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DRAFT: Village of Doaktown Rural Plan

Revisions to November 2026

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Section A: Governance and Application

A.1. Title

The Village of Doaktown (henceforth referred to as the Village), under Section 33 of the *Community Planning Act*, hereby adopts the Village of Doaktown Rural Plan, By-law No. *** (henceforth referred to as the Plan).

A.2. Area Designation

As per Section 53(5) of the Act, the area of land situated within the limits of the Village shown on the attached Schedule A titled 'Village of Doaktown Rural Plan - Zoning Map' is designated for the purposes of this Plan and is the area to which this By-law applies.

A.3. Motion to Adopt

1st Reading _____
dd/mm/yy

2nd Reading _____
dd/mm/yy

3rd Reading _____
dd/mm/yy

_____ _____
Mayor Village Clerk

This By-law shall come into force and effect on the date of filing at the land registration office, in accordance with Section 112(1) of the Community Planning Act.

_____
dd/mm/yy

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A.4. Purpose and Contents of the Plan

The purpose of this Plan is to provide a framework for orderly development within the Village according to good land use planning principles. A formal review of the Plan shall be conducted at least once every ten (10) years.

The Plan is organized as follows:
Section B contains

1. **Policies** - which are general statements that indicate Council's intent with respect to various issues; and
2. **Proposals** - which are statements that outline specific measures that Council will take to satisfy or implement the policies.

Together, policies and proposals provide the framework for Council's decision-making concerning the management and development of land in the Village of Doaktown. As per Section 41 of the Act, while the adoption of a rural plan does not commit the Village or Province to carry out proposals, it does prevent the Village from undertaking development inconsistent with a proposal or policy in the plan.

Section C contains **Zoning Provisions** and **standards for development**, specifying the kinds of land uses that can be considered in each land use zone, and the standards that various types of development must meet in order to be approved. The zoning provisions and development standards are intended to implement the policies and proposals set out in Section B.

Schedule A includes the Zoning Map, which divides the Village into land use zones for the purpose of administering Section C.

Schedule B includes a Natural Resources Map that identifies the locations of resource lands and uses to be used when considering where and how a proposed development might affect these resource lands.

Schedule C includes an Environmental Overlay Zone Map that identifies lands that are at risk from flooding, significant wetlands, Wellfield Protected Areas, and other environmentally sensitive areas which are subject to additional conditions.

Schedule D: is the Fee Schedule for planning and development services, in accordance with Section 127 of the Act.

Schedule E is the Land Use Classification Table that is used to help interpret the range of permitted and conditional use classes outlined in Section C.

Schedule F: is the Development Waiver used when people chose to develop within areas identified in the environmental overlay zone (Schedule C).

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Section B: Land Use Goals, Policies and Proposals

B.1.Settlement and Growth

B.1.1. Overview

Under the 2022 Local Governance Reform, the province merged the former Village of Doaktown with a portion of the Blissfield Local Service District, increasing the land area from 29.09 km^2 to 12,950 km^2 growing the population from 808 to 1,250.

Situated on the Southwest Miramichi River, the Village of Doaktown is one of six entities that comprises the Greater Miramichi Region. The Plan Area of Doaktown is bounded on the west by the Rural Community of Upper Miramichi, to the east by the Rural Community of Miramichi River Valley and to the north and south by the Greater Miramichi Rural District.

The vision for land use over the next 20 years is to encourage development in the existing built-up areas of the Village while recognizing and protecting environmental assets and areas of public interest. The focus will be to strengthen the village centre by allowing a greater mix of commercial, residential, parks and civic uses. The village centre will be surrounded by residential neighbourhoods with access to parks and recreation opportunities. Beyond the central areas of the Village, natural resource and tourism uses will have priority in rural areas. Residential development in the form of low-density residential dwellings and camps will be accommodated in a manner that avoids potential land use conflicts.

B.1.2. Plan Objectives

The following objectives provide a path to achieve the vision for the future growth and development of the Village.

The objectives of the Plan are:

a. To protect the natural environment, which is critical to the health of residents, the unique rural character, and the local economy;
b. To support contiguous development and infrastructure so growth occurs in an orderly and economical fashion, consistent with community values;
c. To maintain control over the type and location of intensive commercial and industrial development to minimize potential land use conflicts;
d. To direct new commercial opportunities and residential development within the serviced areas of the Village where possible;
e. To protect the safety of drinking water supplies;
f. To ensure the Village remains rural in nature while allowing for suitable types and appropriate scale of development;
g. To provide guidance for adaption to climate change impacts such as extreme weather events, flooding and erosion; and
h. To support the use of resource lands as important economic drivers of the local and regional economy in a manner that maintains rural living and quality of life of residents.

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B.1.3. General Settlement Goal and Policies

Goal: To direct growth in a manner that ensures orderly development, efficient provision and use of municipal services, compatibility between land uses, and protection of the Village's natural features and resources.

It is a policy of Council to:

B.1.3(1) Direct commercial, retail, institutional uses, residential development including more compact residential forms, and mixed-use developments to the Village Centre.

B.1.3(2) Encourage the use of land for parks, community uses, and recreation, within the Village Centre.

B.1.3(3) Maximize municipal investments in piped water and sewer servicing by encouraging increased density of development within the Municipal Service Area Boundary as shown on the Zoning Map, and ensuring that, where water and sewer services are available, new development connects to the existing system. SP.1

B.1.3(4) Ensure that land is developed in a manner that is safe, accessible, and environmentally responsible by establishing appropriate standards in the zoning provisions.

B.1.3(5) Ensure that new development does not create unreasonable demands for municipal servicing or costs to the Village. Where water and/or sewer service is available, any new development that requires water and wastewater services must connect to it. Where services are unavailable, a well and septic system approved by the applicable authority shall be required. SP.1

B.1.3(6) Carefully manage development in areas that are not suitable, including areas with excessive slopes, areas adjacent to watercourses, wetlands, and river areas vulnerable to erosion and flooding. SP.4

B.1.3(7) Ensure that residential developments locate away from resource-based uses to limit potential conflicts related to noise, smell, and other environmental impacts.

B.1.3(8) Evaluate proposals for developments requiring a new public road based on the following criteria: impact on drinking water supplies, proximity to existing resource-based uses, proximity to available public services within the Village, drainage, road network connectivity, and other considerations as Council may determine.

B.1.3(11) Encourage infill development, re-development of existing lots, and conversion and re-use of existing buildings. SP.3

B.1.4 Proposals

It is a proposal of Council to:

B.1.4(1) Establish the following land use zones as indicated on the zoning map:

a) Village Centre (VC) zone - which shall permit a compatible mix of recreational, institutional, residential, light industrial, and commercial uses. SP.9
b) Residential (RES) zone – which shall accommodate multiple forms and densities of residential development. SP.2
c) Commercial/Industrial (CI) Zone - which shall be applied to intensive commercial and industrial business located outside the Village Centre.

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d) Rural (RU) zone - for natural resources activities and other compatible uses such as camps.
e) Flood Hazard (FH) zone – which shall be applied to the historical flood hazard area within the former Village boundaries.

B.1.4(2) Establish an Environmental Overlay Zone that identifies areas that require additional conditions in the review of development proposals. FH2, NR1

B.1.4(3) Encourage infilling and the reuse/repurposing of vacant or underutilized buildings, structures, and lots to accommodate development of an appropriate use and scale. SP.9

B.1.4(4) Identify and encourage the rehabilitation and development of brownfield sites to uses consistent with the zoning provisions set out in Section C of this Plan.

B.1.4(5) Prepare and implement a new bylaw to establish standards and requirements for the subdivision of lands for the purposes of development within the Village, including requirements for the shape and layout of lots, street accesses, water and sewer servicing, open space dedication, wildfire-resilient design considerations, and an assessment of groundwater supply where piped water services are not available.

B1.4(6) Work with regional partners to identify alternative forms of transportation, including rural rides and active transportation options. SP7

B.1.4(7) Work with other municipalities in the Greater Miramichi Region to address land use issues and opportunities of a regional nature.

B.2. Residential Uses

B.2.1. Overview

The Village of Doaktown contains a mixture of housing types varying from relatively new single dwelling units to older, large Victorian style homes. Typical of a small rural community, the Village's housing stock is comprised primarily of single dwelling units with a limited number of buildings with two or more dwelling units. Residential zoning under this Plan is applied to areas of the community that are characterized by predominantly residential land uses.

B.2.2. Goal and Policies

Goal: To ensure an adequate supply of adequate and affordable housing for residents and newcomers within the Village.

It is a policy of Council to:

B.2.2(1) Encourage more compact, mixed-use residential developments in the Village Centre, while maintaining the character and form of surrounding residential neighbourhoods.

B.2.2 (2) Ensure that development in the Village Centre contributes to sustainable development and walkable neighbourhoods. SP.2

B.2.2(3) Meet the needs of current and future residents by allowing them to age in place and stay in place through the provision of a range of housing forms and options, including rental and affordable housing, to be developed in the Village Centre and surrounding residential neighbourhoods. SP.2

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B.2.2(4) Encourage gentle density options such as accessory dwelling units, including the conversion of existing accessory buildings for compatible residential purposes, in all residential areas provided the proposed accessory dwelling unit can be accommodated by either public water and wastewater systems or on-site well and septic system.

B.2.2(5) Minimize potential for land use conflicts by directing future residential development away from incompatible land uses.

B.2.2(6) Require residential development in areas where there are no existing or planned public water and wastewater systems to be located on publicly maintained roads. SP6

B.2.2(7) Facilitate the construction of supportive and affordable housing in suitable locations within the Village Centre and established residential areas.

B.2.3. Proposals

It is a proposal of Council to:

B.2.3(1) Permit a greater choice in housing forms and tenures, including supportive and crisis housing, as well as mixed-use commercial and residential buildings, especially in the Village Centre. SP.2

B.2.3(2) Work in collaboration with provincial, federal, not for profit housing agencies, and housing cooperatives to facilitate development of affordable housing projects. SP.3

B.3.Commercial Uses

B.3.1. Overview

The local economy of the Village is a blend of agriculture, trades, service-oriented businesses, tourism, and public sector employment. Small, family-run businesses make up a significant portion of the economy, along with outfitting operations and tourism uses, including short-term rentals. Home-based businesses and remote work opportunities represent a growing segment of the local economy.

B.3.2. Goal and Policies

Goal: To increase and retain the number and type of retail, personal and general service, office and tourism uses within the Village that diversify and strengthen the local and regional economy.

It is a policy of Council to:

B.3.2(1) Strengthen the commercial service, tourism, and retail sector by concentrating new commercial development and expansion of existing businesses in the Village Centre.

B.3.2(2) Encourage a wide range of home occupations in association with residential uses subject to conditions that minimize the potential for conflicts with surrounding dwellings.

B.3.2(3) Prioritize commercial tourism accommodations in the Village Centre while permitting short-term rentals in all zones where low-density residential development is permitted.

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B.3.2(4) Direct commercial uses that require large areas and/or create noise, odour, dust or traffic to areas away from established residential neighbourhoods and ensure an appropriate design and buffering measures are applied.

B.3.2(5) Allow campgrounds and nature-based tourism uses as a conditional use identified in Section C.4.7.

B.3.2(6) Consider new intensive commercial uses through a rezoning subject to conditions identified in Section C.

B.3.2(7) Encourage the adaptive reuse of existing buildings and mixed-use redevelopment in the Village Centre to increase commercial vitality and expand housing options.

B.3.2(8) Promote linkages between commercial areas and nearby recreation, cultural, and tourism assets.

B.3.3. Proposals

It is a proposal of Council to:

B.3.3(1) Accommodate commercial uses that are traditional to a rural area, including resource-related uses, nature-based tourism uses, and light commercial uses in the Rural Zone.

B.3.3(2) When assessing variance applications related to commercial development, specific consideration shall be given to: scale and massing of buildings associated with the proposed use, location, parking, access, landscaping, buffering and separation between adjacent land uses.

B.4 Industrial Uses

B.4.1. Overview

Forestry and lumbering are important industrial drivers in the Village. Concentrations of some of these activities take place in the industrial area. Potential levels of contamination/remediation from previous uses and activities should be taken into consideration for future development and re-use, as per the province's contaminated sites program.

B.4.2. Goal and Policies

Goal: To encourage industrial development in appropriate locations within the Village by considering transportation requirements, environmental impact, neighbourhood character and compatibility with surrounding uses.

It is a policy of Council to:

B.4.2(1) Recognize and support existing and future industrial uses within the Village.

B.4.2(2) Ensure that new general and hazardous industrial uses that require large areas, include the use of heavy equipment, and/or processes that generate noise, dust, or odours are located away from concentrated residential areas.

B.4.2(3) Control the type and location of industrial developments within the Village by considering their potential impacts upon surrounding lands and land uses.

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B.4.3. Proposals

It is a proposal of Council to:

B.4.3(1) Require new industrial uses, intensive forestry operations and non-resource-related commercial uses located outside the Village Centre to be zoned Commercial/ Industrial.

B.4.3(2) Consider proposals for new industrial developments through a rezoning process as per Section B.15.

B.4.3(3) Include in the zoning provisions, landscaping, screening, and setback requirements for intensive commercial and industrial uses to prevent land use conflict and minimize impacts on the environment.

B.4.3(4) Monitor the need for additional land to accommodate industrial uses, and to identify lands that may be suitable for such uses.

B.5. Institutional Uses

B.5.1. Overview

Institutional uses which are found throughout the Village, include community uses such as places of worship, community centres, parks and cultural spaces as well as governmental uses such as offices, schools, and health or social service centres.

B.5.2. Goal and Policies

Goal: To maintain, improve, and promote new institutional uses in appropriate areas of the Village.

It is a policy of Council to:

B.5.2(1) Promote new government uses in the Village Centre to ensure efficient use of public infrastructure and services. SP5

B.5.2(2) Permit a wide-range of institutional uses as-of-right in all zones to support community well-being and efficient access to public services, with the exception of the RES zone.

B.5.2(3) Encourage the transition of institutional uses to other uses (adaptive reuse) with similar land use impact in appropriate areas.

B.5.2(4) Continue to permit existing institutional uses and encourage the establishment of additional community facilities and services to serve the wide range of cultural, religious, social, and educational needs of various age groups, socioeconomic statuses, and persons with disabilities throughout the Village, with the exception of the RES zone.

B.5.2(5) Promote institutional buildings that can also function as emergency shelters or community resilience centres during extreme weather events.

B.5.3. Proposals

It is a proposal of Council to:

B.5.3(1) Allow small-scale commercial uses as accessory and incidental to main institutional uses.

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B.5.3(2) Work with the Province of New Brunswick in identifying the appropriate locations for any new provincial government uses and buildings consistent with the policies of this Plan.

B.6. Recreational Facilities and Public Open Spaces

B.6.1. Overview

Open space, recreation, and public use areas play an important role in community fabric. They are important land uses that contribute personal, social, economic, and environmental benefits to individuals and the broader community. Where possible, Council should acquire river access strips and reserve as land for public purposes through subdivision dedication of land for public purposes, donation, or partnership with others.

