



BY-LAW No. 300-7-13

**A BY-LAW TO AMEND THE
TOWN OF RIVERVIEW ZONING BY-LAW**

BE IT ENACTED by the Town Council of the Town of Riverview as follows:

The Town of Riverview Zoning By-Law, being By-Law No. 300-7, ordained and passed on October 22, 2018 and filed in the Albert County Registry Office on January 16, 2019 as number 38741691, is hereby amended as follows:

1. Schedule A, being the Town of Riverview Zoning Map, is amended as shown on the map dated January 5, 2024, attached hereto as Schedule A-13.

ENACTED this 13th day of May, A.D. 2024.


MAYOR
Andrew LeBlanc


TOWN CLERK
Annette Crummey



First Reading	April 9, 2024
Second Reading	May 13, 2024
Third Reading	May 13, 2024

This instrument purports to
be a copy of the original
registered or filed in the

Albert
County Registry Office
New Brunswick

2024-06-19
date

Exemplaire présenté comme
copie conforme à l'instrument
enregistré ou déposé au bureau
de l'enregistrement du comté de

Albert
Nouveau-Brunswick

45047835
number / numéro

This instrument purports to
be a copy of the original
registered or filed under the
Land Titles Act

2024-06-19
date/date

Exemplaire présenté comme
copie conforme à l'instrument
enregistré ou déposé en vertu
de la Loi sur l'enregistrement
foncier

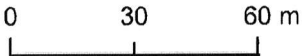
45047843
number/numéro

Schedule A-13
Town of Riverview
ZONING MAP
Date: 1/5/2024



Legend

 Rezone from PRI – Parks, Recreational, Institutional to CM – Commercial Mix



THIS AGREEMENT MADE as of the 13th day of May, 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-

ICON DEVELOPMENTS INC., 814 Main Street, Suite 202, Moncton, NB E1C 1E6,

hereinafter called the "Proponent" Of the Second Part

WHEREAS the Proponent has applied to redesignate the property located at the corner of Whitepine Road and Pine Glen Road, identified as PID 05005665 and as shown on Schedule A-13, from from CU – Community Use to C – Commercial, and to rezone said property from PRI – Parks, Recreational and Institutional to CM – Commercial Mix to accommodate three multi-unit dwellings;

AND WHEREAS the Planning Advisory Committee has recommended that the Town rezone said property 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-13-1 and A-13-2, dated December 7, 2023;
- b) That notwithstanding Table 12.3, the maximum height of the buildings shall be permitted to be a maximum of 21m, but shall not exceed six storeys;
- c) That a stormwater management plan for the entire site shall be submitted and approved by the Town's Engineering and Public Works Department prior to the issuance of a building/development permit for the first building;
- d) That notwithstanding Section 91(2)(b), a 2m tall opaque fence shall be permitted as screening in lieu of a 3m wide landscaping buffer;
- e) 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
- f) That as-built drawings for engineering submissions shall be required within 30 days after construction of each building.

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-13 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
JAMIE SHEA ICON DEVELOPMENTS INC. 814 MAIN STREET, SUITE 202 MONCTON, NB E1C 1E6	TOWN OF RIVERVIEW ATTN: TOWN CLERK 30 HONOUR HOUSE COURT RIVERVIEW, NB E1B 3Y9

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 parties have executed this agreement the day and year first above written.

