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**BY-LAW # 88**

**A BY-LAW OF THE MUNICIPALITY OF BLACKVILLE AMENDING BY-LAW #57  
VILLAGE OF BLACKVILLE RURAL PLAN**

WHEREAS The Council of the Village of Blackville wants to allow a wider range of land uses along the Main Street corridor in the central area of the Villages served by the municipal sanitary sewer system, and to make some 'housekeeping' changes to its land use/development regulations,

THE COUNCIL OF THE VILLAGE OF BLACKVILLE DULY ASSEMBLED ENACTS, pursuant to the *Community Planning Act* s. 27.2, AS FOLLOWS:

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Section A: That the text of the Rural Plan section "6.0 STATEMENTS OF POLICY AND PROPOSALS" is amended as follows:

A.1 On Page 15, that all of "RDP - 2" be deleted and replaced with the following:

"RDP - 2 It is proposed to permit a range of housing densities. Low density residential areas will be the predominant land use. Additional forms of residential development including but not limited to, row house, cluster, medium, and high density forms of development may also be considered through the rezoning process or as conditional uses."

A.2 On Pages 15 – 16, that all of the "Home Occupations" section is deleted and replaced with the following:

"Home Businesses and Occupations

Home businesses and occupations have become a reality if not a necessity in most municipalities. Municipalities must balance the needs of some residents to operate a business or occupation out of their home with the rights of others to enjoy their homes and uphold property values. This is particularly true in Blackville, where some residents operate small businesses or occupations out of their homes. Permitting such operations, provided the impact on adjacent property owners is minimal, adds to the economic base of the community.

RDP - 5 It is proposed to permit home businesses and occupations associated with single unit or two unit dwellings to occur, where specified in the zoning provisions, provided there are no negative impacts associated with the use and the following criteria are satisfied:

- The use is minor and clearly secondary to the residential use;
- The use is compatible with surrounding land uses;

- There shall be no visible indication from the exterior that a home business or occupation is being carried out in the dwelling, attached garage, or accessory building, other than one non-illuminated fascia sign; and
- Other requirements as defined in the zoning provisions.”

A.3 On Pages 19 – 22, that all of section “6.3 Commercial Development” be deleted and replaced with the following:

#### “6.3 Commercial Development

Existing commercial development in Blackville is substantially less than the population level would normally support. This is likely due to the proximity of the Village to the City of Miramichi and the large amount of commercial development in the City. The existing commercial development in the Village is located along Main Street near the central portion of the Village as well as some limited development fronting on Route 8 located approximately one kilometre east of the Village centre. The amount and type of commercial development is limited.

##### 6.3.1 Commercial Development Objectives

It shall be an objective of Council:

- To encourage a range of commercial uses with other compatible uses through the use of zones and associated zoning provisions;
- To ensure that commercial development does not negatively impact on residential neighbourhoods; and
- To allow certain commercial uses as mixed-use developments with other select land uses (e.g. commercial offices with residential).

##### 6.3.2 Commercial Development Policies / Proposals

CDP - 1 It is the policy of Council to provide for three commercial land use categories: Neighbourhood Commercial, Central Commercial – Mixed-Use, and Highway Commercial.

##### Neighbourhood Commercial

Neighbourhood Commercial activities are relatively small scale business which serve the daily needs of local residents and do not generate large volumes of traffic. These commercial uses generally include such activities as convenience stores and small corner grocery stores. Existing Neighbourhood Commercial type uses will be recognized; however, no new areas have been identified for this use. In the future, an application for rezoning will be required to permit a Neighbourhood Commercial use. At such time, terms and conditions can be placed on the request to ensure that control is maintained over signage, parking, and landscaping/buffering.

CDP - 2 It is proposed to recognize existing Neighbourhood Commercial uses and will permit additional neighbourhood commercial uses through the rezoning process.

CDP - 3 It is proposed to allow Neighbourhood Commercial uses provided they meet the following criteria:

- Retail/service space shall be less than 150m<sup>2</sup> (1615 ft<sup>2</sup>);
- Provide for emergency or everyday convenience needs; and
- Any terms and conditions as determined to be appropriate by the PRAC.

#### Central Commercial – Mixed-Use

The Central Commercial – Mixed-Use area is the focal point of services and activity within the Village. Though primarily a Commercial land use category, the central area should also promote a mix of other complementary land uses such institutional, recreational, residential, environmental and conservation uses. The development of diversified but compatible uses should be encouraged in this area. The Village should co-operate with the business community to improve the central area of the Village in order to make it the focal point of the Village and the dominant commercial, mixed-use area.

