

Nashwaak Rural Community
By-Law No. 2024-07
A By-Law to Amend the Nashwaak Valley Planning Area Rural Plan Regulation (08-NAV-009-00)

Pursuant to section 59 of the *Community Planning Act*, the Council of the Nashwaak Rural Community enacts the following amendments to *The Nashwaak Valley Planning Area Rural Plan Regulation (08-NAV-009-00)*.

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 “Nashwaak Valley Planning Area Zoning Map”, and is amended by Schedules C-1, D-1, and E-1.

2. That the land having PID 75165993, as shown on the map herein attached as Schedule E-1, is hereby rezoned, subject to the terms and conditions contained in Schedule E, pursuant to section 59 of the *Community Planning Act*, from Rural – “RU” Zone to Commercial Recreational – “CR” Zone, within the Nashwaak Rural Community of the parish of Saint Marys and the county of York, being within the designated area of the Nashwaak Valley 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 Sweeny, Mayor

Bethany Ryan, CAO

Nashwaak Rural Community

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Schedule E

THIS AGREEMENT MADE THIS ____ day of ____ 2024.

Between: THE NASHWAAK 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: John Pond (hereinafter referred to as the "applicant")

WHEREAS the Municipality has been asked to rezone property currently owned by John Pond located in the Nashwaak Rural Community, NB, PID 75165993, from Rural – "RU" Zone to Commercial Recreational– "CR" 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 the permitted use on the portion of PID 75165993, as outlined in Schedule E-1, be limited to the following uses from the Commercial Recreational "CR" Zone, section 4.4 of the plan:
 - a) the following main use:
 - i. a campground
 - b) accessory buildings, structures, or uses;
2. THAT there be a maximum of 19 recreational vehicles on the property;
3. THAT all recreational vehicles be connected to an on-site sewage system;
4. THAT if the applicant intends to add more than 10 recreational vehicles on

the property, they shall seek approval from a plumbing inspector with the Department of Justice and Public Safety to assess the capacity of the on-site sewage system;

5. THAT any additional on-site sewage disposal system shall be regulated under the *Clean Environment Act*;
6. THAT where possible, existing trees and shrubs be maintained around the perimeter of the property;
7. THAT exterior lighting be located, arranged, or shielded as not to interfere with local traffic or with nearby landowners in the reasonable enjoyment of their properties;
8. THAT any alterations in or within 30 meters 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*;
9. THAT all recreational vehicles and their accessory uses be located at least three (3) meters from any property line;
10. THAT all recreational vehicles and accessory structures be removed from the site annually by 15th October and not return to the property until after 15th May;
11. THAT the applicant must obtain an easement permit from the DNRED Crown Lands Branch and submit copies to both the Nashwaak municipality and the Capital Region Service Commission;
12. 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;
13. THAT any additional services beyond those specified in the application require the applicant to contact the CRSC

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Planning and Development office to
assess the necessity of obtaining any
further land use approvals.

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.

NASHWAAK RURAL COMMUNITY

MAYOR

CLERK

WITNESS

APPLICANT

WITNESS