

**Town of Riverview**

**Zoning By-law**

**By-law No. 300-8**



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# Definitions

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

## A

**“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 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 and any amendments thereto.

**“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.

**“air traffic control centre”** means a facility, operated by a recognized aviation authority, that provides air traffic control services to aircraft operating within a designated airspace as outlined in the *Canadian Aviation Regulations* (CARs) under the *Aeronautics Act* (R.S.C., 1985, c. A-2).

**“art gallery”** means a building or a portion of a building used for the display and sale of works of art, including incidental retail sales and gift shops, which are not the primary use of the art gallery and limited to the sale of items directly related to the displayed artwork.

**“articulation”** means the division of a building façade into distinct section through such means as, but not limited to, materials, patterns, colours or architectural features like balconies, bay windows, pilasters, rooflines or wall jogs.

**“assisted living facility”** means a building that provides supervision or 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, and may also include amenities shared by residents of the facility.

**“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.

## B

**“bank or financial institution”** means an establishment that provides financial services to the public, including banks, trust companies, credit unions, insurance companies, and similar financial institutions.

**“banquet hall”** means a facility used for hosting large private or public gatherings that may include associated facilities for food preparation and service, and entertainment.

**“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.

**“brewery”** means a use where alcoholic beverages are manufactured, including beer, cider, spirits, and wine, regulated through a brewer’s license or distiller’s licence or winery license under the *Liquor Control Act*, RSNB 1973, c L-10. This may include on-site sales and tasting areas, and other related retail sales of products. Also may be referred to as distillery or winery.

**“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*.

## C

**“campground”** means an area of land, managed as a unit, providing short term accommodation such as tents, tent trailers, travel trailers, recreational vehicles, dome, yurt, and other nature-based lodging structures.

**“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 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 exclusively off-site. This may include preparing and packaging food and beverages for delivery but excludes on-site sales, take-out service, or direct retail transactions with members of the public.

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

**“chickens”** means domesticated fowl (*Gallus gallus domesticus*) typically kept for the purpose of egg production or harvesting for consumption.

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

**“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 individuals with the aims to grow food, flowers, or other plants, and foster community engagement and well-being.

**“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.

**“cultural use”** means the administration of cultural industries and the production or dissemination of cultural products and includes museums, art galleries, studios, theatres, libraries, and performance spaces.

## D

**“daycare centre”** means a daycare centre as defined and regulated under the *Early Childhood Services Act*, *Family Services Act* or similar provincial regulation or legislation.

**“daycare, home”** means a secondary use to a dwelling use where the occupant of the dwelling provides supervision and care for up to five children as regulated by the *Family Services Act* or the *Early Childhood Services Act* or similar provincial legislation or regulation.

**“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.

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**“development officer”** means a development officer as defined under the Act.

**“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 unit”** 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.

**“dwelling, manufactured”** means a factory-built structure comprised of two or more pieces, transported and assembled on a lot and shall have a final assembled width exceeding 5 metres, be equipped with the necessary service connections, and designed to be a one or two unit dwelling on a permanent foundation. For the purposes of this By-law, a manufactured dwelling is afforded the same provisions as a one or two unit dwelling.

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

**“dwelling, rowhouse”** 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.

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

**“dwelling, shared”** means a dwelling or portion thereof in which the proprietor rents individual rooms for a fee to more than one persons, and where common facilities such as kitchens and amenity space are shared. This does not include a dwelling unit in which occupants are sharing expenses in a way common to roommates.

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

**“dwelling, townhouse”** 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.

**“dwelling, two unit”** means a building containing two dwelling units

**“dwelling unit”** means any room or suite of rooms used or intended to be used as a place of habitation by one or more persons.

## **E**

**“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 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.

**“emergency services facility”** means a building or lands used by fire protection, police, ambulance, or other such service to support the facilitation of services associate with public safety.

**“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 any use where amusement or entertainment is provided to the public for a fee, such as, but not limited to, an arcade, auditorium for the performing arts, bingo

hall, bowling alley, cinema or movie theatre, or other such amusement place and may be license for the sale and service of food and alcohol, but does not include an adult entertainment facility or a casino.

**“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.

**“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.

**“extraction use”** 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.

## F

**“facade”** means the exterior wall of a building that faces a public street.

**“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 local products including but not limited to foods, beverages, 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.

**“farm gate sales”** means the direct sale of agricultural products grown or raised on the property between farmers to consumer including but not limited to or raised on the farmer's own agricultural operation.

**“firewood sales”** means the retail or wholesale sale of firewood to consumers, businesses, or other entities, which may include the storage and incidental processing of firewood but excludes industrial lumber processing operations such as sawmills.

**“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.

**“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.

**“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.

## **G**

**“garden suite”** means a detached accessory dwelling unit placed or erected in the rear yard or side yard and behind the building line of an existing dwelling use.

**“geodetic datum”** means the elevation at sea level using the Canadian Geodetic Vertical Datum of 1928 (CGVD28).

**“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 that may serve food and beverages, 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 an educational use.

**“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.

## **H**

**“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 occupation”** means an accessory use in a portion of a dwelling unit or in an accessory building where a business is conducted by the occupant of the dwelling unit.

**“hospital”** means any facility or portion of a building that provides hospital care and services, including acute, rehabilitative or chronic care and may include nursing, laboratory testing, radiological and diagnostic services, prescription and administration of drugs, surgical

operations, radiotherapy, psychiatric and mental health care, physiotherapy, emergency care, and other inpatient or outpatient related medical care.

**“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 customarily domestic pets, but does not include cattle, sheep, horses, pigs, poultry, bees, and animals customarily kept as farm animals.

## I

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

**“impervious surface”** means any material or structure on or in the ground that prevents or significantly reduces the infiltration of water into the underlying soil.

**“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 places of worship, public or private schools and preschool.

**“interpretive centre”** means a facility designed to provide educational and informational exhibits and / or programs related to the natural, cultural, or historical resources of an area. This may include displays, demonstrations, guided tours, and other activities that aim to enhance public understanding and appreciation of the environment or history.

## K

**“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.

## L

**“landscaping”** means lawn, ornamental shrubs and may include paths, patios, walkways, fountains, reflecting pools, artwork, 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.

**“library”** means a public institution providing access to a collection of books or other materials for educational, informational, or recreational purposes. This may include lending services, study or gathering rooms, and community programs. All provincial public libraries are governed by the *New Brunswick Public Libraries Act*, RSNB 2011, c 194.

**“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”** means the longer lot line abutting the street on a corner lot.

**“lot line, front”** 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 in the case of a through lot, or 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.

**“lot line, rear”** means the lot line or point of intersection of the side lot lines farthest from and opposite the front lot line.

**“lot line, side”** means a lot line other than a front lot line, flankage lot line or rear lot line.

**“lot, through”** means a lot bounded on two opposite sides by streets or highways.

**“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.

## M

**“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.

**“medical clinic”** means a facility or portion of a facility that provides outpatient medical services, including but not limited to preventative, diagnostic, therapeutic and rehabilitative care, and dentistry and associated work by licensed medical professionals. This excludes hospitals.

**“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 home dwelling”** means a detached moveable dwelling intended for permanent residential occupancy containing one or two dwelling units having a length or width of less than five metres, typically characterized by their compact design and efficient use of space and does not include:

- (a) A detached dwelling comprised of two or more sections with a width and length of five or more metres at all points; or
- (b) Major recreational equipment and vehicles, including travel trailers.

**“self storage warehouse or facility”** 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.

**“model home sales centre or office”** means a development with a temporary or permanent display used to showcase the contractor’s work and facilitate the sales of dwellings to prospective buyers. This may include a model home, sales office, and related promotional materials.

**“motor vehicle”** means a motor vehicle as defined under the *Motor Vehicle Act*.

**“museum”** means a not-for-profit permanent institution in service of society that researches, collects, conserves, interprets and exhibits tangible and intangible heritage of humanity and its environment for the purpose of education, reflection, discovery, and entertainment. This may include exhibits, educational programs, and research activities and the incidental retail sale of merchandise or memorabilia associated with the contents of the museum.

**“municipality”** means the Town of Riverview.

## N

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

## O

**“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.

**“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.

## P

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

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

**“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 service shop”** 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. The use may include incidental retail sales.

**“place of worship”** means a location where individuals gather for religious or spiritual practices, including but not limited to buildings, structures, or spaces used for religious ceremonies and services, prayer and meditation, religious education, and associated community activities and may include a banquet hall.

**“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.

**“public entrance”** means an entrance where the public gains entrance to a building.

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

**“public utility”** means any agency which owns, operates, manages or controls the provision of or supply of electricity, gas, and telecommunications; water treatment and distribution, sewage treatment, solid waste collection and process.

## R

**“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, as defined by the *Beverage Containers Act*,

**“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 single unit dwelling used for 24 hour non-medical care of 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, a detention or correctional facility, a provincial jail or federal penitentiary, a temporary housing residence or a shared dormitory accommodation.

**“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 and beverage, including the alcohol, are offered for sale or sold to the public primarily for consumption on site but does not include a drive-thru.

**“restaurant, drive-thru”** means a building or part of a building where food and beverage are offered for sale or sold to the public for consumption on or off site and includes 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.

## S

**“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.

**“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 unit dwelling that is located on the same lot as the main single unit dwelling and the farm, and which is used exclusively by those directly involved with the farm operation.

**“semi-trailer”** means a semi-trailer as defined in the *Motor Vehicle Act*.

**“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.

**“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.

**“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”** 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

**“sign, canopy”** 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.

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

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

**“sign, directory”** 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.

**“sign, electronic message”** 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.

**“sign, freestanding”** means a sign supported independently of a building and permanently fixed to the ground.

**“sign, illuminated”** means a sign illuminated by an artificial light source..

**“sign, neighbourhood identification”** means a sign that identifies a residential neighbourhood or subdivision.

**“sign, portable”** 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.

**“sign, projecting”** 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

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

**“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 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.

**“structure”** means 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 combination of walls and fences which encloses a swimming pool, and meets or exceeds the requirements of New Brunswick Building Code Regulation 81-126 and any applicable municipal by-laws.

## T

**“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.

**“Town”** means the Town of Riverview

**“traditional materials”** means building materials that are characteristic of the historical or established architectural style of the area, and may include wood, brick, stone, and stucco as well as brick or masonry veneer or adequate facsimiles.

**“trailer”** means a trailer as defined in the *Motor Vehicle Act*, and any amendments thereto.

**“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*.

## U

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

**“use, conditional”** means a use of any land, building, or structure that is permitted subject to the terms or conditions imposed by the Committee, and that may be prohibited by the Committee where compliance with a term or condition cannot reasonably be expected.

**“use, main”** means a permitted use in a zone that is the primary purpose of any land, building, or structure on a lot.

**“use, secondary”** means a permitted use in a zone that is secondary to a main 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.

## V

**“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.

## W

**“watercourse”** means watercourse as defined in the *Clean Water Act*.

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

## Y

**“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”**, means the side yard of a corner lot that abuts a street.

**“yard, front”** 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.

**“yard, rear”** 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.

**“yard, required”** means a yard with the minimum front yard depth, rear yard depth or side yard width required by the provisions of this By-law.

## Town of Riverview Zoning By Law

By-law No. 300-8

**“yard, side”**, 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.

**“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.



SECTION 1

# Administration and Interpretation

## **1.1 Title**

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This By-law may be cited as the “Zoning By-law”.

## **1.2 Scope**

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- a) This By-law:
  - i. divides the municipality into zones;
  - ii. 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
  - iii. prohibits the use, placement, erection or alteration of land, buildings or structures other than in conformity with the purposes and standards mentioned in paragraph (ii).
- b) Under subsection 32(1) of the Act, this By-law shall be reviewed no later than ten years from its commencement or the last review.

## **1.3 Interpretation**

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- a) 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.
- b) When a word is defined, other parts of speech and grammatical forms of the same word have corresponding meanings.

## **1.4 Zones & Zone Boundaries**

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- a) The town is divided into zones as listed in Table 1 and delineated on the “Town of Riverview Zoning Map” attached as Schedule A and forming part of this By-law.
- b) 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.
- c) 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.

## 1.5 Use of Tables

- a) The permitted main and secondary uses for the zones listed in Table 1, and their lot requirements are prescribed in Sections 8 to 10, and the following conditions apply to those uses:
  - i. any purpose for which land, buildings or structures may be used is identified by the letter “P”;
  - ii. any purpose for which land, building or structures may be used in conjunction with a use permitted under subsection (i) is identified by the letter “S”;
  - iii. 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
  - iv. the use of land, buildings or structures for any purpose not identified by the letter “P”, “S” or “C”, whether they are main or secondary uses, are otherwise prohibited and identified by the symbol “-”, except in the lot requirement tables, where the symbol “-” means the requirement is not applicable.
- b) If there is a conflict between the permitted main and secondary uses and their lot requirements prescribed in Section 8 to 10 and the specific requirements of a particular zone in any other Parts of this By-law, the latter shall apply.
- c) All uses not permitted in this By-law are prohibited.

