

BY-LAW NO. 25-WAP-069-FA-01
A BY-LAW TO AMEND MINISTERIAL REGULATION 21-WAP-069-00
THE WESTMORLAND-ALBERT PLANNING AREA RURAL PLAN REGULATION

The Council of the Village of Fundy Albert under the authority vested in it by Section 44 and in accordance with Section 59 of the *Community Planning Act*, SNB 2017, c.19 amends Ministerial Regulation 21-WAP-069-00, the Westmorland-Albert Planning Area Rural Plan Regulation and enacts as follows:

1. Ministerial Regulation 21-WAP-069-00, filed in the Westmorland County Registry Office on September 6, 2022 as number 43069906, is hereby amended as follows:
 - Schedule A-2, being the Westmorland-Albert Planning Area Zoning Map, is amended as shown on the map dated March 04, 2025, attached hereto as Schedule FA-1.

FIRST READING: May 6, 2025
(by title)

SECOND READING: May 6, 2025
READING IN ITS ENTIRETY: May 6, 2025

THIRD READING
(by title) AND PASSED: July 2, 2025

Mayor Jim Campbell

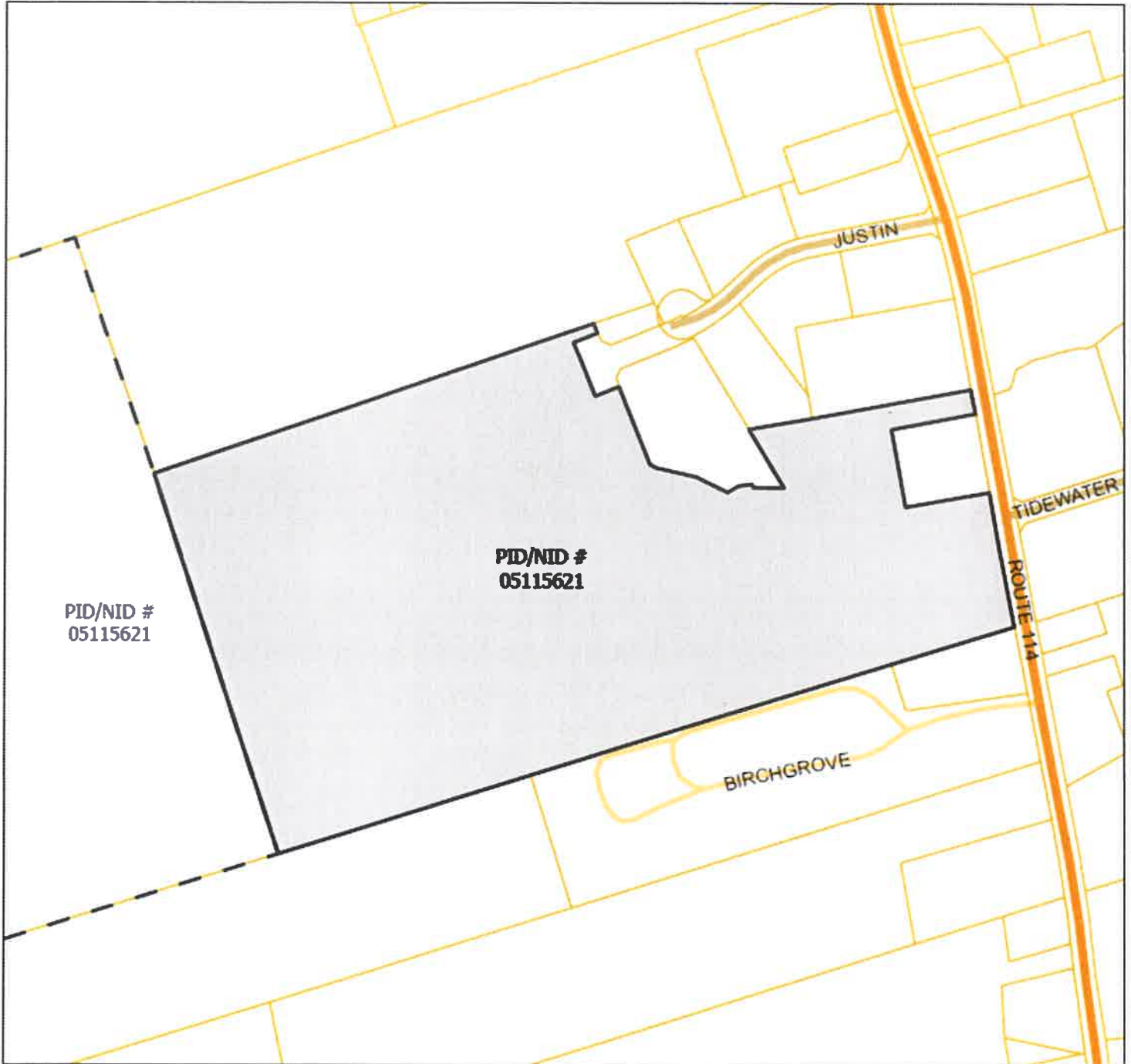


Clerk Kim Beers



Faint circular stamp of the Village of Fundy Albert, Westmorland County, New Brunswick, dated July 2, 2025.