CDP - 4 It is proposed to promote the central area as a commercial, service, and activity hub for the Village. This area shall generally be defined by properties that have direct access to public sewerage.

CDP - 4.1 It is proposed that infill development is encouraged to further promote the area as a commercial, service, and activity hub for the Village. However, infill development shall not compromise the safety of the Route 8 / Main Street inter-municipal route through the Village.

CDP - 5 It is proposed to allow a mix of compatible commercial, institutional, recreational, residential, environmental and conservation uses within the central area; compatibility shall depend on the nature and scale of each use.

CDP - 5.1 It is proposed that the residential uses described in CDP - 5 shall be of an appropriate scale for the central area. Low density uses (up to 4 dwelling units) shall be permitted as-of-right as main uses whereas medium – high density uses (5 dwelling units or higher) shall be permitted as conditional uses.

CDP - 5.2 It is proposed that industrial developments and specific resource-based businesses and automotive establishments be prohibited in the central area as to avoid potential land use conflict with other permitted uses. These uses, which often have significant outdoor storage of heavy equipment and/or bulk materials or products, are encouraged to locate outside of the central area to appropriate zones where the potential for land use conflict is minimized.

#### Highway Commercial

Much of the existing commercial development in Blackville can be generally defined as highway commercial. For the most part, the existing commercial development occurs on lands adjacent to the main road (i.e. Route 8) in the community. The range of uses generally associated with this form of commercial development is characterized by the need for large areas for vehicle parking, servicing the travelling public or catering to the needs of the automobile. Generally, a highway commercial zone is very permissive, in that it allows for many uses.

CDP - 6 It is the policy of Council to accommodate existing highway oriented business located outside the central portion of the Village by establishing a Highway Commercial zone. Further, new highway commercial areas shall not be pre-zoned; rather, each new establishment requesting a highway commercial highway zone designation shall be evaluated on a case-by-case basis through the rezoning process.

#### Commercial Landscape/Buffering

Buffer planting, which includes provisions for grass strips and appropriate trees and shrubs, shall be provided between a commercial use and adjacent residential and institutional uses. The purpose of such buffering is to reduce any negative impacts on the abutting residential and institutional uses. It is recommended that the buffer be a minimum of three (3) metres wide, and, where appropriate, incorporate a visually impervious fence or other natural screening.

CDP - 7 It is proposed that commercial buildings and lighting or signs reflect a high quality of development in order to create an attractive appearance and minimize distraction to adjoining residential and institutional areas. Facia signs only will be encouraged; however high quality free standing signs shall be permitted provided they meet standards identified in the zoning provisions.”

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Section B: That the text of the Rural Plan section “7.0 ZONING PROVISIONS” is amended as follows:

B.1 On Page 36, that definition “2.8” is deleted and replace with the following definition and sub-definitions:

“2.8 AUTOMOTIVE ESTABLISHMENT means any premises or part thereof that is designed for automotive sale, services, maintenance, or storage and is limited to the foregoing definitions.

2.8 (A) AUTOMOTIVE ESTABLISHMENT, BODY AND PAINT means a use where motor vehicle bodies and frames are repaired or painted.

2.8 (B) AUTOMOTIVE ESTABLISHMENT, DEALERSHIP – SMALL means a use where motor vehicles not exceeding 1.5 tons capacity are sold or leased to

the public and may include the servicing, repair, or cleaning of vehicles and dispensing of fuel.

2.8 (C) AUTOMOTIVE ESTABLISHMENT, DEALERSHIP – SEASONAL means a use where recreational or seasonal vehicles such as motorcycles, snowmobiles, ATVs, or watercraft are sold or leased to the public and may include the servicing, repair, and ancillary sale of vehicle parts or accessories.

2.8 (D) AUTOMOTIVE ESTABLISHMENT, DEALERSHIP – LARGE means a use where motor vehicles exceeding 1.5 ton capacity are sold, rented, serviced, or repaired and may include the dispensing of fuel and the ancillary sale of vehicle parts or accessories.

2.8 (E) AUTOMOTIVE ESTABLISHMENT, GAS STATION means an establishment where motor vehicle fuel and products necessary for the operation of a motor vehicle are sold to the general public.