## 1.6 Town of Riverview Zones

**Table 1: Town of Riverview Zones**

Residential Zones	
Low-Rise Residential	R-LR
Mid-Rise Residential	R-MR
High-Rise Residential	R-HR
Commercial Zones	
General Commercial	GC
Mixed Use	MU
Town Centre	TC
Other Zones	
Rural	RU
Dwelling Group	DG
Parks & Recreation	PR
Open Space	OS

Institutional	IN
Industrial	I
Integrated Development	ID
Future Development	FD

## **1.7 Powers of Council**

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### **1.7.1 Requirement for Servicing**

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Notwithstanding 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.

### **1.7.2 Dilapidated, Dangerous or Unsightly Buildings or Structures**

---

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.

### **1.7.3 Application to Amendment By-law**

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- a) A person who seeks to have this By-law amended shall apply in writing to Council and include with their application the following:
  - i. when the application involves an amendment to a single zone, the application shall include:
    - a. the signature of the owner of the land to be rezoned;
    - b. a copy of the registered deed or certificate of registered ownership of the land to be rezoned;
    - c. a letter outlining the reason for the amendment, including a site plan and plans of proposed new buildings;
    - d. a completed application in the form prescribed by the development officer; and a fee of \$2,750;
- b) The Council may return all or any part of the fee required to have this By-law amended.

- c) 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.

## **1.8 Powers of the Committee**

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### **1.8.1 Unsuitable Soil, Location or Topography**

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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.

### **1.8.2 Temporary Use Application and Fees**

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- a) 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:
  - i. authorize, for a temporary period not exceeding one year, a development otherwise prohibited by this By-law;
  - ii. authorize, for an additional temporary period not exceeding one year, a development otherwise prohibited by this By-law if:
    - a. the applicant has an authorization under paragraph (i) that is to expire or has expired;
    - b. an application with respect to the land has been made to amend this By-law; and
    - c. the Committee has received a resolution from Council confirming that Council will consider the application referred to in subparagraph (b);
  - iii. require the termination or removal of a development authorized under paragraph (i) or (ii) at the end of the authorized period.
- d) The Committee may by resolution:
  - i. delegate its authority under paragraph 1.8.2(a) to the development officer, and
  - ii. authorize the development officer to further delegate their authority to any person.

### **1.8.3 Conditional Use Application**

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

### **1.8.4 Other Applications and Fees**

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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.

### **1.8.5 Zoning Letters and Fees**

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- a) Upon receipt of an application and a fee of \$125, the development officer may issue a letter of confirmation regarding the zone applied to a lot.
- b) Upon receipt of an application 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.

## **1.9 Development Permits**

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### **1.9.1 Requirement for Development Permit**

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- a) 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.
- b) A development permit may be revoked if the development undertaken exceeds the scope of the work authorized under the development permit.
- c) No development permit shall pertain to more than one lot.

### **1.9.2 Fees**

---

- a) 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:

- i. if the development is a single unit dwelling, two unit dwelling or semi-detached dwelling, \$ 50;
- ii. 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;
- iii. 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;
- iv. if the development is site preparation work related to an approved subdivision, \$100; or
- v. for other developments with a construction value of:
  - a) under \$500,000, \$100;
  - b) between \$500,000 and \$999,999, \$150
  - c) between \$1,000,000 and \$4,999,999, \$300; and
  - d) over \$5,000,000, \$500.

b) Notwithstanding subsection (a), no development permit shall be required for a tent that does not exceed 18.6 square metres floor area.

c) If a development involves an application for terms and conditions under section 1.8.3, Conditional Use Application, no development permit shall be issued unless the applicant has paid a \$450 fee, in addition to the fees prescribed in subsection (a).

d) 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 (a) where applicable.

e) 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 the required street tree fees under the Street Tree By-law No. 700-80 in addition to the fees prescribed in subsection (a).

f) Notwithstanding 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.

### **1.9.3 Duration and Renewal of Development Permit**

- a) 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:
  - i. the development has not begun within six months from the date of issue or
  - ii. the development has been discontinued for a period of six consecutive months.
- b) When a development permit has expired pursuant to subsection (a), 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.



## SECTION 2

# General Provisions

## 2.1 Uses Permitted in All Zones

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Notwithstanding anything else in this By-law:

- a) The following uses shall be permitted in all zones:
  - a) Community Garden
  - b) Land for Public Purpose
  - c) Lane, Street, or Highway
  - d) Minor Utility Service Building or Structure
  - e) Municipal Recreational Use
  - f) Pipeline
  - g) Public Display
  - h) Public Park or Playground
  - i) Public Utility
  - j) Railroad
  - k) Stormwater Management System
  - l) Telecommunication Tower
  - m) Walking Trail

## 2.2 Chickens

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The keeping of chickens is permitted as an accessory use to a main residential use on a lot containing a one unit dwelling in the Rural zone having a minimum lot size of 1100 m<sup>2</sup>, subject to the following:

- a) The keeping of chickens shall be in accordance with the following:
  - i. A development permit application is submitted by the legal registered owner of property, or the written permission of the owner is provided.
  - ii. An application described above includes a site plan depicting the proposed location of the coop and run, the location of potable wells and other structures on the property, and the distance to neighbouring properties.
  - iii. An applicant pays the required fee.
- b) The keeping of chickens includes compliance with the following:
  - i. No more than 8 chickens are kept at any given time;
  - ii. Rooster are prohibited;
  - iii. Chickens may not run at large and shall be contained to a coop ;

- iv. Chicken enclosures shall contain an enclosed, roofed coop connected to a run that shall be fully enclosed and shall be designed and constructed to ensure proper ventilation and provide space for the chickens;
- v. Coops and associated runs must be a minimum of 3 metres from any potable water well and 4.5 metres from adjacent property lines;
- vi. Coops and associated runs may not be located within the front yard of the property;
- vii. Coops shall be maintained so as not to cause a nuisance to neighbouring properties;
- viii. Slaughter or disposal of chickens on site is prohibited.

## **2.3 Clearing or cutting of trees**

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- a) 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 or subdivision approval has been issued.
- b) As part of the application for terms and conditions under subsection (a), the applicant shall submit an erosion and sediment control plan, including a report and a site plan, prepared and certified by a qualified professional engineer or by other professionals qualified to do the work.

## **2.4 Connection to Municipal Services**

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- a) 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.
- b) 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.

## **2.5 Daycare Uses**

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### **2.5.1 Home Daycare**

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See section 2.18.2.

### **2.5.2 Daycare Centre**

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Where permitted, a Daycare Centre shall:

- a) Provide proof of compliance or ability to comply with the Province's daycare regulations;
- b) Any fenced or outdoor play areas shall be located in the side or rear yard;
- c) Notwithstanding section (b) fenced or outdoor play areas may be located in the front yard subject to terms and conditions of the Planning Advisory Committee;
- d) Subject to the provisions of Section 4, one on-site parking space shall be provided for every five children; and
- e) In addition to the parking requirements as set out in Section 4, 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.

## **2.6 Development Near a Lagoon**

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Notwithstanding 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.

## **2.7 Display Courts**

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Where permitted, a display court shall:

- a) be located no closer than two metres from a street line; and
- b) the area between a display court and street line shall be landscaped in accordance with section 5.

## **2.8 Encroachments**

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Every part of a required yard shall be open and unobstructed by structures, with the exception of the following:

- a) 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;

- b) wheelchair ramps and lifting devices;
- c) steps providing access at the ground floor in a required front yard, required rear yard or required flankage yard;
- d) sills, cornices, eaves, gutters, chimneys, pilasters, canopies or other architectural features, projecting to a maximum of 0.6 metres;
- e) 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; and
- f) climate control equipment in a required yard projecting to a maximum of 0.9 metres.

## 2.9 Existing Conditions

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### 2.9.1 Existing Undersized Lots

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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.

### 2.9.2 Existing Building

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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.

## 2.10 Height Exemptions

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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, parapets or solar collectors attached to the main building or structure.

## 2.11 Height Transitions

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The following outlines the height limits for buildings abutting Low Rise Residential (R-LR) Zones to ensure a sensitive and compatible transition from higher density development to R-LR Zoned areas. The intention is to create a harmonious balance between intensification and the preservation of the character of neighboring residential zones.

- a) When permitted, the height of a Multiple Dwelling, commercial building, mixed use building, or industrial building shall be subject to the following conditions:

**Table 2: Height Transitions**

<b>Building Height</b>	<b>Setback from R-LR</b>	<b>Additional Requirements</b>
2 stories or 1 stories/ 9m or less	No additional setbacks beyond those listed in the zone	6 m landscape buffer in accordance with section 5
13 metres / 3 storey	13 m	6 m landscape buffer in accordance with section 5
16 metres / 4 storey	16 m	6 m landscape buffer in accordance with section 5
19 metres / 5 storey	19 m	6 m landscape buffer in accordance with section 5
22 metres/ 6 storey	22 m	6 m landscape buffer in accordance with section 5
25 metres / 7 storey	25 m	6 m landscape buffer in accordance with section 5
28 metres / 8 storey	28 m	6 m landscape buffer in accordance with section 5

b) A building may achieve additional storey height through a step back on the R-LR facing façade. The step back depth shall be equivalent to minimum distance from the R-LR zone needed to achieve the 1 to 1 ratio presented in Table 2.

## 2.12 Minimum Size of Dwellings and Buildings

No dwelling unit shall have a gross floor area less than:

- a) 32 square metres, in the case of any apartment; or
- b) 45 square metres, in the case of any other dwelling unit.
- c) For the purposes of this section, gross floor area excludes garages, carports, balconies, and, except for elements located entirely within the dwelling unit, stairways.
- d) Accessory Dwellings Units, Garden Suites, and dwellings with the Dwelling Group zone are exempted from this section and therefore may be less than the gross floor area described in this section.

## 2.13 Number of Buildings on a Lot

- a) No more than one main building shall be placed or erected on a lot except in the Dwelling Group, and High Rise Residential Zones.
- b) No building or structure may be altered to become a second main building on a lot.

- c) Notwithstanding subsection (a), except for the R-LR Zone, the Planning Advisory Committee may permit, subject to any terms and conditions, more than one main building on a lot.

## 2.14 Outdoor Storage Areas

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- a) 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.
- b) Within the outdoor storage area, no materials shall be amassed higher than the height of the surrounding fence.
- c) If there is a conflict between subsection (a) and the specific screening requirements of a particular zone, the latter shall apply.

## 2.15 Residential Care Facility

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- a) Where permitted, a Residential Care Facility is subject to the following:
  - i. The use shall be located within a Single Unit Dwelling;
  - ii. The use is limited of six beds
  - iii. A Bed & Breakfast, Home Occupation, Home Daycare, Daycare Centre, or Accessory Dwelling Unit shall not be permitting on the same lot;

## 2.16 Site Preparation and Initial Stages of Development

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### 2.16.1 Making of Land by Cutting and Filling

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- a) 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 require a Development Permit.
- b) Subsection (a) 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.

### 2.16.2 Minimum Geodetic Elevation

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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.

### **2.16.3 Foundation Elevations**

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- a) A building containing habitable space to be constructed within 30 metres of a public street shall not be permitted unless:
  - i. 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
  - ii. the top of the foundation wall is not higher than two metres above the point specified in paragraph (a).
- b) Notwithstanding subsection (a), 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.

### **2.16.4 Attached Garage Slab Elevations**

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- a) 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
- b) Notwithstanding subsection (a), 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.

### **2.16.5 Maximum Driveway Slope**

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

### **2.16.6 Subdivision Development Site Preparation Work**

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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.

## 2.16.7 Lot Grading and Drainage

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- a) 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.
- b) With the exception of single unit dwelling, two-unit dwelling or semi-detached dwelling, the lot drainage and grading plan referred to in subsection (a) shall provide for adequate stormwater detention storage to achieve a zero net solution, which shall be implemented by the developer.
- c) The requirements in subsection (b) may be waived when, in the opinion of the Town Engineer, a zero net solution is impossible to achieve.

