

**Rural Community of Nackawic-Millville**  
**By-Law No. 88-2023**  
**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 Rural Community of Nackawic-Millville 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", 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", Schedule "F-1," entitled "By-Law No. 84-2021, A By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51.17", Schedule "G-1," entitled "By-Law No. 85-2021, A By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51.17", Schedule "H-1" entitled "By-Law No. 86-2022, A By-Law to Amend the Town of Nackawic Zoning Bylaw, By-Law No. 51-17", and Schedule "I1" entitled "By-Law No. 88-2023, A By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17".

2. That the land having PID 75554444, as shown on the map herein attached as Schedule I-1 and subject to the agreement herein attached as Schedule I, is hereby rezoned, pursuant to section 59 of the *Community Planning Act*, from Industrial – "I" Zone to Multiple Family Residential – "R2" Zone, within the Rural Community of Nackawic-Millville of the parish of Southampton and the county of York, being within the designated area of the Town of Nackawic Zoning By-Law.

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: \_\_\_\_\_

\_\_\_\_\_  
Tim Fox, Mayor

\_\_\_\_\_  
Kathryn Clark, CAO

**Rural Community of Nackawic-Millville**

**By-Law No. 88-2023**

**Schedule I**

THIS AGREEMENT MADE THIS \_\_\_\_ day of \_\_\_\_ 2023.

Between: THE NACKAWIC-MILLVILLE 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: Andy Fox, on behalf McLaughlin Overhead Doors LTD (hereinafter referred to as the "applicant")

WHEREAS the Municipality has been asked to rezone property currently owned by McLaughlin Overhead Doors LTD, located in the Rural Community of Nackawic-Millville, NB, PID 75554444, from Industrial – "I" Zone to Multiple Family Residential – "R2" 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 if the multiple unit dwellings are not serviced through the public water and sewer systems OR if the project is not commenced within one year, the applicant contacts the Environmental Impact Assessment Branch to determine if an EIA review is necessary.
2. 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*.

3. THAT access to the property be obtained from the District Engineer of the Department of Transportation and Infrastructure (DTI) and that the access meets the minimum standards as required by DTI.
4. THAT the proposed street be constructed to the minimum standards required by the Rural Community of Nackawic-Millville if it is to fall under the jurisdiction of the Rural Community OR that the proposed street be constructed to the Minimum Standards for the Construction of Subdivision Roads and Streets per the Department of Transportation and Infrastructure.
5. THAT no additional runoff be directed towards DTI ditches and that there be no negative impact on existing DTI infrastructure or property.
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.

Any violations of terms and conditions as set out by Council resolutions and contained within

Rural Community of Nackawic-Millville

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Schedule I

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 \_\_\_\_ 2023.

NACKAWIC-MILLVILLE RURAL COMMUNITY

\_\_\_\_\_  
MAYOR

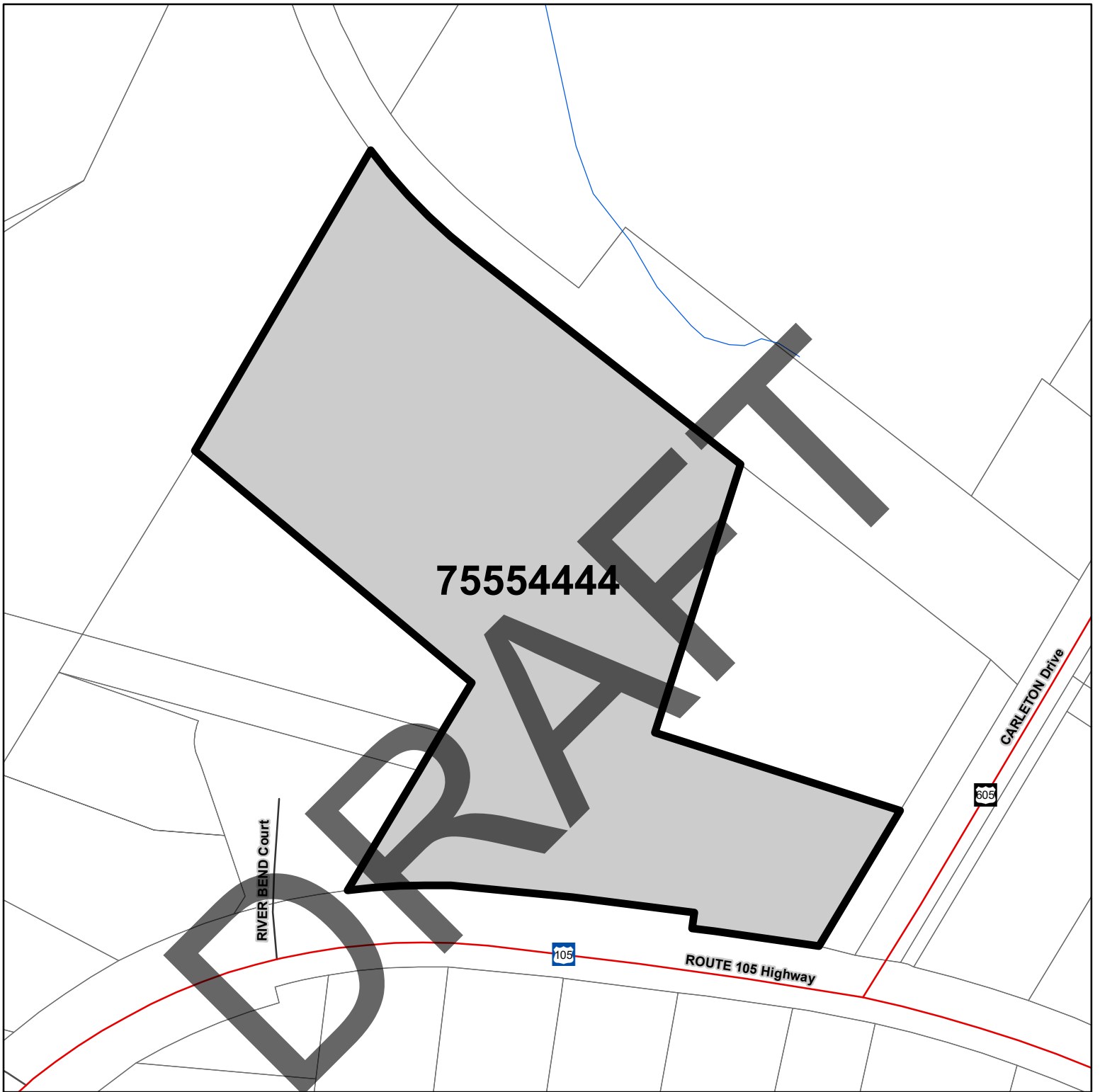
\_\_\_\_\_  
CLERK

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
WITNESS

DRAFT



Nackawic-Millville - Town of Nackawic  
Schedule I-1  
Dated: May 2023  
By-Law Number 88-2023

This By-Law Rezones property as shown  
from I Zone - Industrial  
to R2 Zone - Multi Family Residential,  
under Section 59 of the Community Planning Act.

 **Subject Property**

0 40 80 120 metres

Scale 1:2,500