B.6.2. Goal and Policies

Goal: To realize improved overall health and well-being of residents of Doaktown through the provision of quality recreational facilities, places, and open spaces.

It is a policy of Council to:

B.6.2(1) Support existing and future recreational facilities and public open spaces, including trails, that will meet the diverse needs of visitors and residents, including youth, seniors, and persons with disabilities.

B.6.2(2) Increase connectivity between recreational facilities, public open spaces, residential neighbourhoods and the Village Centre.

B.6.2(3) Encourage the development of active transportation assets like trails to connect segments of the community and with neighbouring municipalities. SP7

B.6.2(4) Permit recreational trails, parks and public open spaces in all zones.

B.6.3. Proposals

It is a proposal of Council to:

B.6.3(1) Work with developers to enhance the range of parks, interconnected recreational trails and open spaces while preserving significant natural features, particularly as new or existing areas are developed, redeveloped, or expanded.

B.6.3(2) Follow the Province's lead in the development of inclusive play environments for new playground facilities in the Village.

B.6.3(3) Acquire land for public purposes through the subdivision process in accordance with the Act, and other means such as purchase, easements, or lease agreements. Council shall require public land dedication when the subdivision process will result in the creation of two (2) or more lots on a new street. Cash-in-lieu of required public land dedication may be considered. In determining whether lands should be dedicated or accepted, Council will consider such factors as: impact on maintenance and property tax costs, existence of other nearby facilities, physical suitability for the intended purpose, potential for integration with existing recreational facilities and public open spaces; and compatibility with existing and proposed adjacent land uses.

B.6.3(4) Acquire access strips along the river and reserve as land for public purposes to support public recreational fishing activities.

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B.6.3(5) Collaborate with neighbouring communities and regional partners to strengthen trail linkages and coordinate promotion of outdoor recreation and tourism assets.

B.7. Rural and Resource Areas

B.7.1. Overview

Rural lands provide for rural resource uses such as agriculture, forestry and aggregate extraction. Where undisturbed, rural lands provide wildlife habitat and opportunities for passive recreation. The Village's rural area is a significant component of the local economy, culture, natural ecosystem and social fabric.

B.7.2. Goal and Policies

Goal: To be recognized as a Village that has economically robust rural resource, recreation and tourism sectors that contribute to the growth and development of a vibrant community.

It is a policy of Council to:

B.7.2(1) Support resource and agricultural uses as a priority in the community. These include, but are not limited to, activities related to forestry, agriculture, quarries, and other resource-based uses. NR2

B.7.2(2) Encourage the responsible development of natural resources to facilitate sustainable industries in a manner that protects natural habitats and minimizes deterioration of the natural environment. NR3

B.7.2(3) Recognize that development on Crown land is consistent with Section 129 of the Act.

B.7.2(4) Recognize the importance of the limited agricultural sector in the Village by ensuring that existing agricultural uses are permitted in their current location and new agricultural uses are encouraged to establish throughout the Village. AA1

B.7.2(5) Recognize that quarries that employ blasting, permanent asphalt plants, and landfills are intensive land uses with respect to heavy truck traffic, noise, and air and water quality and are not compatible with residential or conservation uses. As such, these uses shall be considered through a rezoning to Commercial/Industrial zone. NR2

B.7.3. Proposals

It is a proposal of Council to:

B.7.3(1) Establish a Natural Resources Map as Schedule B of this Plan, that identifies natural resource areas including agricultural lands, existing quarries, and Crown land, to be used as a guide to inform decision-making when developments are proposed on or adjacent to identified lands.

B.7.3(2) Work towards establishing Prime Agricultural Areas to be identified through a regional agricultural land base study in coordination with the Department of Agriculture, Aquaculture and Fisheries.

B.7.3(3) Minimize potential land use conflicts in rural areas by:

a) Considering minimum setbacks between resource uses and non-resource uses such as residential development. NR4

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b) Establishing the imposition of setbacks between new non-agricultural developments and existing agricultural operations. NR.4 AA3

B.8. Camp Uses

B.8.1. Overview

Camps are an important feature in the Village. Often located along the shore of the river, these recreational uses may be accessed by private roads or driveways. Camp clusters generally include multiple structures on a single property. Camps and camp clusters are intended to be intermittently used for seasonal and recreational purposes.

B.8.2. Goal and Policies

Goal: To permit camp and camp clusters within the Village while considering emergency access and their compatibility with existing and future land uses.

It is a policy of Council to:

B.8.2(1) Consider camps and camp clusters as recreational uses.

B.8.2(2) Permit individual camps outside of the Municipal Service Area Boundary where residential uses are permitted.

B.8.2(3) Permit camp clusters in the Rural zone only.

B.8.2(4) Discourage the expansion of a camp structure beyond 58.06 m^2 or conversion to a residential dwelling for year-round habitation unless a public road has been established as the primary access to the lot.

B.8.3. Proposals

It is a proposal of Council to:

B.8.3(1) Establish standards for the development of a camp or camp cluster in the zoning provisions.

B.9. Heritage Buildings/Structures and Historical/Archaeological Sites

B.9.1. Overview

The Village has a rich and diverse cultural history, intrinsically linked with the forestry industry and recreational fishery of the Southwest Miramichi River. Several heritage sites and buildings in the Village help celebrate this history.

B.9.2. Goal and Policies

Goal: To enhance community pride in culture and heritage through the preservation, rehabilitation, and reuse of heritage buildings and structures and protection of historical/archeological sites.

It is a policy of Council to:

B.9.2(1) Identify heritage buildings/structures and historical/archaeological sites within the Village.

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B.9.2(2) Increase public awareness of heritage buildings/structures and historical/ archaeological sites through cultural awareness and public communication and education.

B.9.2(3) Encourage the adaptive reuse of heritage and historical buildings to other uses with similar land use impact in appropriate areas.

B.9.3. Proposals

It is a proposal of Council to:

B.9.3(1) Update and maintain the inventory of heritage buildings and structures and historical/archaeological sites.

B.9.3(2) Register additional heritage buildings/structures and/or historical/archaeological sites with the New Brunswick Register of Historical Places.

B.9.3(3) Create a common plaque, artwork, or informational signage system for heritage buildings and structures and historical/archaeological sites, particularly when the heritage building or site is being redeveloped.

B.9.3(4) Preserve heritage buildings and structures and historical/archeological sites of significance through referring clients and property owners who wish to alter, remove, or relocate said features to the 'Standards and Guidelines for the Conservation of Historic Places in Canada' or edition/version subsequent thereto.

B.10. Conservation of the Physical Environment

B.10.1 Overview

The Village is rich in natural, physical environmental features including forests, wetlands, watercourses and their associated watersheds. The area also has an abundance of diverse flora and fauna. The Southwest Miramichi River is the predominant natural feature throughout the Village.

B.10.2. Goal and Policies

Goal: Realize healthy and abundant populations of fish, wildlife and plants through the protection and enhancement of sensitive natural areas and habitats, and a balanced approach to development.

It is a policy of Council to:

B.10.2(1) Direct high impact land uses away from sensitive physical environmental features and protected areas. NR3

B.10.2(2) Restrict land use and the development of buildings on wetlands, Environmentally Sensitive Areas (ESAs), and other lands that are particularly sensitive to flooding.NR3

B.10.2(3) Maintain and operate a sewage collection and treatment system in the Village to protect the environment and public health of residents.

B.10.3 Proposals

It is a proposal of Council to:

B.10.3(1) Impose setbacks from watercourse and wetlands based on the reference mapping available from the Province at the time of the application.

B.10.3(2) Permit development with reduced setbacks identified in B.10.3(1) only in consultation with provincial agencies and where the applicant receives a Watercourse and Wetland Alteration (WAWA) permit.

B.11. Protection of Water Supplies

B.11.1. Overview

For its drinking water, the Village relies on both private wells and 2 municipal wellfields. Water services extend approximately from civic address 84 Main Street to 595 Main Street, along South Road from Main Street to Grand Lake Road, and across the river to Storeytown Road, Hazelton Road, and their adjacent streets. The Village's sanitary sewer drains by gravity to a wastewater lagoon behind the Independent Grocer on Main Street where it is treated and discharged to the Southwest Miramichi River.

B.11.2. Goal and Policies

Goal: To promote a high standard of municipal services that are delivered in an efficient, affordable, and maintainable manner to the central area of the Village while also protecting water supplies in the unserviced areas.

It is a policy of Council to:

B.11.2(1) Preserve water quality and integrity of the local drinking water supply for the Village to ensure an adequate supply of potable water.

B.11.2 (2) Maintain the existing level of water, sanitary, and stormwater services with no intention to expand service delivery in the immediate future. Council may review this in the future if demand exists and resources are available.

B.11.2(3) Maintain water quality and flood protection by controlling development on lands adjacent to wetlands and watercourses subject to the *Clean Water Act*.

B.11.2(4) Encourage landowners to preserve, restore, and create new wetlands on their properties.

B.11.3. Proposals

It is a proposal of Council to:

B.10.3(1) Establish a Municipal Service Area Boundary on the Zoning map and that no new development of structures, uses or any subdivision shall be permitted without providing for the connection to and/or extension of the central water and sewer except where conditions would preclude such a connection.

B.11.3(2) Require an evaluation of municipal services by a qualified engineer to certify that municipal piped water and sewer systems have sufficient capacity to handle demands from proposed developments.

B.11.3(3) Require any costs resulting from the proposed expansion of existing piped water and sewer lines, and any other associated infrastructure upgrading requirements, be borne by the respective property owner or developer.

B.11.3(4) Require on-site water, stormwater, and approved septic services (where municipal sewer is unavailable) for new developments as part of the development application

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process; the associated capital and maintenance costs shall be borne by the developer and/or property owner.

B.11.3(5) Manage stormwater on site or, where available, to a municipal storm sewer or roadside ditch. Should more detailed requirements to address stormwater be deemed necessary by the Development Officer, a stormwater drainage plan may be required.

B.11.3(6) Protect the municipal wellfield by including it in the Environmental Overlay (EO) zone.

B.12. Climate Change Adaptation and Mitigation

B.12.1 Overview

The changing climate is having and will continue to have significant impacts on the Village over the coming decades. Increasing risk of extreme storms, rising temperatures, and changing precipitation patterns may lead to drought and increased fire risk, water quality issues, and infrastructure challenges (with increasing freeze-thaw cycles) all of which can increase the vulnerability of many residents.

B.12.2. Goal and Policies

Goal: To become a safe and resilient community that anticipates, adapts to and mitigates expected climate impacts.

It is a policy of Council to:

B.12.2(1) Recognize that impacts associated with climate change such as drought and flooding caused by spring melt and ice jams have occurred and will continue to present a significant risk to the Village.

B.12.2(2) Promote energy conservation and efficiency, improved air quality, climate change mitigation and adaptation through a range of actions. CC1

B.12.2(3) Identify areas which have historically flooded within the Village centre by establishing a Flood Hazard (FH) zone which restricts development in that area. FH.1

B.12.2(4) Identify areas at risk of future flooding based on the 1:100 storm in 2100 on the Environmental Overlay Map (Schedule C). FH1

B.12.2(5) Promote land use and development away from hazard areas to reduce the impacts associated with flooding and natural hazards. FH.3

B.12.2(6) Promote the adoption of best practices for existing developments adjacent to recognized hazard areas to reduce potential climate change impacts. FH.4 SP4

B.12.2(7) Encourage and support environmentally responsible development using green infrastructure and renewable energy where appropriate. SP8

B.12.2(8) Encourage the use of renewable energy sources including, but not limited to, wind and solar throughout the Village. The appropriate scale and placement shall be determined through general provisions contained within this plan. CC2

B.12.2(9) Consider approaches to reduce the risk of wildfires to property and life including establishing requirements in the subdivision bylaw to require two exits from any residential area, restricting new private roads in forested areas, increasing distances between structures, or requiring confirmation of water for fire suppression as part of rezoning considerations.

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B.12.2(10) Seek funding and technical assistance from federal and provincial programs that support climate change adaptation, mitigation, and resilience initiatives, including those related to flood mapping, green infrastructure, energy efficiency, and community preparedness.

B.12.3. Proposals

It is a proposal of Council to:

B.12.3(1) Use the Province's New Brunswick's Flood Hazard Maps through GeoNB to determine the flood elevation and extent of a 1:100 flood in 2100 in the Environmental Overlay zone. FH.1

B.12.3(2) Adopt adaptation and floodproofing standards for additions, reconstruction and alteration of existing buildings within the Environmental Overlay zone.

B.12.3(3) Recognize that the degree of flood protection required by this section is considered the minimum necessary and reasonable for regulatory purposes to address the risks associated with climate change. This section shall not imply that uses permitted within such areas, shall remain free from climate impacts. Where a development is approved, the applicant must supply a waiver acknowledging the risks associated with developing and building within this area and indemnifying the GMSC, employees, Village Council and agents from any possible damage that may result from development and construction within the Environmental overlay zone. This waiver shall be registered against the Property Identification in the Land Gazette. SP4

B.12.3(4) Share resources through FireSmart Canada for residents to protect personal property from wildfire. Council may require a wildfire risk assessment when considering proposals for development in the Rural zone.CC2 SP4

B.13. Accesses

B.13.1 Overview

Safe access to development is required to ensure orderly development and that municipal and emergency services can be provided.

B.13.2 Goal and Policy

Goal: To ensure that orderly development has safe access for the provision of local government and emergency services.

It is the policy of Council to:

B.13.2(1) Reduce environmental disturbances of environmental features while ensuring safe and appropriate access to development is provided.

B.13.2(2) Limit development of private accesses.

B.13.2(3) Restrict development using private accesses to resource uses, intensive resource extraction, camps and camp clusters, and non-building uses.

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B.13.2 Proposals

It is a proposal of Council to:

B.13.2(1) Establish a registry that identifies and records status of all private access that serve more than one developed property within the Village.

B.13.3(2) Encourage camps and cluster camps, where permitted, have safe access for emergency and service vehicles by meeting specific zoning provisions and the requirements of the National Building Code of Canada, addendums and regulations thereto.

B.14 Integrated Development Proposals

B.14.1 Overview

Sometimes particular development proposals are presented that cannot be predicted or managed under standard policy. Integrated developments generally propose multiple main buildings or uses on a single lot that require particular attention and additional considerations.

B.14.2 Goal and Policy

Goal: To ensure that creative development proposals are given due care and consideration.

It is a policy of Council to:

B.14.2(1) Consider an integrated development as a use that is subject to site-specific rezoning subject to Section 58 of the Act. Such consideration shall be based on whether the proposed integrated development is deemed beneficial to the community, that adequate public infrastructure is available, and that potential risks including, but not limited to health, safety, and the environment can be mitigated.

B.15. Amendments and Conditional Uses

B.15.1 Overview

From time to time, it may be necessary to consider amendments to the Plan to accommodate changes in the Village. In some cases, certain uses in the Plan shall be a particular purpose in respect of which the Committee may impose terms and conditions or prohibit the use where compliance with such terms and conditions cannot reasonably be expected.