2.8 (F) AUTOMOTIVE ESTABLISHMENT, OUTDOOR DISPLAY COURT – SMALL means an area of land where up to 10 motor vehicles not exceeding 1.5 tons capacity are parked and displayed for sale. This use does not include any other associated structures or buildings. Automotive establishment, dealerships are separate uses.

2.8 (G) AUTOMOTIVE ESTABLISHMENT, OUTDOOR DISPLAY COURT – LARGE means an area of land where up to 20 motor vehicles which may exceed 1.5 tons capacity are parked and displayed for sale. This use does not include any other associated structures or buildings. Automotive establishment, dealerships are separate uses.

2.8 (H) AUTOMOTIVE ESTABLISHMENT, RENTAL means a use where motor vehicles not exceeding 1.5 tons capacity are rented to the public and may include the servicing, repair, or cleaning of vehicles, and dispensing of fuel.

2.8 (I) AUTOMOTIVE ESTABLISHMENT, SERVICE – MAJOR means a use where motor vehicles are serviced or repaired; four (4) or more service bays are permitted. Body and paint automotive establishment is a separate use.

2.8 (J) AUTOMOTIVE ESTABLISHMENT, SERVICE – MINOR means a use where motor vehicles are serviced or repaired; three (3) or less service bays are permitted. Body and paint automotive establishment is a separate use.

2.8 (K) AUTOMOTIVE ESTABLISHMENT, STORAGE means a use where motor vehicles are stored outdoors and does not include the servicing, repair, or cleaning of vehicles or storage of derelict or dilapidated vehicles or sale of vehicle parts, but may include a building for administrative functions associated with the use.

2.8 (L) AUTOMOTIVE ESTABLISHMENT, WASH means the use of a lot on which motor vehicles are washed for commercial gain. This use may also have pet wash services. Automotive establishment, outdoor display courts are separate uses.”

B.2 On Page 36, that definition “2.9” is deleted and replaced with the following:

“2.9 COMMERCIAL USE means an occupation, employment, or enterprise that is carried on for profit.”

B.3 On Page 38, that the definition “(i) Dwelling, Rowhouse” is deleted and replaced with the following:

“(i) Dwelling, Row House means a building divided vertically by common walls extending from the foundation to the roof into two (2) or more attached dwelling units on separate lots, each having a separate entrance at grade.”

B.4 On Page 39, that the definition “2.28” is deleted and replaced with:

“2.28 HOME OCCUPATION means a secondary business use conducted in a dwelling, attached garage, or accessory building. Refer to subsection 4.1.34 for further requirements pertaining to this use.”

B.5 On Page 42, that the following sub-definition is added under definition “2.45”:

“2.45 (A) PARKING LOT – COMMERCIAL means a surface parking lot where parking spaces are rented or leased, but does not include parking lots as accessory to a main use.”

B.6 On Page 43, that definition “2.47” is deleted and replaced with the following:

“2.47 PERSONAL SERVICE SHOP means a building or part of a building used for furnishing direct services and otherwise directly administering to the individual and personal needs of persons, and without limiting the generality of the foregoing, may include such establishments as barber shops, beauty parlors, automatic laundry shops, hairdressing shops, shoe repair and shoe shining, and tailoring, laundry and dry-cleaning collection depots and shops, but excludes the manufacturing or fabrication of goods for retail or wholesale distribution.”

That definition “2.52” is deleted and replaced with the following:

“2.52 RESIDENTIAL CARE FACILITY means a building or place or part of a building in which accommodation and nursing, supervisory and/or personal care is provided, or is made available to persons with social health, legal, emotional, mental or physical disabilities or problems, and includes such facilities as are licensed under the Family Services Act, SNB 1980, c. F – 2.2 or any other provincial legislation, but does not include any public or private hospital or sanatorium, or a jail, prison or reformatory, or a hostel.”

B.7 On Page 46, that the following definitions and sub-definitions under the definition “(d) Flankage Yard” are added:

“2.70 ASSEMBLY HALL means a building or part thereof used for the gathering of persons for civic, educational, political, religious, recreational, cultural, social, or other similar purposes, but does not include adult entertainment establishments.

2.71 DISPATCH SERVICE means a use where vehicles are dispatched to provide transport services to people or items and may include the maintenance or repair of fleet vehicles and administrative functions relating to the service(s) provided. Typical uses include taxi, limousine, and courier services.

2.72 TRANSPORTATION USE means a use of land, buildings, or structures to support transportation services and infrastructure, including but not limited to ports, airports, train or bus terminals, maintenance shops, and the storage of road maintenance equipment.

