

NASHWAAK RURAL COMMUNITY

By-Law No. 2025-05

A By-Law to Amend the Nashwaak Valley Planning Area Rural Plan (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 (08-NAV-009-00)*.

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

2.4(1) For the purposes of this Regulation, the designated area is divided into zones as delineated on the map attached as Schedule "A", entitled "Nashwaak Valley Planning Area Zoning Map," is amended by Schedule C-1, D-1, E-1, F-1 and G-1.

2. That the land having PID 75172270, as shown on the map herein attached as Schedule G-1 is hereby rezoned, pursuant to section 59 of the *Community Planning Act*, from Commercial Recreational "CR" Zone to Rural – "RU" Zone, within the Nashwaak Rural Community of the parish of Saint Mary's and the county of York, being within the designated area of the Nashwaak Valley Planning Area Rural Plan, By-Law No. 2025-05.

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: December 17, 2025

Second Reading: December 17, 2025

Third Reading: January 21, 2026

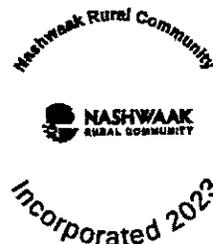
I certify that this instrument
is registered or filed in the
York
County Registry Office,
New Brunswick

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

2026-02-05 10:32:28 46917846
date/date time/heure number/numero
Emma Ephemere
Registrar-Conservateur

David Sweeney, Mayor

Bethany Ryan, CAO



Nashwaak Rural Community
By-Law No. 2025-05
Schedule G

THIS AGREEMENT MADE THIS 21st day of January 2026.

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: Robert Davis and Karen Davis (hereinafter referred to as the "applicant")

WHEREAS the Municipality has been asked to rezone property currently owned by Robert Davis and Karen Davis located in the Nashwaak Rural Community, NB, PID 75172270, from Commercial Recreational "CR" Zone to Rural - "RU Zone", under section 59 of the Community Planning Act,

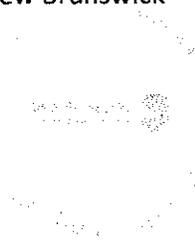
AND WHEREAS the Municipality is authorized by the provisions of Section 59 of the Community Planning Act to enter into an Agreement with the applicant imposing reasonable terms and conditions, as a Resolution of council,

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 prior to any ground disturbance activities, the applicant completes an Archaeological Impact Assessment by an archeologist with a valid Archeological Field Research Permit.
3. That any future development be at minimum 0.3 meters above the Water Surface Elevation of the "2100 Flood with Climate Change, 1 in 20 year (5% Annual Exceedance Probability)" flood map.
4. THAT each residential lot have its own well and on-site sewage disposal system, installed in accordance with all regulatory requirements.
5. THAT any stormwater infrastructure is properly sized and remains maintained and functional, preventing any leakage into the immediate environment.
6. 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.
7. THAT any additional services beyond those specified in the application require the applicant to contact the CRSC 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.



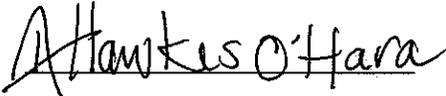
Nashwaak Rural Community
By-Law No. 2025-05
Schedule G

In WITNESS WHEREOF the heretofore parties
mentioned have hereunto set their hands and
seals this 21st day of January 2026.

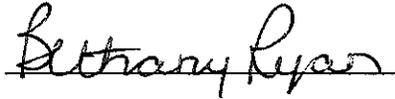
NASHWAAK RURAL COMMUNITY



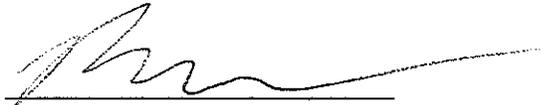
MAYOR



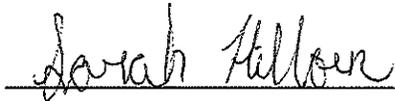
CLERK



WITNESS



APPLICANT



WITNESS

PROVINCE OF NEW BRUNSWICK
NASHWAAK RURAL COMMUNITY

I, Anouchka Hawkes O'Hara, of the Nashwaak Rural Community in the County of York and Province of New Brunswick, do hereby certify:

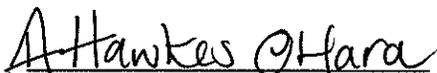
That I am the Clerk of the said Nashwaak Rural Community, and as such have the custody of the minutes and records of the Council of the said Nashwaak Rural Community and the Common Seal of the said Municipality.

