

**BY-LAW NO. 17-13-2019**

**A BY-LAW TO AMEND THE RURAL PLAN OF THE VILLAGE OF BELLEDUNE**

**BEING BY-LAW 17-01-2008**

Under the authority vested in it by the *Community Planning Act*, the Municipal Council of Belledune, duly convened, enacts as follows:

***Section 1: Part A of the Rural Plan is amended by repealing Section 3. and substituting the following:***

3. Schedule A entitled "Village of Belledune Zoning Map" and subsequently amended by Maps 17-02-2008, 17-04-2009, 17-05-2010, 17-06-2011, 17-07-2014, 17-08-2015, 17-11-2017, 17-12-2018A, 17-12-2018B and 17-13-2019 is an integral part of the rural plan as described in Section 2. of this By-law.

***Section 2: Subsection 1(1) of Part C of the Rural Plan is repealed.***

***Section 3: Section 67 of Part C of the Rural Plan is amended by repealing subsection (1) and substituting the following:***

- (1) For the purpose of this By-law, the area is divided into zones as delineated on the plan attached as Schedule "A", entitled "Village of Belledune Zoning Map" and dated December 2007 and subsequently amended by Maps 17-02-2008, 17-04-2009, 17-05-2010, 17-06-2011, 17-07-2014, 17-08-2015, 17-11-2017, 17-12-2018A, 17-12-2018B and 17-13-2019.

***Section 4: The land area outlined as per the legend on Map 17-13-2019, attached hereto as Schedule B, is zoned Rural Type 3- RU-3 Zone.***

***Section 5: In addition to the provisions set forth in the Rural Type 3 – RU-3 Zone of the Rural Plan, the use of all land, buildings or structure on the property described in Schedule B must respect the terms and conditions of the Agreement jointed hereto as Schedule C, adopted under the provisions of Section 59 of the Community Planning Act.***

**Section 6: This By-law is enacted in compliance with the Community Planning Act.**

FIRST READING: March 4, 2019

SECOND READING: March 4, 2019

THIRD READING 2019

ENACTMENT: 2019

---

Mayor

---



Clerk  
(municipal seal)



**Map 17-13-2019**  
 Village of Belledune  
 Zoning Amendment  
 Schedule B  
*(of by-law no. 17-13-2019)*

Rezoned from  
 Mixed Type 2 Zone **MX-2**  
 to  
 Rural Type 3 Zone **(RU-3)**

**Legend**

-  Parcels
-  Parcel to be rezoned

Commission de services régionaux  
**Chaleur**  
 Régional Service Commission  
 Date: January 18th, 2019



"Schedule C"

AGREEMENT IN COMPLIANCE WITH THE PROVISIONS OF SECTION 59  
OF THE COMMUNITY PLANNING ACT

This AGREEMENT made this 18<sup>th</sup> day of March, 2019

**BETWEEN:**

**Patrick Hickey**, having his place of residence at 3743 Main Street, in the Village of Belledune, Province of New-Brunswick, hereinafter referred to as the owner,

ON THE FIRST PART,

**AND**

**BELLEDUNE**, a municipality in compliance with the laws and statutes of the Province of New Brunswick, hereinafter referred to as the municipality,

ON THE SECOND PART

WHEREAS the municipality has received a request from the owner to modify the zoning of a property located at 3743 Main Street and bearing PID 50074079, hereinafter also referred to as the «premises»;

WHEREAS the main purpose of this rezoning is to allow the use of the premises for a mobile home site;

WHEREAS in compliance with the provisions of Section 59 (2) of the Community Planning Act, this agreement will not take place until a certified copy of the By-law and a certified copy of the agreement have been filed together at the Registry Office.

MOVED BY COUNCILLOR \_\_\_\_\_  
SECONDED BY COUNCILLOR \_\_\_\_\_

THAT the following terms and conditions constitute an agreement between the parties in compliance with the provisions of Section 59 of the *Community Planning Act*:

1. Notwithstanding the uses normally permitted within the Rural Type 3-RU-3 Zone as per Section 79 of the zoning provisions, the following uses are not permitted on the premises:
  - (i) the excavation of mineral aggregate,
  - (ii) a sawmill,
  - (iii) a wood yard,

- (iv) a kennel,
  - (v) an equestrian centre,
  - (vi) a cottage,
  - (vii) a campsite,
  - (viii) a forestry use.
2. The owner shall install new exterior and uniform (similar) cladding conforming to the National Building Code on each facade of the mobile home and install a skirting between the ground and the bottom of the mobile home to give the mobile home a finished look. These works shall be completed before September 30, 2019.
  3. The existing pitched roof already installed by the owner must always be maintained in a good state of repair. New fascia shall be installed or painted where missing.
  4. The mobile home shall be installed parallel to Main Street.
  5. Where the owner fails to meet the terms and conditions set in this by-law and/or in the Rural Plan of the Village of Belledune, the Municipality may cancel this rezoning in writing pursuant to the provisions contained in the Community Planning Act and the mobile home shall be removed from the property.

The above-mentioned terms and conditions are binding upon the parties, their heirs and assigns.

The parties hereto acknowledge having read this document and affixed their signature thereto.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Witness