

THIS AGREEMENT MADE THIS _____ DAY OF _____, 2024

BETWEEN: THE TOWN OF RIVERVIEW, a municipal corporation,
incorporated under the Legislative Assembly of the Province of New Brunswick
and located at 30 Honour House Court, Riverview, County of Albert, Province
of New Brunswick, E1B 3Y9,

hereinafter called the “Town” Of the First Part;

-and-

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

hereinafter called the “Proponent” Of the Second Part

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

AND WHEREAS the Planning Advisory Committee has recommended that the Town rezone the lands from R1 to RM in accordance with, and subject to the provisions contained in section 59 of the *Community Planning Act*, and subject to certain terms and conditions herein set forth;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Proponent’s Covenants

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

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

2. The Town’s Covenants

The Town covenants with the Proponent as follows:

- a) That the Town will undertake to carry out all necessary procedures to ensure that modifications to the zoning map shall conform with the attached Schedule A-12 subject to the terms herein contained and for the purposes stated herein.

3. Notices

Any notices under this agreement shall be sufficiently given by personal delivery by registered mail, postage prepaid, and mailed in a Canadian Post Office, addressed:

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

4. The Proponent acknowledges and agrees that notwithstanding anything contained herein, the approval of the Town to the amendment to the zoning of the land is wholly conditional upon compliance by the Proponent with the terms and conditions herein, and further shall be of no effect until the zoning amendment is perfected pursuant to subsection 59(2) of the *Community Planning Act* of New Brunswick.

5. Successors

THIS AGREEMENT enures to the benefit of, and binds the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF the Town and the Proponent have caused their authorized officers and themselves to execute this agreement and to affix their seals, the day and year first above written;

SIGNED, SEALED AND DELIVERED

THE TOWN OF RIVERVIEW

MAYOR

CLERK

PROPONENT

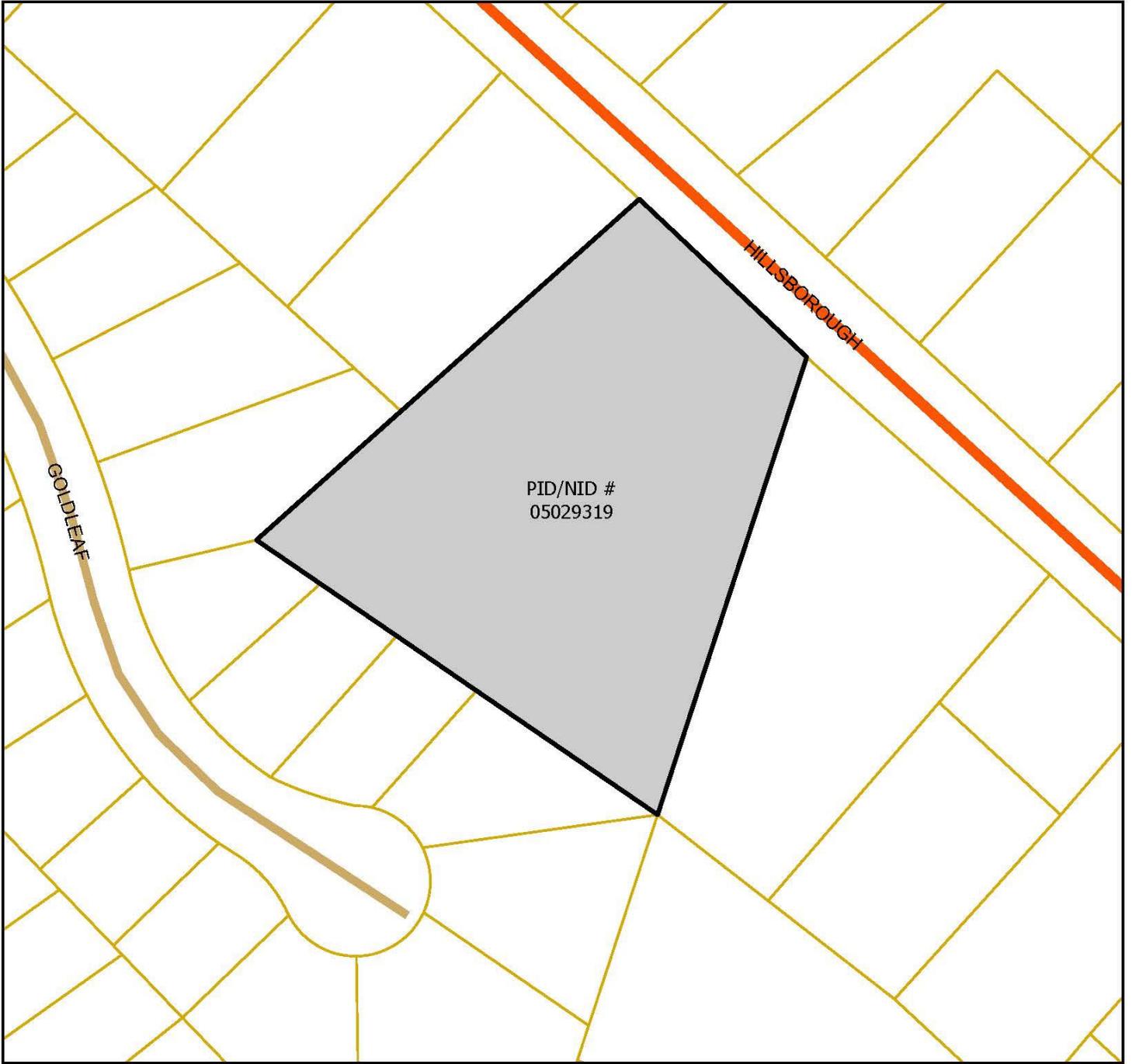
SIMON IKUSERU
PINECREST DEVELOPMENTS

Schedule A-12

Town of Riverview

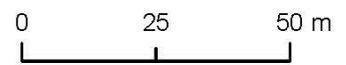
ZONING MAP / CARTE DE ZONAGE

Date: 2023-12-12



Legend

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



SCHEDULE A-12-1



1 Site Plan
1 = 30.9

CABEREA DESIGN CO.
(506) 800-6288
793 Mar. Street
Montreal, QC H3C 1E9
www.cabereadco.com

Hillsborough Residential Townhouse

PROJECT ADDRESS:
Hillsborough Road, Route 114
Riverview, NB

PROJECT TEAM:



Masterplan - Issued for Review

DATE: 2023-12-11 11:14:26 AM
JOB NO: 220702ANB
DRAWN BY: A. CORRÊTO
CHECKED BY: A. CORRÊTO
NO. DESCRIPTION: BY DATE

Site Plan

A100

AGENCIUM
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