B.15.2 Policy

It is a policy of Council to recognize the need to consider amendments to the Plan and uses subject to terms and conditions.

B.15.3 Proposal

It is the proposal of Council to:

B.15.3(1) Have appropriate regard for the following when considering amendments to this By-law and/or the imposition of terms and conditions:

a. that the proposal is in conformity with the intent of this Plan and with the requirements of all other bylaws;

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b. that controls are placed on the proposed development where necessary, to reduce conflict with any adjacent or nearby land uses by reason of:
    i. the type of use.
    ii. the height, bulk and lot coverage of any proposed building.
    iii. traffic generation, access to and from the site and parking.
    iv. site drainage.
    v. site servicing.
    vi. open storage.
    vii. signs; and
    viii. any other relevant matter of planning concern;
c. that the proposed site is suitable in terms of steepness or grades, soil and geological conditions, location of watercourses, marshes or bogs and susceptibility of flooding as well as any other pertinent matter of environmental concern;
d. for any proposal within the Service Area Boundary with municipal water and sewer, that there is adequate supply and capability of the central services to support the development;
e. that development of lands outside the Service Area Boundary are serviced by a provincially approved water and septic system as appropriate;
f. that the proposal meets all necessary consideration in respect of public health and safety and that the site design meets all fire protection and access considerations;
g. that the site has an access approved by the Province to a suitable road network.

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Section C: Zoning Provisions

C.1. Definitions

C.1.1. Undefined Terms

Where a term used is undefined, please refer to the following in order of precedence:

1. The Act;
2. Other New Brunswick legislation most relevant to the term in question;
3. The meaning which is commonly assigned to it in the context in which it is used in the Rural Plan; and
4. Black's Law Dictionary (current edition).

C.1.2. Defined Terms

a) Diagrams are for illustrative purposes only; where there may be a conflict between a diagram and an associated text definition, the text definition shall prevail.
b) Definitions:

Abattoir means any place where cattle, sheep, swine, poultry, or other animals are slaughtered for food and may include packing, treating, storing, and sale of the product on the premises.

Access means any public street or private access pursuant to the standards established in the Village's Subdivision bylaw.

Accessory dwelling unit means a dwelling unit which is secondary to the main dwelling unit, either contained within or attached to the main dwelling unit; or within or as a detached accessory structure or building (see Garden Suite).

Accessory building means a detached subordinate building that is located on the same lot as the main use to, and which is incidental and complementary to the main use.

Act means the *Community Planning Act*, *2017, c19*, including all its related regulations and amendments thereto.

Adapted development means a building or structure constructed in a way to reduce the potential impacts of climate change and sea level rise.

Agricultural use means:

a) the clearing, draining, irrigating or cultivation of land,
b) the raising of livestock as defined by the Livestock Operations Act and Regulation, as well as horses, alpacas, and llamas,
c) the raising of fur-bearing animals, excluding domestic pets,
d) the raising of bees,
e) the production of maple syrup,
f) the production of agricultural field crops,
g) the production of fruit and vegetables and other specialty horticultural crops,
h) the production of eggs and milk,
i) the operation of agricultural machinery and equipment, including irrigation pumps,

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j) the preparation of a farm product for distribution from the farm gate, including cleaning, grading, and packaging,
k) the on-farm processing of farm products, apportion of which the raw material has been produced on site, for the purpose of preparing farm products for wholesale or retail consumption,
l) the storage, use, treatment, or disposal of organic wastes for farm purposes,
m) the operation of pick-your-own farms, roadside stands, farm produce stands and farm tourist operations as part of a farm operation,
n) the application of fertilizers, conditioners, insecticides, pesticides, fungicides, and herbicides, including ground and aerial spraying, for agricultural purposes, and
o) any other agricultural activity or process prescribed by regulation.

Agricultural use, passive means agricultural activities that have limited impact on the land, such as perennial forage and pastureland, and require no structures and few inputs.

Alter means, in relation to a building or structure, to make any structural or other change that is not for purposes of maintenance only.

Backyard coop means the keeping of up to twelve (12) hens or ducks in a coop structure as accessory to a residential building(s) on the same lot. Male chickens (roosters) are prohibited. The slaughter of poultry kept pursuant to this by-law shall be permitted only within an enclosed accessory building, for personal consumption by the occupants of the property, and not for commercial sale.

Bed and Breakfast means a tourism use run by the owner who lives within the single unit dwelling wherein rooms are rented and meals may be served to overnight guests for commercial purposes.

Building means a type of structure, and is a building as defined in the Code.

Camp means a structure designed for overnight accommodation which may or may not provide separate culinary and sanitary facilities, having less than 58.06 square metres (625 square feet) that is exclusively intended for intermittent recreational use (may also be referred to as a cottage).

Camp cluster means a combination of camp structures on a single property for non-commercial use and may be owned and operated by a group or club.

Campground means an area of land, managed as a unit, providing short-term accommodation for four or more sites containing such things as travel trailers, cottages, yurts, tents, and other non-traditional accommodation structures often in combination with some shared facilities and recreation uses such as one or more of the following secondary uses: a convenience store, a laundromat, washroom facilities, an office for the campground, a daycare, a park or playground, a canteen, and cultural and recreation facilities, subject to the requirements of this by-law.

Cannabis means cannabis as defined by the Government of Canada, pursuant to the Cannabis Act, S.C. 2019, c.16.

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Childcare facility means an establishment in which early learning and childcare services are provided and operated in accordance with the Early Childhood Services Act.

Code means the National Building Code of Canada adopted by the Province at the time of a permit application and all its related By-laws.

Commercial tourist accommodation means for profit establishment of a building used for providing overnight accommodation to the travelling public which may or may not include the provision of meals.

Commercial use, intensive means commercial enterprises that are likely to create a significant impact on the surrounding land uses such as increased traffic congestion, size of building, outdoor storage, excessive noise, and lighting. Such uses include, but are not limited to, service stations, large-scale retail or office uses, vehicle repair shops, transportation centres, and vehicle and large equipment sales.

Commercial use, light means a commercial enterprise that is not likely to create a significant impact on the surrounding area but is purely commercial in nature (i.e., not associated with a residential use). Such uses include, but are not limited to: restaurants, retail, offices, service shops, and veterinarian clinics.

Commission means the Greater Miramichi Service Commission.

Common wall means a wall jointly owned and/or jointly used by two or more parties or an extension of such a wall which is erected on a line separating two parcels of land each of which is or is capable of being held in unity of ownership.

Community use means an institutional use of land, buildings or structures for a public or not-for-profit purpose, or community benefit such as civic, educational, political, religious, recreational, cultural, social, or other similar purposes (e.g., arena or auditorium, community centre, cultural establishment, educational use, governmental use, library, place of worship, or social organization.

Community service use means a type of institutional use of land, buildings or structures to support community operations and infrastructure such as public dock, salt sheds and equipment storage.

Connectivity means the network of streets, sidewalks, trails, and paths publicly accessible to vehicles, bicycles, and/or pedestrians.

Conservation use means an activity or area set apart for the purpose of the conservation or preservation of natural and/or cultural values.

Council means the Mayor and Councillors of the Village.

Crisis care facility means a type of institutional use that provides short-term accommodation to a person in crisis requiring immediate lodging and may involve 24-hour supervision and support service.

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Daylighting triangle means the triangular-shaped area of land formed by measuring from the point of intersection of street lines on a corner or through lot. The daylighting triangle 'Required Yard Setback', represented as A in the adjacent diagram, is 4.6m (15.1ft).

Development means development defined in the Act.

Development Officer means a Planning Director or a person appointed under the *Community Planning Act*.

Distribution centre means a building used for the storage, wholesaling and distribution of goods and materials.

Dwelling means a building, or part of a building containing one or more dwelling units, but not including commercial tourist accommodations or camps, or recreational vehicles designed for seasonal and non-permanent occupation.

Dwelling unit means one (1) or more habitable rooms designed, occupied, or intended for the exclusive use by one (1) or more persons as an independent and separate housekeeping unit in which a kitchen, sleeping, and sanitary facilities are provided.

Dwelling, single unit means a dwelling containing one dwelling unit, including mini homes.

Dwelling, two-unit means a building containing two (2) dwelling units on one (1) lot. The dwelling units may be separated horizontally or vertically.

Dwelling, apartment means a building containing three or more dwelling units that generally has shared outside access.

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 each having a separate entrance at grade. Dwelling units may be situated on individual lots.

Energy production, commercial means an energy source (solar, wind) developed for commercial purposes that is connected to the provincial power network in order to sell energy to NB Power or a third party.

Entertainment use means is a use that involves gatherings of the public in indoor or outdoor venues that is likely to create a significant impact on the surrounding land uses such as increased traffic congestion, excessive noise, and light pollution.

Environmentally sensitive areas refer to:

a) Provincially Significant Wetland, Designated Watershed Protected Area or Designated Wellfield Protected Area published on the GeoNB website or a watercourse or other wetland, and
b) Lands that are federally or provincially designated for environmental protection or conservation.

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Event venue means commercial use of a building, or part of a building, or land as a place of assembly by the public for special events such as weddings, performances, and cultural gatherings, but does not include sporting events.

Existing means a use legally in existence on the date of the passing of this Bylaw.

Forestry use means the general growing and harvesting of trees and, without limiting the generality of the foregoing, shall include the growing, and cutting of fuel wood, pulp, wood, lumber, Christmas trees and other products.

Forestry use, industrial means large-scale industrial harvesting and processing of timber products for export from the region. This use shall be considered an industrial use.

Funeral home means an institutional building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for cremation or the preparation of the body for internment.

Garden suite means a small, independent building, physically separate from the main dwelling unit with which it is associated, and used as an accessory dwelling unit.

Established grade means the lowest of the average levels of finished ground adjoining each exterior wall of a building.

Gross floor area means the aggregate of the floor areas of a building above and below grade, measured between the interior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building.

Habitable part means an area in a structure intended for living, sleeping, eating, or cooking. Maintenance or utility space, parking garages and similar areas are not considered habitable space.

Height means the vertical distance of a building, represented as the distance between points B and C in the adjacent diagram, between the average finished grade at the exterior walls and the highest point of the roof surface. Height does not include any accessory roof construction such as, but not limited to a chimney, steeple, or antenna.

Home business means a home occupation that takes place entirely within a dwelling.

Home industry means a home occupation that takes place in an accessory building.

Home occupation means an activity or business, including the manufacturing of goods and the provision of services and the sale of goods, carried out for gain and conducted as a secondary and incidental use of the property to a dwelling unit, carried out within a residence or accessory building, and is subject to the provisions of this By-law.

Industry, general means the use of land or buildings for the purpose of storing, assembling, altering, repairing, manufacturing, fabricating, packing, canning, preparing, breaking up, demolishing, or treating any article, commodity or substance.

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Industry, light means the use of land or buildings to a maximum of 1 hectare in area for purposes that does not involve the transformation of materials into new materials. Generally, this is a low-impact use that has minimal noise or waste such as bulk storage of goods, distribution centres, and warehousing.

Industry, hazardous means the use of land or buildings for the storage of or manufacturing processes using flammable or explosive materials, or potentially hazardous or commonly recognized offensive conditions.

Institutional use means the use of land, buildings or structures for a community or government uses funeral homes, childcare services, crisis care facilities, supportive housing, and community services.

Kennel means any premises where animals, excluding livestock, are kept, boarded, or bred as a commercial service.

Landscaping means a portion of a lot area which is not used for buildings, structures, parking spaces and driveways and which consists of grass, flower beds, shrubbery, other forms of natural landscaping, or a combination thereof.

Livestock means pigs, horses, cattle, poultry, sheep, goats, llamas, and any other animal prescribed by the *Livestock Operations Act*.

Livestock facilities mean a building used or intended to be used to confine or house livestock, or a confined non-grazing livestock area, and includes a structure or area used or intended to be used to store manure.

Lot means any parcel of land with a unique parcel Identification (PID) which is contained as a separate lot description in a title of land or as shown as a lot on an approved plan of subdivision filed in the registry office.

Lot area means the total horizontal area within the lot lines of a lot.

Lot, corner means a lot situated at the intersection of, and abutting on, two or more streets.

Lot coverage means the percentage of a lot's surface area occupied by main buildings and accessory buildings and structures.

Lot, flag means a lot with the majority of its area separated from the street by another lot or lots and gains access to the street by a narrow corridor of property.

Lot frontage means the horizontal distance between the side lot lines as measured along the front lot line.

Lot line means the boundary or exterior line of a lot.

Lot line, flankage means a side lot line, which abuts the street on a corner lot.

Lot line, front means the line dividing the lot from a street or other means of access, and:

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a. in the case of a corner lot, the shorter lot line abutting the street, or another access in the case of no street, shall be deemed the front lot line;
b. or in the case of a corner lot that has the same dimensions along the two streets (or other accesses) it abuts, the lot line where the building or structure has its principal entrance hall be the front lot line.

Lot line, rear means the lot line farthest from or opposite to the front lot line.

Lot line, side means any lot line which meets the end of a front and rear lot line.

Lot depth means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the mid-points of the front and rear lot lines, excluding the access corridor for a flag lot.

Main building means a building in which the main or principal use of the lot is conducted.

Minister means the Provincial Minister responsible for the *Community Planning Act*.

Office use means a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government, including but not limited to data processing and data storage operations, real estate, investment, architecture, legal, or business management.

Outdoor furnace means an outdoor solid-fuel-combustion appliance used as a heating source for a building or a series of buildings.

Outdoor storage means the storage of merchandise, goods, inventory, materials or equipment or other items which are not intended for immediate sale, by locating them on a lot exterior to a building.

Park means an area generally composed of open spaces, which may include a recreational area, a playground, a playing field, conservation uses, nature trail, or rest stop, or any similar use, but not including a campground.

Parking space, barrier-free means a rectangular space used for the parking of one (1) motor vehicle associated with person(s) with a physical or sensory disability with requirements as per the Barrier-Free Design Building Code Regulation.

Parking space, standard means a rectangular space measuring no less than 2.8m (9.2ft) by 5.8m (19.0ft) used for the parking of one (1) motor vehicle. This definition is also referred to as standard parking space throughout this Plan.

Passive uses mean those activities that require minimal permanent development, or changes to landscape.

Pet care services mean a use where domestic animals are washed and groomed and may include the ancillary sale of products related to the service provided, excluding exterior enclosures. Kennel is a separate use.

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Pit means a site of excavation for sand and gravel but does not include a quarry.

Plan means the Rural Plan for the Village of Doaktown.

PRAC means the Planning Review and Adjustment Committee appointed by the Board of the Greater Miramichi Service Commission which serves the Village of Doaktown.

Private access means a road right-of-way that provides access to a lot and has not been vested in either the Village or the Province.

Public road means a road owned and maintained by the Village or the Province of New Brunswick.

Quarry means a resource extraction operation that uses explosives to extract consolidated rock.

Reconstruction means the replacement of a building using an existing foundation.

