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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

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Municipality of Grand Lake

By-Law No. 11

K. J. Platt
Registrar-Conservateur

A By-Law to Amend the Village of Minto Rural Plan (By-Law No. 149)

Pursuant to section 59 of the *Community Planning Act*, the Council of the Municipality of Grand Lake enacts the following amendments to *The Village of Minto Rural Plan (By-Law No. 149)*:

1. The following subsection is amended in Section 12 of Part C:

12.5.2 The Zones mentioned in section 12.5.1 are classified and referred to as follows:

Residential	R Zone
Community Centre	CC Zone
Highway Commercial	HC Zone
Industrial	I Zone
Resource Use	RU Zone
Environmental Constraint	EC Zone
Institutional	INST Zone
Comprehensive Development District	CDD Zone
Mini Home Park	MHP Zone

2. The following subsection is amended in section 13 of Part C:

13.15.1 No more than one building containing one or more dwelling units shall be erected on any lot except for the following where permitted:

- a) one garden suite;
- b) cottage establishments; and
- c) mini home park

3. To add section 24.0.0 – Mini Home Park (MHP Zone) as follows:

SECTION 24.0.0 – Mini Home Park Zone (MHP Zone)

24.1.0 Permitted Uses

24.1.1 In a “MHP” zone, any land, building, or structure may be used for the purpose of, and for no other purpose than,

(a) one or more of the following main uses:

- i. a mini home park,
- ii. a mini home,
- iii. a mobile home, and

(b) the following secondary uses:

- i. a park, playground, or open space, and
- ii. a home-based business, subject to terms and conditions; and
- iii. a home occupation, subject to terms and conditions; and

(c) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

24.1.2 In accordance with paragraph 34(4)(c) of the *Community Planning Act*, in consideration of the following:

- a) service volume, vehicle manoeuvring and hours of operation;
- b) maintenance of public safety and transportation capabilities;
- c) odour, smoke, dust, noise, vibration and visual disturbances and the use of features such as buffer strips, fences or tree lines; and
- d) quality and quantity ground water impacts upon surrounding land uses.

24.2.0 Lot sizes

24.2.1 The provisions of Section 14.2.0 herein apply.

24.3.0 Size of Dwellings and Dwelling Units

24.3.1 No dwelling unit may be placed, erected or altered that has a ground floor area less than 59 square metres (592 square feet).

24.4.0 Location of Main Building and Structures

24.4.1 No building or structure may be placed, erected or altered so that it is;

- a) within 7.5 metres (24'7") of a boundary of an arterial or collector highway;
- b) within 3 metres (9'10") of a rear lot line;
- c) within 3 metres (9'10") of a side lot line.

24.5.0 Height of Main Buildings or Structure

24.5.1 No building or structure may exceed 10 metres (32'10") in height.

24.6.0 Accessory Building or Structures

24.6.1 No accessory building or structure shall

- a) exceed the height of the main building or 6 metres (19'8") measured from the top of the grade, at its base, to the highest point of any portion of the roof;
- b) be placed, erected or altered so that it is closer to the street line than the front of the main building or structure; or
- c) exceed 100 square metres (1076 square feet) in area or have a width or depth greater than 10 metres (32'10"); or
- d) be used for agricultural operations or for the keeping of animals other than household pets.

24.7.0 Additional Provisions

24.7.1 The provisions of Section 14.9.0 herein apply.

4. The following amendment to subsection 12.5.1:

12.5.1 For the purposes of this By-law, the Village is divided into zones as delineated on the map attached as Schedule A and titled "Zoning Map – Village of Minto", and is amended by Schedules 149-04D, 149-05E, 149-05E2, 151-E, 152-E, 5, 10-E, and 11-E.

5. That the land having PID 60023165, as shown on the map herein attached as Schedule 11-E, is hereby rezoned, subject to the terms and conditions contained in Schedule 11-E-1, pursuant to section 59 of the *Community Planning Act*, from Resource Use – “RU” Zone and Residential – “R” Zone to Mini Home Park – “MHP” Zone, within the Municipality of Grand Lake of the parish of Northfield and the county of Sunbury, being within the designated area of the Village of Minto Rural Plan (By-Law No. 149).

