



By-Law No. 10-2023

A By-Law to Amend the Rusagonis-Waasis Planning Area Rural Plan Regulation (14-RUW-033-00)

Pursuant to section 59 of the *Community Planning Act*, the Council of the Sunbury-York South Rural Community enacts the following amendments to *The Rusagonis-Waasis Planning Area Rural Plan Regulation (14-RUW-033-00)*.

- 1. The following amendment to subsection 2.4(1):

2.4(1) For the purposes of the Regulation, the area is divided into zones as delineated on the plan attached as Schedule A, entitled "Rusagonis-Waasis Planning Area Zoning Map" and is amended by Schedules B-1, C-1, D-1, and E-1

- 2. That the land having PID 60027364, as shown on the map herein attached as Schedule E-1 and subject to the agreement herein attached as Schedule E, is hereby rezoned, pursuant to section 59 of the *Community Planning Act*, from Rural Residential – "R" Zone to Mini-Home Park – "MP" Zone, within the Sunbury-York South Rural Community of the parish of Lincoln and the county of Sunbury, being within the designated area of the Rusagonis-Waasis Planning Area Rural Plan Regulation.

This By-Law shall come into effect and be binding on all persons as of and from the date filed at the Registry Office.

First Reading: October 4, 2023
Second Reading: October 4, 2023
Third Reading: October 6, 2023



David Hayward, Mayor

Marjorie Turner, CAO

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

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

2023-10-20 10:26:47 44365568
date/date time/heure number/numéro
K. Platt
Registrar-Conservateur

Sunbury-York South Rural Community
By-Law No. 10-2023
Schedule E

THIS AGREEMENT MADE THIS 6 day of _____ 2023.

Between: THE SUNBURY-YORK SOUTH RURAL COMMUNITY, a Municipal Body Corporate, being situated in the County of York, in the Province of New Brunswick (hereinafter referred to as the "Municipality")

AND: Oakhill Homes Inc. (hereinafter referred to as the "applicant")

WHEREAS the Municipality has been asked to rezone property currently owned by Oakhill Homes Inc. located in the Sunbury-York South Rural Community, NB, PID 60027364, from Rural Residential – "R" Zone to Mini-Home Park – "MP" Zone, under section 59 of the Community Planning Act,

AND WHEREAS the Municipality is authorized by the provisions of Section 59 of the Community Planning Act to enter into an Agreement with the applicant imposing reasonable terms and conditions, as a Resolution of council,

NOW THEREFORE WITNESSETH that for and in consideration of mutual covenants and agreements contained herein, the Municipality and the applicant covenant and agree to as follows:

1. THAT any development complies with all conditions included in the Environmental Impact Assessment Certificate of Determination associated with PID 60027364.
2. THAT any alterations in or within 30 metres of a watercourse or wetland require a Watercourse and Wetland Alteration Permit under the *Watercourse and Wetland Alteration Regulation* (Reg 90-80) as per

subsection 12(2) of the *New Brunswick Clean Water Act*.

3. THAT parking and signage be in accordance with the applicable sections of the Rusagonis-Waasis Planning Area Rural Plan Regulation (14-RUW-033-00).
4. THAT outdoor lighting be located, arranged or shielded so as to not interfere with neighbours' reasonable enjoyment of their properties or with traffic proceeding along Nevers Road.
5. THAT the rezoning of lands herein does not mean an approval on the issuing of subsequent permits or approvals, such as for building or subdivision.

Any violations of terms and conditions as set out by Council resolutions and contained within these agreements may result in the termination and cancellation of this rezoning within 30 days of written notice.

In WITNESS WHEREOF the heretofore parties mentioned have hereunto set their hands and seals this 6 day of _____ 2023.

SUNBURY-YORK SOUTH RURAL COMMUNITY

[Faint, illegible signatures and stamps at the bottom of the page]