Recreation use means a use, either privately or publicly held which is designed and equipped for the conduct of sports, leisure time activities and other customary recreational activities and may include, but not limited to, parks, trails, indoor or outdoor recreation facilities, camps, and hunting ranges together with necessary and accessory buildings and structures, but does not include commercial camping grounds nor a track for the racing of any form of motorized vehicles or any animals.

Recreation use, passive means a recreation area which has limited disturbance of the natural environment and has low impact recreation uses such as, but not limited to, trails, and scenic vistas, interpretation panels, play parks, sports fields, and open space which require minimal visitor facilities.

Residential care facility means a shelter, group care facility, or similar facility for 24-hour non-medical care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

Residential use means the use of a building or structure as a seasonal or permanent dwelling that is greater than 58.06m^2 (625ft^2) in area.

Resource extraction means any excavation of sand, gravel, clay, shale, limestone or other quarriable deposit for a development or for purposes for the sale or other commercial use of the material excavated.

Resource-related use means activities related to agriculture, forestry or fisheries uses, and may include biomass production for energy, processing, or commercial uses associated with resource production but does not include activities related to aggregate extraction.

Resource Use means any use involving the harvesting or storing of natural resource material including but not limited to agricultural, forestry, fishing and aggregate resources.

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Restaurant means a building where food and beverages (including alcohol), are offered for sale to the public for consumption at tables or counters either inside or outside the building on the lot. This includes take-out service of food and beverages for off- site consumption.

Retail use means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public at retail value and shall include minor food processing and packaging in connection with the sale of food products.

Salvage yard means a building, warehouse, yard or other premises eligible to be licensed by the Province of New Brunswick in which second hand, used, discarded or surplus metals, bottles or goods, unserviceable, discarded or junked motor vehicles, bodies, engines or other component parts of a motor vehicle, and articles of every description, is stored or kept pending resale or delivery to another person.

Screening means a spatial separation or setback between a defined use and a property line which may include open spaces, landscaped areas, hedges, trees, fences, walls, berms or any combination thereof used to visually and/or audibly separate areas or uses.

Secondary suite means a small dwelling unit physically attached to the main dwelling unit which used as an accessory dwelling unit.

Self-storage means a commercial building containing self-contained storage units for individual rent by the public.

Service shop means establishments such as salons, spas, shoe repair, the sale or repair of household articles, small motors, electronics, appliances, or pet grooming, or the like, but does not include light industrial uses or vehicle repair shops.

Service station means a building or part of a building used for the retail sale of lubricating oils and gasoline and may include the sale of automobile accessories and the servicing and general repairing of motorized vehicles and may include vehicle washing establishments.

Setback means the minimum horizontal distance between the site boundary and the nearest point of the foundation or exterior wall of the building, whichever is the lesser, or another part of the building if specified elsewhere in this Plan.

Short-term rental means the use of a residential dwelling, or one or more sleeping units or rooms within a dwelling for temporary overnight accommodation.

Sign means a device or structure used or capable of being used as a visual medium to attract attention to a specific subject matter for information or advertising as per the Highway Advertisement Regulation – *Highway Act*.

Small scale horticulture means a gardening operation which may or may not include a greenhouse structure and road-side sales.

Solid waste facility means a waste disposal site approved to operate by the province.

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Street line means the common boundary between a street and a lot.

Structure means anything that is erected, built, or constructed of parts joined together or any such erection, including but not limited to a fence, deck, dock, or monument.

Supportive housing means an establishment that provides housing with wrap-around services to individuals or family units. The services may include monitoring, counselling, teaching, life skills development and the use of common living spaces. The definition includes both minor and major supportive facilities licensed by provincial agencies.

Swimming pool means a tank or body of water, other than a natural body of water or stream, either above or below ground, which has a depth greater than 1 metre intended to be used for diving, swimming, or wading.

Tourism use means the commercial use of land to attract and serve people visiting an area for recreation and vacations, including overnight accommodations.

Travel trailer means a vehicle designed for temporary lodging or dining, built to be hitched and towed by a motor vehicle, and also includes motorhomes.

Use means the purpose for which any land, building or structure is utilized, occupied, maintained, or leased.

Use, accessory means a use which is naturally or customarily incidental and complementary to the main use of land, building or structure which is located on the same lot of the main use.

Use, conditional means a use of property, which is permitted within a zone subject to such terms and conditions as may be imposed by the PRAC pursuant to Section 53(3)(c) of the Act.

Use, main means the principal purpose for which a lot, building, or structure is being used.

Utility use means a public or private system, works, plant or equipment or services that are intended for the use of the general public, including but not limited to water, wastewater, storm drainage, natural gas line, treatment facilities, lift stations, pumping stations, power lines, telephone lines and cable lines. Commercial and non-commercial energy systems are separate uses.

Vehicle repair shop means an establishment used for the repair and service of motor vehicles, as well as the sale and installation of car parts and accessories.

Vehicle sales mean a licensed dealer providing for the sale of more than five vehicles on a single lot.

Vending facility means a readily moveable building or structure where produce or goods are offered or kept for sale, primarily on a seasonal basis, including but not limited to ice cream/food stands or garden centres.

Village means the Village of Doaktown.

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Warehouse means a building used primarily for the storage of goods and materials for a personal or commercial use.

Watercourse means watercourse as defined in the Clean Water Act, S.N.B. 1989, c. C-6.1.

Water-dependent use means uses or portions of a use that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operation.

Wetland means land that

a) either periodically or permanently, has a water table at, near or above the land's surface or that is saturated with water, and
b) sustains aquatic processes as indicated by the presence of hydric soils, hydrophytic vegetation and biological activities adapted to wet conditions.

Wholesale means buildings or structures in which commodities are offered for sale in bulk, primarily for resale or business use.

Wind turbine means a machine for producing power by a flow of air.

Wind turbine height means the height above grade to the tip of the rotor blade at its highest point.

Yard means that part of a lot required to be unoccupied by buildings or structures.

Yard, flankage means the side yard of a corner lot, which side yard abuts a street.

Yard, front means that part of the lot between the main building, structure or use and a front lot line, or that part of the lot from the front lot line and the minimum front yard setback requirement as established in this by-law.

Yard, rear means that part of the lot between the main building, structure or use and a rear lot line.

Yard, required means the minimum setback required for a front, flankage, side or rear yard as established in this By-law. Required yards are represented as dotted lines in the adjacent diagram.

Yard, side means the yard extending from the front yard to the rear yard on either side, between a side lot line and the nearest main wall of any building or structure.

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C.2 Administrative Provisions

C.2.1 Powers of the Planning Review and Adjustment Committee (PRAC)

C.2.1(1) Conditional Uses

a. Receipt of the application fee is required for the PRAC to consider conditional use approval relating to a development application.
b. Where conditional uses are permitted in this Plan, these uses shall be approved by the PRAC subject to such terms and conditions that may be imposed by the PRAC.
c. The PRAC may prohibit a conditional use if it is determined that the applicant cannot reasonably be expected to comply with the terms and conditions imposed.
d. After the Development Officer receives the information required to process an application, a development approval will not be issued until the PRAC has approved the conditional use and all conditions or requirements established by the PRAC or this Plan have been satisfied.

C.2.1(2) Similar or Compatible Uses

a. Receipt of the application fee is required for the PRAC to consider a similar or compatible use variance relating to a development application.
b. The PRAC may, subject to terms and conditions, permit a use that is 'similar to' or 'compatible with' uses that are permitted as-of-right in the respective zone in accordance with Section 55 (1) of the Act.
c. In assessing a similar or compatible use variance application, the PRAC shall determine if the use and any associated structures or buildings:
    i. Is desirable for the development of the property in accordance with the Act.
    ii. Is in accordance with the general intent of this Plan and the Act.
d. Additional considerations that shall guide a recommendation from the Development Officer are that the proposed development:
    i. Does not adversely affect traffic or parking patterns in the area, and
    ii. Is viewed as being compatible with the neighbourhood, as determined by assessing public input and any reports or advice from professional planning staff.

C.2.1(3) Non-Conforming Uses

a. Receipt of the application fee is required for the PRAC to consider a non-conforming use relating to a development application.
b. The PRAC may, subject to terms and conditions, permit the:
    i. Continuance of a non-conforming use that has discontinued for a period greater than ten (10) consecutive months, in accordance with Section 60 (2) of the Act;
    ii. Repair or restoration of a building or structure accommodating a non-conforming use that has been damaged greater than half of the whole building or structure, in accordance with Section 60 (2) of the Act;
    iii. Extension of a non-conforming use throughout a building, except where a portion of the building was constructed after the date the use became non-conforming, in conformance with Section 60 (3) of the Act; or
    iv. Change of a non-conforming use to a similar non-conforming use, in conformance with Section 60 (4) of the Act.

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C.2.1(4) PRAC Temporary Uses

a. Receipt of the application fee is required for the PRAC to consider a temporary use relating to a development application.
b. The PRAC, subject to terms and conditions:
    i. May authorize, for a temporary period not exceeding one (1) year, a development otherwise prohibited by this Plan, in accordance with Section 53 (2)(i) of the Act; and
    ii. May authorize, for an additional temporary period not exceeding one (1) year, a development otherwise prohibited by this Plan if: the applicant holds an authorization under Section C.2.1(4) a. that is to expire or has expired, an application with respect to the land has been made to amend this Plan, and the PRAC receives a resolution from Council confirming that they will consider said amendment ; and
    iii. Shall require the termination or removal of a development authorized under Section C.2.1(4) a. at the end of the authorized period.

C.2.1(5) Unsuitable Geography, Location, and Topography

The PRAC may prohibit the construction of any building or structure on any site where it would otherwise be permitted under this Plan when, in its opinion, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable for a proposed purpose by virtue of its geography or topography.

C.2.2 Powers of the Development Officer

C.2.2(1) Development Officer Variances

a. Upon receipt of the required fee, the Development Officer may, subject to terms and conditions that they consider fit, permit a reasonable variance from the zoning provisions of this Plan in accordance with Sections 55(2) of the Act.
b. Following the construction of a building or structure, the Development Officer may permit a dimensional variance for an encroachment on a setback or yard requirement that was deemed to have occurred in good faith, in accordance with Sections 53(7) and (8) of the Act.
c. If the PRAC has made a decision regarding an application, the Development Officer cannot use their powers to rule on the same application.
d. If the Development Officer makes a decision on an application request, the same application cannot be forwarded to the PRAC for a decision.

C.2.2(2) Applications Forwarded to the PRAC by the Development Officer

The Development Officer reserves the right to refer any application to the PRAC for a decision.

C.2.2(3) PRAC Rendered Decisions

The Development Officer shall not issue a development approval on any application reviewed by the PRAC until the PRAC has rendered a decision, and any conditions required by the PRAC or this Plan have been satisfied.

C.2.2(4) Confirmation of Zoning

a. Upon receipt of the applicable application fee, the Development Officer shall issue a written Confirmation of Zoning regarding the zone applied to the lot(s) requested.

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b. If requested by the applicant, the Development Officer shall also comment on whether or not proposed use(s) are permitted in the respective zone(s).

C.2.2(5) Zoning Compliance Letter

Upon receipt of the applicable application fee, the Development Officer shall issue a Zoning Compliance Letter regarding conformity of the existing use and associated existing development of the lot(s), with the current standards of the respective zone(s) of said lot(s).

C.2.2(6) Non-Conforming Use Letter

a. The Development Officer shall ensure that upon receipt of the applicable application fee, they shall issue a Non-Conforming Use Letter regarding the confirmation of non-conforming use rights of the lot(s) in accordance with Section 60 of the Act.
b. The burden of proof lies with the applicant in proving non-conforming use rights.

C.2.2(7) Complete Application

The Development Officer shall ensure that an application is complete by requiring that:

a. A request for Rural Plan amendment, variance, conditional use, or temporary use approval includes the required application fee,
b. Supporting documentation and any additional information deemed necessary to process the application or its review by the PRAC is included, and
c. Notwithstanding Sections C.2.2(7) a. and b., the Development Officer reserves the right not to proceed with any application deemed incomplete from the perspective that there is insufficient information provided to assess the overall land use impact from the proposed development.

C.2.2(8) Requirement for Additional Information or Study

Additional information and/or studies may be required by the Development Officer to evaluate the impact of the proposed development on:

a. Public infrastructure that may require upgrading of the street network or other required components of public infrastructure.
b. The health and well-being of residents in the immediate neighbourhood or further afield.
c. The capacity of municipal water and/or sewer services to handle the proposed development where the development is to be located within the Municipal Service Area Boundary.
d. The natural environment, which may include but is not limited to watercourses, wetlands, wildlife habitats, water bodies, and drinking water supplies.
e. If the information and/or studies required under Section C.2.2(8) a.- d. is not provided, the Development Officer reserves the right not to proceed with the application in accordance with Section C.2.2(7) c.

C.2.2(9) Enforcement

a. This Plan shall be enforced by the Development Officer or their designate, and such person(s) may enter on any land or building at any reasonable time for the purposes of administration or enforcement of this Plan.
b. If any development is undertaken in contravention of the provisions of the Act, this Plan, or any other by-law or regulation provided for in the Act, or terms and conditions pursuant thereto, the Development Officer is hereby authorized by Council to order:
    i. The cessation of the development,
    ii. The alteration of such development which would remove the contravention, or
    iii. The doing of anything required to restore the land, building, or structure to its condition immediately prior to the undertaking of such development.

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C.2.2(10) Development Officer - Temporary Uses

a. Upon receipt of the applicable application fee, the Development Officer shall consider a temporary use relating to a development application.
b. If delegated authority by the PRAC in accordance with Section 53 (2)(i) of the Act, The Development Officer, subject to terms and conditions:
    i. May authorize, for a temporary period not exceeding one (1) year, a development otherwise prohibited by this Plan; and
    ii. Shall require the termination or removal of a development authorized under Section C.2.2(10) a. at the end of the authorized period.

C.2.2(11) Utilities and Infrastructure

No building may be erected unless arrangements, to the satisfaction of the Development Officer, have been made for the supply of electrical power, water, storm water, septic, streets, or other services or facilities where applicable.

C.2.3. Powers of Council

C.2.3(1) Plan Amendment

Plan Amendment with Application

A person who seeks to have this Plan amended shall:

a. Submit a written and signed application.
b. Where the application involves rezoning an area of land from one (1) zone to another, include:
    i. A statement as to the ownership of the property that is the subject of the application; and
    ii. The signature of all owners of any lot contained or proposed in the application.
c. Include such information as may be required by the Development Officer for the purpose of adequately assessing the desirability of the proposal.
d. Pay the required fee where the applicant wishes to amend a previously approved Plan amendment which included terms and conditions. Council may return all or part of the fee to the applicant if the applicant chooses to withdraw their application prior to the public hearing.

Same or Similar Application

e. Unless Council is of the opinion that there is valid new evidence or change in conditions, where an application under this section has been refused, no further application may be considered for one (1) year if such application:
    i. In the case of rezoning, is proposing a similar type of development as the original rezoning application; or
    ii. Where not in relation to rezoning, is similar to the original application.

Plan Amendment by Council

Notwithstanding Section C.2.3(1) b.:

f. Council may initiate a Plan amendment without the signature of the owner(s) of the lot(s) of land involved in the rezoning, provided that the amendment obtains the support of the majority of Council.