SIGNED, SEALED AND DELIVERED

THE TOWN OF RIVERVIEW



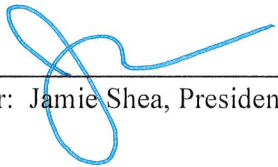
MAYOR



CLERK

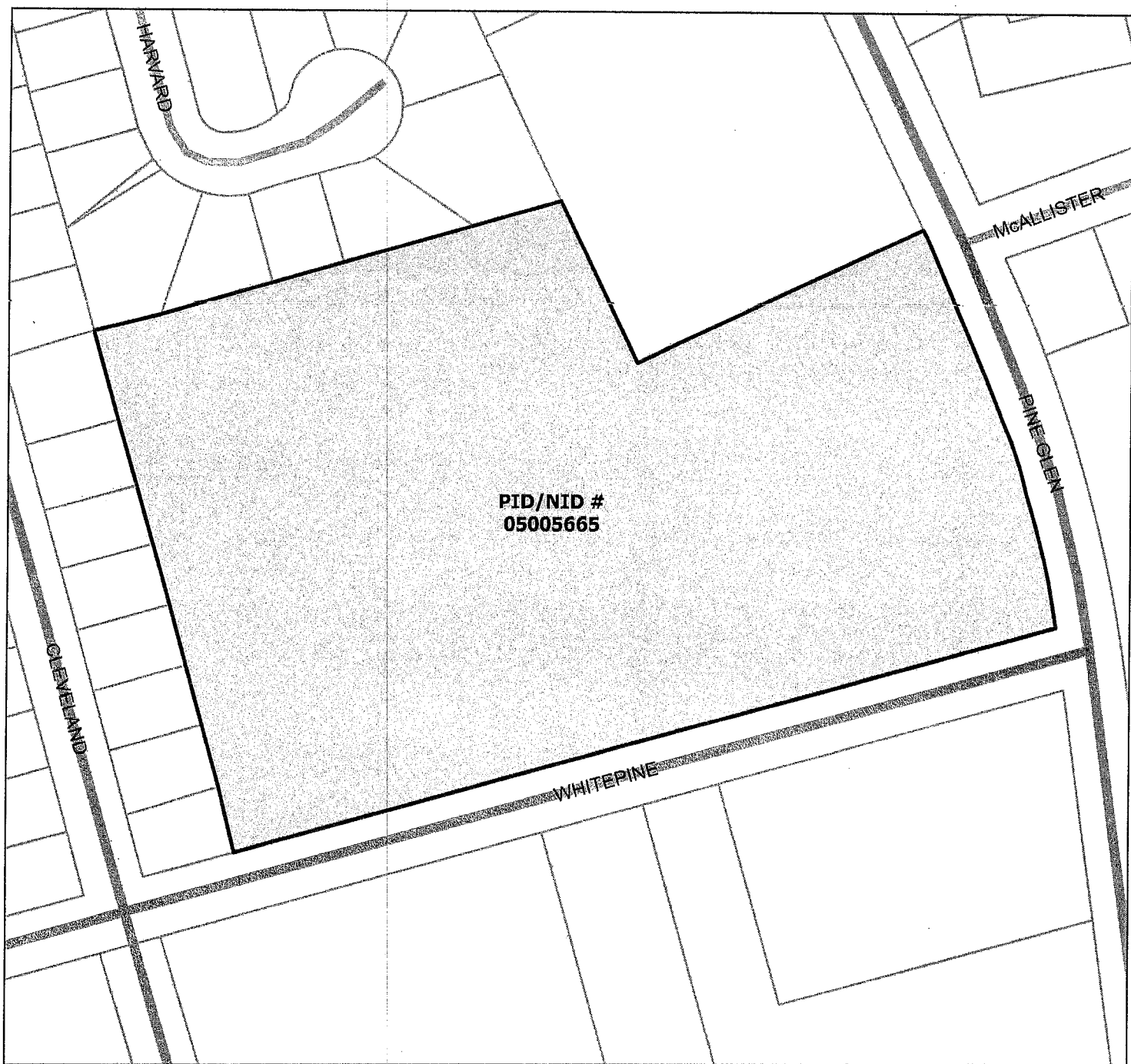


ICON DEVELOPMENTS INC.