2.73 DAYCARE means a 'day care facility' as defined in the Day Care Regulation, NB Reg 83-85 under the Family Services Act, SNB 1980, c F-2.2.

2.73 (A) DAYCARE, COMMERCIAL CENTRE means a 'day care center' as defined in the Day Care Regulation under the Family Services Act.

2.73 (B) DAYCARE, NEIGHBOURHOOD CENTRE means a 'family day care home' or 'community day care home' as defined in the Day Care Regulation under the Family Services Act.

2.74 COMMERCIAL RECREATIONAL FACILITY means a recreational facility operated as a business for gain or reward designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities. Such facility may be located within a structure, building, or outdoors.

2.75 FUNERAL HOME means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation.

2.76 HOTEL/MOTEL/INN means a commercial use building providing temporary accommodations for travelers or transients on a year round basis, and may have a public dining room and convention room.

2.77 HOSPITAL means a facility that provides long- and short-term medical and healthcare, overnight stays, surgery, laboratory, and diagnostic services for treating human illness, disease, and injury.

2.78 PLACE OF WORSHIP means a use where people gather for religious or spiritual purposes and may include rooms for childcare, social, administrative, or food preparation functions.

2.79 EDUCATIONAL USE means a college, university, vocational or trade school, public or private school, and includes supportive amenities, facilities, and residential buildings for staff and students, if the buildings are on the same lot as the place of instruction. An educational use may also include active and passive parks facilities such as but not limited to sports fields, courts, walking and running tracks.

2.80 LIBRARY means a use where a collection of materials are kept for reference or borrowing and may provide computer use, instructional facilities, meeting rooms, and study areas.

2.81 INSTITUTIONAL USE means the use of land, buildings, or structures for religious, health, or welfare purposes, including but not limited to museums, art galleries, places of worship, educational or philanthropic uses.

2.82 GOVERNMENTAL USE means a municipal, provincial or federal governmental use, but does not include an educational use.

2.83 LICENSED PREMISES means any building, structure, or premises that is licensed under the Liquor Control Act, RSNB 1973, c L – 10 of the Province of New Brunswick.

2.84 RESTAURANT means a use where food is prepared and sold for consumption on the premises and may include ancillary entertainment and the sale of food for consumption off the premises. Where permitted, this use may also include a licensed premises or drive-thru.

2.85 DRIVE-THRU means an establishment that is designed to provide services or products to customers while in their vehicle. This use is typically associated with a drive-thru.

2.87 PHILANTHROPIC USE means the use of land, buildings, or structures for the purpose of promoting charitable, benevolent, or educational objectives, but does not include a commercial use.

2.88 ASSISTED LIVING FACILITY means a building that contains an establishment that provides around the clock supervision or assistance to individuals and offers the coordination of services by outside health care providers and monitoring of resident activities to help to ensure their health, safety, and well-being. Assistance may include the administration or supervision of medication or personal care services provided by a trained staff. A residential care facility is a separate use.”

B.8 On Pages 78 – 80, that all of section “6.1.1 CC (Central Commercial) Zone” is deleted and replaced with the following:

“6.1.1 CC-MU (Central Commercial – Mixed-Use) Zone

6.1.1.1 CC-MU Zone Permitted Uses

Any land, building, or structure may be used for the purpose of and for no other purpose than:

(a) One of the following main uses:

- i. Commercial parking lot in excess of 20 parking spaces, including reserved spaces for the mobility disabled



- ii. Mini dwelling
- iii. Multiple unit dwelling, 4 dwelling units or less
- iv. Personal service shop
- v. Public park
- vi. Row house dwelling, 4 dwelling units or less, subject to Section 4.1.49
- vii. Single unit dwelling
- viii. Two unit dwelling

(b) One of the following conditional uses:

- i. Assisted living facility
- ii. Automotive establishments listed below:
  - 1. Dealership – small
  - 2. Gas station
  - 3. Outdoor display court – small
  - 4. Rental
  - 5. Service – minor
  - 6. Storage
  - 7. Wash
- iii. Commercial parking lot in excess of 20 parking spaces, including reserved spaces for the mobility disabled
- iv. Drive-thru
- v. Funeral home
- vi. Hospital
- vii. Multiple unit dwelling, 5 dwelling units or more
- viii. Residential care facility, subject to Section 4.1.49
- ix. Row house dwelling, 5 – 6 dwelling units
- x. Transportation use