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Council Decision for a Plan Amendment
Council shall determine whether to approve a Plan Amendment after consideration of the following:

a. Compatibility of the proposal with the surrounding area,
b. Adequacy of municipal services and/or private services,
c. Site characteristics, and
d. Compliance with the general intent of the Plan.

C.2.4 Fees

Application fees and administrative request fees are outlined in Schedule D.

C.3 Application and General Provisions

C.3.1 Measurements and Units

a. All numerical requirements in this Plan are provided in metric units of measurement.
b. Imperial units of measurement, where provided, are for user convenience only. Where a discrepancy between metric and imperial measurements occurs, the metric measurement shall prevail.
c. Metric place value equal to or greater than five (5) shall be rounded up to the nearest whole number. Metric place value less than five (5) shall be rounded down to the nearest whole number.
d. Despite the unit of metric measurement, all measurements shall be rounded to one (1) decimal place when applying the zoning provisions of this Plan (e.g. 2.24cm > 2.2cm and 2.25m > 2.3m).
e. When measuring a required distance between a lot line and a building or structure, or between two (2) buildings or structures, the measurement is made at the least distance between the two (2).
f. All measurements and distances must be made along horizontal planes and not by following the topography or slope of the land.

C.3.2 General Prohibitions

a. No land, building or structure may be used or occupied, and no building or structure may be placed, constructed, erected, moved, sited, altered or enlarged, and no subdivision may be approved, except in conformity with this Plan.
b. No building or structure may be placed, constructed, erected, moved, sited, altered or enlarged, and no subdivision may be approved, so as to cause any existing building or structure on the same lot to violate the provisions of this Plan.

C.3.3 Requirement of a Development Permit

a. No person shall undertake a development without a development permit, pursuant to Schedule D: Fees of this Plan.
b. No development permit shall be issued unless the proposed development conforms to all provisions of this Plan.
c. No development permit shall pertain to more than one (1) lot.

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d. A development permit shall be in force for a period of two (2) years from the date of issue. A development permit may be reissued upon request, subject to review by the Development Officer.
e. Despite C.3.3 (a), no development permit shall be required for the following:
    i. Signs
    ii. Fences
    iii. Flagpoles
    iv. Planter structures for flower, vegetable, or other similar garden for private use,
    v. Swimming pool designed to be temporary and portable
    vi. Internal renovation of a building with no change in use or change in intensity of use,
    vii. Swing set, slide, or other similar children's play structure designed for private use associated with a dwelling, and
    viii. Unless a building permit is required, the following in association with camps, or dwelling uses:
        a) Accessory building equal to or less than 28m^2 (300ft^2) in total floor area.

C.3.4 Existing Undersized Lots

Nothing in this Plan shall prevent the use of an undersized lot in existence on the effective date of this Plan, provided that the use of such lot is permitted in the zone in which said lot is located zoning provisions and all provincial regulations can be met.

C.3.5 Existing Buildings and Structures

Where a building or structure has been constructed on or before the effective date of this Plan, the building may be enlarged provided that:

a. The enlargement does not reduce any required yard or setback,
b. The enlargement does not encroach further on wetlands or watercourse setbacks, and
c. That all other provisions of this Plan are satisfied.

C.3.6 Main Buildings on a Lot

a. Unless specifically provided for in this Plan, one (1) main building and associated main use is permitted per lot.
b. The minimum separation between main buildings on the same lot shall be determined by the National Building Code.

C.3.7 Site Plan Requirements

An application for a development permit shall be accompanied by a site plan. The Development Officer may require all or some of the following to assess the nature and scale of the proposed development:

a. An appropriate scale (e.g. 1:100, 1:250, 1:300, 1:400, 1:500);
b. Metric units of measurement for all dimensions;
c. North arrow;
d. Shape and dimensions of the lot(s) to be used;
e. Size, shape, bulk, location, and use of existing buildings, equipment, structures, and utilities;
f. Distance from lot lines of buildings or structures proposed to be constructed, already constructed, or partly constructed, on the lot(s);

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g. Proposed locations and dimensions of any parking spaces, loading spaces, driveway accesses;
h. Locations of any fences, signs, or retaining walls;
i. Locations of any natural features including, but not limited to watercourses and wetlands, and the location of any existing or proposed buildings or structures in relation to natural features;
j. Details of lot dimensions and related street lines, including locational identifiers;
k. Locations, dimensions, and sizes including, but not limited to the number of units, height, and gross floor area of all proposed buildings and accessory buildings;
l. Dimensions of all yards;
m. Landscaping, including screening and other natural and artificial features, including easements, railway lines, power lines, culverts, drainage infrastructure, ditches, utilities, etc.;
n. Existing and proposed streets, private accesses, right of ways, or easements;
o. Where appropriate, provision for a drainage plan of the site;
p. Where appropriate, elevation and perspective drawings of any buildings or structures;
q. Where appropriate, pre- and post-elevation drawings of land where the proposed development will significantly alter existing topography; and
r. Any other information the Development Officer deems necessary to determine whether the proposed development conforms to the requirements of this Plan or other regulatory requirements.

C.3.8 Site Drainage

a. No person shall alter the land levels insofar as this may affect surface drainage, except where the resulting surface drainage is to be retained on the lot, or discharged into an existing ditch or other watercourse capable of carrying such additional water.
b. Attention shall be given to proper site surface drainage so that removal of surface water will not adversely affect neighbouring lot(s), streets, or other public infrastructure.
c. Storm water shall be removed from all roofs and paved areas and carried away in an efficient and approved manner.
d. A lot drainage and grading plan prepared by a licensed engineer may be required depending on the scale of the development or the potential for increased surface drainage.
e. Zero (0) net runoff of drainage water may be required for the development of extensive areas of impervious surface (e.g. paved areas or large new buildings).

C.3.9 Temporary Construction Uses

Nothing in this Plan shall prevent the use of land or the use or erection of a temporary building or structure, or the temporary storage of materials and equipment, which is accessory to construction in progress provided that all other permits required by federal, provincial, or municipal authorities are attained and that the above-noted is removed within 14 days of completion of the work.

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C.3.10 Accesses

C.3.10(1) Accesses on Public Roads

No person shall receive a development permit to erect or use a building or structure or use any lot regulated by this Plan unless the lot to be used, or the lot upon which the building or structure is situated or to be situated, abuts or fronts on a public road.

C.3.10(2) Accesses on Private Roads/Right-of-Ways

a. Notwithstanding C.3.10(1) a development permit may be issued for a building, structure or use on a lot that abuts a private road or Right-of-Way that has been approved by the PRAC provided that:
    i. The proposed use of the lot is intermittent, such as resource harvesting or camps for recreational purposes, but does not include a permanent year-round residential dwelling.
    ii. If the lot(s) is being developed for intermittent overnight accommodation, the minimum right-of-way shall be ten (10) metres. The access shall be designed to:
        (1) have clear width of not less than six metres.
        (2) have a centerline radius not less than twelve metres.
        (3) have an overhead clearance not less than five metres.
        (4) have a change in gradient not more than 1m in 12.5m over a minimum distance of fifteen metres.
        (5) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions.
        (6) have turnaround facilities for any dead-end portion of the access route more than ninety metres long.
        (7) be connected with a public thoroughfare.
    iii Prior to the issuance of the development permit, the developer shall provide confirmation that the private access has been designed and constructed to these standards which have been certified by a qualified engineer licensed to practice in the Province of New Brunswick.

b. Private accesses shall be located at least thirty metres from a watercourse unless a Watercourse Alteration Permit has been received from the Department of Environment and Local Government.
c. Access to a lot by Crown Reserve Road may be considered as suitable access provided the use of the road is approved by the Department of Natural Resources and Energy.

C.3.11 Street Line Setback

C.3.11(1) Prohibitions

a. No building, structure, or part thereof shall be permitted within 7.5 m of a street that is not arterial or collector highway;
b. Notwithstanding a., the setback from an arterial and collector highway shall be 15m except within the Service Area Boundary of the Village, where the setback shall be 7.5m.

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C.3.11(2) Exemptions

Despite Section C.3.11(1)a:

a. The following structures are exempt from street line setback, but must conform to Section C.3.17:
    i. Fences,
    ii. Special function tent, and
    iii. Structures associated with utilities, including utility distribution structures or buildings.

c. A reduced street line setback is permitted in the event that:
    i. Two (2) buildings on adjacent lots (on the same side of the street) are within 30.0m (98.4ft) of the location of the proposed building, wherein the average of the two (2) reduced street line setbacks of the existing buildings is taken; or
    ii. One (1) building on an adjacent lot (on the same side of the street) is within 30.0m (98.4ft) of the location of the proposed building, wherein the average of the reduced street line setback of the existing building and the required street line setback is taken.

C.3.12 Other By-laws, Permits, and Licenses

Nothing in this Plan shall relieve any person from the obligation to comply with the requirements of any By-law of the Village in force from time to time, or the obligation to obtain any license, permit, authority, or approval required under any By-law of the Village. In the event of conflict between this Plan and any other By-law, the more restrictive By-law shall prevail.

C.3.13 Height Regulations

The height regulations of this Plan shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, windmills, or solar collectors attached to a main building or structure, except where specifically regulated in this Plan or by other federal, provincial, or municipal requirements.

C.3.14 Uses Requiring the Disposal of Sewage

Where a proposed use requires the disposal of sewage, no development permit shall be issued unless sewage can be managed either by municipal sewer services (where applicable) or on-site sewerage facilities such as but not limited to a septic tank and disposal field and be approved by the applicable department of provincial government. Where piped municipal services are available to a proposed use within the Municipal Service Area boundary, connection to the municipal service shall be required.

C.3.15 Reduced Frontage on a Curve

Where the front lot line of any lot is a curved line, or when the side lot lines of a lot are not parallel, a minimum lot width which is equal to the minimum lot frontage required by this Plan shall be required in lieu of such minimum lot frontage. For the purposes of this section, such minimum lot width shall be measured along a horizontal line between the side lot lines, whose end points are defined by the intersection of said side lot lines with the minimum setback as required by the applicable provision of this Plan.

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C.3.16. Screening

C.3.16(1) General

a. Screening is required between commercial, industrial, or institutional developments that abut a residential use.
b. In establishing the screening requirement for a proposed development, the Development Officer shall consider the following:
    i. Nature of proposed use(s);
    ii. Nature of adjacent existing land use(s);
    iii. Proximity from adjacent existing buildings; and
    iv. Size and scale of proposed parking areas including any proposed lighting.
c. When storing refuse containers used for the collection or storage waste from a commercial or industrial use, such containers shall be positioned to have minimal visual impact from the road, be screened by fence or similar structure and shall not be placed in a front or flanking yard.

C.3.16(2) Materials

a. Plant materials characterized by dense growth that will form an effective year-round screen shall be planted, or a fence or wall shall be constructed to form the screen.
b. Screening may consist of both natural and man-made materials.
c. To the extent practical, existing trees and vegetation shall be retained and used to satisfy the provisions of this Section.

C.3.16(3) Dimensions

a. Pursuant to Section C.3.17, screening shall be at least 1.5m (4.9ft) in height.
b. Plant materials, when planted, may be less than 1m (3.3ft) in height if of a species or variety that shall normally attain the required height and width within three (3) years of planting.
c. No garbage shall be stored in any garbage storage area so as to exceed the height of the surrounding fence or screening.
d. Screening shall be in a landscaping strip of at least 1.5m (4.9ft) in width.

C.3.17 Daylighting Triangle

Except for a column of up to 0.2m (0.7ft) in diameter supporting an upper storey projection, a fence, sign, hedge, shrub, bush, tree, or any other structure or vegetation shall not be erected or permitted to grow to a height of 0.6m (2.0ft) or more in the daylighting triangle.

C.3.18 Minimum Parking Requirements

C.3.18(1) General

a. All required parking spaces shall be provided on the same lot as the proposed building(s) or structure(s).
b. The surface of any parking lot in excess of twenty (20) parking spaces, and driveway and internal aisles thereto, shall be adequately drained including the prevention of discharge of sediment to adjacent lots.

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c. In paved parking lots, each parking space must be painted, marked, or otherwise delineated.
d. Despite subsection a., off-site parking on a lot in the vicinity of the proposed development may be permitted to the satisfaction of the Development Officer, if there is a written agreement between both parties that provides sufficient detail regarding the off-site parking arrangement.
e. Appropriate structures for bicycle parking may be required for any apartment dwelling or commercial use.

C.3.18(2) Number of Parking Spaces

a. Where there is more than one (1) use on a lot or in a building, required parking is the sum of all parking required for each use.
b. If the calculation of the minimum number of parking spaces results in a fraction, the requirement shall be the next higher whole number.
c. One (1) space per dwelling unit is required for residential uses.
d. For institutional (community) uses, the following number of parking spaces is required:
    i. One (1) per four (4) persons of projected occupancy load for assembly halls
    ii. One (1) per four (4) beds, plus one (1) per two (2) employees on a maximum shift, in a residential care facility, assisted living facility or hospital,
f. For tourism accommodation uses, one (1) space per unit
g. For all other uses, the one (1) space per 38m^2 (409.0ft^2) of floor area.

C.3.18(3) Barrier-Free Parking

a. Barrier-free parking shall be in accordance with the Barrier-Free Design Building Code Regulation, 2021-3 of the Building Code Administration Act and any replacement, and where there is conflict between this Plan and the Regulation, the Regulation including amendments subsequent thereto shall prevail.

C.3.18(4) Variance from Minimum Number of Spaces Required

a. The Development Officer may consider varying from the minimum number of spaces required pursuant to Section C.2.2(8) when an applicant submits a technical study or detailed rationale that demonstrates that the number of required spaces for a development should be less than the minimum requirement of this Plan due to unique site, location, or use characteristics, and that the conclusions of the study or detailed rationale are found to be acceptable by the Development Officer. This provision applies to the minimum number of parking spaces required by this Plan, except for minimum requirements under the Barrier-Free Design Building Code Regulation, 2021-3 of the Building Code Administration Act; requirements under the Regulation cannot be varied.

C.3.19 Permitted Encroachments

Despite any provisions in this Plan, encroachments are permitted as follows:

a. Enclosed patios, fire escapes, walkways, wheelchair ramps, lifting devices, or steps may be located a maximum of 1.5m (4.9ft) into any required front or rear yard, and 0.9m (3.0ft) into any minimum side yard.

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b. There may be erected or maintained in any yard the usual projections of sill, cornices, eaves, gutters, chimneys, pilasters, canopies, or other architectural features, provided that no such structure or feature shall project more than 0.6m (2.0ft) into any required yard.
c. Window bays and solar collectors may be permitted to project not more than 0.9m (3.0ft) from the main wall into a required front, rear, or side yard.
d. Exterior staircases, steps, balconies, porches, verandas, and sundecks shall be permitted to project a maximum of 2.0m (6.6ft) into any required front or rear yard and 0.9m (3.0ft) into any required side yard provided that said structures do not extend closer than 1.0m (3.3ft) from the nearest lot line.
e. Pumps and islands for the distribution of automotive fuel shall be allowed to locate within any required yard to the satisfaction of the Development Officer.

