

**TOWN OF NIVERVILLE
BY-LAW No. 847-22**

BEING a By-law of the Town of Niverville to amend Bylaw No. 795-18, as amended, Niverville’s Zoning By-law;

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

AND WHEREAS, Subdivision File 4340-22-8704 has been granted conditional approval to create 40 residential lots and a parcel of public reserve on the portion of SE ¼ 25-07-03 EPM legally described as Lots 1-3 Block 3 Plan 69034 and Lots 1 & 2 Block 5 Plan 69042;

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:

That Part 3: General Regulations be amended to add the new zone (RSL) to the chart:

3.25 Fences

Standards	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	CMS	CN	CC	MG	MMU	EI
Fence Height: Front Yard (Maximum)	2.5m (8ft)	2.5m (8ft)	1m (3 ft)	1m (3 ft)	1m (3 ft)	1m (3 ft)	1m (3 ft)	1m (3 ft)	1m (3 ft)	1m (3 ft)	2.5m (8 ft)	2.5m (8 ft)	3m (10ft)	2.5m (8ft)	1m (3 ft)
Fence Height: Side and Rear Yards (Maximum)	3m (10ft)	3m (10ft)	2m (6 ft)	2m (6 ft)	2m (6 ft)	2m (6 ft)	2m (6 ft)	2m (6 ft)	2m (6 ft)	2m (6 ft)	2.5m (8 ft)	2.5m (8 ft)	3m (10ft)	3m (10ft)	2m (6 ft)

That Part 5: Use-Specific Standards be amended to add the new zone (RSL) to the following charts:

5.1 Standards for Animal Keeping

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Animal Keeping		<u>C*</u>														
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.2 Standards for Bed and Breakfasts

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Bed and Breakfasts		<u>C*</u>	<u>C*</u>		<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>							
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.4 Standards for Two-Unit Dwellings

A two-unit dwelling shall have no required side yard (contrary to Tables 6-4a through 6-8) on a side that shares a party wall with a building on an adjacent site.

5.6 Standards for Home-Based Businesses

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Home-Based Business		<u>P*</u>	<u>P*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>		<u>C*</u>					
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.7 Standards for Home Industries

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Home Industries		<u>C*</u>	<u>C*</u>													
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.8 Standards for Planned Unit Developments

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Planned Unit Development			<u>C*</u>		<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>		<u>C*</u>	<u>C*</u>	<u>C*</u>			<u>C*</u>
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.9 Standards for Secondary Suites

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Secondary Suites		<u>P*</u>	<u>P*</u>		<u>P*</u>	<u>P*</u>			<u>P*</u>							
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.15 Standards for Wind Energy Generating Systems

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Wind Energy Generating System	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>	<u>C*</u>
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.16 Standards for Temporary Additional Dwellings

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Temporary Additional Dwelling		<u>C*</u>														
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

5.17 Standards for Caretaker's Residence

Use	PR	AL	RR	RSL	RSU	RLD	RMD	RHD	RMU	RCC	CMS	CN	CC	MG	MMU	EI
Caretaker's Residence														<u>C*</u>		
P=Permitted C=Conditional *Use-Specific Standard Applies <u>Underline</u> =Only as a Secondary Use																

That Part 6: Zones be amended to add new zone (RSL) and renumber Table 6-4 for the inclusion of the new zone:

6.1 Uses of land in the municipality are regulated in accordance with the following zones:

ZONE	ABBR.
Parks and Open Space	PR
Agriculture Limited	AL
Rural Residential	RR
Residential Small Lot	RSL
Residential Single Unit	RSU
Residential Low Density	RLD
Residential Medium Density	RMD
Residential High Density	RHD
Residential Mixed Use	RMU
Recreational Community Complex	RCC

Commercial Main Street	CMS
Commercial Neighbourhood	CN
Commercial Corridor	CC
Industrial General	MG
Industrial Mixed Use	MMU
Educational and Institutional	EI

RSL – Residential Small Lot Zone

Intent: This zone is intended to accommodate small lot residential dwellings of one or two units.

Table 6-4a Residential Small Lot Zone									
Use Class <small>P=Permitted C=Conditional *=Use-Specific Standard Applies <u>Underline</u> = Only as a Secondary Use</small>	Minimum Requirements							Maximum Requirements	
	Site Area (sq.ft.)	Site Width (ft)	Front Yard (ft)	Side Yard ^{8.1} (ft)	Rear Yard (ft)	Dwelling Unit (sq.ft.)	Height (ft)	Site Coverage (%) ^{8.2}	
Bed & Breakfast	<u>C*</u>	See Section 5.2							
Boarding, Fraternity and Sorority House	C	3,000	30	25	4/15	25	600	30	50
Child Care Services	C	n/a	n/a	n/a	n/a	n/a		n/a	n/a
Dwelling, Single-Unit	P	3,000	30	25	4/15	25	600	30	50
Dwelling, Two-Unit	P*	6,000	60	25	4/15	25	600	30	50
Home-Based Business	<u>C*</u>	See Section 5.6							
Public Park	P	n/a	n/a	30	5	25		n/a	n/a
Public Utilities, including communication installations	C	n/a	n/a	30	5	25		30	n/a
Accessory/Secondary Buildings & Structures ^{8.3}	P	n/a	n/a	NP	3	3		15	n/a

^{8.1} If the garage is attached, a 4 foot side yard is required. If the garage is detached, a 4 foot side yard and a 15 foot side yard must be maintained.

^{8.2} Site coverage is cumulative for all buildings and structures.

^{8.3} Accessory buildings and structures cannot be located within 3 feet of the principal dwelling.