That hereto attached is a true copy of a by-law entitled By-Law No. 2025-05, enacted by the Nashwaak Rural Community Council on the 21 of January, 2026.

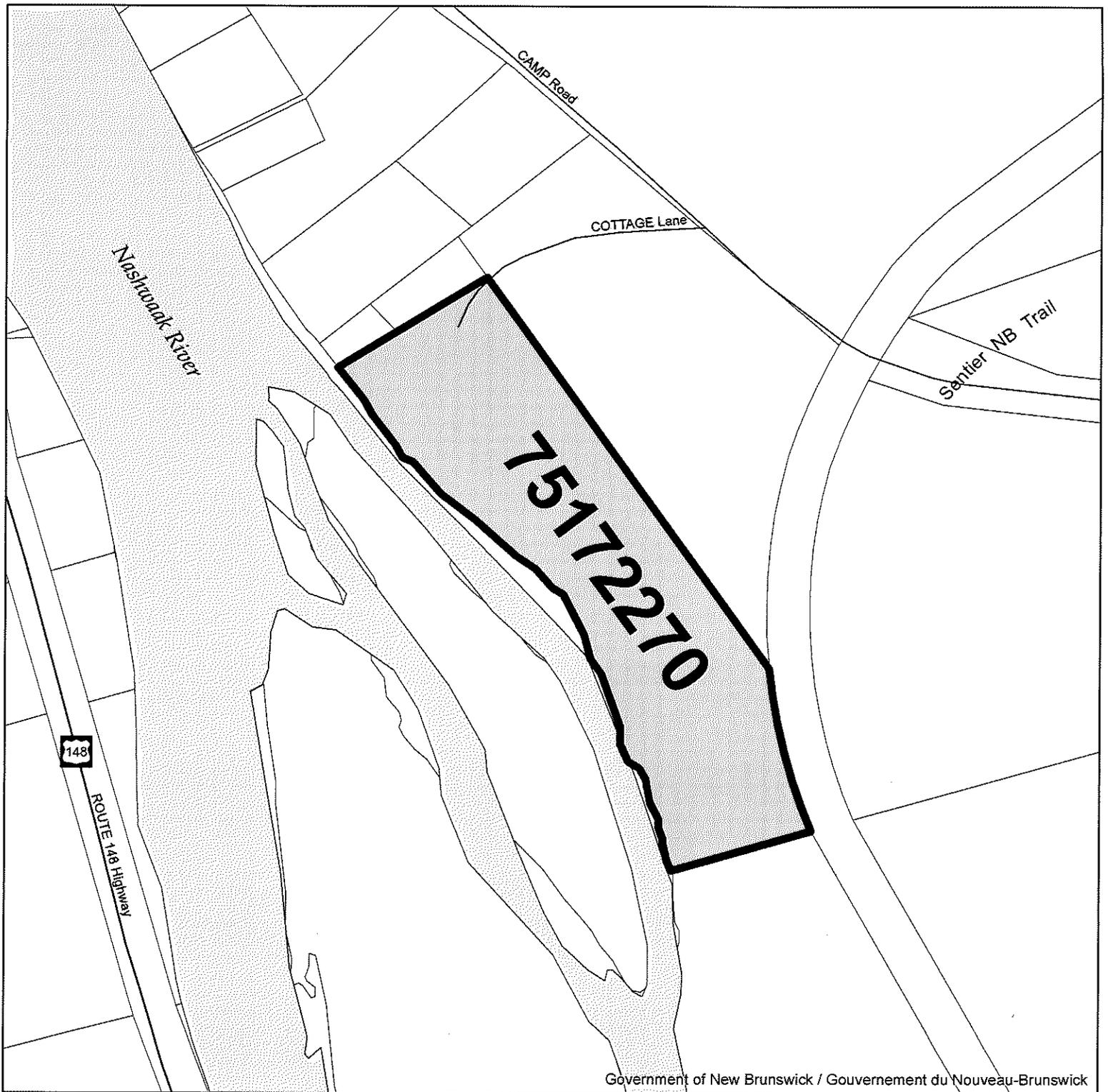
That I have carefully compared the said by-law with the original and the same is a true copy thereof.

Dated at the Nashwaak Rural Community Office on the 21 of January, 2026.

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


Anouchka Hawkes O'Hara
Clerk





NASHWAAK RURAL COMMUNITY

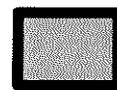
Nashwaak Valley Planning Area

Schedule G-1

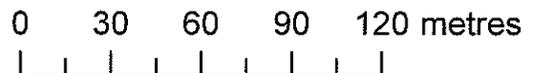
Dated: November 2025

By-Law Number 2025-05

This By-Law Rezones property as shown from Commercial Recreational Zone (CR Zone) to Rural Zone (R Zone), under Section 59 of the Community Planning Act.



Subject Property



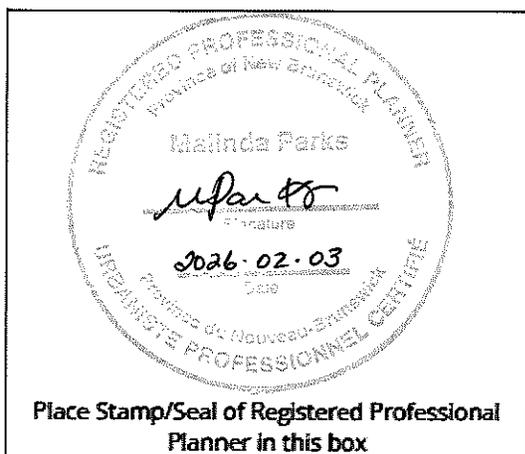
Scale 1:2,500



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. 2025-05 – A By-Law to Amend the Nashwaak Valley Planning Area Rural Plan (08-NAV-009-00)* 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. 2025-05 – A By-Law to Amend the Nashwaak Valley Planning Area Rural Plan (08-NAV-009-00)* adopted by the local government council of the Nashwaak Rural Community on the 21st of January 2026.

Dated at the Capital Region Service Commission on the 3rd of February 2026.



Malinda Parks
Print Name

Malinda Parks
Signature

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> the property is located nearby to other similar developments and fits into the character of the area with the rezoning.	
<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 checked="" 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> due to the proximity of the property to the river, terms and conditions are placed to restrict development within the flood plain.	
<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> the development is utilizing a previously developed campground for residential development.	
<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 checked="" 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: This property is not in a prime agricultural area.</i>	
<input checked="" 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 prime agricultural area.</i>	
<input checked="" 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: 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: As a residential use, 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: As a residential use, outside hazard areas, this proposal does not contribute to additional climate change vulnerabilities.</i>	

FLOOD AND NATURAL HAZARD AREAS



FH.1 Identify flood and natural hazard areas using provincial flood hazard mapping, provincial erosion mapping and other resources.

The document meets this SPI because: Verified through the GeoNB open data catalogue, this property is in a flood hazard area and restrictions mitigating flood damage are placed.



FH.2 Promote land use and development in areas other than flood and natural hazard areas.

The document meets this SPI because: This property is in a flood hazard area and restrictions mitigating flood damage are placed.



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.

The document meets this SPI because: This property is in a flood hazard area and restrictions mitigating flood damage are placed.



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.

The document meets this SPI because: This property is in a flood hazard area and restrictions mitigating flood damage are placed.

NATURAL RESOURCE DEVELOPMENT



NR.1 Identify natural resource development areas and environmentally sensitive areas.

The document meets this SPI because: As a residential use, this proposal does not impact environmentally sensitive areas.



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

The document meets this SPI because: N/A



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

The document meets this SPI because: N/A



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: N/A

