



BY-LAW No. 300-7-1


A BY-LAW TO AMEND THE TOWN OF RIVERVIEW ZONING BY-LAW No. 300-7

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF RIVERVIEW AS FOLLOWS:


The Town of Riverview Zoning By-law, being By-law Number 300-7 enacted on October 22, 2018 and filed in the Albert County Registry Office as number 38741691 on January 16, 2019, is hereby amended as follows:

1. Schedule A, the Town of Riverview Zoning Map, is amended as shown on the map attached hereto as Schedule A1.

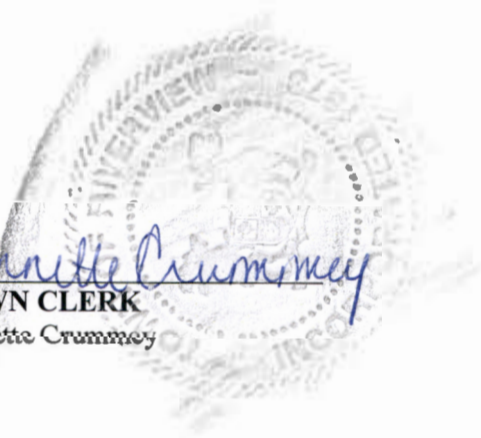
ENACTED this 8th day of April, A.D. 2019.



 MAYOR
 Ann Seamans



 TOWN CLERK
 Annette Crummeay



First Reading: March 11, 2019
 Second Reading: April 8, 2019
 Third Reading: April 8, 2019

I certify that this instrument
 is registered or filed in the
Albert
 County Registry Office,
 New Brunswick

J'atteste que cet instrument est
 enregistré ou déposé au bureau
 de l'enregistrement du comté de
Albert
 Nouveau-Brunswick

2019-04-17 15:52:05 38954740
 date date number numéro

 Emma Knight
 Registrar-Conservateur

Schedule "A1"

Town of Riverview Zoning Map

Zoning By-law
300-7-1



To rezone PID 05103080
from R1 (Single Unit Dwelling)
to R2 (Two Unit Dwelling)

Legend / Légende

-  PID 05103080
-  R1 *Single Unit Dwelling*
-  R3 *Multiple Unit Dwelling*
-  RM *Residential Mix*
-  CM *Commercial Mix*
-  NC *Neighbourhood Commercial*
-  PRI *Parks, Recreation, Institutional*



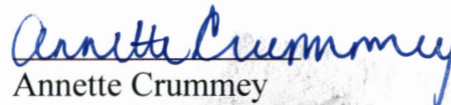
Scale / échelle 1:4,000



TOWN OF RIVERVIEW


CERTIFICATION

I, **ANNETTE CRUMMEY**, Town Clerk of the Town of Riverview do hereby certify that the attached copy of the Town of Riverview By-Law 300-7-1, A By-Law to Amend The Town of Riverview Zoning By-Law 300-7, which was duly enacted after being read three (3) separate times; sealed with the corporate seal of the Town of Riverview; signed by the Town Clerk and the Mayor; that it was ordained and passed on the 8th day of April, 2019.


Annette Crummey
Town Clerk

SWORN to at the Town of Riverview, in the County of Albert and Province of New Brunswick, this 11th day of April, 2019.

BEFORE ME:



DENYSE C. RICHARD
MY COMMISSION OF
OATHS EXPIRES
DEC 31 2022





TOWN OF RIVERVIEW

SOLEMN DECLARATION

I, **Annette Crummey**, of the Town of Riverview, in the County of Albert and Province of New Brunswick, Town Clerk, **DO SOLEMNLY DECLARE:**

1. **THAT** I am the Town Clerk of the Town of Riverview, a municipal corporation, and have personal knowledge of the facts herein declared.
2. **THAT** the requirements of Sections 25, 110, & 111 of the Community Planning Act have been complied with in respect to By-Law 300-7-1, A By-Law to Amend The Town of Riverview Zoning By-Law 300-7, which was passed by the Riverview Town Council on April 8, 2019.

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Evidence Act.

Annette Crummey
TOWN CLERK

DECLARED before me at the Town of Riverview in the County of Albert and Province of New Brunswick, this 11th day of April, 2019.

