessory dwelling unit, within a single unit dwelling subject section 67	P	P
Bed and breakfast subject to section 70	P	P
Garden Suite subject to section 69	P	-
Home Daycare subject to section 66	P	P
Home business, home daycare or home occupation subject to section 71	P	-
Residential care facility to a maximum of 6 beds within a Single Unit Dwelling	P	-
Stable	P	-
Second Farmstead Residence	P	

- 103 No development shall be permitted and no main building or structure shall be used on a lot in a residential zone unless the requirements within Table 11.3 (a) or Table 11.3 (b) are complied with.

TABLE 11.3 (a) RESIDENTIAL ZONES LOT REQUIREMENTS

- = not applicable

	R1	R1-C	R2	RM	R3
LOT REQUIREMENTS					
Minimum Lot Area					
Lot Area for Single Unit Dwelling	460 m ²	350 m ²	460 m ²	460 m ²	-
Lot Area for Two Unit Dwelling	-	-	630 m ²	630 m ²	-
Lot Area for Semi-Detached Dwelling	-	-	315 m ²	315 m ²	-
Lot Area for Multiple Unit Dwelling	-	-	-	630 m ² plus 50 m ² for each additional units	630 m ² plus 50 m ² for each additional units
Lot Area for Townhouse / Rowhouse Dwelling Unit	-	-	-	180 m ²	180 m ²
Minimum Lot Frontage					
Lot Frontage for Single Unit	15 m	12.19 m	15 m	15 m	-
Lot Frontage for Two Unit Dwelling	-	-	21 m	21 m	-
Lot Frontage for Semi-Detached Dwelling	-	-	10.5 m	10.5 m	-
Lot Frontage for Multiple Unit Dwelling	-	-	-	21 m	25 m
Lot Frontage for Townhouse / Rowhouse Dwelling Unit	-	-	-	6 m	6 m
Required Front or Required Flankage Yard					
Front or Flankage yard for Single Unit Dwelling, Two Unit Dwelling, Semi-Detached Dwelling	6 m	6 m	6 m	6 m	-
Front or flankage yard for Multiple Unit Dwelling or Townhouse / Rowhouse	-	-	-	4.5 m	4.5 m

TABLE 11.3 (a) RESIDENTIAL ZONES LOT REQUIREMENTS

- = not applicable

LOT REQUIREMENTS	R1	R1-C	R2	RM	R3
Dwelling Units					
Required Side Yard					
Side Yard – Single Unit Dwelling	3 m & 1.2 m	2.6 m & 1.6 m	3 m & 1.2 m	3 m & 1.2 m	-
Side Yard – Two Unit Dwelling	-	-	3 m (0 m on common wall side)	3 m (0 m on common wall side)	-
Side Yard – Semi-Detached Dwelling	-	-	3 m (0 m on common wall side)	3 m (0 m on common wall side)	-
Side Yard – Multiple Unit Dwelling, Townhouse / Rowhouse Dwelling Units	-	-	-	The greater of 3 m or ½ the height of building to a maximum of 6 m	The greater of 3 m or ½ the height of building to a maximum of 6 m
Required rear yard	6 m	6 m	6 m	6 m	6 m (subject to 91)
Maximum Lot Coverage	50%	50%	50%	50%	50%
Maximum Height	9 m	9 m	9 m	10 m	15 m (subject to 91)

TABLE 11.3 (b) RESIDENTIAL ZONES LOT REQUIREMENTS

- = not applicable

LOT REQUIREMENTS	RA	MD
Minimum lot area	2 Hectares	450 m ²
Minimum lot frontage	150 m	15 m
Required front or required flankage yard	7.5 m	4.5 m
Required side yard	6 m	2.5 m
Required rear yard	6 m	4.5 m
Maximum height	11 m for residential & 26 m for agricultural uses	11 m

PART 12 - COMMERCIAL ZONES

104 In accordance with section 7, Table 12.1 identifies the land uses permitted within each commercial zone

TABLE 12.1 COMMERCIAL ZONES USE TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted				
ONE OR MORE OF THE FOLLOWING MAIN USES	SC	CM	RBS	NC
Art gallery, library or museum	P	P	P	-
Automobile repair shop or automobile sales establishment	C	-	-	-
Bank or financial institution	P	P	P	-
Brewery, distillery or winery	P	P	-	-
Call center	P	P	P	-
Car Wash	C	-	-	-
Church	C	C	C	C
Communication use	P	P	P	-
Daycare centre	P	P	P	P
Drive thru	C	C	-	-
Educational use	C	C	C	-
Entertainment use	P	P	-	-
Farmer's market	P	P	-	-
Funeral home	P	P	P	-
Government use	P	P	P	-
Hospital, treatment centre or medical clinic	P	P	P	-
Mini storage warehouse	C	-	-	-
Motel, hotel, bed and breakfast or rooming house	P	P	P	-
Multiple unit dwelling, subject to section 91	C	C	C	-
Nursery	P	-	-	-
Office use	P	P	P	P
Parking garage or off-site parking lot	C	C	-	-
Personal service shop	P	P	P	P
Pet service use	P	P	-	-
Philanthropic use	P	P	P	-
Public Park	P	P	P	P
Recreational use	P	P	-	-
Recreational vehicles sale establishment	C	-	-	-
Redemption Centre	P	P	-	-
Research and development, subject to section 89	C	C	-	-
Restaurant	P	P	P	C
Restaurant, including a drive thru	C	C	-	-

