

# Westmorland-Albert Rural Area Land Use Plan

## What is a Rural Plan?

A Rural Plan is a provincial regulation that guides development in the unincorporated areas of the region. It is made up of three components:

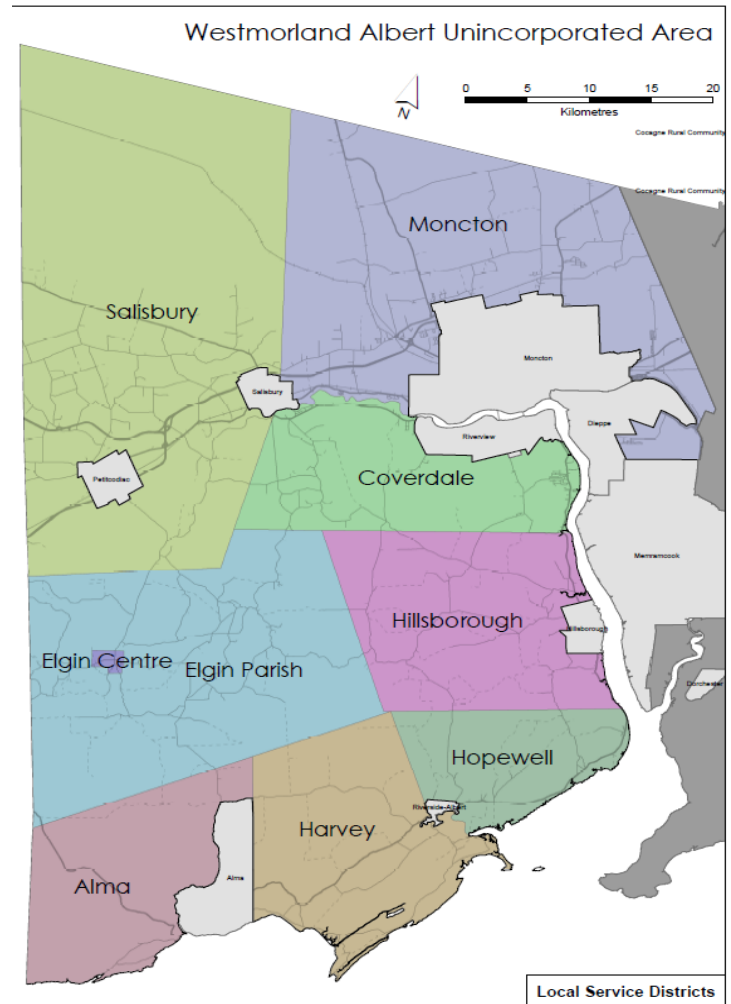
1. Statements of Policy (*what* we want to accomplish)
2. Statements of Standards (*how* we accomplish the policies)
3. Zoning map

## Why develop a Rural Plan?

- It guides land use development - especially in fast-growing areas - in an efficient and affordable manner.
- It helps protect land owners from potential land use conflicts by establishing zones for permitted uses.
- It creates a public process if someone wants to do something not otherwise permitted.
- It recognizes that rural activities are the backbone to the New Brunswick economy.

## What area is included?

As shown in the map, the area to be covered in this plan includes the Local Service Districts of Salisbury, Moncton, Coverdale, Hillsborough, Hopewell, Harvey, Alma, Elgin Centre and Elgin Parish (*it does NOT include any municipalities*).



## Who we talked to

Over the last 2 years, staff have tried hard to gather input from stakeholders and land owners from across the region. A public survey was posted to the SERSC website and was sent to our growing list of regional contacts for sharing. More than 24 meetings have been held so far, with participation from farmers and agricultural representatives, small woodlot owners, tourism and recreation operators, conservation groups, pit owners, watershed groups, provincial departmental representatives, and local service district committees. We've also held 6 publicly advertised meetings throughout the region where the local public were invited to provide input and hear about the Rural Plan.