BEFORE ME:

[Signature]

DENYSE C. RICHARD
MY COMMISSION OF
OATHS EXPIRES
DEC 31 2022



THIS AGREEMENT MADE THIS 10th DAY of April, A.D., 2019

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-

CLAYTON DEVELOPMENTS LIMITED,
255 LACEWOOD DRIVE, HALIFAX, NS B3M 4G2

hereinafter called the "Owner"
Of the Second Part;

WHEREAS the Owner has proposed that certain lands on Rosebank Crescent, Riverview, New Brunswick and identified as PID #05103080 as shown in Schedule "A1" (hereinafter referred to as "lands") be rezoned to accommodate semi-detached dwellings;

AND WHEREAS the lands are now zoned "R1" [Single Unit Dwelling], wherein the proposed purpose is not a permitted use;

AND WHEREAS the Owner has applied, and the Planning Advisory Committee has recommended that the Town rezone the lands from "R1" [Single Unit Dwelling] to R2 [Two Unit Dwelling], as shown on Schedule "A1", 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 Owner's Covenants

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

1. All semi-detached dwellings shall generally conform to the following design criteria:
 - a. Architectural detailing including but not limited to lintels, pediments, pilasters, columns, porticos, overhangs, cornerboards, frieze and fascia boards shall be incorporated;
 - b. Architectural treatment shall be continued around the side of the building for corner units;
 - c. Propane tanks and electrical transformers and all other exterior utility boxes shall be located and secured in accordance with the applicable approval agencies. These facilities shall be screened by means of opaque fencing, structural walls or suitable landscaping;
 - d. Any exposed lumber on the front façade shall be painted or stained;
 - e. Any exposed foundation in excess of 1 metre shall be architecturally detailed, veneered with stone or brick, painted, stucco or an equivalent; and
 - f. A minimum 50% of the front elevation shall consist of masonry treatment or other similar product.
-

2. That a 5 metre buffer be maintained along the rear lot line of the western property boundary including existing vegetation to be retained and cannot be used for development;
3. That prior to any tree removal on the lot, a surveyor be engaged to delineate and mark the buffer zones referred to in Conditions #2 and #9 with flagging tape;
4. That an Arborist be engaged to determine if existing vegetation within the buffer zones is sufficient. If deemed necessary by the Arborist, a planting plan will be prepared outlining the supplemental vegetation required. Any additional trees required must be planted prior to receiving a building and development permit;
5. Upon a one year period of lot clearing, the buffer zones will be reviewed to determine if additional planting is required to replace trees that have fallen and been removed. If a sufficient number of trees are removed, they will be reinstated;
6. Prior to obtaining a building and development permit, the developer will submit to the Town of Riverview security in the amount of \$13,000 (\$500 per lot abutting the buffer zones identified in Schedule B) to ensure compliance with Conditions #3, #4 and #5;
7. That the site drainage be designed to accommodate the 5 metre buffer referred to in Condition #2;
8. That notwithstanding Table 11.3 of Zoning By-law 300-7, semi-detached lots on the western property boundary must have a minimum lot frontage of 14.58 metres;
9. That a treed buffer be maintained between the existing Rosebank Crescent and the extension of Rosebank Crescent as shown on Schedule B;
10. That the lots located on the western portion of Rosebank (both sides of the street) be limited to one storey; and
11. That the development be carried out in substantial conformance with the plans and drawings submitted.

2. The Town's Covenants

The Town covenants with the Owner as follows:

- a) That the Town will undertake to carry out all necessary procedures for the zoning amendment to have the Owner's premises zoned to "R2" (Two Unit Dwelling) conditional on 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:

Owner	Town
CLAYTON DEVELOPMENTS LIMITED, 100C - 255 LACEWOOD DRIVE, HALIFAX, NS B3M 4G2	The Town of Riverview Attn: Town Clerk 30 Honour House Court Riverview, NB E1B 3Y9

4. The Owner 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 Owner 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.


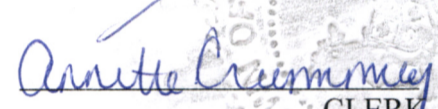

5. Successors

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



IN WITNESS WHEREOF the Town and the Owner 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


OWNER


NOTARY PUBLIC
(Affix Seal)

M. LINDSAY HAWKER
A Notary Public in and for the
Province of Nova Scotia


RICHARDBUTTS
PRESIDENT

CAROL MACMILLAN
CHIEF FINANCIAL OFFICER


Form 45
AFFIDAVIT OF CORPORATE EXECUTION
Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Carol MacMillan
255 Lacewood Drive, Suite 100C
Halifax, Nova Scotia
B3M 4G2

Office Held by Deponent: Chief Financial Officer

Corporation: **Clayton Developments Limited**

Other Officer Who Executed
the Instrument: Richard Butts
255 Lacewood Drive, Suite 100C
Halifax, Nova Scotia
B3M 4G2