Retail store	P	P	-	P (maximum 750 m ²)
Townhouse/rowhouse dwelling unit subject to section 90			C	
Service shop	P	P	P	P
Service station subject to section 58	C	-	-	-
Single, two unit or semi-detached dwelling	-	-	-	P
Technology use, subject to section 89	C	C	-	-
Veterinary clinic	P	P	P	-
Wholesale store	P	P	-	-
ACCESSORY USES, BUILDINGS & STRUCTURES				
Accessory building, structure or use, subject to Division 3.1	P	P	P	P

105 In accordance with section 7, Table 12.2 identifies the secondary land uses permitted within each commercial zone.

TABLE 12.2 COMMERCIAL ZONES SECONDARY USE TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted				
ONE OR MORE OF THE FOLLOWING SECONDARY USES	SC	CM	RBS	NC
Accessory dwelling unit, within a single unit dwelling subject section 67	-	-	-	P
Bed and breakfast subject to section 70	-	-	-	P
Dwelling unit	P	-	-	-
Daycare centre	P	P	P	P
Display court	P	-	-	-
Garden Suite subject to section 69	-	-	-	P
Home daycare subject to section 66	-	-	-	P
Home occupation subject to section 68	-	-	-	P
Outdoor storage subject to section 59	P	-	-	-
Residential care facility to a maximum of 6 beds within a Single Unit Dwelling	-	-	-	P
Residential use subject to section 72	-	-	-	P

106 No development shall be permitted and no main building or structure shall be used on a lot in a commercial zone unless the requirements within Table 12.3 are complied with.

TABLE 12.3 COMMERCIAL ZONE LOT REQUIREMENTS				
- = not applicable				
LOT REQUIREMENTS / NORMES	SC	CM	RBS	NC
Minimum lot area	1300 m ²	600 m ²	590 m ²	540 m ²
Minimum lot frontage	30 m	20 m	21 m	18 m
Required front yard or required flankage yard	4.5 m	4.5 m	4.5 m	4.5 m
Required front yard or required flankage yard for residential uses located at established grade	-	4.5 m	-	-
Required front yard or required flankage yard for a lot fronting on Bridgedale Boulevard or Gunningsvill Boulevard	-	3 m and 5 m maximum	-	-
Required rear yard	6 m	6 m	6 m	6 m
Required side yard	1.5 m	1.5 m	The greater of 3 m or ½ the height of the main building to a maximum of 6 m	2.5 m
Maximum lot coverage	50%	50%	50%	50%
Height	Maximum 15 m	Maximum 18 m subject to 87(3)	Maximum 15 m	Maximum 13 m subject to 88(2)

PART 13 - INDUSTRIAL ZONES

107 In accordance with section 7, Table 13.1 identifies the land uses permitted within each industrial zone.

TABLE 13.1 INDUSTRIAL ZONES USE TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted	
ONE OR MORE OF THE FOLLOWING MAIN USES	I
Automobile repair shop or automobile repair shop	P
Car wash	C
Distribution use	P
Educational use	C
Heavy equipment sales establishment	P
Industrial use	P
Mini-storage warehouse	P
Office use	P
Recreational vehicle sales and service establishments	P
Redemption centres	P
Single unit dwelling	P
Technology use, subject to 89	C
Transportation use	P
Veterinarian clinic	P
Wholesale store	P
ACCESSORY USES, BUILDINGS & STRUCTURES	
Accessory building, structure or use, subject to Division 3.1	P

108
No development shall be permitted and no main building or structure shall be used on a lot in an industrial zone unless the requirements within Table 13.2 are complied with.

TABLE 13.2 INDUSTRIAL ZONES LOT REQUIREMENTS	
LOT REQUIREMENTS	I
Minimum lot Area	540 m ²
Minimum lot frontage	18 m
Required front or required flankage yard	7.5 m
Required rear yard	6 m
Required side yard	The greater of 3 m or ½ the height of the main building to a maximum of 6 m
Maximum lot coverage	50 %
Maximum height	11 m

PART 14 – COMMUNITY USE ZONES

109 In accordance with section 7, Table 14.1 identifies the land uses permitted within each community use zone.

TABLE 14.1 PARK AND COMMUNITY USE ZONES TABLE P = Permitted C = Conditional Use Subject to Terms and Conditions - = Use Not Permitted		
ONE OR MORE OF THE FOLLOWING MAIN USES	PRI	OS
Air Traffic Control Center	P	-
Art gallery, library or museum	P	-
Assisted living facility or independent living facility	C	-
Cemetery	P	-
Church	C	-
Community garden	P	P
Daycare Centre	P	-
Educational use	C	-
Farmers' market	P	-
Funeral home	P	-
Golf course	P	-
Governmental use	P	-
Hospital, treatment centre or medical clinic	P	-
Recreational use	P	-
Interpretive centres	P	P
Philanthropic use	P	-
Public park	P	P
Residential Care Facility	C	-
ACCESSORY USES, BUILDINGS & STRUCTURES		
Accessory building, structure or use, subject to Division 3.1	P	P

- 110 No development shall be permitted and no main building or structure shall be used on a lot in a park and community use zone unless the requirements within Table 14.2 are complied with.

