



Sunbury-York South Rural Community

By-Law No. 16-2024

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, entitles “Rusagonis-Waasis Planning Area Zoning Map” and is amended by Schedules B-1, C-1, D-1, E-1, and F-1.

2. That the land having PID 60199999, as shown on the map herein attached as Schedule F-1 and subject to the agreement herein attached as Schedule F, is hereby rezoned, pursuant to section 59 of the *Community Planning Act*, from Industrial – “I” Zone to Rural Residential – “R” 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: _____

Second Reading: _____

Third Reading: _____

David Hayward, Mayor

Marjorie Turner, CAO

Sunbury-York South Rural Community

By-Law No. XX-2024

Schedule F

THIS AGREEMENT MADE THIS ____ day of ____ 2024.

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: Marwood Ltd. (hereinafter referred to as the “applicant”)

WHEREAS the Municipality has been asked to rezone property currently owned by Marwood Ltd. located in the Sunbury-York South Rural Community, NB, PID 60199999, from Industrial – “I” Zone to Rural Residential – “R” 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 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*.
2. THAT parking be in accordance with the applicable sections of the *Rusagonis-*

Waasis Planning Area Rural Plan Regulation (14-RUW-033-00).

3. THAT an Archeological Impact Assessment be completed by an archeologist with a valid Archeological Field Research Permit before any ground disturbance activities take place.
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 Route 101.
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 ____ day of ____ 2024.

SUNBURY-YORK SOUTH RURAL COMMUNITY

Sunbury-York South Rural Community
By-Law No. XX-2024
Schedule F

MAYOR

CLERK

WITNESS

APPLICANT

WITNESS

DRAFT



SUNBURY-YORK SOUTH

Rusagonis-Waasis Planning Area

Le secteur d'aménagement de Rusagonis-Waasis

Schedule F-1 / Annexe F-1

Date: September / Septembre 2024

By-law No.



Lot being rezoned from
Industrial Zone - "I" Zone
to Rural Residential Zone
"RR" Zone

Lottissement de rezonage de
Zone industrielle - Zone I
à Zone résidentielles rurales
Zone RR



Scale 1:1,500