C.3.20 Development Near Wetlands and Watercourses

a. Except as provided in Section C.3.10(2) b., no activities or development shall be conducted within 30 meters of a wetland or watercourse.
b. Activities or development within the required 30 meters may be permitted subject to a Watercourse and Wetland Alteration permit issued under the Clean Water Act and that the proposal meets zoning requirements.
c. If it can be demonstrated, through on-site verification conducted by a qualified professional trained in wetland and watercourse delineation, that the mapped location of a waterbody is inaccurate, development may be permitted, subject to compliance with all other zoning provisions for the applicable zone.

C.3.21 Wildfire Hazard Setbacks for Uses in the Rural Zone

a. A wildfire management plan may be required for proposed commercial, industrial, livestock operation, or tourism use, or any other use adjacent to a forested area that the Development Officer determines necessary in the Rural Zone. Where required, the wildfire management plan shall include:
    i) The location of on-site water source(s) to be provided and used for fire suppression;
    ii) Proximity to off-site water sources available for fire suppression, including local emergency service;
    iii) The setback of buildings and outdoor storage areas from adjacent forested land;
    iv) The adequacy of access to the site to accommodate emergency fire response vehicles.
b. For any new residential use, a cleared distance of 10m from residential building may be required to reduce the risk of wildfire damage as per recommendations of FireSmart Canada.

C.3.22 Infill Development

a. Use of vacant lots is permitted as infill development subject to requirements of the appropriate zone.
b. Use of vacant buildings and structures is permitted subject to requirements of the appropriate zone.

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C.3.23 Brownfield Sites

a. Demolition of derelict buildings shall be permitted subject to removal off all construction materials and building components, site work to leave bare land suitable for redevelopment, appropriate safety measures and site security.
b. Remediation of soil and groundwater is required as applicable.
c. Council may require an Environmental Impact Study to be completed to identify potential hazards and provide proposals for hazard mitigation.

C.4. Uses, Buildings, and Structures

C.4.1 Accessory Buildings and Uses

C.4.1(1) General

a. Where this Plan provides that any land may be used or a building may be erected, altered or used for any purpose, that purpose shall include accessory buildings or uses.
b. An accessory building shall be clearly incidental and accessory to the main use of the lot.
c. The total floor area of all accessory buildings on a lot shall not exceed 12% of the total lot area.
d. Lot Size:
    i. Where a lot is less than 4000m^2 (1 acre) in area, no accessory building shall be erected or placed closer than 1.5m (4.9ft) from any lot line;
    ii. Where a lot exceeds 4000m^2 (1 acre) in area, an accessory building shall not be erected or placed closer than 1.5m (4.9ft) from any lot line, or ½ building height, whichever is greater.
e. A shipping container is permitted to be used as an accessory building pursuant to this section, but is prohibited in the RES zone.

C.4.1(3) Prohibitions

No accessory building shall be:

a. placed in the required front yard.
b. erected or placed within 3.0m (9.8ft) of any building.
c. used for human habitation unless approved for conversion to an accessory dwelling unit in the form of a Garden Suite in accordance with section C 4.8(3).

C.4.2 Fences

a. Despite any other provision in this Plan, a fence may be erected or placed in a minimum yard or setback in any zone subject to the prohibitions listed under Section C.4.2 (b).
b. No fence shall:
    i. Be erected or placed in the site line triangle of a corner lot,
    ii. Exceed 2.0m (6.6ft) in height in the RES or VC zone,
    iii. Exceed 2.5m (8.2ft) in height in any other zone,
    iv. Be electrified or incorporate barbed or razor wire, or any other dangerous material in its construction in the RES zone.

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C.4.3. Signs

a. Signs in all zones in Village shall be designed and located in accordance with the Highway Advertisements Regulation - Highway Act.
b. No sign shall be permitted to be erected or displayed within, on or over any highway or street reservation, or be placed within the sight triangle at any intersection.
c. All signs must be located on the property where the person/activity /business being advertised is located unless otherwise permitted in these Regulations.
d. Signs in all zones must be maintained in good condition (e.g. no peeling paint, rotting wood, etc.) and not present a safety hazard in terms of structural stability.
e. Any sign which advertises a business which is no longer active or conducting business shall be deemed to be obsolete and such sign shall be removed by the owner or occupant of the property within sixty (90) days of the date of discontinuance of the business.

C.4.4. Swimming Pools and Enclosures

C.4.4 (1) Locating a Swimming Pool

A swimming pool is permitted in all zones, but shall not be located:

a. In the front or flankage yard of a lot in the RES or VC zones; or
b. Under any electrical service wires.

C.4.4(2) Enclosures for Swimming Pools

No land may be used for the purposes of a swimming pool unless the pool is completely enclosed by a fence, or by the wall of a building or structure, or by a combination of walls and fences, at least 1.5 metres in height.

C.4.5. Row House and Semi-Detached Dwellings

In any zone where a row house or semi-detached dwelling is permitted, and despite the side yard requirement of said zone, a side yard of 0.0m is permitted for the common wall dividing each dwelling unit.

C.4.6 Short-Term Rentals

Short-term rentals shall be permitted in any zone where low-density residential dwellings are permitted and shall meet the zone requirements for that residential use, with the exception of the RES zone.

C.4.7 Standards for Camps, Camp Clusters and Campgrounds

C.4.7(1) Camps and Camp Clusters

Where permitted, camps and camp clusters are subject to the following:

a. A site plan is required pursuant to Section C.3.7.
b. All buildings that do not have direct access to a street shall abut an internal private access roadway of not less than 6.0 m (19.7ft)in width which shall be constructed with a durable, clean surface and maintained in a condition to permit safe, unobstructed access by emergency and service motor vehicles, and otherwise to provide access to a street outside of the camp cluster.

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c. All internal roadways within a camp cluster that provide access to camp structures and other main buildings shall be regarded as fire routes.
d. Any camp and any building in a camp cluster shall be used for intermittent accommodation only, and such development shall not be converted into a permanent dwelling unit unless it meets the requirements of this Plan for a single unit dwelling in the respective zone.
e. The lot upon which a camp or a camp cluster is situated shall not be subdivided into one (1) or more distinct lots, unless the requirements of this Plan are met with respect to a single unit dwelling in the respective zone.
f. Because a camp cluster use is permitted as a conditional use in the Rural zone, any proposed development is subject to any conditions that the PRAC may impose, pursuant to Section C.2.1(1).

C.4.7(2) Campgrounds

New campgrounds and expansions to existing campgrounds may be permitted through a conditional use subject to terms and conditions which may include, but are not limited to:

a. Establishment of at least one access suitable to accommodate emergency vehicles;
b. Entrances and exits for vehicles are designed in such a way as to minimize any conflict between vehicles and pedestrians and to not interfere with traffic flow on roadways or pathways;
c. Establishment and maintenance of buffers, whether natural or artificial, between the development and adjacent properties;
d. Preservation of the natural state of the site by minimizing the removal of trees and disturbance of soil;
e. Meeting all the necessary requirements in terms of public health and safety, and the outdoor development meets all considerations related to fire protection and access; and
f. Provision of proof of Environmental Impact Assessment (EIA) approval or exemption, where required.

C.4.8. Accessory Dwelling Units

Any lot within a RES, VC, or RU zone may host an Accessory Dwelling Unit provided the following regulations are complied with:

C.4.8(1) Application for Accessory Dwelling Units

To the satisfaction of the Development Officer, an application for an accessory dwelling unit must include the following:

a. A site plan pursuant to Section C.3.7,
b. Servicing details for potable water and the disposal of sewage,
c. Provisions for lot grading and/or drainage pursuant to Section C.3.8, and
d. Provisions for access and parking for one (1) vehicle.

C.4.8(2) Secondary Suites

For the establishment of a secondary suite, it must:

a. Be attached to and wholly contained within the main dwelling and may not be connected to the dwelling by way of a breezeway or enclosed hallway,
b. Be limited to one (1) as a secondary use to residential dwelling use, and

c. Be limited to 40% of the total floor area of all storeys of the main dwelling.

C.4.8(3) Garden Suites

For the establishment of a garden suite, it:

a. Shall be limited to one (1) as a secondary use to residential dwelling use,
b. Shall be erected or placed no closer than the established street line setback or front yard of the existing main building, whichever is the greater,
c. Shall have a total maximum floor area of 75.0m^2 (807.3ft^2), and
d. May be established in an existing accessory building. In addition, a new or converted building containing a garden suite may include accessory uses such as a garage or storage.

C.4.9 Energy Production Systems

C.4.9(1) Non-Commercial Wind Turbines

Where a non-commercial wind turbine is permitted, the following provisions shall apply:

a. no wind turbine shall exceed a height of 12 meters,
b. no wind turbine shall be installed in the front yard,
c. no wind turbine shall be installed at a distance less than 1.5 times its height from a property line, and
d. a maximum of 1 personal wind turbine is permitted per lot for residential use.

C.4.9(2) Personal Solar Arrays

a. Solar panels shall be permitted in all zones.
b. Solar panels may not be placed within any required yard setback.

C.4.9(3) Commercial Energy Production

a. Commercial energy production developments shall be considered through a rezoning to commercial/industrial zone based on zoning provisions contained herein.
b. When a commercial wind turbine is a permitted use, turbines shall be set back a minimum of 550 meters from an existing dwelling.

C.4.10 Home Occupations

Any person may carry on or engage in a home occupation on a lot with an existing dwelling unit in which they reside provided the following regulations are complied with:

C.4.10(1) General

a. The home occupation shall not alter the residential character of the lot.
b. No structural alterations shall be made to the dwelling unit conducting the home occupation that would jeopardize future use of the building exclusively as a dwelling.
c. The home occupation may be conducted within the dwelling unit or accessory building(s).
d. Traffic generated by the home occupation shall be consistent with the residential character of the neighbourhood.

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e. No goods or services other than those directly pertaining to the home occupation shall be supplied or sold therein or therefrom.
f. The home occupation shall not generate off-site electrical interference, dust, noise, or smoke.
g. Any additional parking required for the home occupation must be accommodated on the lot upon which the enterprise is being conducted.
h. There shall be no external or outside storage of materials or containers to indicate that any part of the lot is being used for any other use than residential.

C.4.10(2) Home Business

a. The floor area of the building in which the home business is conducted shall not exceed 30% of the total floor area of the associated dwelling unit.

C.4.10(3) Home Industry

a. Up to 100% of the floor area of the accessory structure/building may be used for the home industry.
b. The storage and parking of vehicles related to the home industry must take place on the same property in which the home industry is located.

C.4.10(4) Home Occupation Use Prohibitions

a. The following are explicitly prohibited as a home occupation in all zones:
    i. Recycling depot,
    ii. Restaurant,
    iii. Retail store greater than 10m2 in floor area, or
    iv. Salvage yard.

C.4.11 Travel Trailers

a. Placement of travel trailers on a lot for the purpose of temporary accommodation and dining shall be permitted subject to the following provisions:
    i. a maximum of three trailers per vacant lot;
    ii. notwithstanding Section C.4.11 (a) i, the use of travel trailers for the purpose of temporary accommodation and dining within the service area boundary of the Village is prohibited.
    iii. a maximum of two trailers per lot occupied by a single-unit dwelling, camp or camp cluster in the Rural Zone,
    iv. numbers in excess of those identified in C.4.11 a. i. and iii. shall be considered a campground and must adhere to the provisions of Section C.4.7.
    v. a minimum setback of:
        a) 15m in the front yard or required flankage yard; and
        b) 3 meters from the side and rear property lines.
    vi. Screening of travel trailer(s) on a vacant lot is required along any arterial or collector route per Sections C.3.16(2) and C.3.16(3) but is not required along local roads.

b) The following shall be permitted in conjunction with a travel trailer:
    i. A fence.
    ii. One accessory structure with a maximum floor area of 16.7 square meters on a vacant lot.

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iii. Patios.

c) Prior to placing one or more travel trailers on the lot for use, the property owner shall obtain a development permit from the Development Officer, paying the applicable fee at the time of the request.
d) No travel trailer may be connected to the municipal water and/or sewer services within the VC and RES zone.
e) Any travel trailers placed for use on a vacant lot in the RU Zone must be connected to a wastewater system approved by the Province.
f) A travel trailer shall not be used as a permanent residence.
g) A maximum of three travel trailers or recreational vehicles may be parked on a property for the purposes of long-term storage, unrelated to their use for temporary accommodation and dining. Within the within the service area boundary of the Village, the maximum shall be one.

C.4.12 Outdoor Furnaces

C.4.12(1) Buffers

a. In addition to all other required yards and setbacks in this Plan, an outdoor furnace shall not be located closer than 15.0m (49.2ft) to any lot line or existing residential use.
b. An outdoor furnace shall not be located closer than 3.0m (9.8ft) to any tree or non-habitable structure.

C.4.12(2) Construction Requirements

a. An outdoor furnace shall be supported by a non-combustible base or foundation to adequately support the weight of the appliance.
b. Despite the manufacturer's installation instructions, the base or foundation shall extend a minimum of 0.3m (1.0ft) beyond the appliance on all sides.
c. The top of the chimney for an outdoor furnace shall have a minimum height of 5.0m (16.4ft) and shall be equipped with a spark arrestor and a rain cap.

C.4.13 Uses Permitted in All Zones

In addition to the permitted uses set out in Section C.6, the following uses shall be permitted in all zones:

a. Accessory uses and structures as per section C.4.1
b. Area of natural, scientific, or historic interest,
c. Interpretive centre,
d. Trails, parks or open spaces,
e. Emergency services, and
f. Public and private utilities.

C.4.14 Setbacks in Agricultural Areas

a. New non-agricultural uses located within or adjacent to agricultural areas as identified on Schedule B must be set back a minimum of 15m from the property line from an existing agricultural use.

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b. New livestock facilities:
    i. Must receive a site plan determination or exemption from the provincial Registrar of Livestock Operations prior to issuance of a development permit.
    ii. Those operations that are determined to be exempt from the *Livestock Operations Act* shall be set back no less than 20m from any lot line.

C.4.15 Pits and Quarries

a. All pits and quarries require a site plan.
b. Site plans must meet the following standards:
    i. No extraction shall be undertaken:
        a) Within 30 metres of any hydrographic source;
        b) Below the groundwater table;
    ii. The extraction site shall be of a minimum distance of 30 metres from the property limits, 100 metres from the street, and 150 metres from any existing dwelling;
    iii. The operator shall keep the access routes and streets free of dust while transporting the materials;
    iv. The main entrances to the site shall have a barrier to control access to the site;
    v. For public safety, signs shall be placed at each entrance (main entrance, secondary entrance, tracks and/or trails, etc.) bearing the word "Danger", the nature of the operation and a no trespassing;
    vi. Fencing may be required around part, or all of the site or pit extraction area;
    vii. The operation shall maintain safety slopes at 35% or less, unless it is demonstrated that the ground can be stabilized in such a way as to prevent landslides and erosion; and
    viii. All surface water shall either be contained within the site limits or pass through a sedimentation basin before running outside site limits.
c. Quarries employing blasting must provide an Approval to Operate issued by the Province prior to issuance of a Development permit.