TABLE 14.2 PARK AND COMMUNITY USE ZONES LOT REQUIREMENTS		
- = not applicable		
LOT REQUIREMENTS	PRI	OS
Minimum lot Area	810 sq. m	-
Minimum lot frontage	27 m	-
Required front or required flankage yard	6 m	-
Required rear yard	6 m	-
Required side yard	The greater of 3 m or ½ the height of the main building to a maximum of 6 m	-
Maximum lot coverage	50 %	-
Maximum building height	15 m	-

PART 15 - INTEGRATED DEVELOPMENT ZONE

- 111(1) No development shall be undertaken nor shall any land, building or structure be used on a lot within an integrated development zone unless Council has approved the development of a specific proposal under section 59 of the Act.
- 111(2) Standards or requirements for development in an integrated development zone shall be established by agreement entered into pursuant to section 59 of the Act.

PART 16 – REPEAL, SAVING AND TRANSITIONAL PROVISIONS

Division 16.1 Repeal

114 The Town of Riverview Zoning By-law, being By-law 300-6, is repealed.

Division 16.2 Saving and transitional provisions

Conditional agreements carried over

112(1) The lots affected by a conditional rezoning agreement or conditional by-law amendment made before this By-law are zoned as set out in Schedule A.

112(2) Despite subsection (1), the owner's covenants under a conditional rezoning agreement as set out in Schedule E shall continue to apply to the lot.

Previous approvals

113 Any previous approvals granted prior to the coming into force of this By-law will be subject to the current provision within this By-law

