

BY-LAW NO. 17-01-2022

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 is an integral part of the rural plan as described in Section 2. of this By-law.

Section 2: Section 1 of Part C of the Rural Plan is amended by repealing title and subsection (1) and substituting the following:

Section 1: Interpretation

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

- 1(1) For the purpose of this By-law, the area is divided into zones as delineated on the plan attached as Schedule "A", intitled "Village of Belledune Zoning Map" and dated April 2008 and subsequently amended by map included in Schedule A-1. The Schedule A and all its amendments is the zoning map designated for the Rural Plan of the Village of Belledune.

Section 4: The parcel of land which has been shadowed on Map 17-01-2022, attached hereto as Schedule A-1, is zoned Industrial Type 2- IND-2 Zone.

Section 5: In addition to the provisions set forth in the Industrial Type 2 – IND-2 Zone of the Zoning By-law, the use of all land, buildings or structure on the property described in Schedule A-1 must respect the terms and conditions of the Agreement jointed hereto as Schedule B, 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: _____, 2022

SECOND READING: _____, 2022

THIRD READING
AND ENACTMENT: _____, 2022

Mayor

Clerk

(municipal seal)

subsequent use of the site shall be taken into consideration into the quarry design before an excavation permit is issued under section 41 of the Rural Plan.

3. The proposed quarry floor plan shall allow for the restoration and the reuse of the excavated area for subsequent industrial and commercial developments as per the permitted uses listed in section 74 of the Rural Plan.
4. In particular and without limiting the other provisions contained in this by law and in the Rural Plan of the Village of Belledune, the quarry design and the site plan prepared and certified by a professional engineer shall establish the quarry boundaries, the quarry floor and the quarry faces that will remain as part of the restoration. This plan shall be reviewed and approved by Council before an excavation permit is issued under section 41 of the Rural Plan.
5. Access to the quarry shall be limited to the furthest location possible from the wetland.
6. Wooded frontage along Dempsey Road must be kept. Tree cutting is only allowed for a 20 m width in order to create the quarry access.
7. A long-term benefits study showing expected duration of operation shall be submitted to the Council before an excavation permit is issued under section 41 of the Rural Plan.
8. It is essential that the surface water, the groundwater flows and the potential for ground water rebound are clearly understood at the planning, design and operation stages so that water levels within the quarry will not rise to a level where they flood any proposed developments in the subsequent uses(s). A report to that effect prepared by a professional hydrogeologist shall be submitted and approved by Council before an excavation permit is issued under section 41 of the Rural Plan.
9. A progress report shall be submitted by the agent in the month of November of every year showing the contour and the depth of the excavated areas in relationship with the plan approved by Council. Security details ensuring the quarry perimeter safety, as required from section 41 of the rural plan shall appear in this report.
10. At the end of mineral recovery, the quarry floor shall be covered with the overburden and the topsoil that shall be set aside prior to the start of quarrying. The restoration shall be completed within 3 years of completing excavation.
11. The Municipality strongly encourages the progressive restoration of the depleted areas as the excavation progress in new sections of the pit.
12. Blasting shall be done in conformity with the *Blasting Code Approval-Municipalities Act*.
13. Where the owner and/or the agent 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.

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

Agent

Witness