## What we Heard

We heard from a wide range of stakeholders, many of whom brought strong perspectives on what they would like to see in the Rural Plan. Conservation groups would like to see strong measures to protect water (drinking, inland, coastal, wetlands). Farmers would like strong measures to protect the land from non-farm development. Residential land owners want protection from non-residential development (such as farming and pits). Tourism and recreation opportunities are seen as economic drivers, particularly in lower Albert County, so permitting commercial activities was considered essential. Planners attempted to balance these diverse (and sometimes conflicting) opinions in a way that recognizes that rural is meant for rural activities, but accommodating for intense development that has taken place around the tri-communities over the last 20 years.

## Proposed Policies

### Residential

- i. Optimize existing infrastructure
- ii. Discourage sprawl-like development
- iii. Educate land owners who are at risk from climate change impacts
- iv. Residential development must meet provincial regulations
- v. Encourage subdivision along existing public roads
- vi. Encourage residential developments to locate away from resource-based uses, including agriculture
- vii. Residential developments requiring a new road must apply for rezoning.

### Commercial/Industrial

- i. Permit a range of “light” commercial uses in the planning area.
- ii. Control the type and location of “intensive” commercial and industrial developments and determine impacts on nearby lands.
- iii. Home occupations permitted throughout the Planning Area
- iv. Intensive commercial or industrial uses that require large areas and/or create nuisances located away from residential nodes
- v. Consider industrial uses through a conditional rezoning subject to terms and conditions.

### Recreation and Tourism

- i. Encourage range of recreation and tourism uses throughout the area.
- ii. Encourage tourism development that supports the continued development of recreational infrastructure.
- iii. Passive recreation uses (trails and parks) permitted in all zones.
- iv. Campgrounds permitted in certain zones subject to terms and conditions.

### Natural Resources

- i. Recognize Crown lands are not subject to this regulation
- ii. Recognize resource-based uses as the primary use of the land throughout the region.
- iii. Require resource-related uses to use best management practices to minimize impact on environment
- iv. Pits and quarries are considered intensive resource developments.
- v. Temporary asphalt plants are common, but are not compatible with residential or conservation uses. Permanent asphalt plants are considered industrial uses.

### Protection of Water

- i. Protect water supplies.
- ii. Protect drinking water quality, including municipal wellfields.
- iii. Create a Water Protection Zone to limit development under the Clean Water Act.
- iv. Maintain water quality and flood protection by controlling development on lands by wetlands and watercourses
- v. Water bottling operations are considered Intensive Resource development.

### Institutional Uses

- i. Permitted as-of-right in the RA, A, CI and IRD zones.
- ii. Permitted in the R zone subject to conditions.

### Heritage Sites

- i. Prohibit development that results in the loss of archaeological heritage objects subject to the Heritage Conservation Act.
- ii. Encourage the redevelopment of existing heritage buildings into any use permitted in the zone in which the building is situated.

### Conservation of the Physical Environment

- i. Conservation Zone established to include provincially-significant wetlands and lands held by conservation entities
- ii. Setbacks imposed from watercourses and wetlands based on best mapping available
- iii. To consider variances to setbacks if no alternatives available in consultation with provincial agencies
- iv. Existing buildings within the required setback may be repaired or renovated.
- v. Recognize climate change is having and will continue to impact land use along the coastline – create a zone based on scientific data.
- vi. Areas at risk zoned Sea Level Rise Zone.
- vii. Discourage subdivisions in the at risk zone.
- viii. Require adaptation of development (build higher) in risk zone.

### Energy Development

- i. Encourage renewable energy sources (wind, solar, etc.) throughout the planning area

### Agriculture and Food Security

- i. Identify “prime agricultural lands” in planning area
- ii. Develop provisions to deter use of “prime agricultural” areas for non-agricultural uses
- iii. Establish minimum setback distances for new dwellings in prime agricultural areas
- iv. All new livestock facilities screened through Livestock Operations Act
- v. Encourage backyard food production in all residential areas
- vi. Permit roadside stands and on-site agricultural processing to encourage support for local food.

### Particular Development

- i. Established for uses such as Bare Land Condominiums or Mobile Home Parks where developments often take place on a single lot.
- ii. Dwelling Group (DG) Zone established and developments must have regard to buffering from adjacent residential uses, servicing, access, etc.
- iii. Bare Land Condos must employ environmentally sustainable development standards.