ORDAINED AND PASSED _____

First Reading: _____

Second Reading: _____

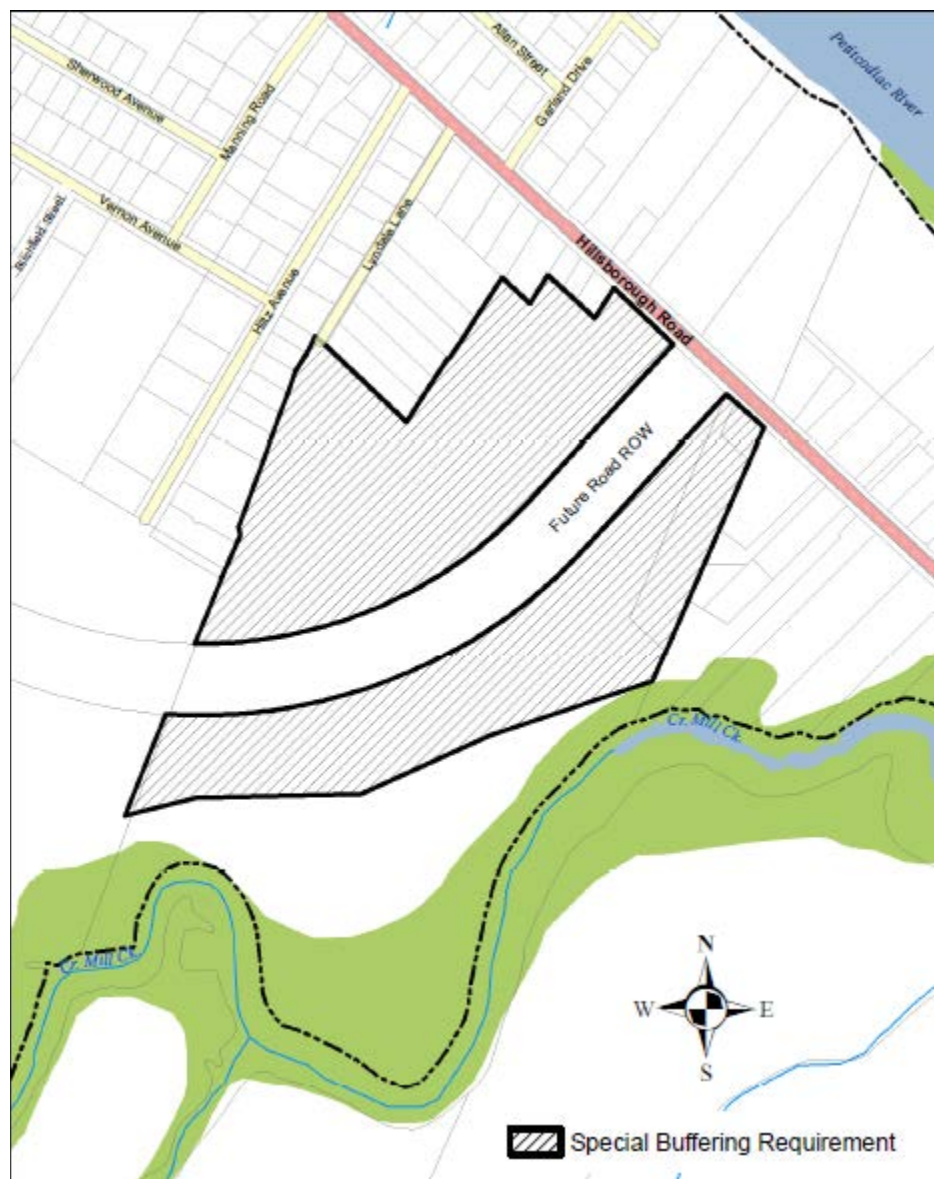
Third Reading: _____

Mayor - Ann Seamans

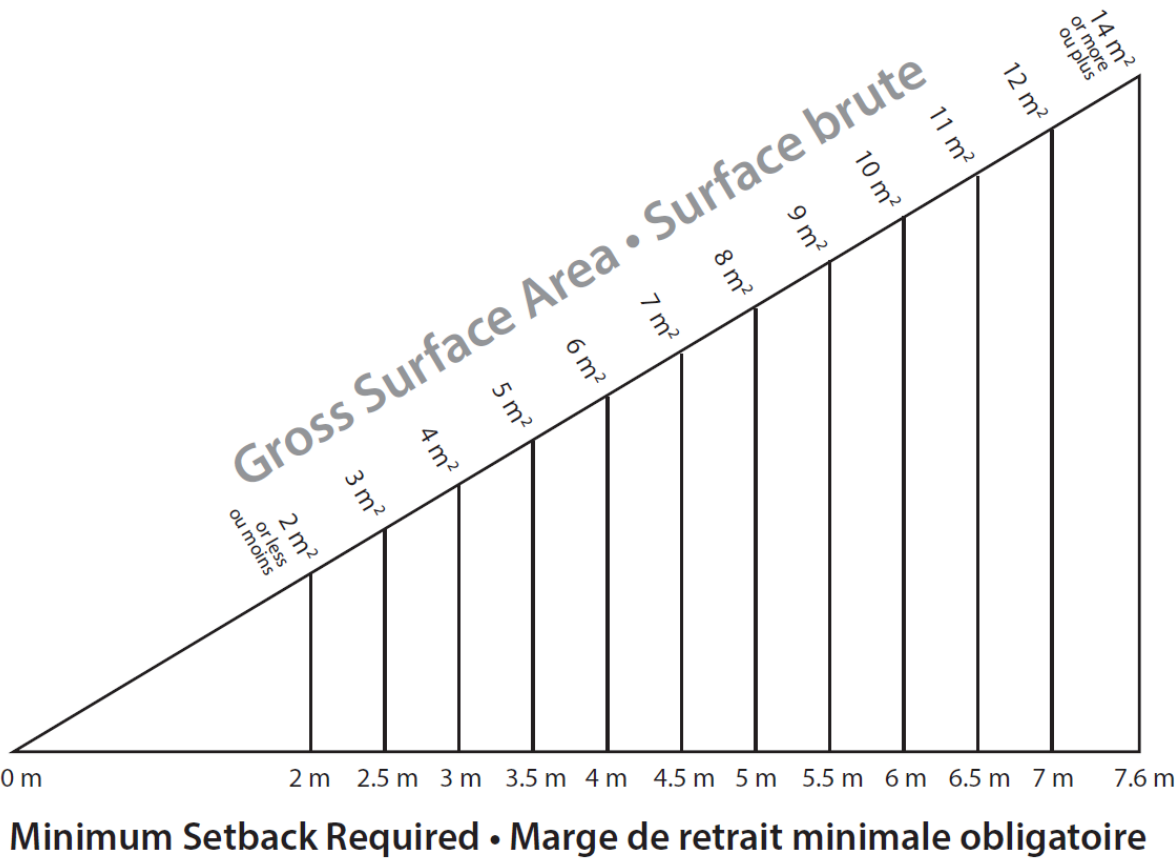
Town Clerk – Annette Crummey

Schedule A – Zoning Map

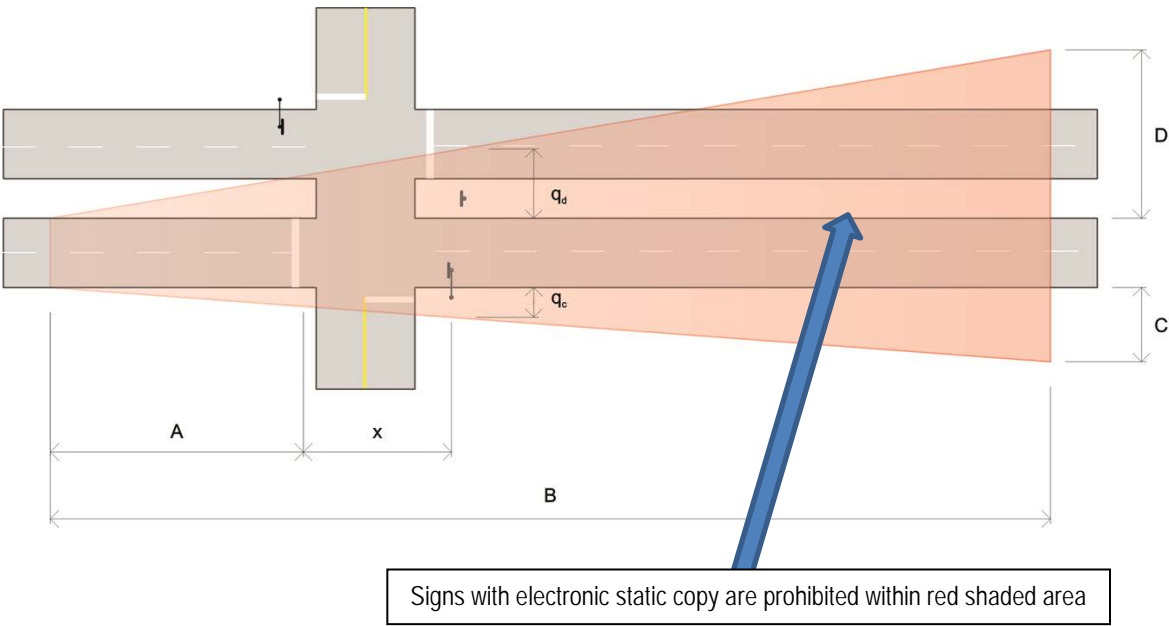
Schedule B – Special Buffering Requirement



