

Preliminary Staff Report

Subject: Municipal Plan and Zoning By-law

File Number: 24-0052

Meeting Date: July 14, 2025

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General Information

Land use planning for municipalities in New Brunswick is done through two main documents, the Municipal Plan and the Zoning By-law. The Municipal Plan is the primary by-law containing policies that reflect the present and long-term land use goals and vision of the Town. The Zoning By-law is the document which directs and protects the day-to-day development, as well as the future development of the municipality. It is the By-law that contains the regulations which are used to implement the policies and proposals of the Municipal Plan and determines where present development is permitted to occur within the municipality.

Updating the Municipal Plan and Zoning By-law is necessary to meet the Community Planning Act 10-year update requirement, update the Town boundaries due to reform, address the Town's commitment to the Housing Accelerator Fund (HAF), meet the changing landscape of development and growth pressures, and increase flexibility and adaptability. The goal for this update is to reflect the community's wants and needs; foster a collaborative approach to land use that builds long-term stewardship of the Town's development framework; update the framework for ease of use and implementation; and to update the framework to better manage development pressure.

Additionally, there are Statements of Public Interest to be incorporated. This is provincial legislation adopted in 2023 which sets out policy areas that must be considered in all new planning documents. The overarching topics are: Settlement Patterns, Agriculture, Climate Change, Flood and Natural Hazard Areas, and Natural Resources.

The draft by-laws have been in development for the past year and half, with collaboration from the Municipal Plan Review Committee, Dillon Consulting, Town and Plan360 staff. Two public engagement sessions have helped to shape the draft, one in Spring 2024 to help shape the vision, and one in spring 2025 to review and seek feedback on key ideas.

To start, the proposed general approach to zoning for this Municipal Plan and Zoning By-law update is to reduce the number of zones. This has resulted in new zones names and approaches primarily for the commercial and residential zones.

There are four "big" proposed moves to the new proposed Municipal Plan and Zoning By-law:

1. Town Centre

A town centre zone is being proposed for the Town of Riverview from Strathmore to Downey. This zone is proposed to permit increased height, up to 8 stories as-of-right, as well as, to have increased design standards such as traditional material and glazing requirements, ground floor height minimums, and limiting ground floor areas to encourage smaller stores such as Mom & Pop shops over big box. The goal of this zone would be to create a recognizable and vibrant town centre, to have more pedestrian friendly development with a slightly more urban form, and to create a sense of place.

2. Secondary Planning Area/Future Development Zone

The Future Development Zone is proposed to be a holding area for more detailed planning processes. There are two main areas that this zone is proposed to be applied to: the Bridgedale/Gunningsville area and to part of West Riverview.

The process of developing a secondary plan for the Gunningsville/Bridgedale area is being undertaken by the Town. This plan will guide a unified development concept that accounts for environmental features, transportation network, zoning, and provide an action plan for development.

3. Height

A height transition approach is proposed for buildings located next to Low-Rise Residential. The basis of this proposed approach is the taller the building, the bigger the setback from the Low-Rise Residential zone. This setback would be in line with the height (ex: 16m/4 storey building would have a 16m setback vs a 13m/3 storey building would have a 13m setback). A landscaping buffer would remain a requirement as well.

4. 4 Units As-of-Right

It is proposed that single unit dwellings and semi-detached dwellings are permitted to have two accessory dwelling units that are either attached or within the dwelling, as well as, a garden suite. For accessory dwelling units, they would have to not exceed 80sqm and have an additional parking space per unit. There would be increased requirements for a secondary accessory dwelling unit such as being stylistically similar to the main dwelling unit, have a maximum of two exterior doors on the street facing façade, when it is located in the front/flankage/side yards be clad in substantially similar material and same colour as the main dwelling, etc. The proposed approach is that the secondary accessory dwelling unit would trigger a homeowner occupied requirement. The goals of this approach is to enable gentle/soft density, to allow more flexibility for homeowners, to address the HAF commitments, while also limiting the visual impact.

In addition to these 'big' moves, the draft by-laws also propose changes such as:

- Setting out a framework which allows chickens accessory to a residential use in the Rural Area zone;
- Permitting shipping containers to be used as accessory buildings in certain zones and as a main use in the Parks and Recreation zone;
- Having a 30m setback from all wetlands and watercourses;
- Limiting third party signs (billboards) in the Town of Riverview;

- Updating Home Occupation regulations including allowing home occupations in accessory buildings, limiting permitted uses, creating a mechanism for the Planning Advisory Committee (PAC) approval of certain home occupations;
- Decreasing required parking stalls for multiple unit dwellings from 1.25 stalls per residential unit to 1 stall per unit; and
- Removing the requirement that any building containing 3 or more dwelling units having to go to PAC as a conditional use approval.

Public Process

The *Community Planning Act* sets out the legislative process to adopt a Municipal Plan and Zoning By-law. To start the process Council needs to pass a resolution which will set dates for the Public Presentation and Public Hearing. It will also request the views of the Planning Advisory Committee on the proposed by-laws. Draft copies of the By-laws will be made available for review. During the Public Hearing the public is offered an opportunity to speak regarding the by-laws.