

BY-LAW NO. 110-10	ARRÊTÉ N° 110-10
A BY-LAW TO AMEND BY-LAW NO. 110, THE CITY OF MIRAMICHI ZONING BY-LAW	ARRÊTÉ PORTANT MODIFICATION DE L'ARRÊTÉ N° 110 INTITULÉ ARRÊTÉ DE ZONAGE DE LA VILLE DE MIRAMICHI
Under the authority vested in it by section 110(1) of the <i>Community Planning Act (C-19)</i> , the Municipal Council of the City of Miramichi, duly convened, enacts as follows:	En vertu des pouvoirs qui lui sont conférés par les articles 110(1) de la <i>Loi sur l'urbanisme (C-19)</i> , le conseil municipal de la ville de Miramichi, dûment convoqué, édicte ce qui suit :
1. By-Law No. 110 entitled "City of Miramichi Zoning By-Law", Schedule "A" and entitled "Zoning Map" is hereby amended to change the zoning from "Single- or Two-Unit Dwelling (R-2)" to "Medium Density B (R-4)" for the Subject Property described as PID 40176893 (located at 725 Old King George Highway, Miramichi) and is indicated in Appendix "A-10" appended hereto and forming part thereof.	1. L'Arrêté n° 110 intitulé « Arrêté de zonage de la Ville de Miramichi », Annexe « A » et intitulé « Carte de zonage » est modifié afin de changer le zonage « Maisons unifamiliales ou bifamiliales (R-2) » à « Zone résidentielle de densité moyenne B (R-4) » pour la propriété en question décrite comme étant le NID 40176893 (situé au 725, route Old King George, Miramichi) et est indiquée à l'annexe A-10 annexée aux présentes et en faisant partie.
2. The land identified in paragraph 1 above is re-zoned to permit the carrying out of a specific proposal and is subject to a Resolution of Council or an Agreement imposing terms and conditions as attached hereto.	2. Le zonage du terrain identifié dans le paragraphe 1 a été modifié afin de permettre de mettre en œuvre une proposition particulière faisant l'objet d'une résolution adoptée par le conseil ou un accord qui impose des modalités et conditions.
This By-law shall come into effect upon approval by the Council of the City of Miramichi and its filing in the Registry Office for the County of Northumberland.	Le présent arrêté entrera en vigueur dès son approbation par le conseil municipal de Miramichi et son dépôt au bureau d'enregistrement du comté de Northumberland.
READ THE FIRST TIME BY TITLE: June 15, 2021	PREMIÈRE LECTURE NOMINALE : 15 juin 2021
READ THE SECOND TIME BY TITLE: July 21, 2021	DEUXIÈME LECTURE NOMINALE : le 21 juillet 2021
READ IN ITS ENTIRETY IN COUNCIL: July 21, 2021	LECTURE INTÉGRALE AU CONSEIL : le 21 juillet 2021
READ THE THIRD TIME BY TITLE AND ENACTED: July 21, 2021	TROISIÈME LECTURE NOMINALE ET ÉDITION : le 21 juillet 2021