Schedule C – Signs: Gross Surface Area & Minimum Setback Required



Schedule C.1 – Restriction Area for Electronic Message Signs



Variable	Description	Source
A	Stopping distance, measured from stop bar	Given
B	Decision sight distance	Given
C	Maximum lateral dimension of the prohibited area for a sign with an electronic static copy in the direction of travel	Calculated
D	Maximum lateral dimension of the prohibited area for a sign with an electronic static copy in the opposite direction of travel	Calculated
q_c	Lateral clearance from the traffic control device, measured from the curb line of the rightmost lane	3 m
q_d	Lateral clearance from the traffic control device, measured from the curb line of the leftmost lane	3 m
x	Distance between the stop bar and the nearest traffic control signal	Measured

Posted Speed Limit (km/h)	A (m)	B (m)
50	65	200
60	85	235
70	110	275
80	140	315
90	170	360
100	210	405
110	250	435

Formulas / Formules:

$$C = q_c \times \left(\frac{B}{A + x} \right)$$

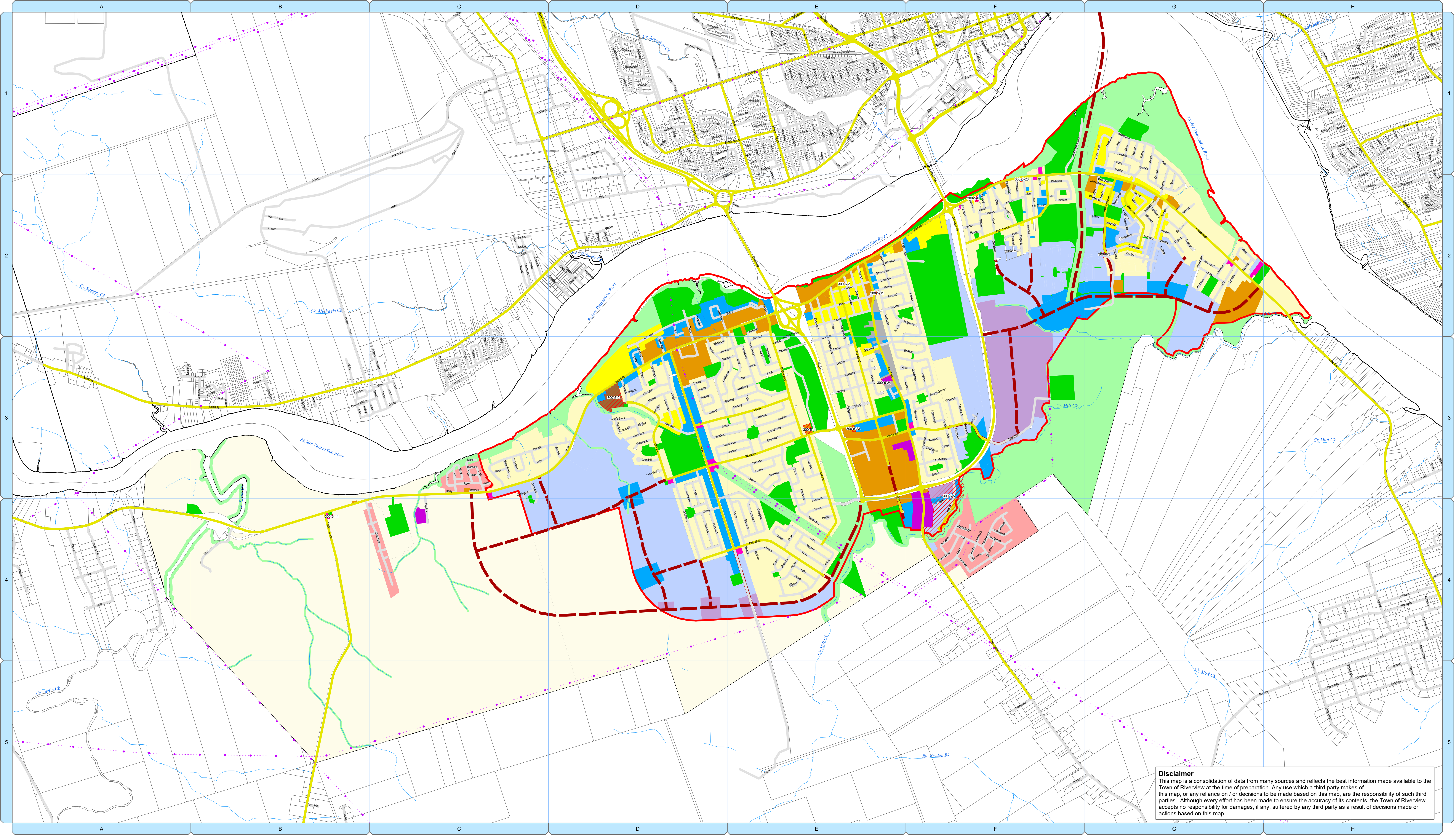
$$D = q_d \times \left(\frac{B}{A + x} \right)$$