(c) One of the following main uses if equal to or less than 232m<sup>2</sup> (2500ft<sup>2</sup>) in gross floor area, or as conditional uses if in excess of 232m<sup>2</sup> (2500ft<sup>2</sup>):

- i. Commercial recreational facility
- ii. Daycare, commercial centre
- iii. Entertainment use
- iv. Governmental use
- v. Hotel/motel/inn
- vi. Institutional use
- vii. Licensed premises, in the form of a restaurant, entertainment use, or other associated use
- viii. Medical and health office
- ix. Office
- x. Restaurant without drive-thru
- xi. Retail store

xii. Veterinary clinic

(d) One or more of the following main uses if the combination of uses is equal to or less than 232m<sup>2</sup> (2500ft<sup>2</sup>) in gross floor area, or as conditional uses if in excess of 232m<sup>2</sup> (2500ft<sup>2</sup>):

- i. Commercial recreational facility
- ii. Daycare, commercial centre
- iii. Entertainment use
- iv. Governmental use
- v. Hotel/motel/inn
- vi. Institutional use
- vii. Licensed premises, in the form of a restaurant, entertainment use, or other associated use
- viii. Medical and health office
- ix. Multiple unit dwelling
- x. Office
- xi. Restaurant without drive-thru
- xii. Retail store

(e) Despite Sections 6.1.1.1 (c) and (d), re-developments with uses listed in (c) and (d) in excess of 232m<sup>2</sup> (2500ft<sup>2</sup>) in existing buildings are permitted as main uses and are not subject to review by the PRAC as conditional uses.

(f) One of the following secondary uses to a single unit dwelling:

- i. Accessory apartment subject to Section 4.1.36
- ii. Bed & breakfast / tourist home
- iii. Boarding or rooming house
- iv. Daycare, neighbourhood centre subject to Section 4.1.35
- v. Garden suite
- vi. Home occupation subject to Section 4.1.34

(g) One of the following secondary uses to a two unit dwelling or row house dwelling with two (2) dwelling units:

- i. Home occupation subject to Section 4.1.34

(h) Any accessory use building, structure, or use incidental to the main use of the land, building, or structure subject to Section 4.1.8, if such main use is permitted by this section.

#### 6.1.1.2 CC-MU Zone Lot Creation Standards

No person shall create a new lot in the CC-MU zone unless the following minimum requirements are met:

- (a) 23.0m of lot frontage
- (b) 30.0m of lot depth
- (c) 672m<sup>2</sup> of lot area

6.1.1.3 CC-MU Zone Lot Development Standards

No person shall develop any lot in the CC-MU zone for the above permitted uses unless the following standards are met:

- (a) A minimum building setback from the front lot line or any other street of 7.6m.

Uses	Min lot frontage	Min lot area	Min side yard	Min rear yard	Max lot coverage	Max height
<b>(b) Residential Uses</b>						
i. Single Unit Dwelling without Accessory Apartment, Mini Dwelling, Mobile Dwelling	23.0m	672m <sup>2</sup>	1.8m	6.1m	50%	8.5m
ii. Single Unit Dwelling with Accessory Apartment and Two Unit Dwelling	27.0m	1072m <sup>2</sup>	1.8m	6.1m	50%	8.5m
iii. Multiple Unit Dwelling	36.0m for the first 3 dwelling units and an additional 1.5m for each dwelling unit thereafter	1400m <sup>2</sup> for the first 3 dwelling units and an additional 100m <sup>2</sup> for each dwelling unit thereafter	1.8m	6.1m	50%	15.0m
iv. Row House Dwelling	All row house dwellings subject to Section 4.1.49.					
<b>(c) Vehicle Oriented Uses</b>						
vi. Automotive Establishment Uses	30.0m	1500m <sup>2</sup>	4.5m	7.6m	45%	12.5m
vii. Commercial Parking Lot	30.0m	1500m <sup>2</sup>	4.5m	7.6m	45%	12.5m
viii. Drive-Thru	30.0m	1500m <sup>2</sup>	4.5m	7.6m	45%	12.5m
ix. Transportation Use	30.0m	1500m <sup>2</sup>	4.5m	7.6m	45%	12.5m

(d) All Other Permitted Uses						
x. Other	30.0m	1200m <sup>2</sup>	1.8m	6.1m	50%	15.0m

”

B.8 On Pages 3, 19, and 24, that the term “churches” is deleted and replaced with “places of worship”.

