



**Town of Nackawic
By-Law No. 83-2021**

A By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17

Pursuant to section 59 of the *Community Planning Act*, the Council of the Town of Nackawic enacts the following amendments to *The Town of Nackawic Zoning By-Law, By-Law No. 51-17*.

1. The following addition to subsection 1.1:

"bed-sitting room" means a room used as separate living accommodation that:

- a) has a private entrance from a hallway inside a building, and
- b) may have sanitary facilities but not food preparation facilities;

"guest house" means an accessory building to a single detached dwelling, which contains a dwelling unit or part of a dwelling unit which is used by members of the family or by temporary guests of the family, or short-term rental occupying the single detached dwelling. The guest house is clearly secondary in size to the main dwelling unit on the property;

"recreational vehicle" means a unit intended for temporary accommodation for travel, recreational or vacation use and includes travel trailers, motorized homes, slide-on campers, chassis-mounted campers and tent trailers but does not include a tiny home;

"secondary suite" means a self-contained dwelling unit, clearly secondary in size to the main dwelling unit within a dwelling, which may or may not share access to the outside and/or other facilities with the main dwelling unit;

"short-term rental" means all or part of a dwelling unit, that:

- a) is used to provide sleeping accommodations for any rental period that is less than 28 consecutive days, and
- b) is the principal residence of the short-term rental operator;

"tiny home" means a small, private and self-contained dwelling unit:

- a) with living and dining areas,
- b) with kitchen and bathroom facilities,
- c) with a sleeping area,
- d) intended for year-round use,

e) is mounted on a trailer or movable on short notice,

A tiny home can be a primary home or a separate structure on a property that already has an existing single detached dwelling. Campers, recreational vehicles, cottages, and other structures used on a seasonal basis are not considered tiny homes.

2. The following addition to General Provisions:

20. Short-Term Rental

20.1 A short-term rental is permitted in a secondary suite, guest house, tiny home, or bed-sitting room, if:

- a) in the case of bed-sitting rooms, there are no more than three bed-sitting rooms in a dwelling unit used for this purpose,
- b) in the case of a secondary suite, the secondary suite is exclusively and separately occupied as a principal residence,
- c) it is not a vehicle,

3. The following addition to the R-1 Zone – Single Family Residential, subsection 21:

21.1 e) one or more of the following secondary uses to a single-family dwelling, subject to terms and conditions:

- a) a short-term rental,
- b) a tiny home.

21.3 c) No tiny home may be placed, erected or altered unless the lot contains:

- i) an area of at least 4 000 square metres.

This By-Law shall come into effect and be binding on all persons as of and from the date filed at the Registry Office.

First Reading:

June 22, 2021

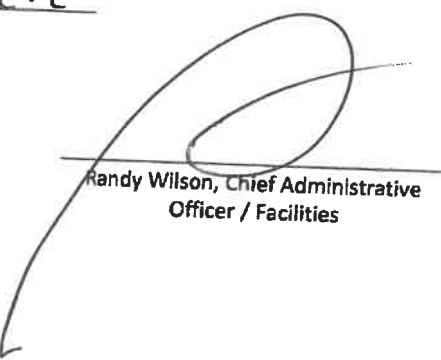
Second Reading:

June 22, 2021

Third Reading:

July 5, 2021


Ian Kitchen, Mayor


Randy Wilson, Chief Administrative
Officer / Facilities



Town of Nackawic
By-Law No. 83-2021
Schedule E

THIS AGREEMENT MADE THIS 14 day of August 2021

Between: THE TOWN OF NACKAWIC, a Municipal Body Corporate, being situated in the County of York, in the Province of New Brunswick (hereinafter referred to as the "Municipality")

AND: Mark Alward, PO Box 1227, 707 Route 105, Nackawic, NB E6G 1V4 (hereinafter referred to as the "applicant")

WHEREAS the Municipality has been asked to rezone property currently owned by Mark Alward and Brenda Alward, located on Route 105, Town of Nackawic, NB, PID 75383323, from R-1 Zone - Single Family Residential to RUR Zone - Rural, under section 59 of the Community Planning Act, for the purpose of a tourism use,

AND WHEREAS the Municipality is authorized by the provisions of Section 59 of the Community Planning Act to enter into an Agreement with the applicant imposing reasonable terms and conditions, as a Resolution of council,

NOW THEREFORE WITNESSETH that for and in consideration of mutual covenants and agreements contained herein, the Municipality and the applicant covenant and agree to as follows:

1. THAT existing vegetation along the west and north-west property, where residential properties are directly abutting the property line, is maintained;
2. THAT the Town of Nackawic is contacted prior to connecting to the Municipal water supply;

3. THAT Public Health is contacted prior to any development regarding connections to existing septic system;

4. THAT alterations in/within 30 metres of a watercourse or wetland require a watercourse and wetland alteration permit under the *Watercourse and Wetland Alteration Regulation* (Reg 90-80) as per subsection 15(2) of the *New Brunswick Clean Water Act*;


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

In WITNESS WHEREOF the heretofore parties mentioned have hereunto set their hands and seals this ___ day of July 20__.

TOWN OF NACKAWIC


MAYOR


CLERK


WITNESS


MARK ALWARD


WITNESS





MOTION – June 22, 2021

By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17
PID # PID75383323 Located on 707 Highway Route 105 (Owned by Mark Alward and Brenda Alward)

Completed by RSC 11 – Second Reading

Motion 1: DM Greg MacFarlane

Motion 2: Councillor Bob Simpson

By-Law 83-2021

Be it resolved that Nackawic Town Council move to accept the recommendation from RSC 11 to enact a by-law to amend The Town of Nackawic Zoning By-Law 51-17 pursuant to section 59 of the Community Planning Act. This is the Second Reading and it is by Title only.

Motion Carried

CAO – Randy Wilson

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

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

2021-08-23 10:34:06 41683146
date/date time/heure number/numéro

K. Platt
Registrar-Conservateur



MOTION – June 22, 2021

By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17
PID # PID75383323 Located on 707 Highway Route 105 (Owned by Mark Alward and Brenda Alward)

Completed by RSC 11 – First Reading

Motion 1: DM Greg MacFarlane

Motion 2: Councillor Bob Simpson

By-Law 83-2021

Be it resolved that Nackawic Town Council move to accept the recommendation from RSC 11 to enact a by-law to amend The Town of Nackawic Zoning By-Law 51-17 pursuant to section 59 of the Community Planning Act. This is the First Reading and it is by Title only.

Motion Carried

CAO – Randy Wilson



MOTION – July 5, 2021

By-Law to Amend the Town of Nackawic Zoning By-Law, By-Law No. 51-17
PID # PID75383323 Located on 707 Highway Route 105 (Owned by Mark Alward and Brenda Alward)

Completed by RSC 11 – Third and Final Reading and Read in its Entirety.

Motion 1: Brian Toole

Motion 2: Mike Meade

By-Law 83-2021

Be it resolved that Nackawic Town Council move to accept the recommendation from RSC 11 to enact a by-law to amend The Town of Nackawic Zoning By-Law 51-17 pursuant to section 59 of the Community Planning Act. This is the Third and Final Reading and having been read in its entirety.

Motion Carried

CAO – Randy Wilson