C.4.16 Vehicle Bodies

No motor vehicle, commercial vehicle, truck tractor, trailer, road building machine, farm tractor, other heavy equipment, or any vehicle drawn, propelled, or driven by any kind of power shall, whether operational or not:

a. Constitute a dwelling unit; or
b. Be used as a building for storage.

C.4.17 Commercial Vehicles in Residential Zones

In the RES zone, only one (1) commercial vehicle may be parked on a lot appropriated for the dwelling wherein the operator of the vehicle resides, provided the vehicle does not contain cargo including hazardous or flammable materials and has a current and valid licence plate attached thereto.

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C.5. Interpretation of Zones

C.5.1 Zoning Map

a. The Zoning Map is attached hereto as Schedule A of this Plan. The Zoning Map divides the Village into land use zones for which the regulatory provisions of Section C apply.
b. The zones on the Zoning Map in Schedule A are classified and referred to as follows:

Land Use Zone	Symbol
Residential	RES
Village Centre	VC
Commercial /Industrial	CI
Rural	RU
Flood Hazard Zone	FH
Environmental Overlay	EO

C.5.2 Zone Boundaries

C.5.2(1) General

Where the zone boundary is uncertain, the boundary shown on the Zoning Map:

a. That follows a street, railway right-of-way, trail, walkway, or easement is the zone boundary,
b. That follows a shoreline of a river or other watercourse, the mean highwater mark is the zone boundary; or
c. Is the lot line shown on the registered plan of subdivision and/or Service New Brunswick property maps.

C.5.3 Multiple Zones on One Lot

Where a lot falls within two (2) or more zones, the provisions of each zone shall apply to each applicable portion of the lot as if each zoned portion is a separate lot.

C.5.4 Multiple Uses on One Lot

Where a lot contains more than one (1) permitted main use, each use shall conform to the applicable provisions of this Plan.

C.5.5 Permitted and Prohibited Uses in Zones

a. No land, building, or structure may be used for a use that is not specifically listed under the 'Permitted Uses' heading in the zone that the land, building, or structure is located.
b. No building or structure may be placed, constructed, erected, moved, sited, altered, or enlarged for any use other than a specifically permitted use in that zone.
c. Classification of Uses (Schedule E) is intended to assist in the interpretation of the types of permitted uses within each respective zone in Section C.6 of this Rural Plan. When a zone lists a main group of uses (i.e. Residential Uses) as a permitted use, it includes all use classes, and specific uses listed as examples. Similarly, when a zone lists a specific class of uses as a permitted use, it includes specific examples as being permitted. The list of examples is not intended to preclude other similar uses that the Development Officer interprets to be within the same class of use.

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C.5.6 Lot Creation Standards

a. Every new lot must abut a publicly maintained road except when otherwise permitted in accordance with section C.3.10 or associated with resources uses, camps, and non-building uses.
b. Every new lot created must meet the minimum lot area, frontage, and depth standards outlined in the table under the 'Lot Creation Standards' heading for each respective zone.
c. If no zone standards are present in a respective zone, it means that no standard applies.
d. A proposed lot that contains more than one zone must meet the most stringent lot creation standards of all said zones.

C.5.7 Development Standards

No main building or structure may be placed, erected, or altered to become one (1) of the permitted main uses on a lot, except in accordance with the criteria set out in the Lot Standards tables in Section C.6 for each respective zone.

C.6. Minimum Standards by Zone

C.6.A Lot Creation Standards

Zone	Area	Depth	Frontage
	Minimum Lot Dimensions for Serviced Lots		
RES, VC	1350m^2 (0.33 acre)	30m (98.4ft)	23m (75.5ft)
	Minimum Lot Dimensions for Lots without public sewer:		
RU, RES	4000m^2 (1 acre)	38m (124.7ft)	54m (177.2ft)
	Minimum Lot Dimensions for Commercial/Industrial developments		
C/I	4000m^2 (1 acre)	38m (124.7ft)	54m (177.2ft)

C.6.B Lot Development Standards

Zone	Front Yard	Rear Yard	Side Yard
RES	3.0m	7.6m	3.0m
VC	1.8m	3.6m	1.8m
CI	15.0m	15.0m	15.0m
RU	7.5 m	6.1m	6.1m
Zone	Height	Lot Coverage (total of all buildings and structures)	
RES	8.5m	50%	
VC	17m	50%	
CI	15m	50%	
RU	17m	30%	

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C.6.1 Residential (RES) – Permitted Uses

I. Main – only one (1) main use in one (1) main building per lot:	II. Conditional:	III. Accessory:
Residential Uses a. Single detached dwelling b. Mobile or mini-home c. Manufactured home d. Modular home Recreation Uses b) Outdoor recreation a) Recreation passive b) Camp (only if located outside of the Service Area boundary) Non-building Use c) Conservation Agriculture g) Existing operations	Residential Uses a) Apartment dwelling b) Row / Cluster dwelling c) Boarding house d) Semi-detached dwelling e) Duplex Institutional Uses b) Community uses c) Community services d) Supportive Housing e) Crisis Care Facility Agricultural Uses f) Hobby farm	Residential Uses a) Accessory dwelling unit Agriculture Use b) Backyard coop c) Small scale horticulture Accessory Structures

C.6.2 Village Centre (VC) – Permitted Uses

C.6.2(1) Permitted Uses

I. Main – one (1) or more of the following main uses and main buildings per lot:	II. Conditional:
Residential Uses a) All Institutional Uses b) All Commercial Uses c) Light commercial d) Farm market, greenhouses, produce stands Recreation Uses e) All Tourism Uses f) Commercial tourist accommodations Non-Building Uses f) Conservation Agricultural Uses g) Existing operations	Commercial Uses a) Intensive b) Animal-related Industrial Uses a) Light industry Entertainment Uses d) All Tourism Uses e) Campground f) Nature-based Agricultural Uses g) New agricultural uses except a backyard coop III. Accessory Uses: a) Backyard coop b) Accessory dwelling unit c) Accessory structure

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C.6.2(2) Additional Requirements for Landscaping Strip

In the VC zone:

a. A minimum landscaping strip of 1.5m (4.9ft) shall be provided and maintained along all lot lines provided that such landscaping may be interrupted by driveways. This provision applies to all new building developments including a conversion of uses within an existing building, except where a development permit is not required pursuant to Section C.3.3.
b. Landscaping shall be completed no later than one (1) year from the date of issuance of the development permit for the main building located thereon.
c. No buildings or required parking shall be located in any required landscaping area.

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C.6.3 Commercial/Industrial (CI) – Permitted Uses

I. Main – one (1) or more of the following main uses and main buildings per lot:	II. Conditional:
Commercial Uses a) All Tourism Uses b) All Entertainment Uses c) All Institutional Uses d) All Industrial Uses e) General Industry f) Light Industry Recreation Uses g) All Non-building Uses h) Transportation	Residential Uses a) All Non-building Uses b) Wind Energy System - Commercial c) Commercial solar III. Accessory Uses a) Accessory structure

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C.6.4 Rural (RU) – Permitted Uses

I. One of the following residential uses per lot:

a) Low density residential use

II. And/or one or more of the following main uses:

Agriculture Uses

e) All

Resource Uses

f) Forestry

Commercial Uses

g) Light commercial
h) Resource-related
i) Animal-related

Institutional Uses

j) Childcare services
k) Community Services
l) Funeral home
m) Community uses
n) Crisis Care facility
o) Supportive housing

Industrial Uses

p) Light industry

Recreation Uses

q) Camps
r) Outdoor recreation
s) Passive recreation

Tourism Uses

t) Nature-based
u) Bed and Breakfasts

Non-building Uses

v) Conservation

III. Conditional:

Recreational uses

a) Camp clusters

Resource Uses

a) Resource extraction

Entertainment Uses

b) Event venues
c) Outdoor entertainment

Tourism Uses

d) Campground

Non-building Uses

e) Transportation

IV. Accessory:

a) Accessory dwelling unit
b) Accessory structure

C.6.5 Flood Hazard (FH) – Permitted Uses

I. Main – one (1) or more of the following main uses and main buildings per lot:	III. Conditional:
Non-building Uses a) Conservation uses Recreation Use b) Passive recreation uses II. Accessory Uses a) Accessory structure	Non-building Uses a) Transportation b) Wind Energy System – Commercial

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C.6.6 Environmental Overlay (EO)

C.6.6(1) Permitted Uses

a. No person shall within a EO zone use any land or erect, alter, or use any building or part thereof for any purposes other than permitted uses in the underlying zone.
b. Permitted uses may be subject to the Clean Water Act and any regulation thereunder, including the Watershed Protected Area Designation, the Wellfield Protected Area Designation, and the Watercourse and Wetland Alteration Regulations.
c. Lands identified as being within a watercourse or wetland or the 30m buffer are subject to the provisions of Section 3.20 of this By-law.

C.6.5(2) Minimum Requirements

a. Minimum lot size and setbacks must adhere to those required in the underlying zone or those required under the various regulations of the Clean Water Act, whichever is greater.

C.6.6(3) Additional Development Standards in a Flood Risk Area

Within the Flood Risk Area (FRA), no person shall use any land or erect, alter, or use any building or part thereof except in accordance with the following regulations:

a. In the case of a new main building, a minimum floor elevation greater than the known minimum flood extent as depicted by a licensed surveyor based on the 2100 Flood risk with climate change for a 1:100-year event, established by the Province of New Brunswick.
b. A development or building permit application shall include:
    i. A site plan and elevation drawings demonstrating the elevation of habitable space in the proposed building.
    ii. A plan and drawings that demonstrate the flood proofing of all electrical, mechanical, and plumbing systems, by design, for the area below the required elevation.
    iii. A drainage plan, if the adaptation measures result in more than 1 metre of fill (in elevation) for properties less than 4,000 square metres (1 acre).
    iv. A site plan demonstrating that access to the property and dwelling unit is at an elevation that does not impact access to the property or dwelling unit during a flood event.
c. Other terms and conditions to mitigate the impact of flooding to life and structures as deemed appropriate by the Development Officer.
d. In the case of an existing building, the building may undergo reconstruction, renovation, repair, relocation or replacement provided:
    i. It does not reduce the elevation of the existing building;
    ii. Expansions to an existing building must be developed furthest from the risk area;
    iii. A non-adapted expansion or modification is limited to one per main building.
    iv. The Development Officer may impose additional terms and conditions to mitigate the impact of flooding to life and structures as deemed appropriate by the Development Officer.
e. This section does not apply to accessory buildings or structures, open space uses, water dependent uses or temporary uses permitted by this bylaw. Accessory buildings and structures are subject to section C.4.1
f. Permitted uses in the underlying zone apply with exception of the following:
    i. Hospitals and supportive housing facilities where flooding could pose a significant threat to the safety of residents if evacuation becomes necessary; and

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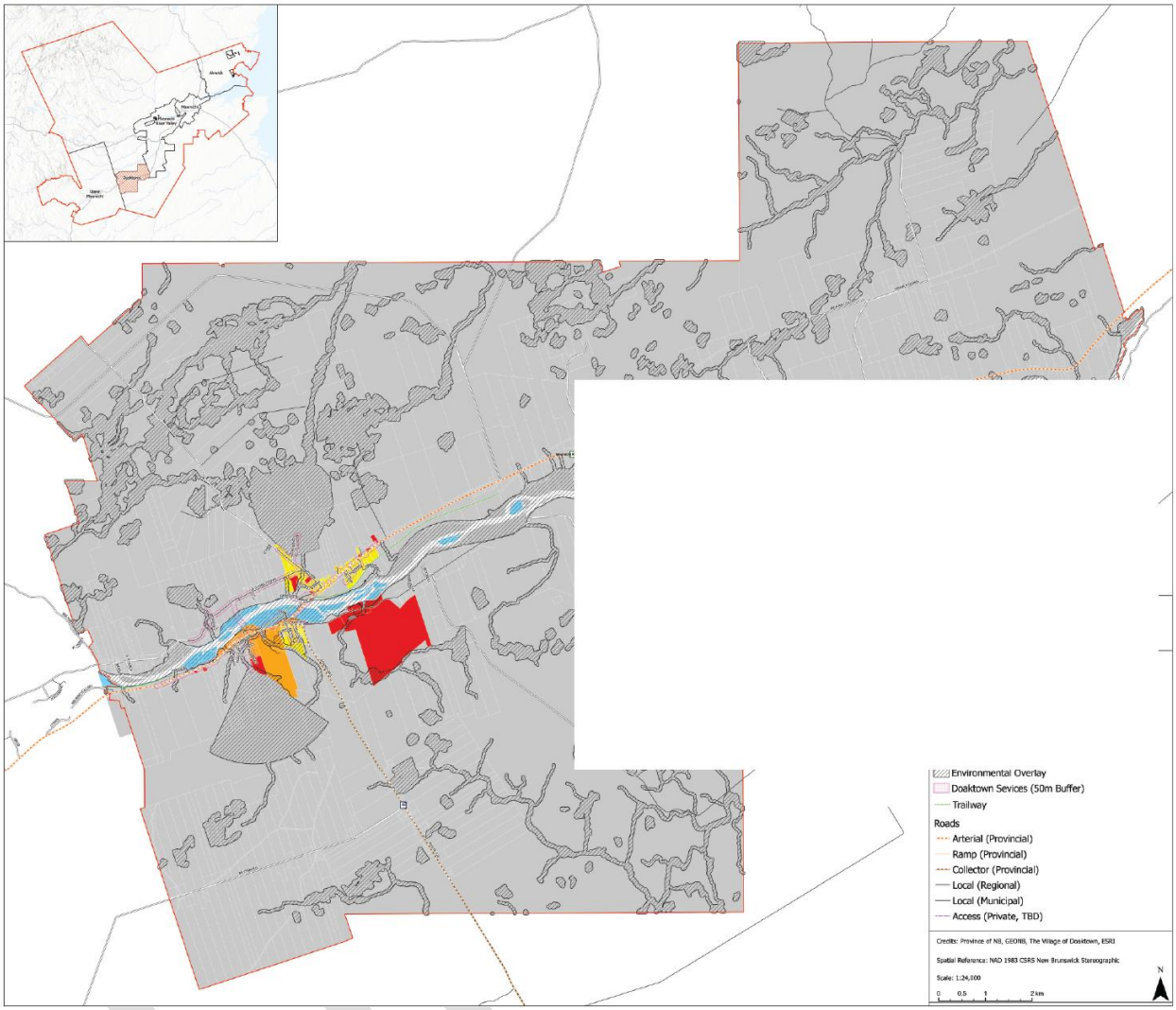
ii. any use associated with the warehousing or production of hazardous material.

g. Notwithstanding (e), all Development Permit applications, regardless of the requirement for floodproofing, shall be accompanied by a disclaimer (Schedule F) signed by the Property Owner(s) acknowledging the risks associated with development in the Environmental Overlay (EO) Zone.