P. D. R. G.
DEPUTY MAYOR/MAIRE ADJOINT



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

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

City of - Ville de
MIRAMICHI

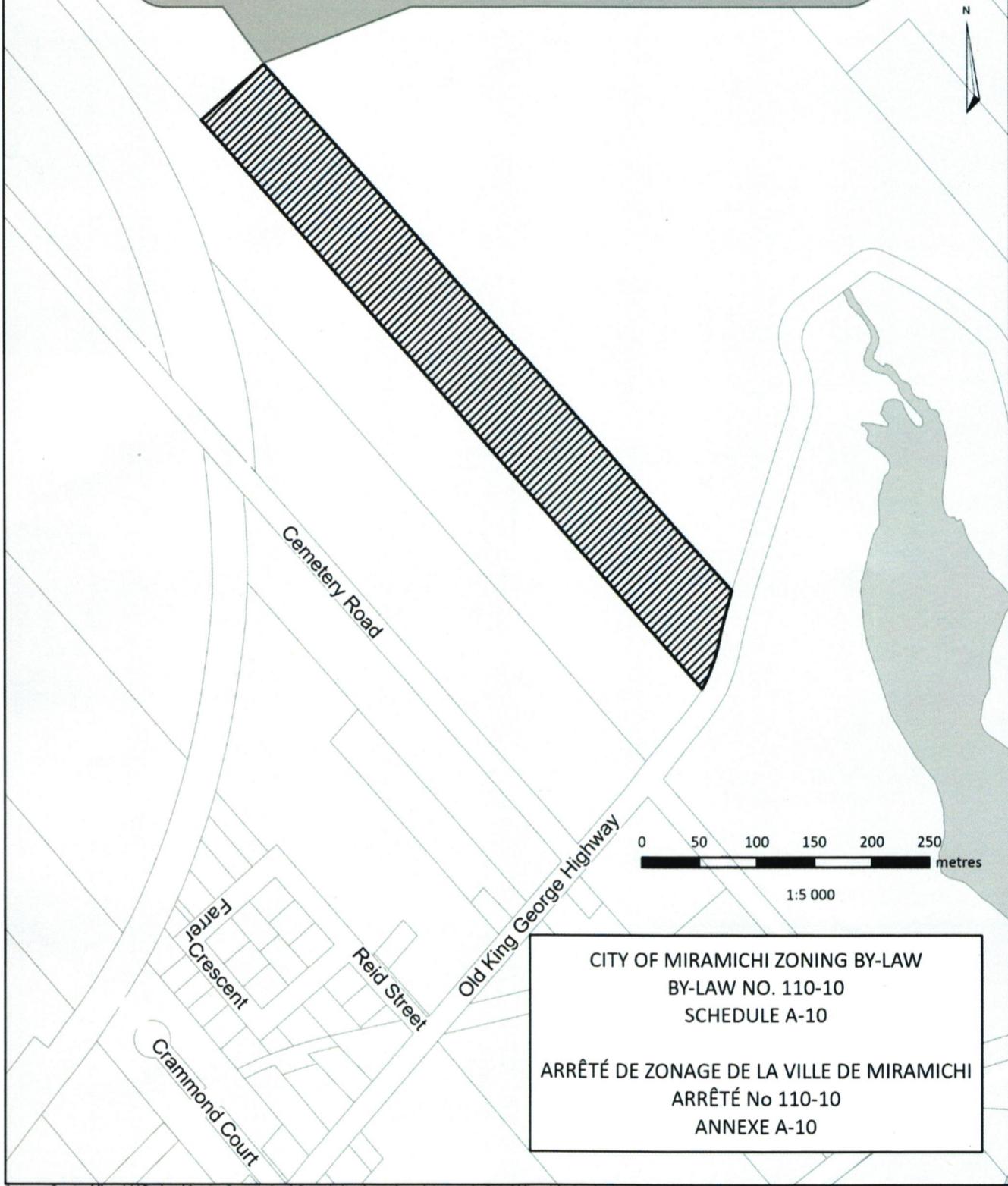
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Emma Kruglik

Registrar-Conservateur

Zoning Amendment
for property described as PID 40176893(725 Old King George Highway)
from Single- or Two-Unit Dwelling (R-2)
to Community Planning Act section 59 Specific Proposal - Medium Density B (R-4)

Modification au zonage
pour la propriété décrite en tant que NID 40176893 (725, route Old King George)
de Maisons unifamiliales ou bifamiliales (R-2)
à Zone résidentielle de densité moyenne B (R-4)
- proposition particulière en vertu de l'article 59 de la Loi sur l'urbanisme



Sources: Greater Miramichi Regional Service Commission | Commission de services régionaux du Grand Miramichi; Service New Brunswick | Service Nouveau-Brunswick
Drawn by | tracé par Julien Robichaud 2021-06-15