Table 6-4b
Residential Single Unit Zone

That Part 4: Land Use Map, Zoning Map of the Town of Niverville Zoning Bylaw no. 795-18 as amended, is hereby further amended in order that:

1. Lots 1 to 40, as proposed in Subdivision File 4340-22-8704 be rezoned from:

**“RHD” Residential High Density to
“RSL” Residential Small Lot**

2. Public Reserve (8,970.64 sq. ft.), as proposed in Subdivision File 4340-22-8704 be rezoned from:

**“RHD” Residential High Density to
“PR” Parks and Open Space**

as shown on Schedule “A” attached hereto.

DONE AND PASSED in Council duly assembled at the Town of Niverville, in Manitoba,
this day of AD 2023.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Read a first time this 20th day of December AD 2022.

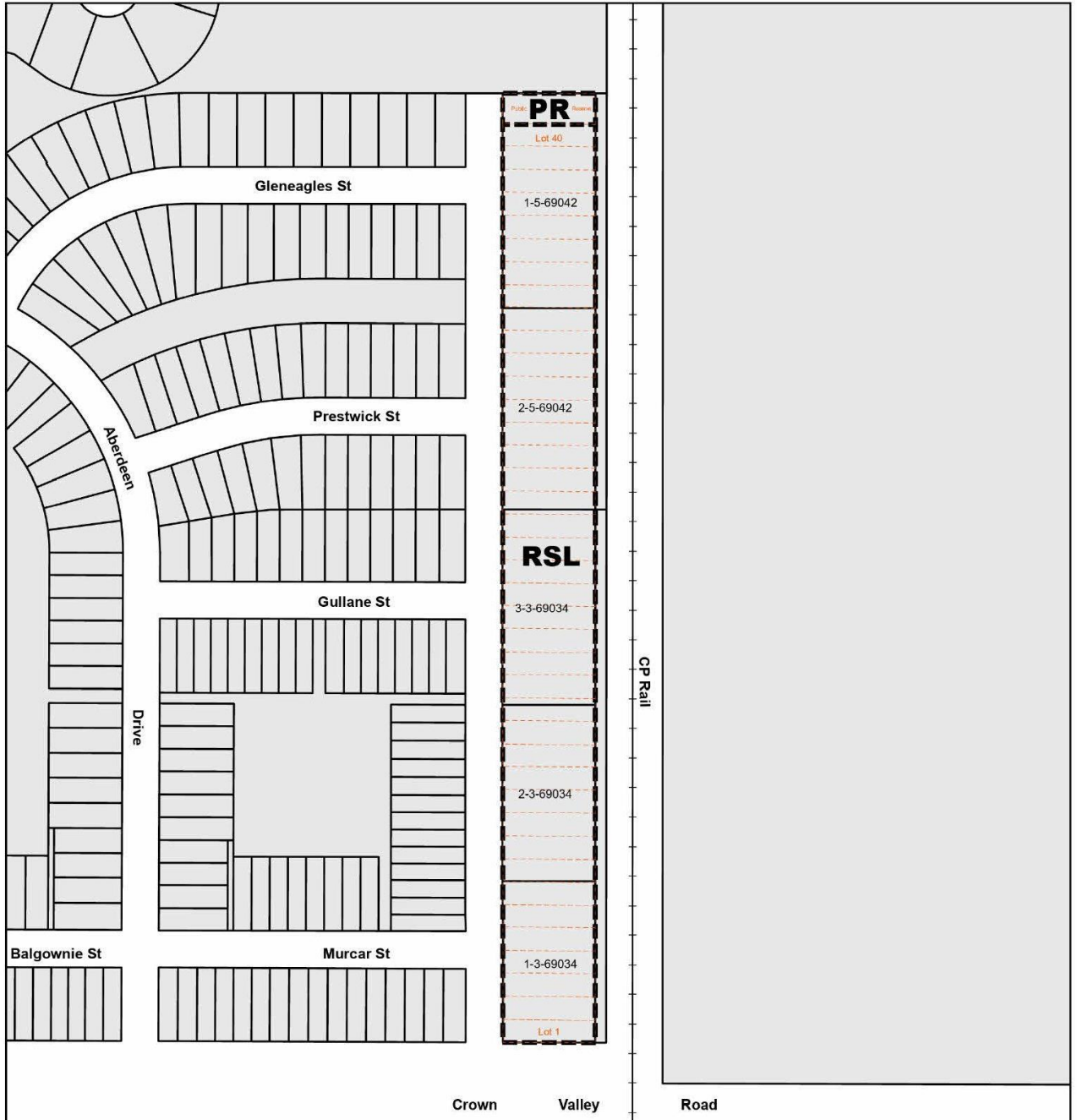
Read a second time this day of AD 2023.

Read a third time this day of AD 2023.

Certified a true and correct
copy of By-law No.847-22
of the Town of Niverville
given reading on this day
of AD 202 .




Eric King
Chief Administrative Officer

SCHEDULE "A"



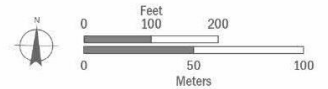
Schedule "A"

Attached to By-Law No. 847-22 of the Town of Niverville amending Zoning By-Law No. 795-18 Map as amended

-  Limit of Area Affected
-  Assessment Parcels
-  Subdivision File No. 4340-22-8704

From: "RHD" Residential High Density Zone
 To: "RSL" Residential Small Lot Zone and
 "PR" Parks and Open Space Zone

**Lots 1 to 3 Block 3 Plan 69034 WLTO,
 Lots 1 & 2 Block 5 Plan 69042 WLTO,
 in SE¼-25-7-3 EPM
 Town of Niverville**



Map: 847-22 Niverville
 Date: 2022-12-13

Manitoba 
 Municipal Relations
 Community Planning