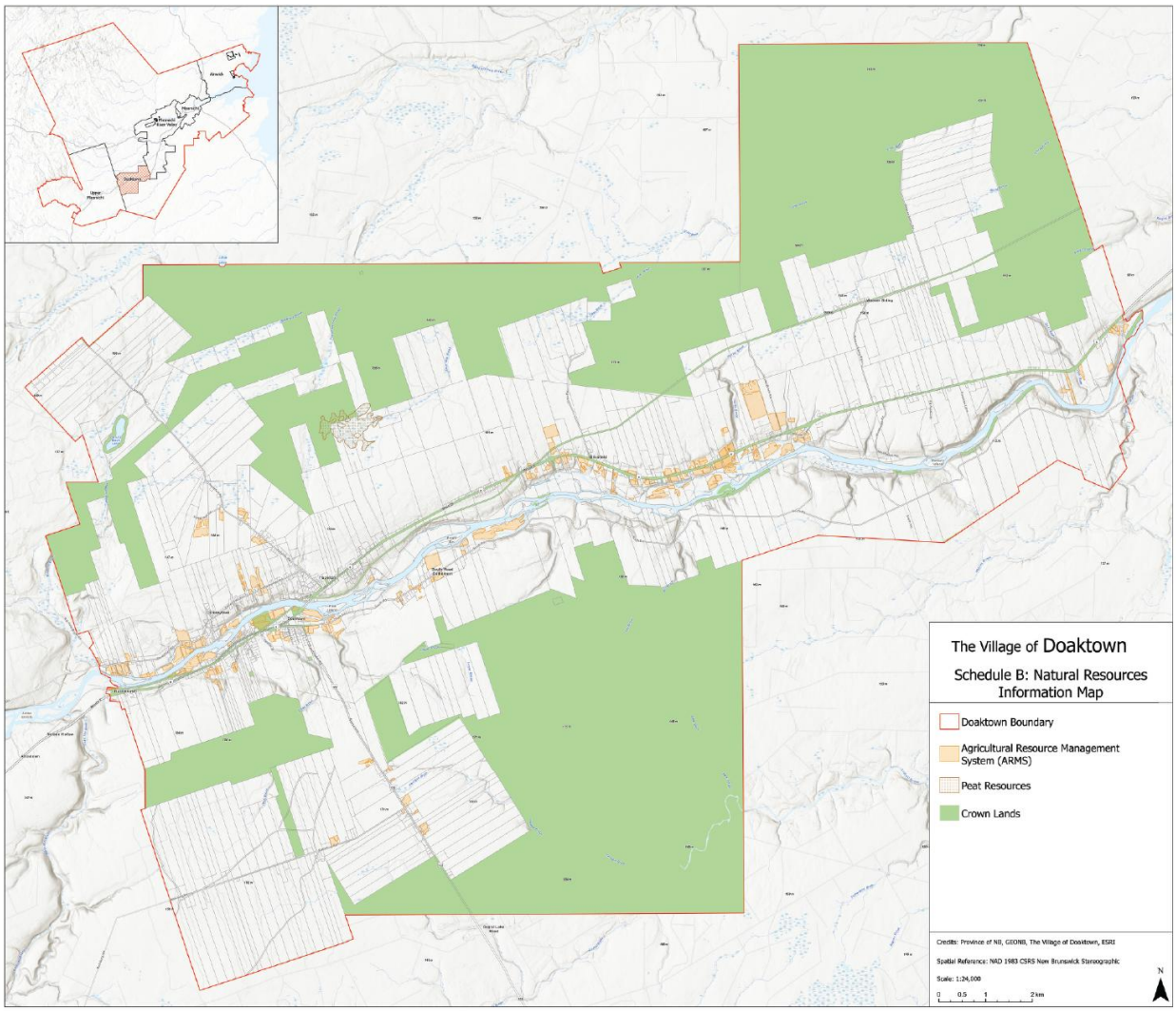
h. If there is a conflict between the Environmental Overlay (EO) Zone and the underlying zone, the Environmental Overlay (EO) standards take precedence.

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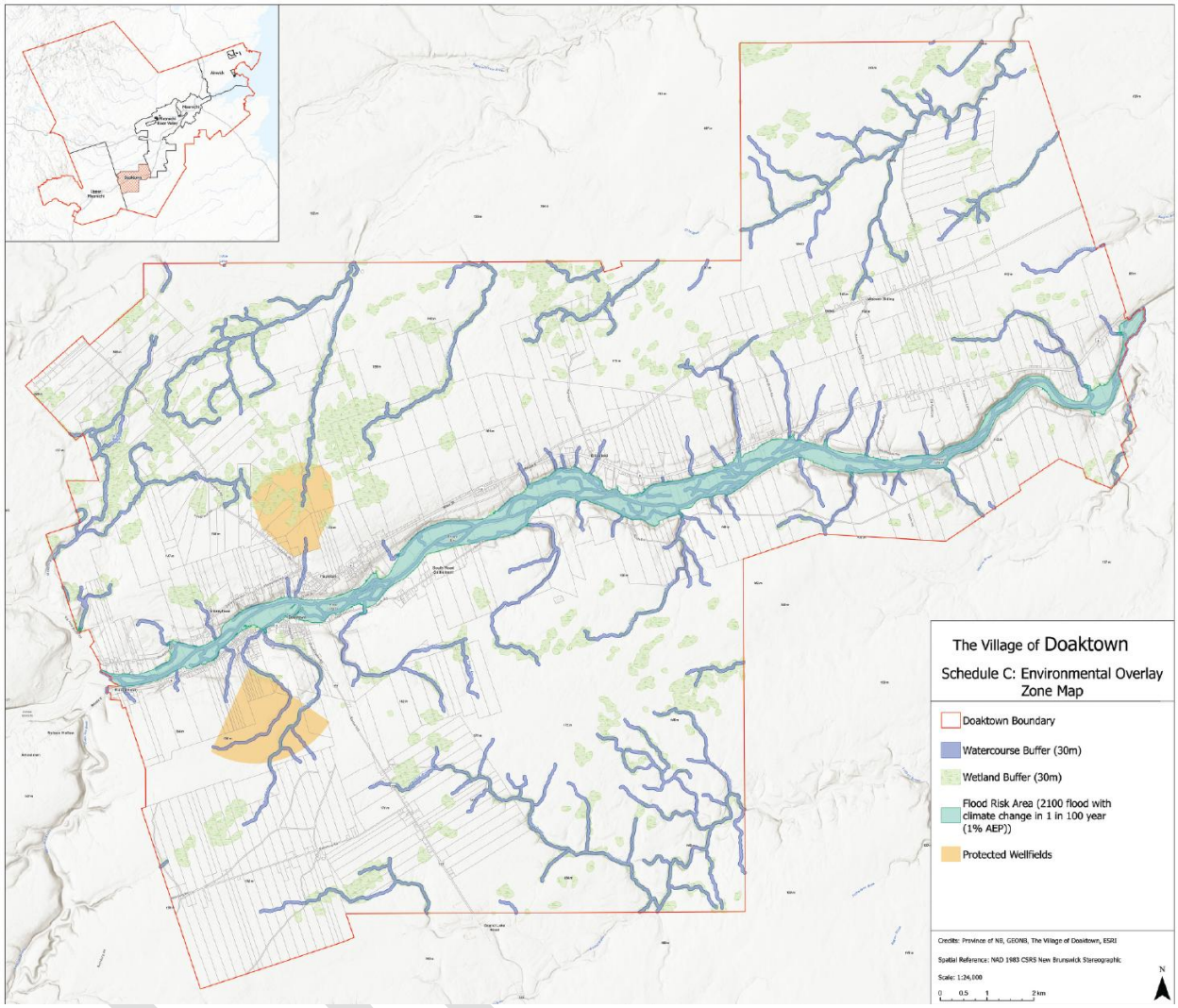
Schedule A: Village of Doaktown – Zoning Map



Schedule B: Natural Resources Map



Schedule C: Environmental Overlay Map



Schedule D: Planning and Development Fees

Application Fees	Description	Fee
(a) Development Permit	i. Residential use ≤2 dwelling units; and associated secondary uses, accessory buildings and structures	$20.00
	ii. Residential use ≤24DUs; or commercial or industrial use building ≤1500m2 (4921ft2) in total floor area	$40.00
	iii. Residential use >24DUs; or commercial or industrial use building >1500m2 (4921ft2) in total floor area	$60.00
(b) Development Officer (DO)/PRAC Applications	i. Variance – dimensional (DO), C.2.2(1)	$250.00
	ii. Conditional use (PRAC), C.2.1(1)	
	iii. Variance – similar or compatible use (PRAC), C.2.1(2)	
	iv. Non-conforming use, extension (PRAC), C.2.1(3)	
	v. Temporary use (DO and PRAC), C.2.2(10) and C.2.1(4)	
(c) Plan Amendment, A.8.1	i. Policies and/or proposals (Part B)	$1000.00
	ii. Re-zoning and/or zoning provisions (Part C)	

Administrative/Report Fees	Description
(a) Confirmation of zoning	$100.00 per lot, see Section C.2.2(4)
(b) Zoning compliance letter	$200.00 per lot, see Section C.2.2(5)
(c) Non-conforming use letter	$200.00 per lot, see Section C.2.2(6)

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Schedule E: Classification of Uses

GROUP	USE CLASS	EXAMPLES
AGRICULTURAL USES	Livestock Operation	Livestock barn, poultry barn, waste holding structure
	Passive Agriculture	Forage production requiring little to no inputs
	General Agriculture	Planting and harvesting crops, nursery, greenhouse
	Hobby Farm	Backyard coop, small scale horticulture, small scale animal husbandry, keeping of horses
COMMERCIAL USES	Light	Retail (e.g., stores, shops, showrooms), offices, banks, restaurants, small-scale production (e.g., microbrewery, bakery), veterinary offices, personal service shops (e.g., hair salon), small equipment repair, personal medical services (i.e. massage, chiropractor)
	Intensive	Service stations, vehicle repair shop, transportation centres, vehicle or large equipment sales, large scale retail and office uses *(uses requiring large buildings or land bases, or using hazardous materials)*
	Resource-related	Farm market, roadside produce stands, greenhouses, land-scaping operations, resource-related equipment sales and service, processing of farm products (vineyards and breweries), fisheries processing, resource packaging
	Animal-related	Animal day care facilities, pet grooming, animal rescue shelters, kennels, horse-riding stables

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GROUP	USE CLASS	EXAMPLES
ENTERTAINMENT USES	Indoor Entertainment	Casinos, arcades, event venues
	Outdoor Entertainment	Amusement parks, paint ball facilities, racetracks, zoos, fairgrounds, outdoor concert venues
INSTITUTIONAL USES	Community Use	Theatre, library, museum, art gallery, community centre, lodge halls, private clubs, service group facilities, places of worship, cemeteries
	Government Use	Educational buildings, government offices, medical centres, town hall, fire, police, paramedic stations
	Funeral Home	Funeral home, chapel, crematorium
	Childcare Services	Nursery school, pre-school, family home childcare, early learning and childcare centre (private or public)
	Crisis Care Facility	Women's shelter, short-term accommodation for unhoused
	Supportive Housing	Group homes, nursing homes, retirement complexes, residential care facilities
	Community Services	Lagoons, lift stations, wharves, public docks or launches, water towers, salt sheds, public equipment storage
INDUSTRIAL USES	Light Industry	Indoor storage, self-storage units, wholesale, contractor's yard, warehouse
	General Industry	Factory, cold storage plant, freight depot, printing plants, outdoor storage, heavy equipment or bulk storage of non-hazardous substances, cannabis production, warehouse distribution centre
	Hazardous Industry	Bulk storage of hazardous liquids and substances, chemical plants, feed mills, lacquer, mattress, paint, varnish, and rubber factories, fibreglass and spray painting

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GROUP	USE CLASS	EXAMPLES
	Intensive Resource Extraction	Industrial forestry use, quarries, mining, processing of quarry materials, concrete plant, asphalt plant, soil production, soil reclamation
RECREATION USES	Outdoor Recreation	Outdoor pools and skating rinks, baseball diamonds, zip lines, golf courses, splash pads
	Recreation Passive	Trails, open space, parks, sports fields, community gardens
	Indoor Recreation	Arena, skating rink, swimming pool, gymnasium, bowling alley, fitness centre, dance or martial arts (public or private)
	Camps	Cabins, cottages, hunting and fishing cabins, camp clusters
	Camp Clusters	Church camp, scout camp, sleepaway camp, family camps with multiple structures but not a resort or outfitter
RESIDENTIAL USES	Low Density Residential	Single detached dwelling, mobile or mini-home, manufactured home, modular home, boarding house, semi-detached dwelling, duplex.
	Accessory Dwelling Units	Garden suites, granny suites, secondary apartments, in-law apartment
	Row/Cluster Dwelling	Row houses, town houses, stacked town houses, housing cluster, seniors independent living cottages *(residential units with separate external entrances)*
	Apartment Dwelling	Apartment building, seniors independent living building *(residential units with shared entrances)*

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GROUP	USE CLASS	EXAMPLES
RESOURCE USES	Forestry	Tree nurseries, silviculture, domestic and commercial wood harvesting, small-scale sawmills
	Resource Extraction	Peat, sand and gravel pits
TOURISM USES	Commercial Tourist Accommodation	Hotel, motel, hostel, inn, bed and breakfast, resorts
	Campground	RV park, yurts, glamping pods, geodesic domes, cottages, tent sites.
	Nature-based	Outdoor outfitters, fishing and hunting operations, resorts
NON-BUILDING USES	Conservation	Historical and scenic sites, wildlife sanctuary, interpretive walks, scenic look-out, rest area
	Outdoor Storage	Car wrecking yard, salvage yard, scrap dealers, outdoor seasonal storage of vehicles
	Solid Waste	Solid waste disposal, sanitary land fill, incinerators, recycling depot
	Transportation	Airfield, dock, wharf, slipway, breakwater, boat house, fishing shed
	Utilities	Wind turbines, windmills, solar generation plant, transmission lines, sub-station. TV, radio and media mast, cell tower, antenna
Energy Production Systems	Non-commercial Wind Turbine	Personal wind turbines
	Commercial Energy Production	Commercial wind turbines, commercial solar arrays
	Personal Solar Array	Solar panels

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Schedule F: Flood Risk Disclaimer

The Village of Doaktown wishes to inform you that as of today's date, the property identified by:

_____

PID or legal description

_____

Located at

_____

Owned by

Is situated within an area which could be subject to flooding.

As such, the finished floor elevation of all new main buildings should be constructed at a geodetic elevation equal to or above the 2100 Flood Risk Area with climate change (1:100) defined by the Province of New Brunswick on GeoNB.

I, _____, and/or representing _____ (property owners),

am/are satisfied that the Village of Doaktown, with this document, has informed me/us, to the best of its capacity, of the potential risks that could impact the proposed project of the above-noted property by constructing at a geodetic elevation below the flood risk level defined above.

_____

Property owner(s) signature(s)

_____

Date

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