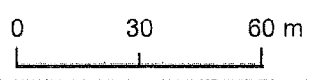
Per: Jamie Shea, President

Schedule A-13
Town of Riverview
ZONING MAP
Date: 1/5/2024

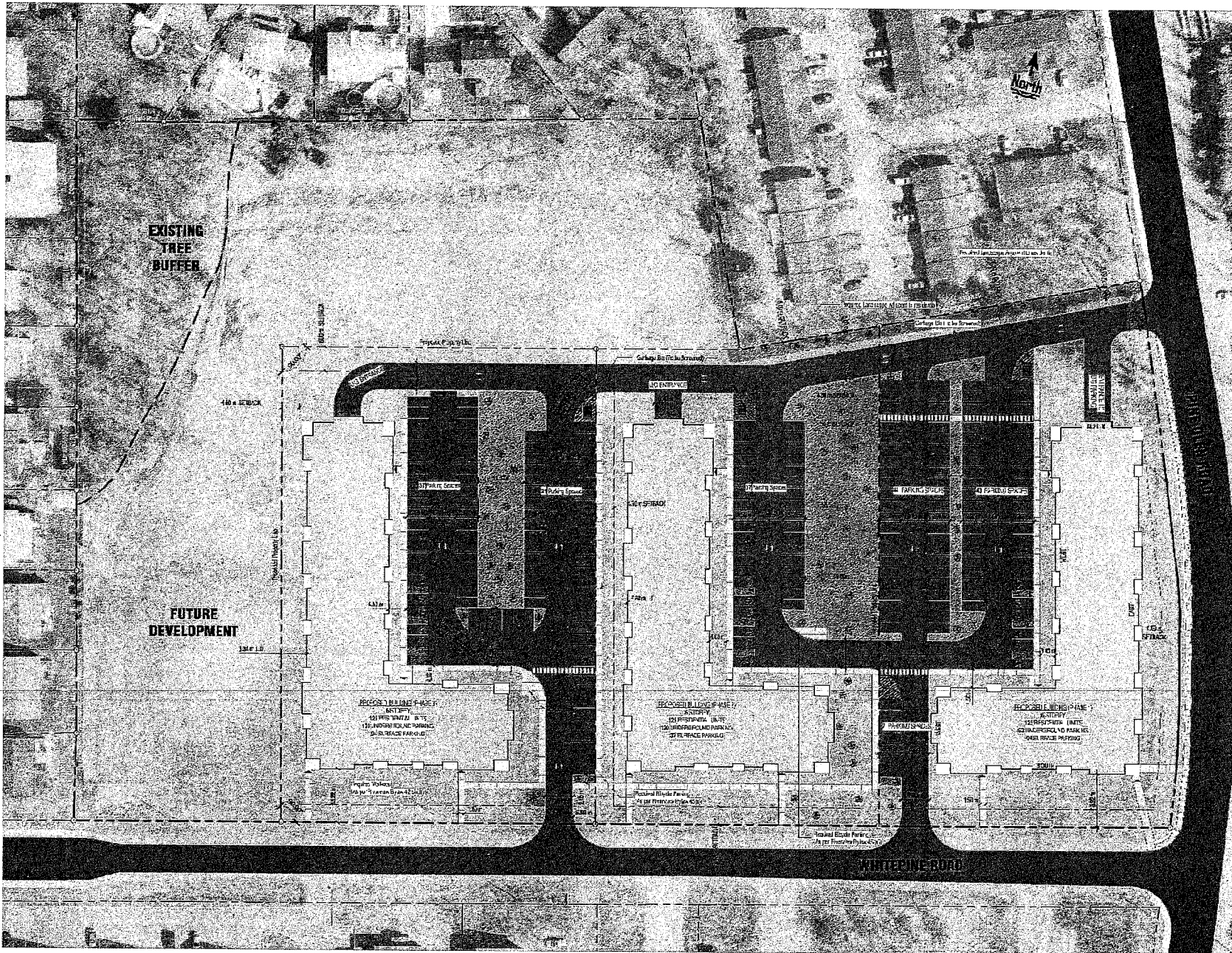


Legend

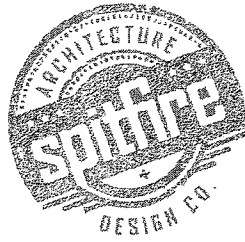
 Rezone from PRI – Parks, Recreational, Institutional to CM – Commercial Mix



SCHEDULE A-13-1



SITE PLAN
1" = 40'-0"



Preliminary
"Not For Construction"

[illegible]

THESE DRAWINGS / RENDERINGS ARE THE
INTELLECTUAL PROPERTY OF SPITFIRE DESIGN CO
AND ALL COPYRIGHT IS RESERVED. NO USE MAY BE
MADE OF THESE DRAWINGS / RENDERINGS (OR PART
OF THEM) WITHOUT WRITTEN CONSENT FROM
SPITFIRE DESIGN CO.