Schedule/Annexe FA-1
Municipality of Fundy-Albert
ZONING MAP / CARTE DE ZONAGE
Date: 3/4/2025



Legend

-  Rezoning to DG: Rezoning from Rural Area Zone (RA) to the Dwelling Group Zone (DG) to permit a mini home park.



0 85 170 m

**RESOLUTION OF THE COUNCIL ESTABLISHED
UNDER ARTICLE 59 OF THE COMMUNITY PLANNING ACT**

CONSIDERING THAT White Birtch Subdivisions Inc. has made an application to rezone the property bearing PID 05115621 to the DG zone – Dwelling Group to allow a Mini Home Park.

AND CONSIDERING THAT the Council has approved this request subject to conditions;

IT IS RESOLVED THAT:

1. Notwithstanding any other provisions to the contrary, the lands, buildings and structures developed on the aforementioned property are subject to the following terms and conditions:
 - a) That the permitted main uses of the property be limited to:
 - i. A mini home park subject to Section 4.9.3;
 - ii. A passive recreation use;
 - iii. Institutional uses;
 - iv. Light commercial uses subject to Section 3.19; and
 - v. Recreation uses.
 - b) That the permitted secondary uses of the property be limited to:
 - i. A home-based business or home industry subject to Section 3.11.
 - c) That all on-site maintenance (e.g. garbage collection, snow removal) and infrastructure (e.g. accesses, fire hydrants) are the responsibility of the property owner(s);
 - d) That all development must follow the National Building Code fire safety setbacks;
 - e) the approval of the local fire chief must be obtained regarding access for emergency vehicles prior to the issuance of a development permit;
 - f) That future development of the property shall be done in substantial conformity to the attached site plan;
 - g) That the 30m riparian buffers from each side of the watercourse identified along the northern property line be maintained;
 - h) That a comprehensive water study be conducted and submitted to the Environmental Science and Protection Division of the Department of Environment and Local Government in order to determine if the water supply source can provide adequate water quantity and acceptable water quality for the intended purpose over the short and long term without creating any potential impacts to existing groundwater users in the area prior to the issuance of a development permit;
 - i) That it is the sole responsibility of the owner to maintain a secondary access for an emergency exit on Justin Drive in perpetuity;
 - j) A traffic impact study is to be conducted and submitted for review to the Department of Transportation and Infrastructure in respect to traffic flow onto Route 114 prior to the issuance of a development permit;
 - k) That a sight distance report is to be conducted and submitted for review to the Department of Transportation and Infrastructure prior to the issuance of a development permit;

- l) That a plan showing that all private streets within proposed mini home park respect the minimum road thickness of a 150mm base & 300mm subbase prior to the issuance of a development permit; and

- m) That a report be provided to the Regional Service Commission by a professional engineer licenced in the province of New Brunswick confirming streets meet the requirement of a minimum road thickness of a 150mm base & 300 mm subbase prior to the issuance a development permit.



Jim Campbell, Mayor



Kim Beers, Director Legislative Services/Clerk

Notified

2023

SOLEMN DECLARATION

BY-LAW NO. 25-WAP-069-FA-01

**A BY-LAW TO AMEND MINISTERIAL REGULATION 21-WAP-069-00
THE WESTMORLAND-ALBERT PLANNING AREA RURAL PLAN REGULATION**

I, Kim Beers, of the Village of Fundy Albert, in the County of Albert and the Province of New Brunswick, Clerk, DO SOLEMNLY DECLARE;

1. THAT I am the Clerk of the Village of Fundy Albert, a Municipal Corporation, and have personal knowledge of the facts herein declared;
2. THAT the requirements of Sections 59, 110 and 111 of the *Community Planning Act* have been complied with in respect to By-law No 25-WAP-069-FA-01, A By-law to Amend Ministerial Regulation 25-WAP-069-00, which was passed by the Council of Fundy Albert on July 2, 2025;

AND, I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

Declared before me at the)
Village of Fundy Albert, Hillsborough
County of Albert and Province)
of New Brunswick, this 7th day)
of July, A.D., 2025.)

Kim Beers
Clerk

Rhonda Lee Rossiter
Commissioner of Oaths

Rhonda Lee Rossiter
Commissioner of Oaths
Expires December 31, 2025