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: October 7, 2024

Second Reading: October 7, 2024

Third Reading: October 28, 2024



Kevin Nicklin, Mayor



Andrea Mazerolle, Clerk



Municipality of Grand Lake

By-Law No. 11

Schedule 11-E-1

THIS AGREEMENT MADE THIS 28th day of October 2024.

Between: THE MUNICIPALITY OF GRAND LAKE, a Municipal Body Corporate, being situated in the County of Sunbury, in the Province of New Brunswick (hereinafter referred to as the "Municipality")

AND: Charlie Malloy (hereinafter referred to as the "applicant")

WHEREAS the Municipality has been asked to rezone property currently owned by Marlon Eugene Coakley located in the Municipality of Grand Lake, NB, PID 60023165, from Resource Use – "RU" Zone and Residential - "R" Zone to Mini Home Park– "MHP" 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 mini-homes must be situated at least 30 meters away from the nearest residential lot line.
2. THAT prior to any mini-home placement, the Applicant contact the Department of Environment and Local Government to confirm whether the development requires an EIA registration. If an EIA is required, that all Environmental Impact Assessment requirements and certificate of determination conditions are met.
3. THAT prior to any mini-home placement, the Applicant contact the Department of Archeology, Heritage and Culture to complete an Archeological Impact Assessment by an archeologist with a valid Archeological Field Research Permit.
4. THAT the property may accommodate no more than 115 mini-homes.
5. THAT a certified wetland delineator conduct an assessment to determine the presence of a wetland and/or watercourse. If a wetland and/or watercourse are present, a formal delineation is required, as per the DELG Wetland Delineation Protocol.
6. THAT any alterations within 30 meters of a watercourse or wetland necessitate 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.
7. THAT should the development require a lift station for the wastewater system, approval be obtained from the Approvals Branch of the Department of Environment and Local Government.
8. THAT a swale or other appropriate drainage system be installed on the site as necessary to prevent water runoff from impacting neighbouring properties.
9. THAT prior to any land clearing, the Applicant obtain a work permit from the Department of Natural Resources and Energy Development, as per the Forest Fires Act.

Municipality of Grand Lake
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Schedule 11-E-1

10. THAT the Applicant contact the Department of Transportation and Infrastructure to obtain an access approval.
11. THAT where possible, existing trees and shrubs be maintained around the perimeter of the property.
12. THAT the applicant must obtain an easement permit from the DNRED Crown Lands Branch and submit copies to both the Grand Lake municipality and the Capital Region Service Commission.
13. 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.
14. 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.
15. 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.

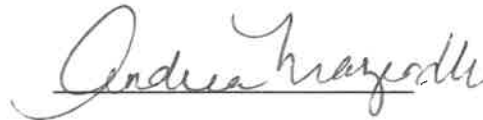
Any violations of terms and conditions as set out by Council resolutions and contained within these agreements may result in the termination and cancellation of this rezoning within 30 days of written notice.

In WITNESS WHEREOF the heretofore parties mentioned have hereunto set their hands and seals this 28th day of Oct. 2024.

MUNICIPALITY OF GRAND LAKE



MAYOR



CLERK



WITNESS



APPLICANT



WITNESS



MUNICIPALITY OF GRAND LAKE

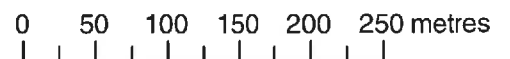
Village of Minto Rural Plan

Schedule 11-E

Dated: July 2024 By-Law Number 11

This By-Law Rezones property as shown from Residential (R Zone) and Resource Use (RU Zone) to Mini-Home Park (MHP Zone)

under Section 59 of the Community Planning Act



Scale 1:5,000





CAPITAL REGION SERVICE COMMISSION
COMMISSION DE SERVICES RÉGIONAUX DE LA CAPITALE

August 27, 2024

Andrea Mazerolle,
420 Pleasant Drive,
Minto, New Brunswick
E4B 2T3

RE: CRSC PRAC recommendation on proposed rezoning of PID 60023165 from Resource Use – “RU” Zone and Residential – “R” Zone to Mini Home Park – “MHP” Zone, subject to terms and conditions.