# Proposed Standards

## ZONES

**Residential (R) Zone** – Purpose is to identify areas in the region which are predominantly residential in nature and prevent uses which might create a nuisance. Areas to be zoned R include existing large subdivision developments which predominantly surround the tri-cities.

**Rural Area (RA) Zone** – Purpose is to create a zone that is permissive of traditional rural land uses to encourage local economy building. This is the “default” zone that will predominate the plan area.

**Commercial/Industrial (CI) Zone** – Purpose is to identify lands on which to classify intensive commercial-type land uses that are not resource dependent, and are likely to create a nuisance for surrounding land owners. Only existing commercial/industrial lands will be pre-zoned – new proposals for intensive commercial or industrial developments will need to rezone to CI.

**Conservation (CON) Zone** – Purpose is to protect wetlands and conservation areas, and safeguard new development from potential risk associated with developing next to water. Lands to be zoned CON include provincially significant wetlands and those managed for conservation by the province, or conservation agencies (Ducks Unlimited, Nature Conservancy of Canada).

**Water Protection (WP) Zone** – Purpose is to identify all regulated wellfields and watersheds, including Turtle Creek and the water supplies of Hillsborough and Riverside-Albert. This zone permits all uses allowed in the RA zone subject to provincial regulation.

**Agriculture (A) Zone** – Purpose is to pre-zone lands assessed as “Agriculture” and/or registered under the Farm Land Identification Program (FLIP) to maintain the primarily agricultural use of the land over the long-term.

**Intensive Resource Development (IRD) Zone** – Purpose is to recognize legitimate intensive use of resources in the unincorporated region while ensuring that high standards of environmental accountability are in place.

**Dwelling Group (DG) Zone** – Purpose is to recognize unconventional development such as bare land condominiums or mobile home parks that group several dwellings on a single lot.

**Sea Level Rise Overlay (SLR) Zone** – Purpose is to prevent deterioration of the coast, prevent serious damage to environment or personal property, permit only developments that adapt to effects of SLR and storm surge, and establish minimum requirements.

**Integrated Development (ID) Zone** - Purpose is to regulate “outside the box” developments combining several uses not already addressed in the plan.

**Crown Lands Overlay (CL) Zone** – Identifies Crown Land

## GENERAL PROVISIONS

**Residential Lot Sizes** – minimum 1 acre on existing roads with onsite septic and well; minimum 5 acre on new roads (outside the R zone).

**Height of Buildings** – only restricted in the R zone

**Utility Uses** – permitted in any zone. Telecommunication towers reviewed through Antenna Siting Protocol.

**Home Occupations** – permitted everywhere either in the home or in an accessory building (except in R zone where only permitted in home)

**Light Commercial** – commercial uses not likely to have much of an impact (restaurants, retail, event venues) permitted use in RA zone; limited to 500 m<sup>2</sup> gross floor area; requires buffers when adjacent to residential uses, as well as lighting, parking, and outdoor storage standards.

**Agriculture** – new dwellings must be set back 15m from property line adjacent to A zoned land. New livestock facilities minimum 20m setback from lot line or as determined through Livestock Operations Act.

**Camps** – permitted in most zones, but must be setback from public road minimum of 30m.

**Campgrounds** – new or expansions will be subject to terms and conditions including: accesses; buffers between campground and adjacent properties; meeting requirements for public health and safety; provide proof of EIA approval or exemption.

**Salvage Yards** - permitted in certain zones with requirements for fencing and setbacks of the operation.

**Development near Wetlands and Watercourses** – 30m minimum setback of a wetland or watercourse; passive recreation uses permitted within 30m subject to a WAWA. If mapping is inaccurate, a development permit may be permitted subject to all other zoning provisions.

**Pits** (existing and new) will require a \$25 development permit and a Master plan showing:

- Watercourses and wetlands setback at 30m
- Property limits setbacks at 30m
- Road setbacks at 100m
- Existing dwelling setbacks at 150m
- Safety barriers and warnings at all entrances
- Slopes maintained at 35% or less

*For more information or to ask questions please contact [planning@nbse.ca](mailto:planning@nbse.ca)*