## 2.17 Illumination and Exterior Lighting

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- a) All lighting poles shall:
  - i. have full cut-off lighting fixtures;
  - ii. be permitted in a yard, if 2.1 metres in height or less;
  - iii. be subject to subsection 2.17.1, if greater than 2.1 metres in height; and
  - iv. not exceed four metres in height.
- b) Exterior lighting fixtures provided for residential buildings of five units or more shall be full cut-off lighting fixtures, and if attached to a pole shall:
  - i. if greater than 2.1 metres in height, be subject to subsection 2.17.1 and incorporate shielding to prevent the escaping of light to adjoining properties; and
  - ii. not exceed six metres in height.
- c) Exterior lighting fixtures provided for non-residential buildings shall:
  - i. be full cut off;
  - ii. be subject to subsection 2.17.1; and
  - iii. incorporate shielding to prevent the escaping of light to adjoining properties

## 2.17.1 Lighting Height Formula

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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.

## 2.18 Secondary Uses

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### 2.18.1 Accessory Dwelling Units

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Notwithstanding Section 2.12, Accessory Dwelling Units are subject to the following:

- a) One Accessory Dwelling Unit is permitted as a secondary use in association with a single dwelling or a semi-detached dwelling and shall:
  - i. Not exceed 80 m<sup>2</sup> of gross floor area
  - ii. Have one parking space in addition to the parking required for the main use of the lot in accordance with section 4
- b) A second Accessory Dwelling Unit is permitted as a secondary use in association with a single dwelling or a semi-detached dwelling and shall:
  - i. Not exceed 80 m<sup>2</sup> of gross floor area;
  - ii. Have one parking space in addition to the parking required for the main use of the lot in accordance with section 4;
  - iii. Any parking located in the rear yard shall be screened from abutting properties by a fence. The fence shall be:
    - a. A maximum of 2 metres in height, and
    - b. Be constructed of opaque materials;
  - iv. Be stylistically similar to and not substantially change the exterior appearance of the main dwelling unit and shall:
    - a. Have a maximum of two exterior doors on the street facing façade;
    - b. When the Accessory Dwelling Unit is located within the front, flankage or side yard; be cladded in the same or substantially similar material and of the same colour as the main dwelling;
  - v. In the case of a single or semi detached dwelling existing on or before the date this By-law was adopted, a second Accessory Dwelling Unit shall be permitted as

a secondary use to an owner-occupied dwelling that is the main use of the subject property.

- c) No more than two Accessory Dwelling Units are permitted in association with a single or semi detached dwelling.

## **2.18.2 Home Daycare**

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Where 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;
- c) Subject to the provisions of Section 7, be permitted to erect a non-illuminated sign not exceeding 0.75 square metres; and
- d) A Home Occupation shall not be permitted on the same lot as a Home Daycare

## **2.18.3 Home Occupation**

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Home occupations are intended to be small scale businesses operating secondary to a residential use and have minimal impact on the surrounding neighborhood. The intent is that the scale of use is compatible with low rise residential uses and any additional traffic generated by the home occupation could generally be accommodated by the provision of one additional parking stall.

### **2.18.3.1 Home Occupation General Provisions**

Where permitted, a home occupation is subject to the following:

- a) A home occupation may be permitted within a single, semi detached, manufactured, townhouse or rowhouse dwelling unit or an accessory building or a combination of both.
- b) A home occupation must be clearly secondary to the residential use.
- c) The maximum area of a home occupation located within a dwelling unit shall not exceed 25 percent of the gross floor area of the dwelling unit.
- d) Notwithstanding (c), in the Rural zone, the maximum area of a home occupation located within a dwelling unit shall not exceed 50% of the gross floor area.
- e) No additional employees beyond those reside within the main dwelling.
- f) A home occupation contained within an accessory building shall meet the requirements of section 3.1.1.
- g) The residential character of the main dwelling unit or the accessory building on a lot containing a home occupation shall be maintained.
- h) No outdoor storage is permitted.

- i) Shall only supply or sell goods or services directly related to the home occupation
- j) Parking shall be provided in accordance with section 4.
- k) The home occupation shall not produce excessive noise, fumes, dust, vibration, glare, electronic interference or odour detrimental to the general welfare of the surrounding neighbourhood.
- l) Subject to the provisions of Section 7, shall be permitted to erect a non-illuminated sign not exceeding 0.75 square metres.
- m) Not more than one Home Occupation shall be permitted on a lot.
- n) A Home Daycare shall not be permitted on the same lot as a Home Occupation.

#### **2.18.3.2 Home Occupations Permitted by Development Permit**

Where permitted, the following home occupations shall be permitted by Development Permit:

- a) Artist Studio
- b) Catering Establishment
- c) Home Daycare
- d) Instructional Service
- e) Office
- f) Personal Service Shop
- g) Pet Grooming
- h) Tailor

#### **2.18.3.3 Home Occupations Subject to Planning Advisory Committee Approval**

Where permitted, the following home occupations shall be subject to the terms and conditions of the Planning Advisory Committee:

- a) In the Rural Zone, Automobile Repair Shop
- b) Notwithstanding section 2.18.3.1(d), Office use with 1 additional staff
- c) Any other use the Planning Advisory Committee deems appropriate and suitably non-impactful to the character of the area

#### **2.18.4 Garden Suite**

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Notwithstanding section 2.12, where permitted, a garden suite as a secondary use in association to a single unit dwelling or a semi-detached dwelling, located above a detached garage or an independent detached dwelling unit, shall:

- a) Notwithstanding the yard requirements for the zone in which it is located, not be closer than 1.5 metres from a side lot line and 2.5 metres from the rear lot line;
- b) Not exceed the height of the main building or 9 metres, whichever is less;
- c) Be located in the rear or side yard and behind the main building line;
- d) Not exceed 80 square metres of gross floor area;
- e) Be fully serviced by municipal water and sanitary sewer accessed from the main dwelling. No individual service laterals shall be permitted from the street to a Garden Suite; and
- f) Provide one parking space in addition to the parking required for the main use in accordance with section 4.
- g) Be limited to one garden suite per lot.

#### **2.18.5 Bed and Breakfast**

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Where 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 any required yard.

### **2.19 Service Stations**

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Where permitted, a service station shall not have any portion of a pump island or canopy located within 15 metres of a lot line.

## 2.20 Setbacks

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### 2.20.1 Building Within the Setback

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Notwithstanding 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.

### 2.20.2 Setback from Watercourses

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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 30 metres of a watercourse.

### 2.20.3 Special Setback Requirements

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Notwithstanding 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 R-LR zoned lots.

## 2.21 Sight Triangle

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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.

## 2.22 Temporary Uses, Real Estate Sales Offices & Construction Trailers

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### 2.22.1 Temporary Model Home Sales Offices

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Temporary real estate sales offices may be set up in new display homes within new subdivisions but not for more than 12 months.

### 2.22.2 Temporary Construction Trailers

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Temporary construction trailers may, in association with the undertaking of a development that has received a development permit, be placed on the same lot as the development for the purposes of, but not limited to, an office trailer, tool storage, worker rest areas, provided that the trailer be removed within 30 days of the completion of the work.

### 2.22.3 Temporary Special Occasion Structures

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Nothing in this By-law shall prevent a structure erected for a special occasion or holiday, such as, but not limited to, a banner, an inflated balloon, an inflated character, a pennant, a search light, a spinner, a streamer, a shipping container or a tent provided the temporary special occasion structure is removed within seven days after the event.

## 2.23 Vehicles Bodies including Shipping Containers

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- a) A motor vehicle, trailer or semi-trailer 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.
- b) Notwithstanding subsection (a), mobile stands may be used in a commercial, Rural, or Parks and Recreation zone.
- c) Notwithstanding subsection (a) and section 3.1, shipping containers designed for commercial transport may be used as a main building for the purpose of a redemption centre where permitted.
- d) Notwithstanding subsection (a), a shipping container may be used as an accessory building in the following zones subject to the requirements of section 3.1, the requirements of that zone, and the requirements provided in subsection (e):
  - i. Industrial (I)
  - ii. General Commercial (GC)
  - iii. Mixed Use (MU)
  - iv. Rural (RU)

- v. Parks and Recreation (PR)
- vi. Institutional (IN)

e) In accordance with subsection (d), a shipping container used as an accessory building is subject to the following:

- i. In the Mixed Use, General Commercial, and Institutional zones, a shipping container used as an accessory building or structure shall:
  - a. be located in the rear yard;
  - b. contain no more than one shipping container used as accessory building or structure. An additional shipping container may be permitted at the discretion of the Planning Advisory Committee.
  - c. be maintained in good repair and painted in a colour scheme matching the main building; and
  - d. not be used for the storage of dangerous or hazardous materials or goods.
- ii. When located adjacent to a residential property line, a shipping container shall be screened by a fence constructed of opaque materials and of a maximum height of 2 metres;
- iii. Shipping containers shall not be stacked one upon another;
- iv. In the Rural zone, a shipping container used as an accessory building or structure is subject to the following:
  - a. Where the shipping container is accessory to a residential main use, it shall be located in the rear or side yard and shall be located behind the building line; and
  - b. Where the shipping container is accessory to a main use in the Rural zone, it shall not be located within the required front yard.

f) Notwithstanding subsection (a) a shipping container may be used as a main use in the Parks and Recreation zone subject to terms and conditions of the Planning Advisory Committee.

## 2.24 Vehicles in Residential Zones

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- a) In a residential zone, no land shall be used for the parking or storage of construction or other equipment including bulldozers, backhoes, high hoes or payloaders or similar equipment.
- b) In a residential zone, a company vehicle that does not require special license to operate, with the logo of a business displayed on the vehicle, may be parked in a driveway or parking stall associated with a residential use.
- c) In a residential zone, the parking of any trailer designed to be towed by a commercial vehicle is not permitted.

## 2.25 Frontage Reductions on a Curve

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Notwithstanding 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.



## SECTION 3

# Accessory Uses, Buildings and Structures

## 3.1 Accessory Building Standards

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### 3.1.1 Accessory Building Standards: Residential zones

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Accessory buildings and structures are permitted in any zone, but in a residential 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. 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;
- c) 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
  - iv. in any case, the number of accessory buildings or structures shall not exceed three on a lot;
  - v. subjection (iv) does not apply to the Dwelling Group or Rural zone.
- d) be used for:
  - i. agricultural purposes, or
  - ii. the keeping of animals other than household pets.

### **3.1.2 Accessory Building Standards: Non-Residential Zones**

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Accessory buildings and structures in non-residential zones shall not be placed, erected or altered:

- a) within the front or required flankage yard of the main building;
  - i. within 2.4 metres or one half the height of the accessory building or structure, whichever is the greater, from any lot line.
- b) A stable, kennel or cattery may be permitted as an accessory use within the Rural Zone, if the building:
  - i. does not exceed 120 square metres;
  - ii. does not exceed a height of nine metres;
  - iii. is used for the accommodation of no more than four horses, eight dogs or 16 cats;
  - iv. is located at least three metres from a property line, and 30 metres from a watercourse; and
  - v. is not located within the front yard or flankage yard.

### **3.1.3 Accessory Buildings: Lot coverage**

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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.

### **3.1.4 Exceptions to side or rear setbacks for accessory buildings**

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- a) Notwithstanding subsection 3.1.1, an attached garage that shares a common wall that forms part of a semi-detached dwelling may be centered on the mutual side lot line; and
- b) Aquatic uses may be built to the lot line if the lot line corresponds to the high water mark.

### **3.1.5 Garages and Carports**

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When a garage or carport is attached to a dwelling, it is considered part of the main building.

## 3.2 Fences & Enclosures

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### 3.2.1 Fences

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- a) A fence may be placed or located in a yard if its height does not exceed:
  - i. one metre in the required front or flankage yard in any zone, except for a chain link fence located in a commercial or the Industrial zone;
  - ii. two metres in any other yard in a residential zone; and
  - iii. 2.5 metres in any other yard in another zone.
- b) No fence in a residential zone, shall be electrified, incorporate barbed wire or other sharp dangerous material in its construction.

## 3.3 Swimming Pools & Swimming Pool Enclosures

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The following standards apply to inground and above ground swimming pools:

- a) No swimming pool shall be placed or built on a lot unless:
  - i. it is enclosed by a swimming pool enclosure; and
  - ii. it is located in a rear or side yard.
- b) The swimming pool enclosure in subsection (a)(i) shall:
  - i. completely enclose the entire swimming pool;
  - ii. be a minimum of 1.5 metres in height;
  - iii. be at least 1.2 metres from the edge of the swimming pool;
  - iv. have no opening greater than 100 millimetres;
  - v. have horizontal rails spaced no less than 1.05 metres apart; and
  - vi. in the case of a chain link fence have diamond mesh no greater than 50 millimetres.
- c) The pool shall only be accessible by:
  - i. 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;
  - ii. 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 (i);

- iii. 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 (i);
- iv. a main building or structure enclosing the entire pool provided the main building or structure satisfies the requirements of subsection (b) and does not allow unobstructed access to the pool;
- v. an accessory building or structure enclosing the entire pool provided the accessory building or structure satisfies the requirements of subsection (b) and does not allow unobstructed access to the pool; or
- vi. any combination of the above.