B.9 On Pages 62 – 63, that all of section “4.1.34 Home Occupation” is deleted and replaced with the following:

“4.1.34 Home Business or Occupation

(a) Where permitted under this Plan, a home business or occupation shall be subject to the following requirements:

- (i) the floor area of the use that is devoted to it does not exceed 20 percent of the floor area of the dwelling unit (home occupation only, does not apply to home business);
  - (ii) the use is wholly contained within the dwelling, attached garage, or accessory building and is clearly minor and secondary to the residential use;
  - (iii) no change which would indicate that a home business or occupation is being conducted therein, except for one (1) non-illuminated fascia sign which shall not exceed 0.45m<sup>2</sup> (4.8ft<sup>2</sup>) in gross surface area;
  - (iv) no goods or services other than those directly pertaining to the home business or occupation are supplied or sold therein or therefrom;
  - (v) there shall be no external or outside storage of materials or containers to indicate that any part of the property is being used for any other use than residential (home occupation only, does not apply to home business);
  - (vi) there are no outside animal enclosures;
  - (vii) the home business or occupation shall not generate off-site electrical interference, dust, noise or smoke;
  - (viii) two off-street parking spaces are provided, in addition to the parking space requirements of the zone;
  - (ix) no home occupation or business shall be permitted where the lot is used for any other secondary or accessory use of the property;
  - (x) traffic generated by the home business or occupation shall be consistent with the residential character of the neighbourhood in which the operation is being conducted;
  - (xi) A maximum of one (1) commercial vehicle, not in excess of one (1) ton capacity, is permitted to park on the lot upon which the home business or occupation is being conducted (home occupation only, does not apply to home business);
- and

- (xii) the following are explicitly prohibited as home businesses or occupations in all zones
  - a. Adult entertainment establishments;
  - b. Automotive establishment uses;
  - c. Dispatch service;
  - d. Kennel;
  - e. Licensed premises;
  - f. Recycling depot;
  - g. Restaurant;
  - h. Retail store selling firearms or ammunition; and
  - i. Salvage yard.”

B.10 On Pages 63 – 64, that all of section “4.1.35 Neighbourhood Daycare Centre” is deleted and replaced with the following:

“4.1.35 Neighbourhood Daycare Centre

Where permitted, a Neighbourhood Daycare Centre is subject to the following:

- (i) The owner/operator of the Neighbourhood Daycare Centre must reside in the dwelling;
- (ii) Located on a local street which permits on-street parking;
- (iii) Require that signage comply with the residential sign regulations of this Plan;
- (iv) Comply with all Provincial regulations as stated in the Family Services Act and any amendments thereto; and
- (v) Neighbourhood Daycare Centre will be permitted where the lot or building is not used for any other secondary use or accessory use of the property.”

B.11 On Page 68, that immediately following section “4.1.47 Salvage or Waste Disposal Facility, Recycling Depot or Junkyard”, the following sections are added:

“4.1.48 Residential Care Facilities

Where permitted, a Residential Care Facility is subject to the following:

- (a) Signs, displays, or other external evidence indicating a residential care facility is being conducted on the property shall be limited to a total sign area of 0.4m<sup>2</sup>, and the residential look and character of the property shall be maintained;
- (b) A residential care facility is limited to a maximum of 232m<sup>2</sup> (2500ft<sup>2</sup>) in gross floor area; and
- (c) The property provides landscaped open space, screening, and parking to the satisfaction of the Development Officer.

4.1.49 Row House Dwellings

In any zone where a row house dwelling is permitted:

- (a) The building shall have a maximum height of 8.5m;
- (b) The building shall contain a maximum of six (6) dwelling units;
- (c) Despite the minimum side yard requirement, a side yard of 0m is permitted for the common side wall dividing each dwelling unit;
- (d) Despite the minimum lot size, a minimum lot size of 536m<sup>2</sup> is permitted for a row house dwelling containing two (2) dwelling units;
- (e) Despite the minimum lot size, a minimum lot size of 536m<sup>2</sup> per external lot / dwelling unit and 180m<sup>2</sup> per internal lot / dwelling unit is permitted for a row house dwelling containing three (3) or more dwelling units;
- (f) Despite the minimum frontage requirement, a minimum frontage of 13.5m per lot / dwelling unit is permitted for a row house dwelling containing two (2) dwelling units;
- (g) Despite the minimum frontage requirement, a minimum frontage of 13.5m per external lot / dwelling unit and 6.0m per internal lot / dwelling unit is permitted for a row house dwelling containing three (3) or more dwelling units; and
- (h) All row house dwellings must have separate connections for municipal or on-site services."