Office Held by Other
Officer Who Executed
the Instrument: President

Place of Execution: Halifax, Nova Scotia

Date of Execution: April 1, 2019

I, Carol MacMillan, the deponent, make oath and say that:

1. I hold the office specified above in the corporation specified above and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. The attached instrument was executed by me and the other officer specified above as the officers duly authorized to execute the instrument on behalf of the corporation;
3. The seal of the corporation was affixed to the instrument by order of the Board of Directors of the corporation;
4. The instrument was executed at the place and on the date specified above;
5. The ownership of a share of the corporation does not entitle the owner thereof to occupy the parcel described in the attached instrument as a marital home.

SWORN TO at the City of Halifax,
in the Province of Nova Scotia,
this 1 day of April, 2019,
BEFORE ME:

[Signature]
Name: _____
A Notary Public in and for the
Province of Nova Scotia
[affix notarial seal]

[Signature]
Name: Carol MacMillan

M. LINDSAY HAWKER
A Notary Public in and for the
Province of Nova Scotia

Form 45

AFFIDAVIT OF CORPORATE EXECUTION
Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Annette Crummey
30 Honour House Court
Riverview, NB
E1B 3Y9

Office Held by Deponent: Town Clerk

Corporation: Town of Riverview

Other Officer Who Executed the Instrument: Ann Seamans
30 Honour House Court
Riverview, NB
E1B 3Y9


Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Riverview, New Brunswick

Date of Execution: April 10, 2019.

I, the deponent, make oath and say:

1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. That the attached instrument was executed by me and the other officer specified above as the officers duly authorized to execute the instrument on behalf of the corporation;
3. That the seal of the corporation was affixed to the instrument by order of the Board of Directors of the corporation;
4. That the instrument was executed at the place and on the date specified above;
5. That the ownership of a share of the corporation does entitle the owner thereof to occupy the parcel described in the attached instrument as a marital home.

SWORN TO at Riverview,)
New Brunswick)
on April 10th, 2019,)
before me:)
)
)

)

Commissioner of Oaths,)