### **3.3.1 Maintenance of the Swimming Pool Enclosure**

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It is the responsibility of the homeowners 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.

### **3.3.2 Other Pool Enclosure Requirements**

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- a) 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 2.1.8
- b) Screening or privacy walls forming part of a platform or deck as described in subsection (b) shall not exceed 2.5 metres in height above the deck or platform.

## **3.4 Garbage Enclosures**

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

## SECTION 4

# Parking, Access, Queuing and Loading

## 4.1 General Parking Provisions

a) No development shall be permitted unless off street parking spaces are provided and maintained in conformity with Table 3.

Table 3: Parking Requirements	
Use	Number of Parking Spaces Required
Art gallery, Library or Museum	1 per 75 m <sup>2</sup> of gross floor area
Agricultural Use	nil
Automobile Repair Shop, Automobile Sales or Service Station	2 per service bay + 1 per 75 m <sup>2</sup> of additional floor area not used for automobile repair
Bank or Financial Institution	1 per 75 m <sup>2</sup> of gross floor area
Banquet Hall, Cultural Use or Place of Worship	1 per 40 m <sup>2</sup> of gross floor area
Bed & Breakfast	1 per room
Brewery, Distillery or Winery	1 per 50 m <sup>2</sup> of gross floor area
Daycare Centre	1 per 5 children
Daycare, Home	1
Distribution or Transportation Use	1 for each 200 m <sup>2</sup> of gross floor area
Dwelling Unit including Single Unit, Two Unit, Semi Detached, Townhouse, Rowhouse, Multiple Unit	1 per unit
Dwelling, Accessory Unit and Garden Suite	1 per unit
Dwelling, Shared	.5 per room
Educational Use – elementary, middle, and high school	4 per classroom
Educational Use – post-secondary school	1 per classroom + 1 per 5 students based on the maximum number of students attending classes at any one time
Entertainment Use	1 for each 10 m <sup>2</sup> of gross floor area
Funeral Home	15 + 1 for each 20 m <sup>2</sup> of gross floor area
Government Use	1 per 75 m <sup>2</sup> of gross floor area
Home Occupation	1

Home Occupation when subject to PAC approval	1 per additional employee
Hospital	1 per 25 m <sup>2</sup> of gross floor area
Hotel or Motel	1.25 per room
Industrial Uses	1 per 100 m <sup>2</sup> of gross floor area
Institutional Uses unless otherwise specified	1 for each 10 m <sup>2</sup> of gross floor area
Medical or Veterinary Clinic	2 per examination room
Office Use	1 for each 75 m <sup>2</sup> of gross floor area
Redemption Centre	3
Residential Care Facility, Assisted Living Facility	.5 per bed
Restaurant	1 per 4 seats
Recreation Use	5 per 100 m <sup>2</sup> of gross floor area
Retail Store, Service Shop, Personal Service Shop or Pet Service Shop greater than 1000 m <sup>2</sup> gross floor area	1 for each 40 m <sup>2</sup> of gross floor area
Retail Store, Service Shop, Personal Service Shop or Pet Service Shop less than 1000 m <sup>2</sup> gross floor area	1 for each 35 m <sup>2</sup> of gross floor area
A use or development not specified in this chart	3.5 per 100 m <sup>2</sup> of gross floor area

b) Parking spaces shall:

- i. be parallel or oriented at an angle of 90 or 45 degrees to the parking aisle, and have dimensions as specified in Table 4;
- ii. be separately and readily accessible by a driveway, a driveway aisle, or by a parking aisle to be of width specified in Table 4;

**Table 4: Size of Parking Spaces and Aisles**

	Parallel	Angle (90°)	Angle (45 °)
Minimum width (m)	2.75	2.75	2.75
Minimum length (m)	6.0	5.50	5.20
Minimum aisle width (m)	6.00	6.00	3.50
Minimum height clearance (m)	2.20	2.20	2.20

- iii. be located on the lot and in the zone containing the use for which the spaces are provided;
- iv. notwithstanding (iii), parking spaces may be located on a separate lot or in a different zone than the main use at the discretion of the Planning Advisory Committee; and
- iv. 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.

- c) 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 4;
- d) 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 20%.
- e) A change of use in any non-residential zone does not require additional parking spaces above those already provided.

#### **4.1.1 Barrier Free Parking Spaces**

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In addition to off-street parking spaces, additional parking spaces must be reserved for persons with reduced mobility for all uses, in accordance with the Barrier-Free Design Building Code Regulation under the Building Code Administration Act.

- a) A minimum of 1 additional barrier free parking space shall be provided where 5 standard spaces are provided; and 1 additional space provided for every 25 parking spaces;
- b) The parking space(s) closest to a facility shall be reserved for barrier free parking spaces;
- c) Each barrier free parking space shall contain an area of not less than 24 m<sup>2</sup> measuring 4 m by 6 m;
- d) Each barrier free parking space shall be clearly identified; and
- e) Where a parking area is defined by curbing, a ramped curb shall be provided so as to allow a person with a mobility aide to easily travel through or over such curbing.

#### 4.1.2 Access to Bridgedale and Gunningsville Boulevard

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On lots fronting onto Bridgedale Boulevard or Gunningsville Boulevard, no development shall be permitted and no main building or structure may be used on a lot unless:

- a) no vehicle queuing area for a drive-thru is located between the main building the street;
- b) no parking spaces shall be located between the main building and Bridgedale Boulevard or Gunningsville Boulevard.

### 4.2 Standards for Parking Lots

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When a parking lot of more than six parking spaces is required or proposed, the following provisions shall apply:

- a) subject to section 2.15, lights used for illumination of the lot shall be arranged to divert the light away from streets, adjacent lots and main buildings;
- b) 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;
- c) the parking shall be provided on the same lot as the main use;
- d) notwithstanding (c), a parking lot may be located on a separate lot within a radius of 150 metres from the main use subject to the discretion of the Planning Advisory Committee;
- 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) be defined by a curb of asphalt or concrete;
  - iii) notwithstanding (i), permeable pavers or similar technology may be used so long as they contribute to the driveways and driveway aisles being maintained as a dust free, hard surface.
- 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 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 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.

#### **4.2.1 Large scale parking lot requirements**

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- a) 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;
- b) Notwithstanding subsection (a), all parking lots with more than 150 parking spaces shall be designed in accordance with the following standards:
  - i. 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:
    - a. at the end of all rows of parking; and
    - b. between all parking blocks;
  - ii. on-site pedestrian walkways shall be provided on the property to provide access between the primary entrance or entrances to each main building and:
    - a. all other main buildings;
    - b. public sidewalks, walkways, and trails;
    - c. parking areas that serve the building; and
    - d. where appropriate, buildings on adjacent properties;
  - iii. 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
  - iv. 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.

## 4.3 Driveway Standards

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### 4.3.1 Driveways for Residential Zones

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- a) Properties within a residential zone having less than 30 metres of frontage shall have no more than one driveway except:
  - i. in the case of a corner lot with a combined frontage and flankage of more than 30 metres, in which case, one driveway per street frontage will be permitted;
  - ii. in the case of two-unit dwellings, which may have one for each dwelling unit; or
  - iii. subject to section 6.3, in the case of a townhouse or rowhouse dwelling, which may have one driveway for each dwelling unit.
- b) Notwithstanding subsection (a), properties within a residential zone located on a corner lot may have an additional driveway along the flankage lot line.
- c) When a driveway provides access to a residential corner lot, it shall be a minimum of 11 metres from the intersection of the street lines, or the point of intersection of their extensions.
- d) Unless otherwise provided in this By-law, all driveways to a residential property shall be paved or surfaced with crushed rock or gravel.
- e) 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.
- f) Notwithstanding subsection (e), a residential driveway shall not exceed 7.6 metres within the public right-of way for a single unit, semi-detached, or two-unit dwelling.
- g) 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.

### **4.3.2 Driveways for Non-Residential Zones**

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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;
  - iv. two one-way driveways may be located in place of a two-way driveway permitted under subsection (a) if they are more than 20 metres apart, measured between the centre line of each driveway at the street line;
- b) all driveways to a corner lot shall be located at least 15 metres from the intersection of the street lines;
- c) no driveway shall meet the travelled portion of the street at an angle of less than 60 degrees;
- d) driveways, and driveway aisles shall be located at least three metres from the rear lot line or side lot line;
- e) every driveway, driveway aisles, parking aisles and parking spaces shall be paved and maintained with an all-weather, dust-free surfacing;
- f) 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.

### **4.3.3 Bicycle Parking**

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With the exception of single unit dwellings, semi-detached dwellings, two unit dwellings, townhouse dwellings or rowhouse dwellings, a development involving the erecting, placing or 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; or
  - iii. four bicycle parking spaces minimum.
- b) bicycle racks shall be securely anchored to the ground or a building.

c) outdoor bicycle parking areas shall:

- i. be no less than three metres deep;
- ii. be clearly marked and delineated on the pavement or ground surface;
- iii. not encroach on, or be encroached on by, vehicular circulation lanes, service lanes or loading bays; and
- iv. shall be cleared of snow.

#### **4.3.4 Loading Space Requirements**

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- a) 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:
  - i. at least one space if the gross floor area is less than 500 square metres;
  - ii. at least two spaces if the gross floor area is 500 square metres or more, but less than 2,323 square metres; and
  - iii. 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.
- b) A loading space required under subsection (a) shall:
  - i. have a minimum length of nine metres, a minimum width of three metres, and a minimum overhead clearance of 4.5 metres;
  - ii. provide unobstructed access; and
  - iii. be surfaced with a durable and dustproof material.

#### **4.3.5 Drive-Thrus**

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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) notwithstanding paragraph (e), a queuing lane may be located in the front yard or flankage yard if it is in compliance with Section 4.2.1;
- 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 R-LR Zone or Mixed Use 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 (i) may be reduced if, upon completion of a noise study by an appropriately certified consultant, mitigation measures proposed in the study will achieve at least the same noise levels that would be expected by compliance with subsection (i).

#### **4.3.6 Recreational Vehicle Parking**

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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.



## SECTION 5

# Street Trees and Landscaping

## 5.1 Residential Landscaping Requirements

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### 5.1.1 Landscaping Required in Residential Developments

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Except in a Rural Zone, a lot used for residential purposes in any zone shall:

- a) Landscape the front yard and side yards;
- b) Subject to section 2.20, landscape any yard that abuts a street;
- c) landscape the rear yard within four metres of the main building thereon;
- d) provide or retain street trees pursuant to the Street Tree By-law No. 700-80;
- e) include, after compaction, at least 152.4 millimetres of topsoil and seeding or sodding.
- f) 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.

### 5.1.2 Landscaping Required for Multiple Unit Dwellings

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- a) Screening shall be provided and maintained on a lot containing a multiple unit dwelling and consist of existing vegetation or structures or a combination of both, sufficient to screen the lot from adjacent properties;
- b) When vegetation or structures do not exist on a site proposed for development of a multiple unit dwelling, sufficient screening of the proposed development composed of the following shall be provided:
  - i. if the multiple unit dwelling lot abuts a R-LR Zone, a six metre wide landscaping buffer, consisting of:
    - a. 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
    - b. 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.
  - ii. if the lot does not abut a R-LR Zone, a 3-metre-wide landscaping buffer consisting of:
    - a. 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; or

- b. 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.
- c) The screening required in subsection (a) and (b) shall not be used for parking, garbage enclosures or storage or public utility structures.

### **5.1.3 Driveways**

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Notwithstanding sections 5.1.1 and 5.1.2, a yard may be used for the purposes of driveway access to the lot, if it does not exceed the standards specified in Section 4.3.1.

## 5.2 Landscaping Requirements for Non-Residential Uses

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### 5.2.1 Commercial, Parks and Recreation, and Industrial Zones

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- a) In a Commercial, Parks and Recreation or Industrial zone, that portion of a lot not occupied by buildings, structures, driveways or parking lots shall be landscaped and shall:
  - i. include trees, hedges, or flowering shrubs planted at a minimum rate of one for each 93 square metres of landscaped area;
  - ii. include after compaction, at least 152.4 millimetres of topsoil and seeding or sodding; and
  - iii. provide or retain street trees pursuant to the Street Tree By-law No. 700-8.

