



**TOWN OF QUISPAMISIS
PUBLIC NOTICE
PROPOSED AMENDMENT TO ZONING BY-LAW NO. 038**

Public Notice is hereby given that the Quispamsis Town Council has been requested to and intends to consider doing a Text Amendment to “By-law No. 038, A By-law of the Municipality of Quispamsis Respecting Zoning”, pursuant to the applicable Sections of the *Community Planning Act* of New Brunswick. The Amendment would permit accessory dwelling units in detached garages.

REASON FOR CHANGE: As a way of providing clarity and removing the conflict in Zoning By-law Amendment # 038-49, Planning Staff have recommended provisions for detached garage dwelling units as a standalone section in Zoning By-law No.038 to guide the development of dwelling units in detached garages. The proposed provisions will establish guidelines to assist homeowners in the development of a dwelling unit in a detached garage, the proposed standalone section is attached in Schedule A.

The proposed amendment may also be inspected by any interested person during regular office hours, 8:00 a.m. to 4:30 p.m., Monday to Friday inclusive, at the Quispamsis Town Hall, 12 Landing Court, Quispamsis, New Brunswick.

Lisa MacInnis, Clerk
Town of Quispamsis
12 Landing Court
Quispamsis, NB E2E 4R2
clerk@quispamsis.ca

SCHEDULE A

AMENDMENT NO.038-50 TO ZONING BY-LAW NO. 038 A BY-LAW OF THE MUNICIPALITY OF QUISPAMISIS RESPECTING ZONING

BE IT ENACTED by the Council of the town of Quispamsis that Zoning By-law No. 038. A By-law of the Municipality of Quispamsis Respecting Zoning, is hereby amended, as follows:

1. *By revising Section 3.(D)(4)(a) to read as follows:*
 - (a) address a written and signed application therefore to the Planning Advisory Committee or Development Officer; and
2. *By revising Section 5.(A)(12) to read as follows:*

(12) “building, accessory” means a detached subordinate building, located on the same lot as the main building, structure or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure;
3. *By adding immediately after Section 5.(A)(41) the following:*

(41-1) “garage, detached” means a building that is meant for the keeping of automobiles and other motorized vehicles, however when the use is associated with a residential use, it may also be used for personal vehicle storage and for the storage of regular household items;
4. *By revising Section 5.(A)(91) to read as follows:*

(91) “variance” means a variance granted by the Planning Advisory Committee under Section 55(1)(b) of the *Community Planning Act of New Brunswick*, or by the Development Officer under Section 55(2) of the *Community Planning Act of New Brunswick*.
5. *By revising Section 8.(G)(1)(a) to read as follows:*
 - (a) exceed six (6) metres in height above the mean grade level;
6. *By removing immediately after Section 8.(G)(1)(d)(ii) the following:*
 - (iii) a dwelling unit
7. *By adding immediately following Section 6.(W-1) Garden Suite the following:*

6.(W-2) DETACHED GARAGE DWELLING UNITS

(1) A dwelling unit is permitted to be located in a detached garage. The use may be permanent or temporary in nature, and is permitted in Single or Two-family (R1) Residential and Rural (RU) Zones and subject to the following provisions:

- (a) Detached garage dwelling unit will not result in more than two (2) dwelling units on any R1 or RU Residential Lot;
- (b) Detached garage dwelling units are considered secondary uses and must meet all the zoning requirements for the zone which they are located and adhere to the Lot area requirements of Table 3;
- (c) Detached garage dwelling units shall meet all of the requirements of the National Building Code of Canada, current adopted edition prior to the issuance of a Building Permit;
- (d) Notwithstanding any other provisions in this By-law, the minimum gross floor area of a detached garage dwelling unit shall be forty-one (41) square metres;
- (e) Detached garage dwelling units must be located in the upper level of a detached garage, and shall observe the following setbacks:
 - i. A minimum three (3) metre setback from the main dwelling unit on the lot;
 - ii. A minimum three (3) metre setback from any side or rear lot line;

- (f) Installation of electrical service to the detached garage dwelling unit must be completed by a professional Electrician licensed with the Province of New Brunswick;
 - (g) Potable water services will be provided to the detached garage dwelling unit by way of the main dwelling on the lot. The connection must be completed by a plumbing professional licensed with the Province of New Brunswick;
 - (h) The detached garage dwelling unit must be connected to either a Municipal Sewerage Collection System or to an Onsite Sewage Disposal System approved by the Department of Justice and Public Safety with all costs associated with the connection being the responsibility of the property owner;
 - (i) The property owner must reside on the property either in the principal dwelling or the detached garage dwelling unit.
8. *By removing immediately after Section 25.(O)(b) the following:*
(c) be used as a dwelling unit.
9. *Bylaw amendment No 038-49 is hereby repealed and replaced by the foregoing provisions.*