

Sunbury-York South Rural Community
By-Law No. 16-2024

B.I. entirely

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):

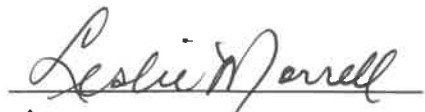
2.4(1) For the purposes of the Regulation, the area is divided into zones as delineated on the plan attached as Schedule A, entitles "Rusagonis-Waasis Planning Area Zoning Map" and is amended by Schedules B-1, C-1, D-1, E-1, and F-1.

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: November 19, 2024
Second Reading: November 19, 2024
Third Reading: March 18, 2025


David Hayward, Mayor


Leslie Morrell, Interim Clerk

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

2025-04-24 11:24:08 45998102
date/date time/heure number/numéro
K. Platt
Registrar-Conservateur



**Sunbury-York South Rural Community
By-Law No. 16-2024
Schedule F**

THIS AGREEMENT MADE THIS 18 day of

March 2024. 2025

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. 16-2024
Schedule F



MAYOR



CLERK



WITNESS



APPLICANT



WITNESS





PROVINCE OF NEW BRUNSWICK
SUNBURY-YORK SOUTH RURAL COMMUNITY

I, Leslie Morrell, of the Sunbury-York South Rural Community in the Counties of Sunbury and York and the Province of New Brunswick, do hereby certify:

That I am the Interim 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. 16-2024, enacted by the Sunbury-York South Rural Community Council on the 18th day of March, 2025.

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 18th day of March, 2025.

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

Leslie Morrell
Interim Clerk



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. 16-2024 – 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*, including that this document is aligned with the *Statement of Public Interest Regulation*, as detailed within the attached analysis.
5. This document is *By-Law No. 16-2024 – 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 18th of March 2025.

Dated at the Capital Region Service Commission on the 16th of April 2025.



Malinda Parks

Print Name

Malinda Parks

Signature



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

By-Law No. 16-2024
 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

0 25 50 75 100 metres

Scale 1:1,500

Analysis Demonstrating Compliance to the Statement of Public Interest Regulation

SETTLEMENT PATTERNS	
<input checked="" type="checkbox"/>	SP.1 Promote efficient development and land use patterns that are in the best interests of the Province, local governments and residents of the Province in the long-term.
<i>The document meets this SPI because:</i> This will provide housing for employees next to the worksite reducing automobile reliance.	
<input type="checkbox"/>	SP.2 Promote a range of housing options such as size, type, density and design throughout communities.
<i>The document meets this SPI because:</i> N/A	
<input type="checkbox"/>	SP.3 Support the provision of a range of affordable housing options throughout communities.
<i>The document meets this SPI because:</i> N/A	
<input type="checkbox"/>	SP.4 Avoid development and land use patterns that may cause environmental or health and safety issues.
<i>The document meets this SPI because:</i> N/A	
<input type="checkbox"/>	SP.5 With respect to development that occurs in a community with existing or planned public infrastructure and services, promote development in locations where the public infrastructure and services are or are planned to be available.
<i>The document meets this SPI because:</i> N/A	
<input checked="" type="checkbox"/>	SP.6 With respect to development that occurs in a community with no existing or planned public infrastructure or services, promote development in locations with previously constructed and actively maintained roads.
<i>The document meets this SPI because:</i> New development will be on an actively maintained road.	
<input type="checkbox"/>	SP.7 Promote a range of transportation options, including public, regional and active transportation.
<i>The document meets this SPI because:</i> N/A	

<input type="checkbox"/>	SP.8 Promote the use of green infrastructure, including climate resilient lands.
<i>The document meets this SPI because: N/A</i>	
<input type="checkbox"/>	SP.9 Promote development in downtown areas and urban cores through increased density, infill and brownfield development.
<i>The document meets this SPI because: N/A</i>	

AGRICULTURE	
<input type="checkbox"/>	AA.1 Identify prime agricultural areas and prioritize them for agricultural uses and other compatible uses.
<i>The document meets this SPI because: N/A - This property is not in a prime agricultural area</i>	
<input type="checkbox"/>	AA.2 Identify current and future areas for fishery use and aquaculture use and prioritize them for those uses and other compatible uses.
<i>The document meets this SPI because: N/A – this property is not in a fishery or aquaculture area</i>	
<input type="checkbox"/>	AA.3 Consider set-backs, including reciprocal setbacks if appropriate, between areas with an agricultural use, fishery use or aquaculture use and areas used for incompatible purposes.
<i>The document meets this SPI because: N/A – this property is not in a prime agricultural or aquacultural area</i>	

CLIMATE CHANGE	
<input checked="" type="checkbox"/>	CC.1 Promote energy conservation and efficiency, improved air quality, climate change mitigation and climate change adaptation through development and land use patterns.
<i>The document meets this SPI because: This proposal is outside hazard areas, this proposal does not contribute to additional climate change vulnerabilities.</i>	

<input checked="" type="checkbox"/>	CC.2 Consider how the siting and design of infrastructure can improve air quality and energy conservation and efficiency, minimize the health and public safety impacts of climate change and increase climate resiliency.
<i>The document meets this SPI because:</i> This proposal is outside hazard areas, this proposal does not contribute to additional climate change vulnerabilities.	

FLOOD AND NATURAL HAZARD AREAS	
<input checked="" type="checkbox"/>	FH.1 Identify flood and natural hazard areas using provincial flood hazard mapping, provincial erosion mapping and other resources.
<i>The document meets this SPI because:</i> Verified through the GeoNB open data catalogue, this property is not in a flood or natural hazard area.	
<input checked="" type="checkbox"/>	FH.2 Promote land use and development in areas other than flood and natural hazard areas.
<i>The document meets this SPI because:</i> This property is not in a flood or natural hazard area.	
<input type="checkbox"/>	FH.3 Promote land use and development that are not expected to increase the impacts on safety and costs associated with flooding and natural hazards.
<i>The document meets this SPI because:</i> N/A - this property is not in a flood or natural hazard area.	
<input type="checkbox"/>	FH.4 Promote land use and development that incorporate mitigation measures with respect to flooding and natural hazards or that are appropriate for areas subject to natural hazards.
<i>The document meets this SPI because:</i> N/A – this property is not in a flood or natural hazard area.	

NATURAL RESOURCE DEVELOPMENT	
<input checked="" type="checkbox"/>	NR.1 Identify natural resource development areas and environmentally sensitive areas.
<i>The document meets this SPI because:</i> Verified through GeoNB open data catalogue - this property is not in a natural resource development area. There are wetlands on this property, but they are not	

provincially significant, they have been delineated, and there are terms and conditions requiring the appropriate permits through the Clean Water Act.

NR.2 Prioritize natural resource development areas for natural resource extraction and development.

The document meets this SPI because: N/A - this property is not in a natural resource development area.

NR.3 Prioritize environmentally sensitive areas for conservation and protection.

The document meets this SPI because: N/A - There are wetlands on this property, but they are not provincially significant, they have been delineated, and there are terms and conditions requiring the appropriate permits through the Clean Water Act.

NR.4 Consider set-backs, including reciprocal setbacks if appropriate, between natural resource development areas or environmentally sensitive areas and areas used for incompatible purposes.

The document meets this SPI because: This property is not in a natural resource development area. Any development in or near the delineated wetland will be subject to a WAWA permit.