### 5.2.2 Screening from Residential Zones or Uses

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When a Commercial, Parks and Recreation or Industrial 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, is provided and maintained along the common property line.

### 5.2.3 Precedence of Zone Specific Landscaping Standards

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If there is a conflict between the general landscaping provision in this section and the specific landscaping requirements of a particular zone, the latter shall apply.

### 5.2.4 Landscaping to be Completed within One Year

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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.

## 5.3 Parking Lot Screening Requirements

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Notwithstanding section 5.1 and 5.2, a parking lot of more than 8 spaces shall be subject to the following:

- a) Except when street trees are planted pursuant to the Street Tree By-law No. 700-80, a parking lot for more than eight parking spaces shall be screened from a public, future or private street by a two metre wide planting strip of at least 1 metre in height at planting, consisting of deciduous or coniferous trees or hedges, or any combination thereof, to be perpetually maintained, along the street line, but no plantings shall be placed to conflict with sight triangle requirements.
- b) Except when a parking lot abuts another parking lot on an adjacent property, a parking lot for more than eight parking spaces shall be screened from abutting residential zones or uses through the use of:

- i. a two metre wide planting strip between 1.5 metres and two metres in height, consisting of coniferous or deciduous trees and hedges or any combination thereof, to be perpetually maintained, along the lot line, and no plantings shall be placed in conflict with sight triangle requirements; or
- ii. 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.

## SECTION 6

# Design Standards

## 6.1 Design Standards for the Mixed Use Zone

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- a) Commercial or mixed-use buildings of more than 1 storey shall have a minimum ground floor storey height of 4.5m in the Mixed Use zone.
- b) Commercial or mixed-use buildings of a single storey and proposed to have a flat roof shall have a minimum height of 9m and comply with the following:
  - i. The building's street-facing façade(s) shall be designed to visually articulate horizontal levels, creating a two-storey appearance.
  - ii. Above the ground floor, the façade shall incorporate functional or decorative windows.
- c) Commercial or mixed use buildings of a single storey and proposed to have a pitched roof shall have a minimum height of 6.75 metres measured from average grade to the peak of the roof.
- d) When fronting on to the following streets, integrate 40 percent glazing into the ground floor of street facing façades, and 25 percent glazing on the street facing facades of any floors above the ground floor:
  - i. Coverdale Road
  - ii. Hillsborough Road
  - iii. Pine Glen Road
  - iv. Cleveland Ave
  - v. Gunningsville Boulevard
  - vi. Bridgedale Boulevard
- e) At least one public entrance shall face a public street.
- f) Notwithstanding (e), an entrance may be located on the side of a building when the ground floor of the front facing façade includes 40 percent glazing.
- g) A walkway shall be provided between a sidewalk and the public entrance

### 6.1.1 Vehicle Access in Mixed Use Zone

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- a) No vehicle queuing area for a drive-thru is located between the main building and the street; and
- b) only a single row of parking spaces is located between the main building and the street.

## 6.2 Design Standards for the Town Centre Zone

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- a) No building shall be constructed to be or appear to be less than 3 storeys
- b) A minimum ground floor height of 4.5 metres is required.
- c) Buildings are required to be setback from the Low Rise Residential (R-LR) zone in accordance with section 2.11.
- d) Buildings within the Town Centre zone shall have a prominent entrance oriented towards the street.
- e) Notwithstanding (d), a main entrance may be located on the side of a building when the ground floor of the front facing façade includes more than 60 percent glazing.
- f) Ground floor facades facing a street shall be comprised of a minimum of 50 percent glazing.
- g) Visual articulation shall be incorporated along building frontages that exceed 20 metres in length.
- h) New and reconstructed buildings shall incorporate a minimum of 20 percent traditional materials along street facing façades.
- i) Residential uses on the ground floor shall not be located on or have direct access from the street facing façade.
- j) Parking structures including accesses to underground parking are not permitted to be integrated on the ground floor street facing façade.
- k) Parking shall be directed to the rear of the building away from the street scape for all new development proposed within the Town Centre (TC) zone.

## 6.3 Design Standards for Townhouse and Rowhouse Dwellings, Two Unit and Semi-Detached Dwellings

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### 6.3.1 Townhouse and Rowhouse Dwellings

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When permitted, townhouse dwellings or rowhouse dwellings shall:

- a) 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, subject to section 5.1, between the parking lot and property line and have no more than two entrances;

- b) be designed so that each unit, includes design elements that denote individual units along the continuous façade of the town or rowhouse dwelling;
- c) Not have a continuous, flat or uninterrupted street facing façade greater than 7.6 metres

### **6.3.2 Two Unit and Semi-Detached Dwellings**

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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.

## **6.4 Design Standards for Multiple Unit Dwellings**

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### **6.4.1 Site Design Requirements for Multiple Unit Dwellings**

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A lot containing a Multiple Unit Dwelling shall conform with the following:

- a) no more than 35% of the lot area is devoted to parking spaces and parking aisles
- b) only a single row of parking (parking bay) is permitted in the front yard and shall:
  - i. have a 2-metre-wide landscaped strip between the property line and the edge of the parking bay;
  - ii. have 2-metre-wide landscaped stripe between the edge of the parking bay and the building face;
  - iii. If the parking bay contains more than 5 spaces, landscaped islands shall be provided, at minimum, every fifth stall.
- c) Notwithstanding subsection (a) 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;
- d) Ground floor parking garages in a multiple unit dwelling shall not occupy any of the total length of the total street façade;
- e) service areas, including but not limited to garbage enclosures or storage, and public utility structures are screened from the street and abutting properties by a 2-metre-tall opaque fence.

## 6.4.2 Building Design Requirements for Multiple Unit Dwellings

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A lot containing a Multiple Unit Dwelling shall conform with the following:

- a) the design of lower floors of multiple unit dwellings shall include a minimum of 30% glazing on the ground floor street facing facade, and include a prominent entrance oriented towards the street and other features so that they are in scale with the pedestrian environment;
- b) for buildings on corners, windows or doors must address both street frontages and shall be designed to the same quality on each frontage;
- c) buildings must be designed to include visual articulation every 9 metres.

## 6.5 Additional Design Considerations

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The following sections apply to all zones:

### 6.5.1 Public Entrances on a Corner

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Notwithstanding 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





SECTION 7

# Signs

## **7.1 Signs Permitted in Any Zone**

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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.

## **7.2 Conditions and Standards of Signs**

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No sign shall be erected unless in compliance with the following:

- a) it shall not create a hazard to public safety or health;
- f) it shall not obstruct the vision of drivers, or detract from the visibility or effectiveness of a traffic sign or control device on streets;
- g) it shall not obstruct ingress to or egress from a fire escape or other required exit;

- h) it shall not include electronic rapidly moving copy;
- i) it does not incorporate a searchlight, strobe lights, flashing lights, or emit sounds or be interactive in any way;
- j) unless it is a portable sign, it shall be permanently affixed to the ground or a building; and
- k) Notwithstanding Section 7.1, the consent of the property owner is attained prior to installing any sign.

### **7.2.1 Non-Conforming Signs**

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- a) 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.
- b) Notwithstanding section 7.2(d), the requirements of Sections 7.2 and 7.3.8 shall apply to the installation or replacement of an electronic static copy on an existing sign.

### **7.2.2 Development Permit Exemption for Portable and Sandwich Signs**

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- a) 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.
- b) 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.

### **7.2.3 Sign Setback and Location**

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Subject to Section 2.20 except in the Mixed Use and Town Centre Zone, no sign shall be placed, erected or altered within the minimum required setback as set out in Schedule D.

### **7.2.4 Signs in Proximity to Traffic Control Devices**

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Notwithstanding subsection 7.2.3, 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 E.

### **7.2.5 Third Party Signs**

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A sign that advertises goods, products or services not located or provided on the same lot as the sign shall not be permitted.

## **7.3 Types of Signs**

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### **7.3.1 Freestanding Signs**

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- a) Except in a residential zone, a freestanding sign is permitted subject to the following:
  - i. it shall not exceed 10 square metres in area;
  - ii. it shall not exceed 15 metres in height;
  - iii. notwithstanding subsection (ii) in the case of a lot containing three or more businesses, it shall not exceed 20 square metres in area; and
  - iv. no more than one freestanding sign shall be permitted for every 100 metres of lot frontage.
- b) Notwithstanding subsection (a), a freestanding sign may be permitted in a residential zone for a place of worship, in conformity with the following:
  - 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.
- c) In a residential zone, a freestanding sign used to identify a multiple unit dwelling or a home occupation, home daycare or daycare centre may be permitted in conformity with the following:
  - 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.
- d) In a residential zone, a neighbourhood identification sign in a residential zone may be permitted in conformity with the following:
  - 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;

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- 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) In a Rural zone, a freestanding sign may be permitted to identify a farm in conformity with the following:

- 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;

f) In the FD Zone fronting on Bridgedale Boulevard or Gunningsville Boulevard, a freestanding sign may be permitted in conformity with the following:

- 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.

### 7.3.2 Projecting Signs

Except in a residential zone, a projecting sign may be permitted in conformity with the following:

- 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.

### **7.3.3 Wall Signs**

---

- a) A wall sign is permitted in all zones except residential zones in conformity with the following:
  - i. it does not extend beyond the wall on which it is placed; and
  - ii. it shall not cover more than one square metre per linear metre of the wall on which the sign is affixed.
- b) Notwithstanding any other provision in this By-law, wall signs may be permitted as identification signs for a multiple unit dwelling or a daycare centre in conformity with the following:
  - i. they shall be placed on no more than two sides of a building and be below the level of the second floor windows;
  - ii. they shall not be back lit or include electronic static copy; and
  - iii. they shall not exceed 1.5 square metres in area for a multiple unit dwelling and 2.5 square metre for a daycare centre.

### **7.3.4 Canopy Signs**

---

A canopy sign is permitted in all zones, except residential zones, and shall not exceed two square metres in area for each metre of the exterior length of the canopy.

### **7.3.5 Direction Signs**

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A direction sign may be permitted in Commercial zones and the Industrial, Institutional, Parks and Recreation, and Open Space & Conservation zones, subject to the following:

- a) notwithstanding subsection 7.3.1 (a) it shall not exceed 20 square metres in area;
- b) notwithstanding subsection 7.3.1(b), it shall not exceed 15 metres in height; and
- c) not more than one be permitted per entrance to the site.

### **7.3.6 Portable Signs**

---

A portable sign may be permitted in a Commercial zone and the Industrial, Institutional, Parks & Recreation, and Open Space & Conservation zone subject to the Portable Sign By-law.

### **7.3.7 Sandwich Signs**

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.

### **7.3.8 Electronic Message Signs**

- a) A sign with an electronic static copy may be used as part of a freestanding sign, wall sign, projecting sign, canopy sign, or direction sign in the Mixed Use, Town Centre Zone, and Industrial zone subject to the following:
  - i. the sign shall not be within 30m of any residential zone;
  - ii. the message duration shall not be less than 20 seconds;
  - iii. the message transition shall be instantaneous;
  - iv. 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;
  - v. The maximum brightness of the electronic message board sign shall be 5,000 nits during daytime and 500 nits during nighttime;
  - vi. the sign shall use automatic dimming technology which automatically adjusts the sign copy's brightness in direct correlation with ambient light conditions; and
  - vii. the sign shall be turned off in the case of a malfunction.
- b) The portion of the sign devoted to an electronic static copy shall not exceed 50 percent of the maximum allowable area; and
- c) 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 of this section.

#### **7.3.8.1 Electronic message sign limitations**

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.



SECTION 8

# Residential Zones

## 8.1 Residential Zones Use Table

Table 5: Residential Zones Use Table

P = Permitted Use: Permitted As-of-Right

C = Conditional Use: Permitted with Additional Conditions

S = Secondary Use: Permitted as Secondary to a Permitted Use

Use	R-LR	R-MR	R-HR
Accessory Dwelling Unit	S	S	-
Assisted Living Facility	-	P	P
Bed and Breakfast	S	-	-
Daycare Centre	C	P	P
Educational Use	C	C	-
Emergency Services Facility	C	C	-
Funeral Home	-	C	-
Garden Suite	S	S	-
Home Daycare	S	S	-
Home Occupation	S	S	-
Manufactured Dwelling	P	-	-
Medical Clinic	-	-	P
Model Home Sale Centre	-	-	S
Multiple Unit Dwelling	-	P	P
Office Use	-	C	P
Personal Service Shop	-	-	P
Place of Worship	C	C	-
Residential Care Facility	P	P	-
Restaurant	-	-	P
Retail Store	-	C	P
Semi-Detached and Two Unit Dwelling	P	C	-
Single Unit Dwelling	P	C	-
Townhouse / Rowhouse Dwelling Unit	P	P	-

## 8.2 Residential Zones Lot Requirements

No development shall be permitted on a lot in a commercial zone unless the requirements within Table 6 are complied with.