CANADA	CANADA
PROVINCE OF NEW BRUNSWICK	PROVINCE DU NOUVEAU-BRUNSWICK
COUNTY OF NORTHUMBERLAND	COMTÉ DE NORTHUMBERLAND
I, RHONDA RIPLEY , of the City of Miramichi, in the County of Northumberland and Province of New Brunswick, Municipal Clerk, DO SOLEMNLY DECLARE	Je soussigné, RHONDA RIPLEY , de Miramichi, dans le comté de Northumberland et la province du Nouveau-Brunswick, secrétaire municipale, DÉCLARE SOLENNELLEMENT :
1. THAT I am the CITY CLERK of the City of Miramichi, a municipal corporation, and have personal knowledge of the facts herein declared.	1. Je suis la SECRÉTAIRE MUNICIPALE de Miramichi, une corporation municipale, et j'ai connaissance personnelle des faits ci-déclarés.
2. THAT the requirements of section 110(1) of the COMMUNITY PLANNING ACT (C-19) have been complied with in respect to By-Law No. 110-10, A By-Law to Amend By-Law No. 110, City of Miramichi Zoning By-Law, which was passed by the Municipal Council of the City of Miramichi on July 22, 2021.	2. Les exigences des articles 110 de la <i>Loi sur l'urbanisme (C-19)</i> ont été remplies à l'égard de l'arrêté n° 110-10 intitulé Arrêté portant modification de l'arrêté n° 110 intitulé <i>Arrêté de zonage de la ville de Miramichi</i> , adopté par le conseil municipal de Miramichi le 22 juillet 2021.
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.	Je fais cette déclaration solennelle, la croyant vraie en toute conscience et sachant qu'elle a la même valeur et les mêmes effets que si elle était faite sous serment comme le prévoit la <i>Loi sur la preuve</i> .
SWORN TO BEFORE ME At the Municipality of Miramichi, in the County of Northumberland, and the Province of New Brunswick, this <u>10th</u> day of <u>August</u> , A.D., 2021.	Déclaration faite devant moi, à Miramichi, dans le comté de Northumberland et la province du Nouveau-Brunswick, le _____ 2021.
 _____ Commissioner of Oaths/ Commissaire aux serments	 _____ Rhonda Ripley CITY CLERK/ SECRÉTAIRE MUNICIPALE

Stacey Dunfield
 Commissioner of Oaths
 My Commission Expires
 December 31, 2026

BY-LAW NO. 110-10, A BY-LAW TO AMEND BY-LAW NO. 110,
THE CITY OF MIRAMICHI ZONING BY-LAW

COUNCIL RESOLUTION PURSUANT TO SECTION 110(1) OF THE
COMMUNITY PLANNING ACT (C-19) OF NEW BRUNSWICK

Moved by: Councillor Johnston

Seconded by: Councilor Somers

That Whereas Breakwater Consulting Ltd. on behalf of Property Owner, Marshall Jenkins, has applied to amend the Schedule "A" – Zoning Map of the City of Miramichi Zoning By-Law (By-Law No. 110) to change the zoning from "Single- or Two-Unit Dwelling (R-2)" to "Medium Density B (R-4)" for the Subject Property described as PID 40176893 located at 725 Old King George Highway in the City of Miramichi.

BE IT RESOLVED that any rezoning of the portion of PID 40176893 (725 Old King George Highway, Miramichi NB) granted in response to the above noted application be conditional on and subject to the following terms and conditions pursuant to Section 59 of the *Community Planning Act (C-19)*:

1. Plan P1 (Site Plan, Floor Plans (Partial), Elevations (Partial)) drawing submitted by the Applicant on April 23rd, 2021 constitutes a general concept plan only for the purposes of considering the land use, scale, and general location on the property of the proposed rowhouse dwellings for the Rezoning Application;
2. That the main uses allowed on the portion of Subject Property be limited to one or more rowhouse dwelling containing not more than 16 dwelling units per building;
3. All rowhouse dwellings shall be located a minimum 5m from the 20m wide street allowance and have a minimum 6m rear yard to the satisfaction of the Development Officer;
4. In furtherance of Municipal Plan proposal s to implement policy related to Gathering Places & Trail Linkages (Section 5(C)(3) and (5)), before the total number of developed units exceed 24:
 - a. A minimum 1m wide hard-surfaced (Brick, concrete, cement, or the like) pedestrian walkway shall run alongside the private driveway or public street (either one or both sides) and connect to the street line of the abutting public street right-of-way (Old King George Highway);
 - b. A minimum 1m wide aggregate/gravel or hard surfaced pedestrian trail shall be provided, in consultation with City Recreation, connecting the pedestrian walkway with a current or proposed French Fort Cove nature park trail, along either the eastern property line or northern extent of proposed development;
5. Prior to the issuance of any Building/Development Permit for any one or more rowhouse dwelling that the Property Owner enter into a development agreement with the City which may set out the terms and conditions for construction, acceptance, and warranty of all new public and private infrastructure including water and sewer servicing, and road access; and
6. Notwithstanding 6, the municipal water, sewer collection, stormwater services, driveway access, and extension of Old King George Highway public right-of-way be provided to the Subject Property to the satisfaction of the Director of Engineering and/or Director of Public Works, City of Miramichi.

CARRIED