

BY-LAW NO. 110-7	ARRÊTÉ N° 110-7
<b>A BY-LAW TO AMEND BY-LAW NO. 110, THE CITY OF MIRAMICHI ZONING BY-LAW</b>	<b>ARRÊTÉ PORTANT MODIFICATION DE L'ARRÊTÉ N° 110 INTITULÉ ARRÊTÉ DE ZONAGE DE LA VILLE DE MIRAMICHI</b>
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 designation from "Single- or Two-Unit Dwelling (R-2)" to "Medium Density B (R-4)" that shall apply to the 1.35 ha portion of property described as property identification number (PID) 40386997 (no civic address assigned) and is indicated in Appendix "A-7" 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 par la présente modifié afin de changer la catégorie de zonage du terrain qui s'applique à la portion de propriété de 1,35 ha décrite comme numéro d'identification de propriété (NID) 40386997 (aucune adresse municipale attribuée) et faisant partie de l'Annexe « A-7 » ci-joint de « Maisons unifamiliales ou bifamiliales (R-2) » à « Zone résidentielle de densité moyenne B (R-4) ».
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 spécifique 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: March 25, 2021	PREMIÈRE LECTURE NOMINALE : 25 mars 2021
READ THE SECOND TIME BY TITLE: April 29, 2021	DEUXIÈME LECTURE NOMINALE : 29 avril 2021
READ IN ITS ENTIRETY IN COUNCIL: April 29, 2021	LECTURE INTÉGRALE AU CONSEIL : 29 avril 2021
READ THE THIRD TIME BY TITLE <b>AND ENACTED:</b> April 29, 2021	TROISIÈME LECTURE NOMINALE <b>ET ÉDITION :</b> 29 avril 2021



MAYOR/MAIRE



CITY CLERK/ SECRÉTAIRE MUNICIPALE

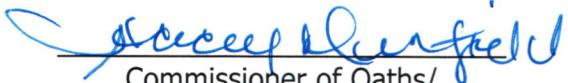
I certify that this instrument  
is registered or filed in the  
**Northumberland**  
 County Registry Office,  
 New Brunswick

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

2021-06-02 10:17:36 41358764  
 date/date time/heure number/numéro  
  
 Registrar-Conservateur



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 03 26

CANADA	CANADA
PROVINCE OF NEW BRUNSWICK	PROVINCE DU NOUVEAU-BRUNSWICK
COUNTY OF NORTHUMBERLAND	COMTÉ DE NORTHUMBERLAND
I, <b>RHONDA RIPLEY</b> , of the City of Miramichi, in the County of Northumberland and Province of New Brunswick, Municipal Clerk, DO SOLEMNLY DECLARE	Je soussigné, <b>RHONDA RIPLEY</b> , de Miramichi, dans le comté de Northumberland et la province du Nouveau-Brunswick, secrétaire municipale, DÉCLARE SOLENNELLEMENT :
1. <b>THAT</b> 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. <b>THAT</b> the requirements of section 110 and 111 of the COMMUNITY PLANNING ACT have been complied with in respect to By-Law No. 110-7, 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 April 29, 2021.	2. Les exigences des articles 110 et 111 de la <i>Loi sur l'urbanisme</i> ont été remplies à l'égard de l'arrêté n° 110-7 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 29 avril 2021.
<b>AND</b> 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> .
<b>SWORN TO BEFORE ME</b>  At the Municipality of Miramichi, in the County of Northumberland, and the Province of New Brunswick, this <u>4</u> day of <u>May</u> , A.D., 2021.	Déclaration faite devant moi,  à Miramichi, dans le comté de Northumberland et la province du Nouveau-Brunswick, le _____ 2021.
 Stacey Dunfield 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. 110-7, A BY-LAW TO AMEND BY-LAW NO. 110,  
THE CITY OF MIRAMICHI ZONING BY-LAW

COUNCIL RESOLUTION PURSUANT TO SECTION 59 OF THE  
*COMMUNITY PLANNING ACT(C-19)* OF NEW BRUNSWICK

Moved by: Councillor Duplessie

Seconded by: Councilor Somers

That Whereas 647963 N.B. Ltd. (Elias Toulany), has applied to amend Schedule "A" Zoning Map of the *City of Miramichi Zoning By-Law No. 110* to change the zoning from "Single- or Two-Unit Dwelling (R-2)" to "Medium Density B (R-4)" for the 1.35 ha portion of the Subject Property described as PID 40386997 (no civic address assigned in the City of Miramichi) to enable the development of multiple rowhouse dwellings (up to 48 units), on the Subject Property;

BE IT RESOLVED that any rezoning of the 1.35 ha portion of the Subject Property described as PID 40386997 (no civic address assigned) 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. Phase 1 V4 Site Plan drawing submitted by the Applicant on January 21, 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 the Subject Property be limited to one or more rowhouse dwelling containing not more than 16 dwellings;
3. When the Applicant applies for a Building Permit, a detailed site plan shall be required by the Development Officer to fully assess zoning compliance with "Medium Density B" (R-4) and other applicable zoning regulations; if the Applicant requires any variances, they can be applied for and considered at that time
4. In furtherance of Municipal Plan proposals to implement policy related to Gathering Places & Trail Linkages (Section 5(C)(3) and (5)), a minimum 1m wide hard-surfaced (brick, concrete, cement, or the like) pedestrian walkway shall run alongside the private driveway (either one or both sides) and connect to the streetline of the abutting public street right-of-way (Percy Kelly Drive);
5. Prior to the issuance of any building permit for any one or more rowhouse dwelling, that the Applicant/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;
6. Notwithstanding 5, that municipal water, sewer collection, stormwater services, and driveway access be provided to the Subject Property to the satisfaction of the Director of Engineering and/or Director of Public Works, City of Miramichi;
7. The completion of the Environmental Impact Assessment review process to the satisfaction of the Department of Environment and Local Government; and
8. That the distance between any structure and an adjoining boundary line be no less than six (6) meters.

CARRIED