**Table 6: Residential Zone Lot Requirements**

LOT REQUIREMENTS	R-LR	R-MR	R-HR
<b>Minimum Lot Area</b>			
Lot Area for Single Unit Dwelling	350 m <sup>2</sup>	350 m <sup>2</sup>	-
Lot Area for Two Unit Dwelling	630 m <sup>2</sup>	630 m <sup>2</sup>	-
Lot Area for Semi-Detached Dwelling	315 m <sup>2</sup>	315 m <sup>2</sup>	-
Lot Area for Multiple Unit Dwelling	-	630 m <sup>2</sup> plus 50 m <sup>2</sup> for each additional unit	690 m <sup>2</sup>
Lot Area for Townhouse / Rowhouse Dwelling Unit	180 m <sup>2</sup>	180 m <sup>2</sup>	-
Lot Area for Commercial Uses	-	540 m <sup>2</sup>	540 m <sup>2</sup>
<b>Minimum Lot Frontage</b>			
Lot Frontage for Single Unit	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	-	25 m	22 m
Lot Frontage for Townhouse / Rowhouse Dwelling Unit	6 m	6 m	-
Lot Frontage for non-residential uses	15 m	18m	-
<b>Required Front or Required Flankage Yard</b>			
Minimum Front or Flankage yard	6 m	4.5 m	4.5 m
<b>Required Side Yard</b>			
Side Yard for Single Unit Dwelling	3 m & 1.2 m	3 m & 1.2 m	-
Side Yard for Two Unit Dwelling	3 m	3 m	-
Side Yard for Semi-Detached Dwelling	3 m (0 m on common wall side)	3 m (0 m on common wall side)	-
Side Yard for Townhouse / Rowhouse Dwelling Units	3 m (0 m on common wall side)	3 m (0 m on common wall side)	-
Side Yard for Multiple Unit Dwelling	-	6m	6m
Side Yard for Commercial Uses	-	6m	6m
Required rear yard	6 m	6 m	6m
Maximum Lot Coverage	50%	50%	50%
Maximum Height	11 m Subject to section 2.11	22 m Subject to section 2.11	Subject to section 2.11

## 8.3 Low Rise Residential (R-LR)

---

The Low Rise Residential (R-LR) Zone is intended to accommodate a mix of low-density housing types designed to align with the general character of the surrounding neighbourhood. Compatible and complimentary institutional and commercial uses may be permitted conditionally to support community needs while maintaining the residential character of the area.

### 8.3.1 Permitted Uses

---

#### 8.3.1.1 Main Uses

Any land, building or structure may be used for the purposes of and for no other purpose, than:

- a) Manufactured Dwelling
- b) Residential Care Facility, Subject to Section 2.15
- c) Semi-detached or Two-Unit Dwelling
- a) Single Unit Dwelling
- b) Townhouse or Rowhouse Dwelling, Maximum of 4 Units, Subject to Section 6.3
- c) Two unit dwelling, Subject to Section 6.3.2

#### 8.3.1.2 Secondary Uses

One or more of the following uses are permitted in association with uses permitted in section 8.3.1.1:

- a) Accessory Dwelling Unit, Subject to Section 2.18
- b) Bed and Breakfast, Subject to Section 2.18
- c) Garden Suite, Subject to Section 2.18
- d) Home Daycare, Subject to Section 2.18
- e) Home Occupation, Subject to Section 2.18

### 8.3.2 Conditional Uses

---

Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Daycare Centre, Subject to Section 2.5
- b) Educational Use
- c) Emergency Services Facility
- d) Place of Worship

## 8.4 Mid-Rise Residential (R-MR)

---

The Mid-Rise Residential (R-MR) Zone is intended to accommodate a range of increasingly dense housing types alongside complementary community and low intensity commercial uses. The R-MR zone is designed to primarily accommodate townhouses, rowhouses, and apartment buildings with lower-density housing types like single and two unit dwellings considered when contextually appropriate.

### 8.4.1 Permitted Uses

---

#### 8.4.1.1 Main Uses

Any land, building or structure may be used for the purposes of and for no other purpose, than:

- a) Assisted Living Facility
- b) Daycare Centre, Subject to Section 2.5
- c) Multiple Unit Dwelling, Subject to Section 6.4
- d) Residential Care Facility, Subject to Section 2.15
- e) Townhouse / Rowhouse Dwelling Unit, Subject to Section 6.3

#### 8.4.1.2 Secondary Uses

One or more of the following uses are permitted in association with uses permitted in section 8.4.1.1:

- a) Accessory Dwelling Unit, Single and Two Unit Dwellings, Subject to Section 2.18
- b) Garden Suite, Single and Two Unit Dwellings, Subject to Section 2.18
- c) Home Daycare, Subject to Section 2.18
- d) Home Occupation, Subject to Section 2.18

### 8.4.2 Conditional Uses

---

Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Educational Use
- b) Emergency Services Facility
- c) Funeral Home
- d) Place of Worship
- e) Retail Store or Office use on the ground floor in conjunction with a multiple unit dwelling, Subject to Section 6.4
- f) Semi-Detached or Two Unit Dwelling
- g) Single Dwelling

## 8.5 High Rise Residential Zone (R-HR)

---

The High Rise Residential Zone (R-HR) is intended to accommodate high-rise apartment buildings with height in excess of 26 metres. The R-HR is designed for residential projects that exceed the standards prescribed in other zones and are intended to be reviewed by Council through a rezoning process.

### 8.5.1 Permitted Uses

---

#### 8.5.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Assisted Living Facility
- b) Daycare Centre
- c) Medical Clinic
- d) Multiple Unit Dwelling, Subject to Section 6.4
- e) Office Use
- f) Personal Service Shop
- g) Restaurant
- h) Retail Store

#### 8.5.1.2 Secondary Uses

One or more of the following uses are permitted in association with uses permitted in section 8.6.1:

- a) Model home sales centre or office



SECTION 9

# Commercial Zones

## 9.1 Commercial Zones Use Table

**Table 7: Commercial Zones Use Table**

P = Permitted Use: Permitted As-of-Right

C = Conditional Use: Permitted with Additional Conditions

S = Secondary Use: Permitted as Secondary to a Permitted Use

Use	GC	MU	TC
Accessory Dwelling Unit	S	S	S
Art Gallery, Library or Museum	P	P	P
Assisted Living Facility	-	P	P
Automobile Repair Shop or Automobile Sales Establishment	C	C	C
Bank or Financial Institution	P	P	P
Bed and Breakfast		S	
Brewery, Distillery or Winery	P	P	P
Car Wash	C	C	C
Commercial Use	P	P	P
Communication Use	P	P	P
Cultural Use	P	P	P
Daycare Centre	P	P	P
Display Court	S	S	S
Drive-Thru	C	C	-
Dwelling Unit, Above Ground Floor	S	P	P
Educational Use	C	C	C
Entertainment Use	P	P	P
Emergency Services Facility	-	C	C
Farmer's Market	P	P	P
Funeral Home	P	P	P
Garden Suite	-	S	-
Government Use	P	P	P
Home Daycare	-	S	S
Home Occupation	-	S	S

Hospital	P	P	P
Medical Clinic	P	P	P
Motel, Hotel, Bed and Breakfast	P	P	P
Multiple Unit Dwelling	-	P	P
Nursery	P	P	P
Office Use	P	P	P
Outdoor Storage	S	S	-
Parking Garage or Off-Site Parking Lot	C	C	C
Personal Service Shop	P	P	P
Pet Service Shop	P	P	P
Place of Worship	C	C	C
Recreational Use	P	P	P
Recreational Vehicle Sale Establishment	C	C	C
Redemption Centre	P	C	-
Research and Development	P	P	C
Residential Care Facility	-	P	P
Restaurant	P	P	P
Restaurant, Including a Drive-Thru	C	C	-
Retail Store	P	P	P
Self Storage	C	C	-
Semi-detached dwelling	-	P	-
Service Shop	P	P	P
Service Station	C	C	-
Shared Dwelling	-	P	P
Single Dwelling, existing	P	P	-
Townhouse / Rowhouse	-	P	-
Two Unit Dwelling	-	P	-

Veterinary Clinic	P	P	P
Wholesale Store	P	P	-

## 9.2 Commercial Zones Lot Requirements

No development shall be permitted on a lot in a commercial zone unless the requirements within Table 8 are complied with.

**Table 8: Commercial Zone Lot Requirements**

LOT REQUIREMENTS / NORMES	GC	MU	TC
Minimum lot area	1300 m <sup>2</sup>	600 m <sup>2</sup>	-
Minimum lot frontage	30 m	20 m	10 m
Required front yard or required flankage yard	4.5 m	4.5 m	nil
Maximum front yard	-	-	5m
Required front yard or required flankage yard for a lot fronting on Bridgedale Boulevard or Gunningsville Boulevard		3 m and 5 m maximum	-
Required rear yard	6 m	6 m	nil
Required rear yard abutting the R-LR Zone		Subject 2.11 Height Transition	
Required side yard	1.5 m	1.5 m	nil
Required side yard abutting the R-LR zone		Subject 2.11 Height Transition	
Maximum Lot Coverage	50%	50%	-
Minimum Lot Coverage	-	-	50%
Maximum Height	Maximum 16 m (4 storeys)	22 m (6 storeys)	28 m (8 storeys)
Maximum Ground Floor Area for each commercial unit	-	-	929 m <sup>2</sup>

## 9.3 General Commercial (GC)

---

The General Commercial (GC) zone accommodates low intensity commercial uses that typically serve the surrounding neighbourhood. These areas are characterized by small clusters of primarily commercial development or individual parcels of commercial development that exists outside of the Town Centre or the Findlay Business Park.

### 9.3.1 Permitted Uses

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#### 9.3.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Art Gallery, Library or Museum
- b) Bank or Financial Institution
- c) Brewery, Distillery or Winery
- d) Commercial Use
- e) Communication Use
- f) Cultural Use
- g) Daycare Centre
- h) Entertainment Use
- i) Farmer's Market
- j) Funeral Home
- k) Government Use
- l) Hospital
- m) Medical Clinic
- n) Motel, Hotel, Bed and Breakfast
- o) Nursery
- p) Office Use
- q) Personal Service Shop
- r) Pet Service Shop
- s) Recreational Use
- t) Redemption Centre
- u) Research and Development
- v) Restaurant
- w) Retail Store
- x) Service Shop
- y) Single Dwelling, Existing
- z) Veterinary Clinic
- aa) Wholesale Store

### **9.3.1.2 Secondary Uses**

One or more of the following uses are permitted in association with uses permitted in section 9.3.1.1:

- a) Accessory Dwelling Unit, Subject to Section 2.18
- b) Display Court
- c) Dwelling Unit, Above Ground Floor
- d) Outdoor storage, Subject to Section 2.14

### **9.3.2 Conditional Uses**

---

Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Automobile Repair Shop or Automobile Sales Establishment
- b) Car Wash
- c) Drive-Thru
- d) Educational Use
- e) Parking Garage or Off-site Parking Lot
- f) Place of Worship
- g) Recreational Vehicle Sales Establishment
- h) Restaurant, Including a Drive-Thru
- i) Self Storage
- j) Service Station, Subject to Section 2.19

## 9.4 Mixed Use (MU)

---

The Mixed Use (MU) zone is intended to accommodate a broad mixture of residential and commercial uses along key transportation corridors. These areas are suited to larger scale commercial uses and high-density residential development and may also accommodate the mixture of uses within a single structure.