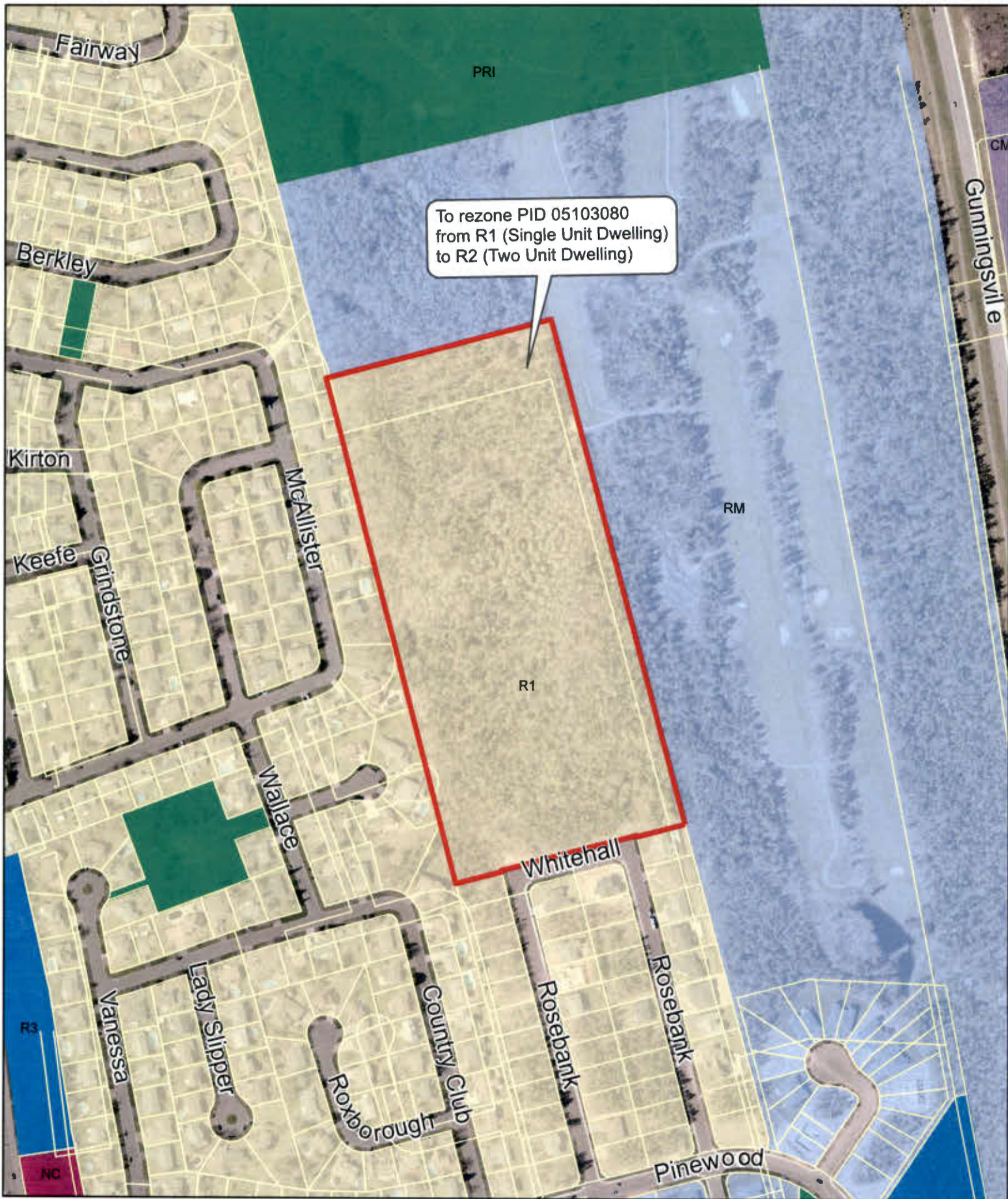
Annette Crummey

Schedule "A1"

Town of Riverview Zoning Map

Zoning By-law

300-7-1



Legend / Légende

-  PID 05103080
-  R1 *Single Unit Dwelling*
-  R3 *Multiple Unit Dwelling*
-  RM *Residential Mix*
-  CM *Commercial Mix*
-  NC *Neighbourhood Commercial*
-  PRI *Parks, Recreation, Institutional*



Scale / échelle 1:4,000

SCHEDULE B

GOLF COURSE



CONCEPTUAL PLAN

ROSEBANK CRESCENT
RiverView, New Brunswick

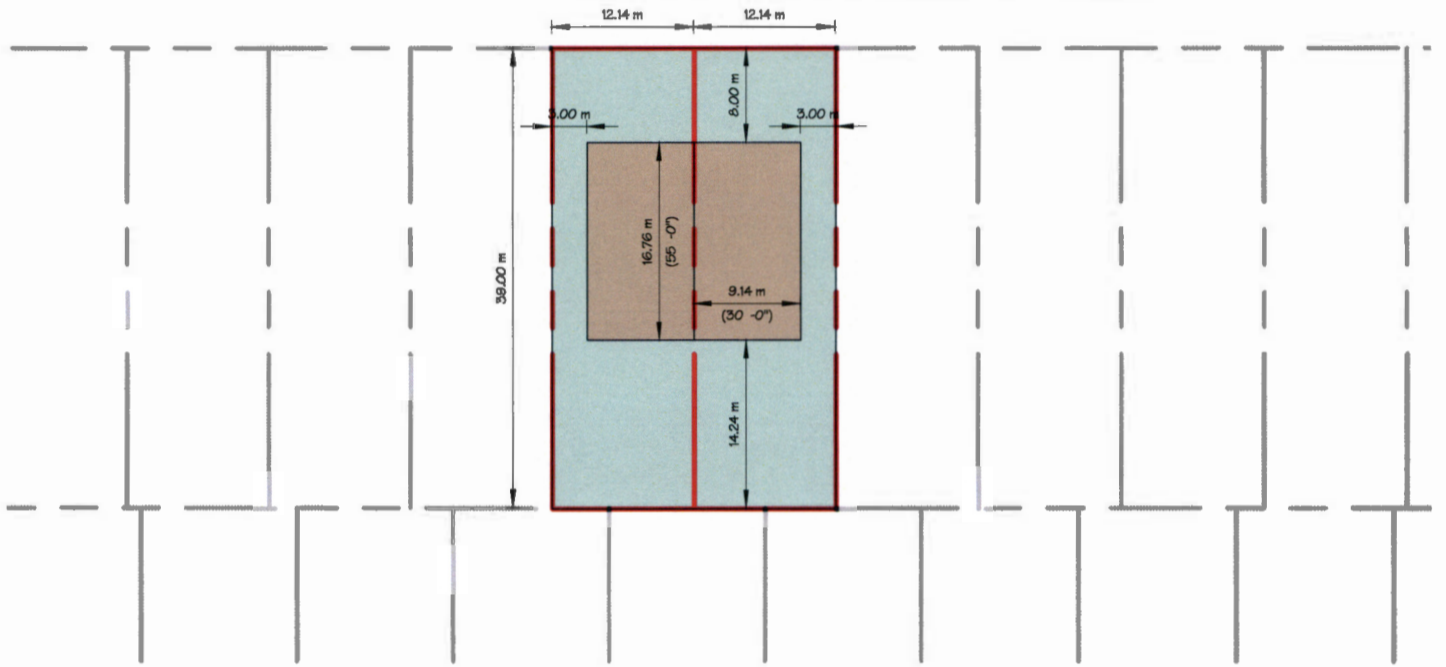
- LEGEND
- 30' Semi-Detached 
 - 38' Semi-Detached 
 - Existing Vegetation 