THIS DRAWING MAY NOT BE USED IN WHOLE OR IN PART FOR ANY PROJECT OTHER THAN THAT DESIGNATED HEREIN.

ANY CHANGES TO THIS DESIGN, PRIOR TO OR DURING
CONSTRUCTION, MUST BE APPROVED BY THE
ARCHITECT & ARCHITECTURAL DESIGNER.

ALL CONTRACTORS MUST CONFORM TO ALL REGULATIONS, MUNICIPAL AND PROVINCIAL BY-LAWS AND THE NATIONAL BUILDING CODE OF CANADA.

ALL REQUIRED PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION.

Rev.#	Description	Date
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DATE _____



Architectural Document



71 and Street Avenue, 161 E. 5th St.
 (408) 672-2771 ext. 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 9

Icon Dev.

77402. **Pine Glen Rd MU**

Pine Glen Rd, Hixson

Thursday May

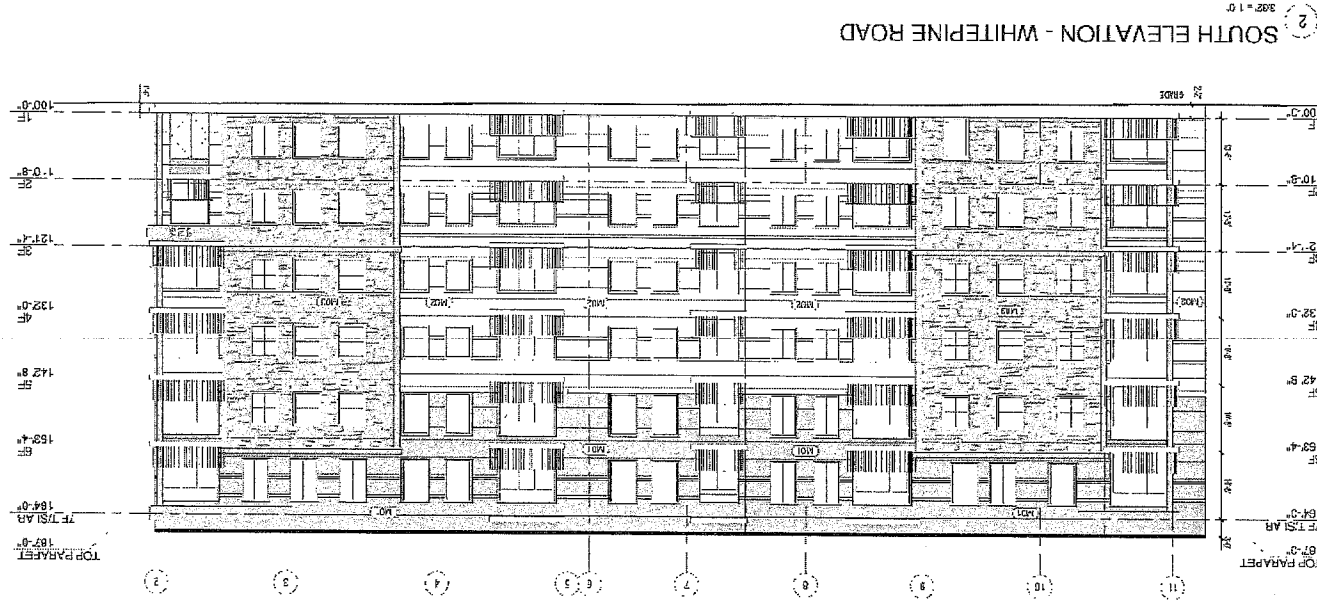
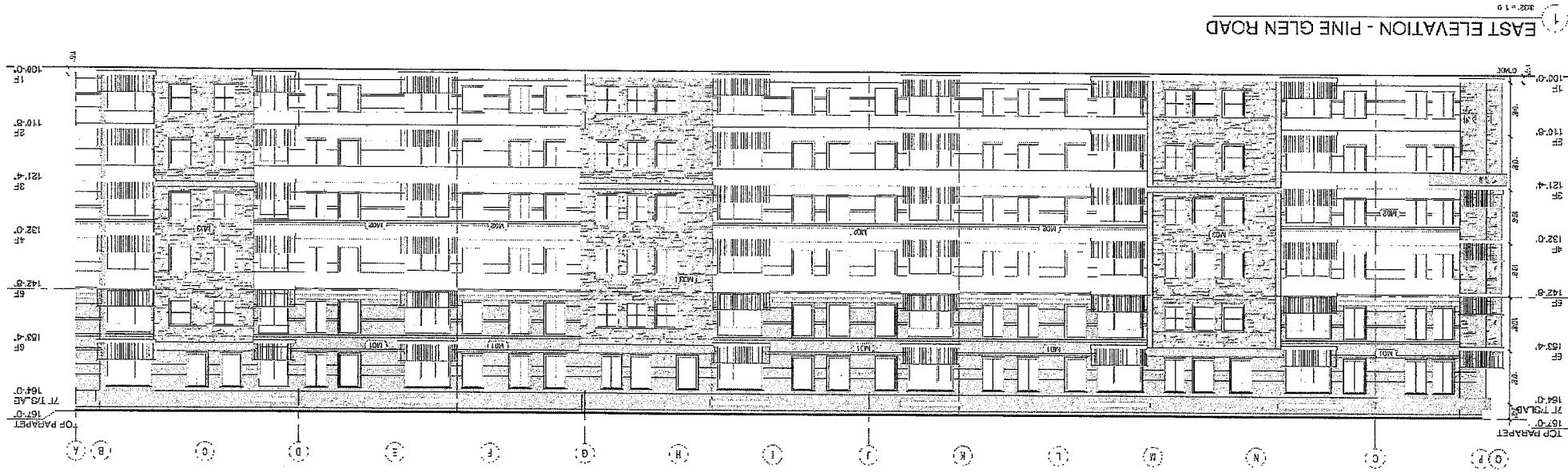
SITE PLAN