B.12 On Page 68, that "(iv) a home occupation" is deleted and replaced with: "(iv) a home occupation subject to Section 4.1.34".

That "(ii) A home occupation in conjunction with a permitted two unit dwelling; subject to the relevant provisions of 4.1.34" is deleted and replaced with the following:

"(ii) a home occupation in conjunction with a two unit dwelling or row house with two (2) dwelling units, subject to Section 4.1.34".

B. 13 On Page 69, that the following is added to the list of permitted "(c) Community Use":

"(vii) assembly hall", "(viii) funeral home" and "(ix) library".

That the term "a public or private school" is deleted and replaced with "an educational use".

That the term "a church or a church hall" is deleted and replaced with "a place of worship".

B.14 On Page 70, that the term "(iv) a home occupation" is deleted and replaced with "(iv) a home occupation subject to Section 4.1.34."

That "(ii) A home occupation in conjunction with a permitted two unit dwelling; subject to the relevant provisions of 4.1.34" is deleted and replaced with the following:

“(ii) A home occupation in conjunction with a two unit dwelling or row house with two (2) dwelling units, subject to Section 4.1.34”.

That the following is added to the list of permitted main uses under “(a)”:  
“row house dwelling with two (2) dwelling units”.

That the following is added to the list of permitted “(c) Community Use”:  
“(vii) an assembly hall”, “(viii) a funeral home”, and “(ix) a library”.

That the term “a public or a private school” is deleted and replaced with  
“an educational use”.

That the term “a church or a church hall” is deleted and replaced with “a  
place of worship”.

B.15 On Page 72, that the following is added to the list of permitted “(c) Community Use”:

“(vi) an assembly hall”.

That the term “a public or a private school” is deleted and replaced with  
“an educational use”.

That the term “a church or a church hall” is deleted and replaced with “a  
place of worship”.

B.16 On Page 75, that the term “a public or a private school” is deleted and replaced  
with “an educational use”.

That the term “a church or a church hall” is deleted and replaced with “a  
place of worship”.

B. 17 On Pages 80 – 81, that the following are deleted under the list of permitted main  
uses “(a)”:

“an automotive/vehicle repair outlet”, “an automobile/vehicle sales room  
and outdoor display court”, “a car wash”, “a gas bar”, “a service station”,  
and “a taxi stand / dispatch office”.

That the following is added to said category of permitted uses:  
“automotive establishment uses (all)”, “a commercial recreational facility”,  
“a dispatch service”, “a drive-thru”, “a parking lot – commercial”, “a row  
house dwelling”, “a licensed premises”, “a retail store”, “a transportation  
use”, and “a two unit dwelling”.

That the term “a hotel, motel or motor inn” is deleted and replaced with “a  
hotel/motel/inn”.

B.18 On Page 81, that the following is added to the list of permitted "(b) Community Use":

"(vii) an assembly hall", "(viii) an assisted living facility", "(ix) a funeral home", "(x) a hospital, and "(xi) a residential care facility".

B.19 On Page 83, that the following is deleted:

"an automotive body shop" and "an automotive repair outlet".

That the following is added under the list of permitted main uses "(a)":

"automotive establishment uses (all)", "a dispatch service", "a drive-thru", "a parking lot – commercial", and "a transportation use".

B.20 On Page 85, that the following is added under the list of permitted main uses "(a)":

"an assembly hall", "an assisted living facility", "a funeral home", "an institutional use", "a library", "a licensed premises", and "a residential care facility".

That the phrase "a church and other religious institutions including cemeteries or crematories or similar uses" is deleted and replaced with "places of worship".

That the term "a day care centre" is deleted and replaced with "a commercial daycare centre".

That the term "a government building and uses (federal, provincial and municipal)" is deleted and replaced with "a governmental use".

B.21 On Page 86, that "a licensed premises" is added under the list of permitted main uses "(a)".

B.22 On Page 88, that the following is added under the list of permitted "(b) Rural Use":

"an assembly hall", "a funeral home", "a library", "a licensed premises", "a parking lot – commercial", and "a residential care facility".

That the term "a government use" is deleted and replaced with "a governmental use".