DATE March 2019

SCALE NTS



ROSEBANK CRESCENT



Zwicker
Zareski
architecture +
planning

Clayton Developments - Fairways - 30'-0" Semi-Detached

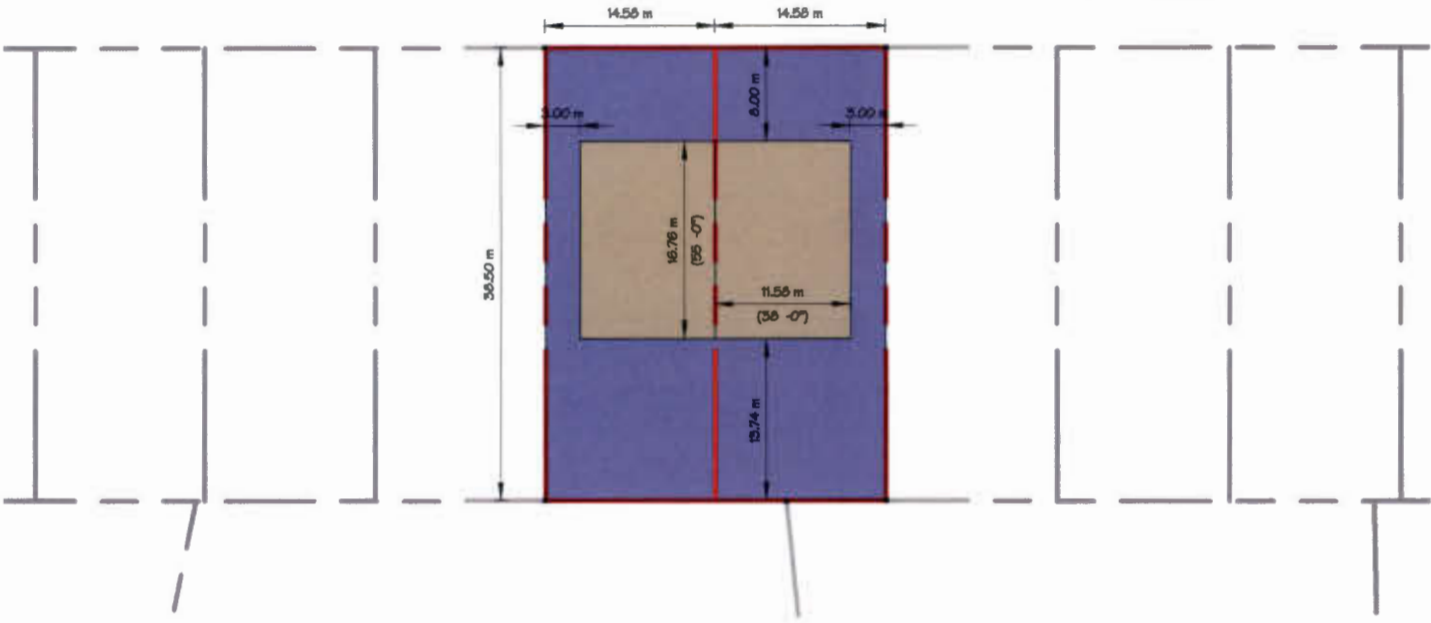
Riverview, New Brunswick

1 = 40'-0"

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ROSEBANK CRESCENT



Zwicker
Zareski
architecture +
planning

Clayton Developments - Fairways - 38'-0" Semi-Detached

Riverview, New Brunswick

1 = 40'-0"

2018-12-18 9:28:58 AM

Consolidation No. 621-20 Zzap.ca

APPENDIX D – Example Images of Proposed Semi-Detached Dwelling Units