Schedule D – Parking Requirements Chart

PARKING REQUIREMENTS CHART	
USE	NUMBER OF PARKING SPACES REQUIRED
Single unit dwelling or home daycare	1
Two unit, semi-detached, three-unit or rowhouse/townhouse dwellings	1 for each unit
Multiple unit dwellings	1.25 for each unit
Rooming houses or bed & breakfast	1.5 for each two bedrooms
Retail, service & personal service greater than 1 000 m ² of gross floor area	1 for each 40 m ² of gross floor area
Retail, service & personal service less than 1 000 m ² of gross floor area	1 for each 35 m ² of gross floor area
Banks, financial institutions & offices	1 for each 50 m ² of gross floor area
Restaurants	1 for each 4 seats
Entertainment use	1 for each 10 m ² of gross floor area
Theatres	1 for each 5 seats
Motels or hotels	1.25 for each unit
Institutional uses except as otherwise specified	1 for each 10 m ² of gross floor area
Public School	3 per classroom, or in the case of a high school 4 per classroom
Post-secondary educational establishment	1 per classroom + 1 per 5 students based on the maximum number of students attending classes at any one time
Residential care facility, assisted living facility or independent living facility	0.5 per bed
Daycare centres	1 for the first 2 employees, plus 0.5 per additional employee + 1 per 10 children
Medical clinics & offices of a health practitioner	3 per examining room
Funeral homes and crematoria with associated chapels	15 per viewing room and 1 for each 5 m ² of gross floor area used for chapel
Distribution, manufacturing or transportation use	1 for each 200 m ² of gross floor area
Telephone call centres	7 per 100 m ² of gross floor area
Redemption centre	3
A use or development not specified in this chart	3.5 per 100 m ² of gross floor area

Schedule E - Conditional rezoning agreements carried over

Amending By-law Number	Location	Registration Date	By-law Registration Number	Agreement Registration Number	General Description of Amendment
300-5-1	330 Whitepine Road PID: 05047758	June 1, 2007	23917082	23988935	To allow for a funeral home subject to terms and conditions.
300-5-6	142 Hillsborough Road PID:00649863	January 18, 2013	25097396	25097099	To allow for a daycare subject to terms and conditions
300-5-9	822 Coverdale Road PID:05093521	June 25 2008	25744633	25830291	ID zone agreement to allow for a retirement campus
300-5-11	Corner of Pine Glen Road and Harvey Road PID: 05095682	October 2, 2009	27840348	27840348	To allow for a physiotherapy clinic and dwelling unit subject to terms and conditions
300-5-23	Whitepine Road PID: 05051347	September 17, 2012	31953988	32082258	To allow for a car wash subject to terms and conditions
300-5-24	405 Pine Glen Road PID:00653741	October 11, 2012	32045719	32046527	To allow for a heavy equipment repair shop subject to terms and conditions
300-5-26	230 Hillsborough Road PID: 00648402	September 12, 2013	33097180	33098055	To allow for a multiple unit dwelling subject to terms and conditions
300-6-2	21 McClellan Avenue PID: 00656090	August 14, 2014	34069907	34070301	To allow an office building expansion subject to terms and conditions
300-6-3	Runnymede Road PID: 05103874	August 14, 2014	34069980	34070319	To allow two semi-detached dwellings subject to terms and conditions
300-6-5	Gunningsville Boulevard PIDs: 00662868, 05058484, and 05058490	January 16, 2015	34552662	34552795	To allow a mixed-use, residential neighbourhood subject to terms and conditions
300-6-14	1174 Coverdale Road PID: 05112701	June 11, 2018	38078623	38078649	To allow a residential home, with secondary entertainment use, subject to terms and conditions



Legend

R1 Single Unit Dwelling	RA Rural Area	NC Neighborhood Commercial
R1 - C Single Unit Dwelling (Compact)	MD Manufactured Dwelling	I Industrial
R2 Two Unit Dwelling	SC Suburban Commercial	PRI Parks, Recreation, Institutional
R3 Multiple Unit Dwelling	RBS Residential Business Service	OS Open Space & Conservation
RM Residential Mix	CM Commercial Mix	ID Integrated Development

Conditional Zoning Agreements
Urban Growth Boundary
Future Collector or Arterial

Schedule A

Town of Riverview

Zoning Map

By-Law No. 300-7

Zoning Amendments

W N E S

0 500 1,000 1,500 2,000 Meters



Addition of Signage Section in By-law No. 300-33

INTRO

The following are the proposed changes to the existing Municipal Development Plan By-law No. 300-32, as integrated into the proposed re-adoption, being Municipal Plan By-law No. 300-33. The proposed changes include a new section on signage policies and proposals titled ‘12.1 Signage Policies,’ which is under the current ‘Chapter 12: Urban Design.’

- 1. By adding at the end of CHAPTER 12: URBAN DESIGN, the following text:

12.1 SIGNAGE POLICIES

It is highlighted in many sections of this Plan that urban design is a major priority for the Town. Urban design is not only for buildings, it is also about our streets and streetscapes and how they interact with the public realm. The streetscape is a very challenging component of urban design, as streets are generally seen as piece of infrastructure with one function; to move people from one place to another. Often, we tend to overlook the importance of the public realm component that is formed by the arrangement of the streets, sidewalks, landscaping, parking lots, signage, and building facades. Given that the streetscape in its entirety is formed by both elements from the public and private realms, it requires a collaborative effort to achieve good urban design.