Doc: December 7th 2023

Graded by: D.M., J.C.	
Transcribed by: A.H.H.	Reviewed by: DQ

Empty	AS NOTED	
Q100.	A0.1	TIME IN 4542

SCHEDULE A-13-2

[illegible]

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: Andrew J. LeBlanc
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: May 21, 2024

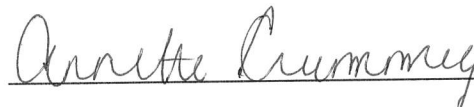
I, the deponent, make oath and say:

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 May 21, 2024
before me:



Commissioner of Oaths,



Annette Crummey



TOWN OF RIVERVIEW

CERTIFICATION

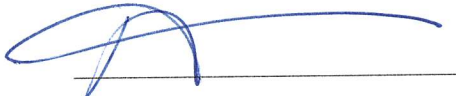
I, **ANNETTE CRUMMEY**, Town Clerk of the Town of Riverview do hereby certify that the attached copy of the Town of Riverview By-Law No. 300-7-13, A By-Law to Amend the Town of Riverview Zoning By-Law 300-7, which was duly enacted after being read three (3) separate times; sealed with the corporate seal of the Town of Riverview; signed by the Town Clerk and the Mayor; that it was ordained and passed on the 13th day of May, 2024.


Annette Crummey
Town Clerk



SWORN to at the Town of Riverview, in the County of Albert and Province of New Brunswick, this 3rd day of June, 2024.

BEFORE ME:



DENYSE C. RICHARD
MY COMMISSION OF
OATHS EXPIRES
DEC 31, 2027



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 300-7-13, A By-Law to Amend The Town of Riverview Zoning By-Law 300-7, which was passed by the Riverview Town Council on May 13, 2024.

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 3rd day of June, 2024.

BEFORE ME:

[Signature]

DENYSE C. RICHARD
MY COMMISSION OF
OATHS EXPIRES
DEC 31, 2027