

**TOWN OF NIVERVILLE  
BY-LAW No. 835-21**

**BEING** a By-law of the Town of Niverville to amend By-law No. 795-18, Niverville's Zoning By-law;

**WHEREAS**, Section 80 of the Planning Act provides that a Zoning By-Law may be amended;

**AND WHEREAS**, it is deemed desirable and necessary to amend By-law No. 795-18, as amended;

**NOW THEREFORE**, the Council of the Town of Niverville, in meeting duly assembled, enacts as follows:

- A. That Part 2: Administration, 2.4 c) ix) When Development Permits are Not Required be amended as follows:

**"2.4 When Development Permits are Not Required:**

- c) ix) decks under 24 inches in height (attached or detached)

- B. That Part 3: General Regulations, 3.6 Required Yards be amended as follows:

Required yards shall be free of buildings, except accessory buildings, which must conform to the other requirements of this bylaw.

Open, unclosed projections, whether vertical or horizontal, such as stairs, landings, and unenclosed decks or balconies, may extend into the required yards for not more than 50 per cent of the required yard depth, up to a maximum of 10 feet (three meters), except for wheelchair ramps (or similar accessibility structures), which are not subject to the restrictions for required yards.

Enclosed projections, whether vertical or horizontal, such as chimneys, bay windows, alcoves and electrical meter enclosures may not extend into the required yards.

That Part 3: General Regulations, 3.10 Service Connections be amended as follows:

Where a parcel is served by municipal piped sewer or water, no permanent principal building or dwelling shall be constructed or placed unless it is connected to such services.

Where an existing permanent principal building is not connected to municipal services and the property has municipal service connections available for connection, the principal building must connect to municipal services in the event their private services fail. "Fail" means that a replacement of the service is required, as repairs to existing services are permissible.

- C. That Part 5: Use-Specific Standards be amended as follows:

#### 5.5 Standards for Multi-Unit Dwellings

e) For buildings with 4 or more dwelling units, the Developer must ensure that 10% of the land remains as open space for the use of property occupants. The cash equivalent may be accepted at the discretion of the Designated Officer. Open Space must be a minimum block of 1,000 sq. ft. or greater to qualify as Open Space.

#### 5.8 Standards for Planned Unit Developments

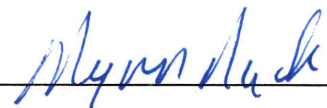
x. The Developer must ensure that 10% of the land remains as open space for the use of property occupants. The cash equivalent may be accepted at the discretion of the Designated Officer. Open Space must be a minimum block of 1,000 sq. ft. or greater to qualify as Open Space; and


#### 5.17 Standards for Caretaker's Residence

g) Only one caretaker's residence is allowed per lot.

- D. That Table 6-3 "RR" Rural Residential Zone is hereby amended to add the footnote "Accessory buildings and structures cannot be located within 3 feet of the principal dwelling" to Dwelling, Single-Unit.
- E. That Table 6-4 "RSU" Residential Single Unit Zone is hereby amended to add the footnote "Accessory buildings and structures cannot be located within 3 feet of the principal dwelling" to Dwelling, Single-Unit.
- F. That Table 6-5 "RLD" Residential Low Density Zone, footnote 16 is hereby amended to read "Accessory buildings and structures cannot be located within 3 feet of the principal dwelling."
- G. That Table 6-6 "RMD" Residential Medium Density Zone is hereby amended to add the footnote "Accessory buildings and structures cannot be located within 3 feet of the principal dwelling" to Dwelling, Multi-Unit, Dwelling, Two-Unit, and Dwelling, Single-Unit.
- H. That Table 6-7 "RHD" Residential High Density Zone is hereby amended to add the footnote "Accessory buildings and structures cannot be located within 3 feet of the principal dwelling" to Dwelling, Multi-Unit, Dwelling, Two-Unit, and Dwelling, Single-Unit.
- I. That Table 6-8 "RMU" Residential Mixed-Use Zone is hereby amended to change "Retail, Sales and Service" to a Conditional Use.
- J. That Table 6-12 "CC" Commercial Corridor Zone is hereby amended to change "Kennel" to a Conditional Use.
- K. That Table 6-13 "MG" Industrial General Zone is hereby amended to add "Cannabis Cultivation and Processing" as a Conditional Use.

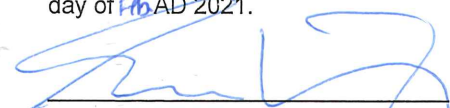
**DONE AND PASSED** in Council duly assembled at the Town of Niverville, in  
Manitoba, this 15<sup>th</sup> day of February AD 2022.

  
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MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER

Read a first time this 16<sup>th</sup> day of November AD 2021.  
Read a second time this 15<sup>th</sup> day of February AD 2022.  
Read a third time this 15<sup>th</sup> day of February AD 2022.

Certified a true and correct  
copy of By-law No.835-21  
of the Town of Niverville  
given <sup>3</sup> reading on this <sup>15<sup>th</sup></sup>  
day of Feb AD 2021.

  
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Eric King, Chief Administrative Officer