The question of signage has often been a challenging component for municipalities. The purpose of signs—to advertise—requires visibility and that typically involves them being located as close as possible to the street. As a result, they become a prominent part of the streetscape and may consequently have a negative impact on community aesthetics as well as public safety. This is further challenged with the arrival of new technology making signage even more visible.

Electronic message signs are increasing in popularity throughout our community. What used to be single-colour incandescent screens, typically used to broadcast time and temperature, have grown into dynamic displays using picture-quality resolution allowing unlimited options for businesses to advertise their goods and services. However, this introduces new elements potentially affecting the visual character and safety of our streets.

Depending on the street type and the built form, signage can contribute to enhancing the streetscape or detracting from it. Good design is often said to be subjective; however, proper attention to context and location is very real and objective. The Town’s role is to find a balance which allows businesses and other organizations to advertise their offerings, while at the same time, maintain standards of public safety and community aesthetics.

Objectives

- 1. To recognize the benefits of ensuring a quality streetscape throughout the Town.
- 2. To recognize the impact of signage on the streetscape and adjacent land uses.
- 3. To recognize the importance of signage for businesses and other organizations to communicate their brand or offerings.
- 4. To recognize the need for a new approach in regulating electronic message signs.
- 5. To ensure that public safety and community aesthetics are not compromised by signage.

Policies

- 12.1.1 In order to ensure signage does not affect public safety or deteriorate streetscapes and community aesthetics, Council shall establish general zoning provisions to control sign design, type, dimension, height and location;
- 12.1.2 Further to Policy 12.1.1, in order to ensure signage respects its context and location, Council may establish special design requirements for signage within specific urban areas of the Town.
- 12.1.3 In recognizing potential impacts of the increase in use of electronic message signs, Council shall establish special zoning provisions to address the following:
 - a) Ensuring appropriate distances between electronic message signs and traffic control devices;
 - b) Regulating message transition and duration;
 - c) Restricting the brightness of signs;
 - d) Restricting their hours of operation;
 - e) Requiring signs to have automatic dimming capability; and
 - f) Prohibiting them in sensitive locations.
- 12.1.4 In order to ensure community aesthetics and public safety, Council shall direct the PAC to have special attention to the following when considering a variance or the imposition of terms and conditions for certain types of signs in sensitive locations:
 - a) Ensuring there is no conflict with traffic control devices;
 - b) Design criteria and features to ensure the signage is sensitive to its context and location;
 - c) Ensuring potential light pollution and light trespass into adjacent sensitive land uses is mitigated;
 - d) Protecting special view line and heritage building and sites; and
 - e) The impact of the sign on the streetscape.
- 12.1.5 Given that billboard signs may have a significant impact on the streetscape as well as the overall community aesthetics, Council shall not allow them as-of-right in any zone.

Proposals

- 12.1.6 It is proposed that Council may, subject to a conditional zoning agreement, consider allowing for billboard signs in commercial areas of the Town, subject to Policy 12.1.5.



BY-LAW No. 700-60

**A BY-LAW RELATING TO LICENSING AND REGULATING THE
ERECTION AND USE OF PORTABLE SIGNS IN THE TOWN OF RIVERVIEW**

BE IT ENACTED by the Town Council of the Town of Riverview under the authority vested in it by the Local Governance Act, S.N.B. 2017, c. 18, as follows:

Definition

1. In this by-law

“non-profit organization” means a corporation, society, association, organization or body organized and operated exclusively for social welfare, civic improvement, pleasure or recreation or for any purpose except profit, no part of the income of which is payable to, or otherwise available for the personal benefit of any proprietor, member or shareholder thereof;

“portable sign” means any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed concrete foundation for its structural support, and includes sandwich signs and signs commonly known as a “mobile” sign and “inflatable” device tethered to any building, structure, vehicle or other device;

“property” means one parcel of land described in a deed or subdivision plan; and

“sandwich sign” means a two-sided A-frame style, self-supporting portable sign which is not permanently affixed to the ground. A single panel of a sandwich sign has a maximum area of 0.75 square metres.

General Prohibitions

2. No person shall erect, place or permit to be erected or placed, or allow to remain on lands owned, rented or leased or occupied by them, any portable sign other than in accordance with the provisions of this by-law.

3. No person shall erect, place or permit to be erected or placed, or allow to remain on the lands owned, rented, leased or occupied by them, any portable sign without first having obtained a sign permit from the Town of Riverview for that sign.

4. No person shall erect, place or permit to be erected or placed, or allow to remain on the lands owned, rented, leased or occupied by them, any portable sign in a location on those lands other than the location indicated on the site plan for which the permit is granted.

5. No person shall permit a sign to remain on lands owned or occupied by them that is deteriorated, damaged, upset or dislodged, or with no message.