Sunbury-York South Rural Community
By-Law No. 10-2023
Schedule E



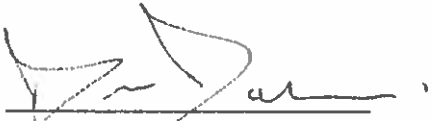
MAYOR



CLERK



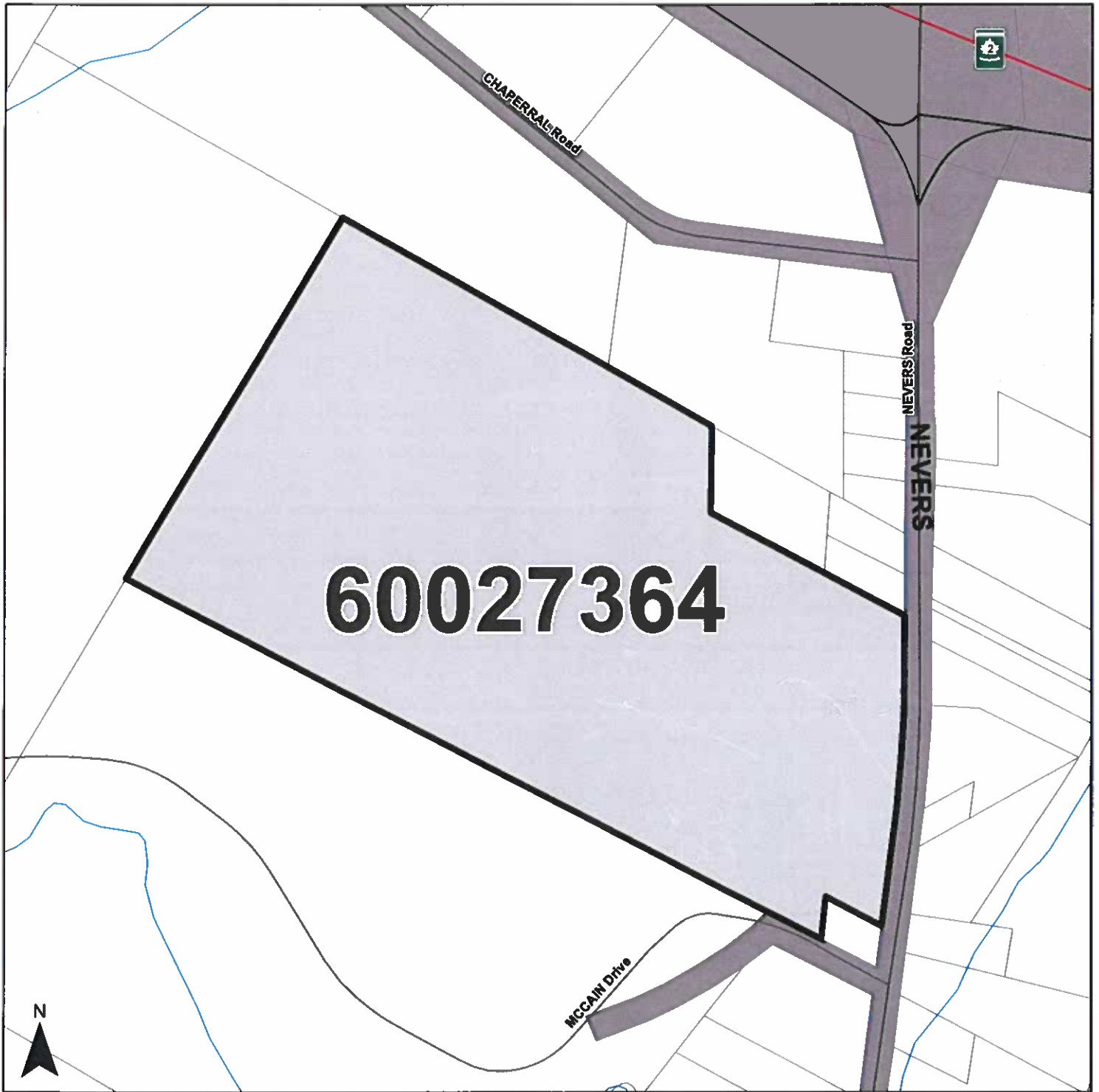
WITNESS



APPLICANT



WITNESS



SUNBURY-YORK SOUTH
 Rusagonis-Waasis Planning Area
 Le secteur d'aménagement de Rusagonis-Waasis

By-law No. 10-2023
 Schedule E-1 / Annexe E-1



Lot being rezoned from
 Rural Residential Zone - "R" Zone
 to Mini-Home Park Zone - "MP" Zone

Lottissement de rezonage de
 Zone résidentielle rurale - Zone «RR»
 à Zone de parc de mini-maisons «PM»



Échelle 1:4,000 Scale

PROVINCE OF NEW BRUNSWICK
SUNBURY-YORK SOUTH RURAL COMMUNITY

I, Marjorie Turner, of the Sunbury-York South Rural community in the Counties of Sunbury and York and Province of New Brunswick, do hereby certify:

That I am the clerk of the said Sunbury-York South Rural Community, and as such have the custody of the minutes and records of the Council of the said Sunbury-York South Rural Community and the Common Seal of the said Rural Community.

That hereto attached is a true copy of a by-law entitled By-Law No. 10-2023, enacted by the Sunbury-York South Rural Community Council on the (day) of (month), (year).

That I have carefully compared the said by-law with the original and the same is a true copy thereof.

Dated at the Sunbury-York South Rural community Office on the (day) of (month),(year).

I certify that the attached document has been compared with the original and is a true copy thereof.



Marjorie Turner
Clerk

(Stamp seal here)



I, Malinda Parks, residing in the City of Fredericton in the Province of New Brunswick, do hereby certify:

1. That I am a Registered Professional Planner in good standing, in accordance with the meaning set out in the *Registered Professional Planners Act* of New Brunswick
2. That this document is entitled *By-Law No. 10-2023 – A By-Law to Amend the Rusagonis-Waasis Planning Area Rural Plan Regulation (14-RUW-033-00)* and is an amendment to a rural plan for a local government as defined in the *Community Planning Act* of New Brunswick.
3. That this document was prepared under my direction.
4. That this document complies with the provisions of the *Community Planning Act* of New Brunswick and the Regulations under that Act.
5. This document is *By-Law No. 10-2023 – A By-Law to Amend the Rusagonis-Waasis Planning Area Rural Plan Regulation (14-RUW-033-00)* adopted by the local government council of the Sunbury-York South Rural community on the 6th of October 2023.

Dated at the Capital Region Service Commission on the 13th of October, 2023.



Malinda Parks
Print Name

MParks
Signature