### 9.4.1 Permitted Uses

---

#### 9.4.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Art gallery, Library or Museum
- b) Assisted Living Facility
- c) Bank or Financial Institution
- d) Brewery, Distillery or Winery
- e) Commercial Use
- f) Communication Use
- g) Cultural Use
- h) Daycare Centre
- i) Dwelling Unit, Above the Ground Floor
- j) Entertainment Use
- k) Farmer's Market
- l) Funeral Home
- m) Government Use
- n) Hospital
- o) Medical Clinic
- p) Motel, Hotel, Bed and Breakfast
- q) Multiple Unit Dwelling, Subject to Section 6.4
- r) Nursery
- s) Office Use
- t) Personal Service Shop
- u) Pet Service Shop
- v) Recreational Use
- w) Research and Development
- x) Residential Care Facility
- y) Restaurant
- z) Retail store
- aa) Semi-Detached Dwelling
- bb) Service shop

- cc) Shared Dwelling
- dd) Single Unit Dwelling, Existing
- ee) Townhouse / rowhouse dwelling unit, Subject to Section 6.3
- ff) Two Unit Dwelling
- gg) Veterinary Clinic
- hh) Wholesale Store

#### **9.4.1.2 Secondary Uses**

One or more of the following uses are permitted in association with uses permitted in section 9.4.1.1:

- a) Accessory Dwelling Unit, Subject to Section 2.18
- b) Bed and Breakfast, Subject to Section 2.18
- c) Display Court
- d) Garden Suite, Subject to Section 2.18
- e) Home Daycare, Subject to Section 2.18
- f) Home Occupation, Subject to Section 2.18
- g) Outdoor storage, Subject to Section 2.14

#### **9.4.2 Conditional Uses**

---

Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Automobile Repair Shop or Automobile Sales Establishment
- b) Car Wash
- c) Drive-Thru
- d) Educational Use
- e) Emergency Services Facility
- f) Parking Garage or Off-Site Parking Lot
- g) Place of Worship
- h) Recreational Vehicle Sales Establishment
- i) Redemption Centre
- j) Restaurant, Including a Drive-Thru
- k) Self Storage
- l) Service Station, Subject to Section 2.19

## 9.5 Town Centre (TC)

---

The Town Centre (TC) zone is applied to a specific area within the Town Centre that is positioned for increased growth including the accommodation of increased height. The TC zone is applied to the area from Chocolate River Station to the former Kent site, now a vacant building and parking lot at 515 Coverdale Road. This zone allows for higher height and density than the Mixed Use Zone that is applied on either side of the Town Centre.

### 9.5.1 Permitted Uses

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#### 9.5.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses providing no drive-thru is included:

- a) Art gallery, Library or Museum
- b) Assisted Living Facility
- c) Bank or Financial Institution
- d) Brewery, Distillery or Winery
- e) Commercial Use
- f) Communication Use
- g) Cultural Use
- h) Daycare Centre
- i) Dwelling Unit, Above the Ground Floor
- j) Entertainment Use
- k) Farmer's Market
- l) Funeral Home
- m) Government Use
- n) Hospital
- o) Medical Clinic
- p) Motel, Hotel, Bed and Breakfast
- q) Multiple Unit Dwelling, Subject to Section 6.4
- r) Nursery
- s) Office Use
- t) Personal Service Shop
- u) Pet Service Shop
- v) Recreational Use
- w) Residential Care Facility, Subject to Section 2.5
- x) Restaurant
- y) Retail Store
- z) Service Shop
- aa) Shared Dwelling

- bb) Single Unit Dwelling, Existing
- cc) Veterinary Clinic

### **9.5.1.2 Secondary Uses**

One or more of the following uses are permitted in association with uses permitted in Section 9.5.1.1:

- a) Accessory dwelling unit, subject to section 2.18
- b) Display court
- c) Home Daycare subject to section 2.18
- d) Home occupation subject to section 2.18

### **9.5.2 Conditional Uses**

---

Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Automobile Repair Shop or Automobile Sales Establishment
- b) Car Wash
- c) Educational Use
- d) Emergency Services Facility
- e) Parking Garage or Off-Site Parking Lot
- f) Place of Worship
- g) Recreational Vehicle Sale Establishment
- h) Research and Development



SECTION 10

# Other Zones

## 10.1 Other Zones Use Table

**Table 9: Other Zones Use Table**

P = Permitted Use: Permitted As-of-Right

C = Conditional Use: Permitted with Additional Conditions

S = Secondary Use: Permitted as Secondary to a Permitted Use

Use	RU	DG	PR	OS	IN	I	FD
Accessory Dwelling Unit	S	S	-	-	-	-	S
Agricultural use	P	-	-	-	-	-	-
Air Traffic Control Center	-	-	-	-	P	-	-
Art Gallery, Library or Museum	-	-	P	-	P	-	-
Assisted Living Facility	-	-	P	-	-	-	-
Automobile Repair Shop or Automobile Sales Establishment	-	-	-	-	-	P	-
Banquet Hall	-	-	S	-	C	-	-
Bed and Breakfast	S	S	-	-	-	-	-
Campground	C	-	-	-	-	-	-
Car wash	-	-	-	-	-	C	-
Cemetery	P	-	P	-	P	-	-
Cultural use	-	-	P	-	-	-	-
Daycare Centre	P	C	S/C	-	P	-	-
Distribution use	-	-	-	-	-	P	-
Educational use	C	-	C	-	P	C	-
Emergency Services Facility	C	-	-	-	C	C	-
Extraction use	C	-	-	-	-	-	-
Farm Gate Sales	S	-	-	-	-	-	-
Farmers' market	P	-	P	-	P	-	-
Firewood sales	P	-	-	-	-	-	-
Forestry use	P	-	-	-	-	-	-
Funeral home	-	-	-	-	P	-	-
Garden Suite	S	S	-	-	-	-	S
Golf course	-	-	P	-	P	-	-

Governmental use	-	-	-	-	P	-	-
Heavy Equipment Sales Establishment	-	-	-	-	-	P	-
Home Daycare	S	S	-	-	-	-	S
Home Occupation	S	S	-	-	-	-	S
Hospital	-	-	-	-	P	-	-
Industrial Use	-	-	-	-	-	P	-
Interpretive Centre	-	-	P	P	P	-	-
Manufactured Dwelling	P	P	-	-	-	-	-
Keeping of Chickens	S						
Kennel	S	-	-	-	-	-	-
Medical Clinic	C	C	-	-	P	-	-
Mini Home Dwelling	C	P	-	-	-	-	-
Model Home Sales Centre or Office	-	P	-	-	-	-	-
Office use	S	P	S	-	P	P	-
Personal Service Shop	C	-	-	-	-	-	-
Pet Service Shop	C	-	-	-	-	-	-
Place of Worship	C	C	-	-	C	-	-
Recreational use	-	-	P	-	P	-	-
Recreational Vehicle Sales and Service Establishments	-	-	-	-	-	P	-
Redemption Centre	-	-	-	-	-	P	-
Residential Care Facility	P	-	-	-	-	-	-
Retail Store	-	P	S/C	-	-	C	-
Second Farmstead Residence	S	-	-	-	-	-	-
Self Storage	C	-	-	-	P	P	-
Semi-Detached Dwelling	P	-	-	-	-	-	-
Single Unit Dwelling	P	-	-	-	-	P	-
Shared Dwelling	C	-	-	-	-	-	-
Stable	P	-	-	-	-	-	-
Transportation use	C	-	-	-	-	P	-

Two Unit Dwelling	P	-	-	-	-	-	-
Veterinary Clinic	C	-	-	-	P	P	-
Wholesale Store	-	-	-	-	-	P	-

## 10.2 Other Zones Lot Requirements

No development shall be permitted on a lot in a zone in this section unless the requirements within Table 10 are complied with.

Table 10: Other Zones Lot Requirements						
LOT REQUIREMENTS	RU	GD	PR	OS	IN	I
Minimum lot Area	2 Hectares	450 m <sup>2</sup>	810 m <sup>2</sup>	-	810 m <sup>2</sup>	540 m <sup>2</sup>
Minimum lot frontage	150 m	15 m	27 m	-	27 m	18 m
Required front or required flankage yard	7.5 m	4.5 m	6 m	-	6 m	7.5 m
Required rear yard	6 m	4.5 m	6 m	-	6 m	6 m
Required side yard	6 m	2.5 m	The greater of 3 m or ½ the height of the main building to a maximum of 6 m	-	The greater of 3 m or ½ the height of the main building to a maximum of 6 m	The greater of 3 m or ½ the height of the main building to a maximum of 6 m
Maximum Height	9m	9m	19m	-	11m	11m
Maximum lot coverage	50%	-	50 %	-	50 %	50 %

### 10.2.1 Lot Requirements for Existing Uses in the FD zone

Secondary uses permitted in section 10.10.1 of the FD zone are subject to the lot requirements of the R-LR zone.

## 10.3 Rural (RU)

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The Rural (RU) Zone is intended to preserve the municipality's agricultural, natural, and low-density rural character while allowing for a range of compatible uses. This zone supports farming, resource-based activities, and rural residential living, including manufactured dwellings.

### 10.3.1 Permitted Uses

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#### 10.3.1.1 Main Uses

Any land, building or structure may be used for the purposes of and for no other purpose, than:

- a) Agricultural Use
- b) Cemetery
- c) Daycare Centre
- d) Farmers Market
- e) Firewood Sales
- f) Forestry Use
- g) Manufactured Dwelling
- h) Residential care facility, Subject to Section 2.15
- i) Semi Detached Dwelling
- j) Single Unit Dwelling
- k) Stable
- l) Two Unit Dwelling

#### 10.3.1.2 Secondary Uses

One or more of the following uses are permitted in association with uses permitted in section 10.3.1.1:

- a) Accessory Dwelling Unit, Subject to Section 2.18
- b) Bed and Breakfast, Subject to Section 2.18
- c) Farm Gate Sales
- d) Garden Suite, Subject to Section 2.18
- e) Home Daycare, Subject to Section 2.18
- f) Home Occupation, Subject to Section 2.18
- g) Keeping of Chickens, Subject to Section 2.2
- h) Kennel
- i) Office Use
- j) Second Farmstead Residence

### 10.3.2 Conditional Uses

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Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Campground
- b) Education Use
- c) Emergency Services Facility
- d) Extraction Use
- e) Medical Clinic
- f) Mini Home Dwelling
- g) Pet Service Shop
- h) Personal Service Shop
- i) Place of Worship
- j) Self Storage
- k) Shared Dwelling
- l) Transportation Use
- m) Veterinary Clinic

## 10.4 Dwelling Group

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The Dwelling Group (DG) zone is intended to accommodate mini-home parks and may also consider other grouped dwelling formats such as tiny home communities. The DG zone accommodates other uses that are small in scale and are intended to provide amenity or services to the surrounding community.

### 10.4.1 Permitted Uses

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#### 10.4.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Manufactured Dwelling
- b) Mini-Home Dwelling
- c) Model Home Sales Centre or Office
- d) Office Use
- e) Retail Store

#### 10.4.1.2 Secondary Uses

One or more of the following uses are permitted in association with uses permitted in section 10.4.1.1:

- a) Home Occupation, Subject to Section 2.18

### 10.4.2 Conditional Uses

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Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Daycare Centre, Subject to Section 2.5
- b) Medical Clinic
- c) Place of Worship

## 10.5 Parks and Recreation (PR)

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The Parks and Recreation (PR) Zone is intended to protect and enhance publicly accessible parks, natural areas, and recreational facilities for community use. This zone supports a range of outdoor and indoor recreational activities to support a high quality of life.

### 10.5.1 Permitted Uses

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#### 10.5.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Art Gallery, Library or Museum
- b) Assisted Living Facility
- c) Cemetery
- d) Cultural Use
- e) Farmers' Market
- f) Golf Course
- g) Recreation Use
- h) Interpretive Centres

#### 10.5.1.2 Secondary Uses

One or more of the following uses are permitted in association with uses permitted in section 10.5.1.1:

- a) Office Use
- b) Banquet Hall
- c) Daycare Centre, Subject to Section 2.5
- d) Retail Store

### 10.5.2 Conditional Uses

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Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Educational Use
- b) Daycare Centre, Subject to Section 2.5
- c) Retail Store

## 10.6 Open Space & Conservation (OS)

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The Open Space & Conservation (OS) zone is intended to protect and preserve natural areas, parks, and recreational spaces for public use and environmental conservation. This zone supports passive and active recreation, ecological protection, and compatible community uses, but prevents development of large structures.

### 10.6.1 Permitted Uses

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#### 10.6.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Interpretive Centres

## 10.7 Institutional (IN)

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The Institutional (IN) Zone is intended to accommodate a range of public and institutional uses that serve the community, such as schools, places of worship, healthcare facilities, and government buildings.

### 10.7.1 Permitted Uses

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#### 10.7.1.1 Main Uses

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Air Traffic Control Center
- b) Art Gallery, Library or Museum
- c) Daycare Centre
- d) Educational Use
- e) Farmers' Market
- f) Funeral Home
- g) Governmental Use
- h) Hospital, Medical Clinic
- i) Interpretive Centres
- j) Medical Clinic
- k) Office Use
- l) Recreational Use

#### 10.7.1.2 Conditional Uses

Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Banquet Hall
- b) Emergency Service Facility
- c) Place of Worship

## **10.8 Industrial (I)**

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The Industrial Zone (I) is intended to accommodate a range of manufacturing, warehousing, and distribution uses that support the local and regional economy. Regulations ensure efficient land use while minimizing potential impacts on surrounding areas.