Application for Permit

6. An application for a sign permit shall be made in writing to the Town of Riverview and shall include:

(a) name and address of the owner of the portable sign;

- (b) name and address of the owner and occupant of the lands upon which the sign is to be located;
- (c) address of the property upon which the sign is to be located;
- (d) a copy of a site plan showing
 - (i) the street line and/or other boundaries of the property on which it is proposed to erect the sign;
 - (ii) the proposed location of the sign upon the property in relation to all other structures existing or proposed on such property, including measurements adequate to show its location;
 - (iii) the dimensions and total area of the proposed sign;
 - (iv) where the sign face exceeds three (3) square meters a certificate from a professional engineer as to the structural integrity and stability of the sign so that the sign will not be dislodged or damaged by the wind;
 - (v) all other information as may be required by the Town of Riverview, which may include a survey prepared by a N. B. Licensed Land Surveyor.
- (e) a signed consent from the owner or occupier of land authorizing the Town of Riverview, their agent or designate, to enter onto the property and to remove the sign at the owner's cost where any of the provisions of this by-law are being violated, or where a permit has been revoked or expired;
- (f) an application fee in the amount of \$100.00 or \$25.00 for a special permit;
- (g) paragraph (f) herein shall not apply to a non-profit organization.

Issuance

7. (1) Upon receipt of a complete application pursuant to section 6, the Town of Riverview shall, within a reasonable time, shall issue a permit, provided that:

- (a) the Development Officer has approved the application pursuant to subsection 108(1) of the *Community Planning Act*, S.N.B. 2017, c. 19; and
- (b) portable signs are a permitted use for the property on which the sign is to be located pursuant to the Town of Riverview Zoning By-Law No. 300-7, and all other applicable laws.

(2) Despite the Town of Riverview By-law No. R300-10-1, Building By-law, no building permit is required for the placing or erecting of a portable sign.

(3) Portable signs are exempt from the setback provisions provided for in the Town of Riverview Zoning By-law No. 300-7.

(4) A permit issued hereunder expires on March 31st of the year following the year it was issued, except for a special permit which expires 30 days from the date of issuance.

(5) Despite any other provision of this By-law, the Town of Riverview shall not issue more than two special permits per calendar year for any one lot.

Regulations

8. A portable sign shall not:

- (a) have more than two sign faces and any one sign face shall not exceed 3.7 square meters in area with no one dimension being greater than 2.4 meters;

- (b) have a maximum height, measured from grade, greater than 2.7 meters;
- (c) be illuminated except by indirect lighting reflected off the sign message, or employ any flashing or sequential light, or any mechanical or electronic device or provide or simulate motion;
- (d) be erected on a property so as to interfere with pedestrian and/or vehicular traffic;
- (e) be located on a public right-of-way, except as provided for in By-law No. 700-10-3, A By-law Relating to the Regulation of Traffic, Parking and the Use of Streets in Town of Riverview;
- (f) be located closer than 1.5 meters from a property line, 3 meters from a driveway, or within the sight triangle referred to in section 81 of the Town of Riverview Zoning By-law No. 300-7; and
- (g) be located on Town-owned lands without the approval of the Town of Riverview.

9. (1) The total number of portable signs permitted on a lot shall be in accordance with the following table:

Street Frontage	0 – 75m	>75m – 150m	>150m – 225m	>225m
Signs Permitted	1	2	3	4

- (2) Despite subsection (1), only one portable sign per business is permitted on a lot.
 - (3) Portable signs shall be spaced a minimum distance of 50m from one another.
 - (4) Sandwich signs are exempt from this section and the total number of sandwich signs permitted on a lot shall be in accordance with the Town of Riverview Zoning By-law No. 300-7.
10. (1) A permit holder shall immediately, upon the expiration of their sign permit, or upon his permit being revoked, remove the portable sign from the property.
- (2) Where a permit holder fails to remove the portable sign as required by subsection (1) herein, the Town of Riverview, their agent or designate, may enter the property and remove said sign at the permit holder’s expense.
 - (3) Where a sign is placed on Town-owned lands contrary to any provisions of this by-law, the Town of Riverview, his or her agent or designate, shall remove said sign at the owner’s expense.
 - (4) The Town of Riverview, their agent or designate, is authorized to destroy or otherwise dispose of any signs removed pursuant to the provisions of this by-law, if such sign is not claimed and retrieved by the owner thereof within thirty days of its removal.

Revocation

11. (1) The Town of Riverview may revoke a permit issued under this by-law
- (a) where it was issued on mistaken, false or incorrect information;
 - (b) where it was issued in error; or
 - (c) where the sign or its location does not comply with the provisions of this by-law.

(2) Prior to revoking a permit in accordance with this by-law, the Town of Riverview shall give written notice of intention to revoke to the permit holder at their last known address and, if on the expiration of five (5) days from the date of such notice, the ground for revocation continues to exist, the permit shall be revoked without further notice.

Exemptions

12. Except for (sub)sections 7(3), 8(c), 8(d), 8(e), 8(f), 8(g), 10(3), 10(4), 14, and 15, the provisions of this by-law do not apply to signs erected by a federal, provincial, or municipal government, or to any candidate during any election campaign.

13. Except for (sub)sections 7(3), 8(c), 8(d), 8(e), 8(f), 8(g), 10(3), 10(4), 14, and 15, sandwich signs are exempt from all provisions of this by-law. Sandwich signs are subject to all provisions within the Town of Riverview Zoning By-law No. 300-7.

Enforcement and Penalty

14. Any peace officer or by-law enforcement officer are hereby authorized to take such action or issue such tickets as they may deem to be necessary to enforce any provision of this by-law.

15. Despite any other provision of this by-law, any person who violates any provision of this by-law is guilty of an offence and upon conviction is liable to a minimum fine of \$100.00 and a maximum fine of \$500.00.

ORDAINED AND PASSED _____ , 2018.

First Reading:
Second Reading:
Third Reading: