



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

2021-07-16 11:16:42 4154144
date/date time/heure number/numéro
Dwayne Hays
Registrar-Conservateur

Town of Nackawic
By-Law No. 82-2021

A By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17

Pursuant to section 59 of the *Community Planning Act*, the Council of the Town of Nackawic enacts the following amendments to *The Town of Nackawic Zoning By-Law By-Law No. 51-17*.

1. The following amendment to subsection 20.1:

20.1 For the purposes of this by-law, the municipality is divided into zones as delineated on the plan attached hereto as Schedule "A", entitled "Town of Nackawic Zoning Map" dated February 2017 and is further amended by Schedule "C", entitled "By-Law No. 81-2020 A By-Law to Amend The Town of Nackawic Zoning By-Law By-Law No. 51.17" and Schedule "D-1", entitled "By-Law No. 82-2021, A By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No.51-17".

2. That the land having PID 75333914 and PID 75395616, as shown on the map herein attached as Schedule D-1, is hereby rezoned, subject to terms and conditions contained in Schedule D, pursuant to section 59 of the *Community Planning Act*, from HC Zone – Highway Commercial to R2 Zone – Multiple Family Residential, within the Town of Nackawic of the parish of Southampton and the county of York, being within the designated area of The Town of Nackawic Zoning By-Law.

3. Notwithstanding section 11 of By-Law No. 51.17, the Town of Nackawic Zoning By-law, the existing building may be altered to become a single family dwelling and may become a second main building on the lot located at 381 Route 105 (PID 75333914).

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:

June 22, 2021

Second Reading:

June 22, 2021

Third Reading:

July 5, 2021

Ian Kitchen
Ian Kitchen, Mayor

Randy Wilson
Randy Wilson, Chief Administrative Officer / Facilities

**Town of Nackawic
By-Law No. 82-2021
Schedule D**

THIS AGREEMENT MADE THIS 4th day of May 2021

Between: THE TOWN OF NACKAWIC, a Municipal Body Corporate, being situated in the County of York, in the Province of New Brunswick (hereinafter referred to as the "Municipality")

AND: Joyce King and Christine King (hereinafter referred to as the "applicant")

WHEREAS the Municipality has been asked to rezone property currently owned by Joyce King and Christine King, located at 381 Route 105, Town of Nackawic, NB, PIDs 75333914 and 75395616, from from HC Zone Highway Commercial to R2 Zone – Multiple Family Residential, 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 no more than a maximum of 2000 litres of liquid petroleum be stored on the property at all time for the purpose of providing heat power to a building or other structure situated on the property, as per subsection 7(1) of the *New Brunswick Regulation 2000-47 under the Clean Water Act (O.C. 2000-451)*;

2. THAT off-street parking be provided as per section 13 of the Town of Nackawic Zoning By-law, By-law No.51-17;
3. THAT where possible, the existing treed buffer be maintained; and
4. THAT the rezoning of the lands herein does not, in itself, mean an approval on the issuing of subsequent permits or approval, such as, for building construction.

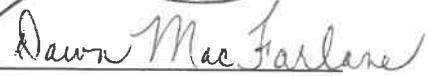
Any violations of terms and conditions as set out by Council resolutions and contained within these agreements may result in the termination and cancellation of this rezoning within 30 days written notices.


In WITNESS WHEREOF the heretofore parties mentioned have hereunto set their hands and seals this 4th day of May 2021.

TOWN OF NACKAWIC


MAYOR


CLERK


WITNESS


JOYCE KING


CHRISTINE KING


WITNESS



MOTION – June 22, 2021

By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17
PID # 75333914 and PID75395616 Located on Highway Route 105 (Owned by Joyce King and Christine King)

Completed by RSC 11 – First Reading

Motion 1: DM Greg MacFarlane

Motion 2: Councilor Gail Farnsworth

By-Law 82-2021

Be it resolved that Nackawic Town Council move to accept the recommendation from RSC 11 to enact a by-law to amend The Town of Nackawic Zoning By-Law 51-17 pursuant to section 59 of the Community Planning Act. This is the first reading and it is by Title only.

Motion Carried



CAO – Randy Wilson



MOTION – June 22, 2021

By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17
PID # 75333914 and PID75395616 Located on Highway Route 105 (Owned by Joyce King and Christine King)

Completed by RSC 11 – Second Reading

Motion 1: DM Greg MacFarlane

Motion 2: Councilor Gail Farnsworth

By-Law 82-2021

Be it resolved that Nackawic Town Council move to accept the recommendation from RSC 11 to enact a by-law to amend The Town of Nackawic Zoning By-Law 51-17 pursuant to section 59 of the Community Planning Act. This is the Second reading and it is by Title only.

Motion Carried



CAO – Randy Wilson



MOTION – July 5, 2021

By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17
PID # 75333914 and PID75395616 Located on Highway Route 105 (Owned by Joyce King and Christine King)

Completed by RSC 11 – Third and Final Reading and Read in its Entirety

Motion 1: Councilor Gail Farnsworth

Motion 2: Councilor Brian Toole

By-Law 82-2021

Be it resolved that Nackawic Town Council move to accept the recommendation from RSC 11 to enact a by-law to amend The Town of Nackawic Zoning By-Law 51-17 pursuant to section 59 of the Community Planning Act. This is the third and final and having been read in its entirety.

Motion Carried



CAO – Randy Wilson