### **10.8.1 Permitted Uses**

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#### **10.8.1.1 Main Uses**

Any land, building, or structure may be used for the purposes of one or more of the following uses:

- a) Automobile Repair Shop or Automobile Sales Establishment
- b) Distribution Use
- c) Heavy Equipment Sales Establishment
- d) Industrial Use
- e) Office Use
- f) Recreational Vehicle Sales and Service Establishments
- g) Redemption Centres
- h) Self Storage
- i) Single Unit Dwelling, Existing
- j) Transportation Use
- k) Veterinarian Clinic
- l) Wholesale Store

#### **10.8.1.2 Secondary Uses**

One or more of the following uses are permitted in association with uses permitted in Subsection 10.8.1.1:

- a) Accessory Dwelling Unit, Subject to Section 2.18

### **10.8.2 Conditional Uses**

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Any land, building, or structure may be used for the purposes of, and for no other purpose than, the following subject to such terms and conditions as may be imposed by the Planning Advisory Committee:

- a) Car Wash
- b) Educational Use
- c) Emergency Services Facility
- d) Retail Store

## **10.9 Integrated Development Zone (ID)**

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The Integrated Development (ID) Zone allows for comprehensive site planning through a Council-approved development agreement under Section 59 of the Community Planning Act. This approach ensures that standards and requirements are tailored to the specific proposal through a negotiated agreement.

### **10.9.1 Permitted Uses**

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- a) 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.
  
- b) Standards or requirements for development in an integrated development zone shall be established by agreement pursuant to Section 59 of the Act.

## **10.10 Future Development Zone (FD)**

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The Future Development (FD) zone is applied to land that requires additional planning considerations. Lands within the FD zone are anticipated to have a more comprehensive development framework applied including a variety of land use types and intensities. Lands within this zone are intended to be planned through a secondary planning process or through incrementally phased development that is facilitated through amendments to the Municipal Plan and this By-law.

### **10.10.1 Permitted Uses**

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#### **10.10.1.1 Main Uses**

Any land, building or structure may be used for the purposes of and for no other purpose, than:

- a) Any Existing Use

#### **10.10.1.2 Secondary Uses**

- a) Accessory Dwelling Unit, Subject to Section 2.18
- b) Garden Suite, Subject to Section 2.18
- c) Home Daycare, Subject to Section 2.18
- d) Home occupation, Subject to Section 2.18



## SECTION 11

# Repeal, Saving and Transitional Provisions

**By-Law to Adopt A Zoning By-law**  
**By-law No. 300-8**

## **11.1 Title**

This By-law may be cited as the Town of Riverview Zoning By-law

## **11.2 Repeal**

By-law No. 300-7, entitled “Town of Riverview Zoning By-law”, enacted on the 16<sup>th</sup> day of January, 2016, is repealed together with all amendments and development agreements, except those forming Schedule C of this By-law.

The area of land shown on the map forming Schedule ‘A’ of Ministerial Regulation 21-WAP-069-00, enacted on September 6<sup>th</sup>, 2022, now forming part of the Town of Riverview, is hereby repealed.

## **11.3 Enactment**

The document entitled “Town of Riverview Zoning By-law No. 300-8” and schedule attached hereto, is enacted.

ORDAINED AND PASSED:

First Reading:

Second Reading:

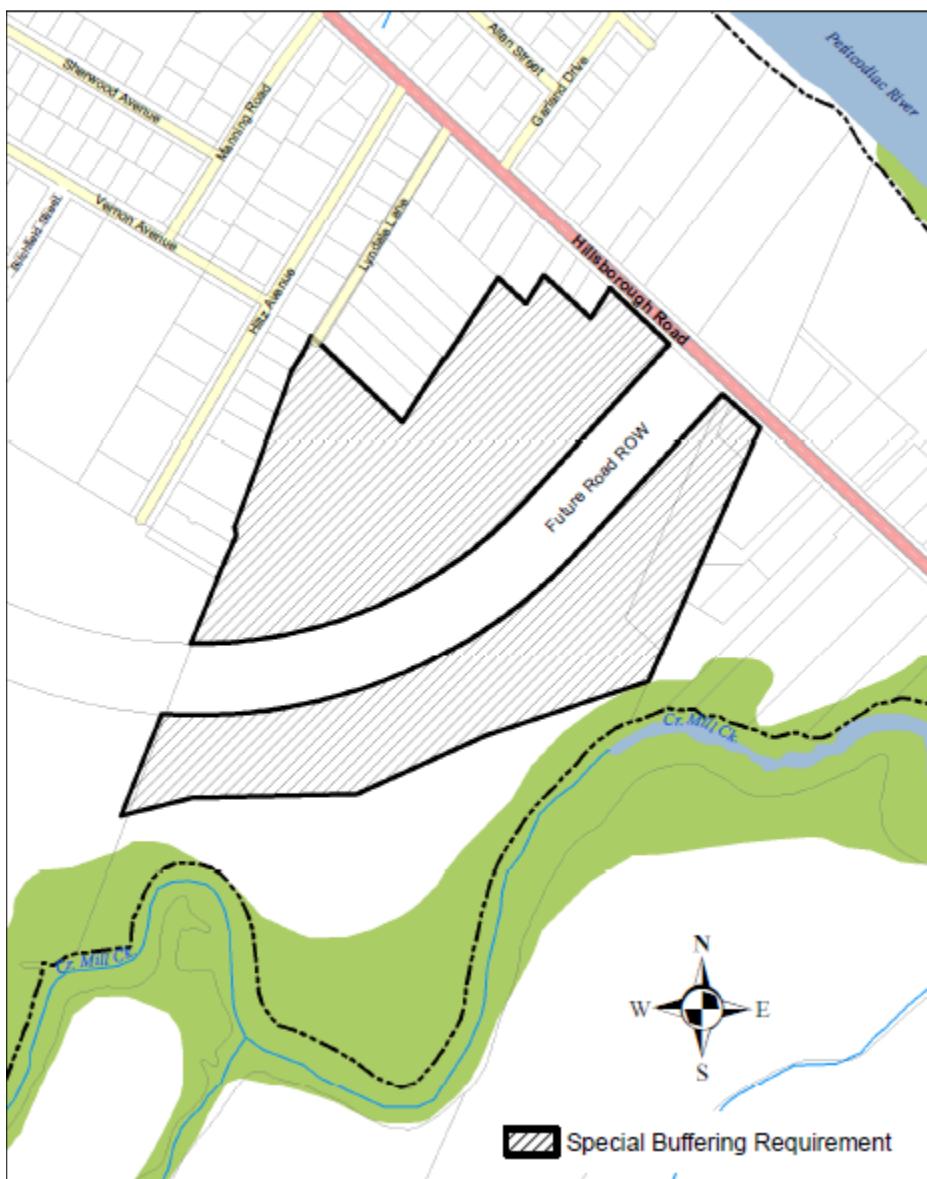
Third Reading:

Mayor Andrew Leblanc

Town Clerk Karyann Ostroski

# **SCHEDULE B**

Special Buffering Requirement

**Schedule B: Special Buffering Requirement**

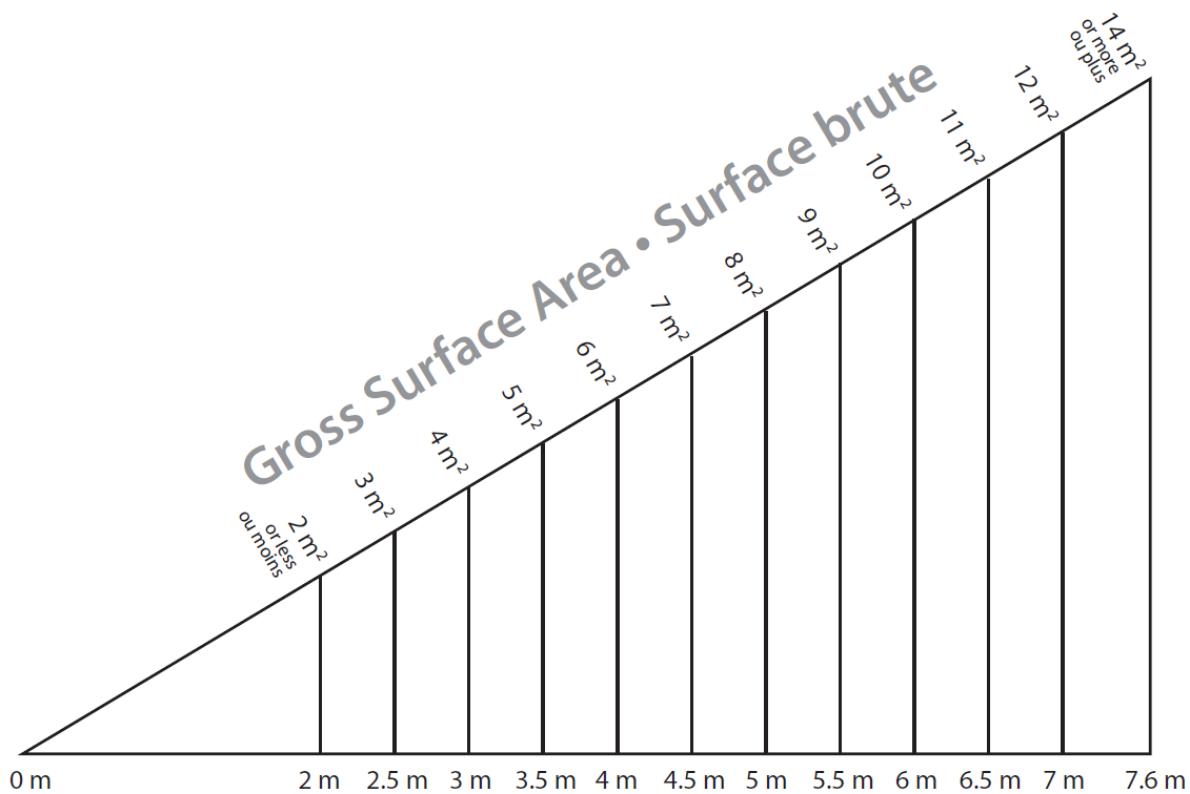
# SCHEDULE C

Conditional rezoning agreements  
carried over

Amending By-law Number	Location	Registration Date	By-law Registration Number	Agreement Registration Number	General Description of Amendment
<b>300-5-1</b>	330 Whitepine Road PID: 05047758	June 1, 2007	23917082	23988935	To allow for a funeral home subject to terms and conditions.
<b>300-5-9</b>	822 Coverdale Road PID:05093521	June 25 2008	25744633	25830291	ID zone agreement to allow for a retirement campus
<b>300-5-11</b>	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
<b>300-5-24</b>	405 Pine Glen Road PID:00653741	October 11, 2012	32045719	32046527	To allow for a heavy equipment repair shop subject to terms and conditions
<b>300-7-1</b>	A portion of Rosebank Crescent (Parent PID 05103080)	April 17, 2019	38954740	n/a	To allow two unit dwellings subject to terms and conditions
<b>300-7-9</b>	700 Pinewood (PID 05058060)	December 12, 2022	43466037	n/a	To allow a multiple unit dwelling subject to conditions
<b>300-7-10</b>	Buckingham Avenue (PID 00993915)	July 19, 2023	44066950	n/a	To allow multiple unit dwellings subject to conditions
<b>300-7-13</b>	Corner of Pine Glen Road and Whitepine Road (PID 05005665)	June 19, 2024	45047835	n/a	To allow multiple unit dwellings subject to conditions
<b>300-7-14</b>	Hillsborough Road (PID 05122759 and 00642736)	November 12, 2024	45524130	n/a	To allow a drive-thru restaurant, service station, and commercial

Amending By-law Number	Location	Registration Date	By-law Registration Number	Agreement Registration Number	General Description of Amendment
					development subject to conditions
<b>300-7-15</b>	Cleveland Ave (PID 05121330)	August 2, 2024	45204410	n/a	To allow multiple unit dwellings subject to conditions
<b>300-7-17</b>	Coverdale Road (PID 00645754)	March 3, 2025	45846541	n/a	To allow a manufactured dwelling park subject to terms and conditions

# SCHEDULE D



**Minimum Setback Required • Marge de retrait minimale obligatoire**

# SCHEDULE E

## E. Signs in Proximity to Traffic Control Devices