To whom it may concern,

At the Planning Review and Adjustment Committee meeting of August 27, 2024, the Planning Review and Adjustment Committee resolved to **recommend** the adoption of the proposed amendment to the Village of Minto Rural Plan (By-Law No.149).

Thank you very much,

Susan Jonah
Chair
CRSC Planning Review and Adjustment Committee

PROVINCE OF NEW BRUNSWICK
MUNICIPALITY OF GRAND LAKE

I, Andrea Mazerolle, of the Municipality of Grand Lake in the Counties of Sunbury, and Queens and Province of New Brunswick, do hereby certify:


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

That hereto attached is a true copy of a by-law entitled By-Law No. 11, enacted by the Municipality of Grand Lake Council on the 28th of October, 2024.

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

Dated at the Municipality of Grand Lake Office on the 28th of October, 2024.

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



Andrea Mazerolle
Clerk

(Stamp seal here)



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. 11 – A By-Law to Amend the Village of Minto Rural Plan (By-Law No. 149)* 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. 11 – A By-Law to Amend the Village of Minto Rural Plan (By-Law No. 149)* adopted by the local government council of the Grand Lake Rural Community on the 28th of October 2024.

Dated at the Capital Region Service Commission on the 16th of December 2024.



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> This will create affordable housing development in a rural area by utilizing a flag lot.	
<input checked="" 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> The development will add affordable housing stock to the current housing stock in the area.	
<input checked="" type="checkbox"/>	SP.3 Support the provision of a range of affordable housing options throughout communities.
<i>The document meets this SPI because:</i> The development will add affordable housing stock to the current housing stock in the area.	
<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> The development will add affordable housing stock to the current housing stock in the area.	
<input type="checkbox"/>	SP.7 Promote a range of transportation options, including public, regional and active transportation.

The document meets this SPI because: N/A

SP.8 Promote the use of green infrastructure, including climate resilient lands.

The document meets this SPI because: N/A

SP.9 Promote development in downtown areas and urban cores through increased density, infill and brownfield development.

The document meets this SPI because: N/A

AGRICULTURE

AA.1 Identify prime agricultural areas and prioritize them for agricultural uses and other compatible uses.

The document meets this SPI because: This property is not in a prime agricultural area.

AA.2 Identify current and future areas for fishery use and aquaculture use and prioritize them for those uses and other compatible uses.

The document meets this SPI because: N/A – This property is not in a fishery or aquaculture area.

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.

The document meets this SPI because: N/A – This property is not in a prime agricultural or aquacultural area.

CLIMATE CHANGE

CC.1 Promote energy conservation and efficiency, improved air quality, climate change mitigation and climate change adaptation through development and land use patterns.

The document meets this SPI because: As an affordable housing development opportunity, outside hazard areas, this proposal does not contribute to additional climate change vulnerabilities.

<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 an affordable housing development opportunity, outside hazard areas, this proposal does not contribute to additional climate change vulnerabilities.</i>	

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: Verified through the GeoNB open data catalogue, this property is not in a flood or natural hazard area.</i>	
<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: Verified through the GeoNB open data catalogue, this property is not in a flood or natural hazard area.</i>	
<input checked="" 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: N/A - Verified through the GeoNB open data catalogue, this property is not in a flood or natural hazard area.</i>	
<input checked="" 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: N/A - Verified through the GeoNB open data catalogue, this property is not in a flood or natural hazard area.</i>	

NATURAL RESOURCE DEVELOPMENT	
<input checked="" type="checkbox"/>	NR.1 Identify natural resource development areas and environmentally sensitive areas.

The document meets this SPI because: Verified through GeoNB open data catalogue - this property is not in a natural resource development area nor an environmentally sensitive area.



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 - this property is not in a natural resource development area.



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 - this property is not in a natural resource development area nor an environmentally sensitive area.