That the term "an educational facility" is deleted and replaced with "an educational use".

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Section C: That Schedule "A" Zoning map of the Rural Plan By-law #57 is amended to rezone the properties shown as hatched on Schedule 'A' Map attached hereto and forming part of By-law #88, to "Central Commercial – Mixed Use (CC-MU)".



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Section D: That Schedule "A" Zoning map of the Rural Plan is amended to zone and/or rezone the following properties:

D.1 The following are reflected on map "By-law #88, Appendix A":

1. Redraw the Bartholomew River; associated lands are zoned Rural Area (RA) from no zoning.
2. PID 40284168: Zoning removed (no zoning) from Single Unit Dwelling (R-1) (northern portion) and Parks and Recreation (PR) (southern portion), because it is part of the street right of way (where Route 8 crosses the Bartholomew River).
3. PID 40034084: Zoned Single Unit Dwelling (R-1) from no zoning.
4. PID 40434334: Zoning removed (no zoning) from Rural Area (RA), because it is part of the street right of way (Isabelle Drive).
5. PID 40284044: Zoned Single Unit Dwelling (R-1) from no zoning.
6. PID 40034316: Zoned Parks and Recreation (PR) from no zoning, because of the existing monument.
7. PID 40518433: Zoned Industrial (IND) from no zoning.
8. PID 40518904: Zoning removed (no zoning) from Industrial (IND), because it is part of the street right of way (Howard Road).
9. PID 40059834: Zoned Rural Residential (RR) from no zoning.

The following are outside the extent of map "By-law #88, Appendix A":

10. PID 40037103: Zoned Rural Area (RA) from no zoning.
11. PID 40037327 (portions, corner of Campbell Road / South Cains River Road and Old Back Road): Zoned Rural Area (RA) from no zoning.
12. PIDs 40378523 and 40379026: Zoned Rural Area (RA) from no zoning.
13. PID 40035958: Zoned Rural Residential (RR) from no zoning.

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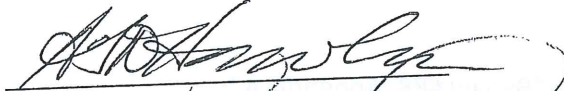
READ THE FIRST TIME BY TITLE: MARCH 30, 2015


READ THE SECOND TIME BY TITLE: MARCH 30, 2015

READ THE THIRD TIME IN ITS ENTIRETY AND ADOPTED by the Council of the Village of Blackville: (DATE) JUNE 1, 2015

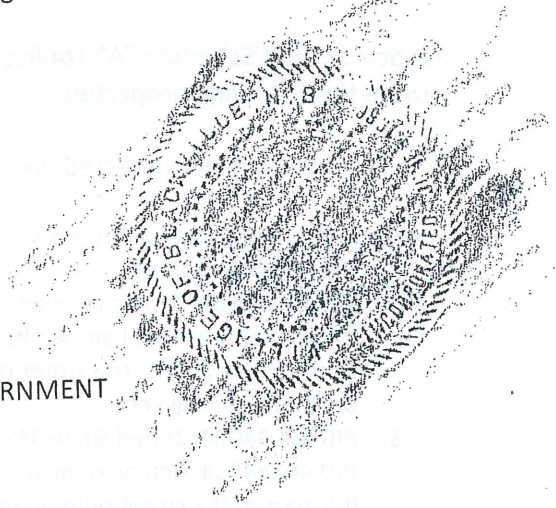
Approved by the Minister of Environment and Local Government:  
(DATE) \_\_\_\_\_

This By-law shall come into effect on date of filing with Service New Brunswick-Land Registry Office: (DATE) \_\_\_\_\_

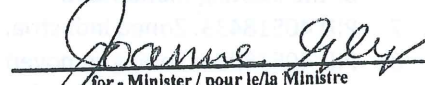
  
MAYOR ANDY HAWKES

  
KURT MARKS, CLERK

\_\_\_\_\_  
MINISTER OF ENVIRONMENT AND LOCAL GOVERNMENT



APPROVED                      APPROUVÉ  
pursuant to S. 69              En application de l'article 69  
Community Planning Act      loi sur l'urbanisme

  
for - Minister / pour le/la Ministre  
Environment and Local Government  
Environnement et Gouvernements locaux

June 18, 2015  
Date

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

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

JUL 07 2015  
date/date

11:51:14  
time/heure

35009225  
number/numéro

A. Clement  
Registrar-Conservateur