

Amend Ref #	Proposed By-Law Section	Title of Proposed Amendment	Interpretation
#1	3.1	Powers of the Development Officer	Title only
	3.1(A)	Encroachment Occurring in Good Faith	The Development Officer has the authority under the <i>Community Planning Act</i> (CPA) to approve encroachments up to sixty (60) centimetres on a setback requirement or encroachment and up to thirty (30) centimetres on a yard requirement and would not constitute a violation of the Zoning By-law.
	3.1(B)	Development Officer Variances	The Development Officer has the authority under the CPA to approve the following variances: <ul style="list-style-type: none"> • Minimum size and dimensions of lots for subdivisions; • Minimum area and dimensions of land for a particular class of use or size of building; • The height, number of storeys, ground area, floor area and bulk of building and structures; • The percentage of land that may be built on, and the depth, size or area of yards, courts, parking areas and open spaces; • The placement, location and arrangement of buildings and structures, including their setting back from the boundaries of streets and other public areas, and from rivers, streams, or other bodies of water; • The placement, height, and maintenance of fences, walls, hedges, shrubs, trees, and other objects; • The types, dimensions, and locations of means of access of lots to streets; • The facilities to be provided and maintained for off-street parking and loading of vehicles; • The location, dimensions, standards of construction and purposes of advertising signs and billboards; Providing this information in the Zoning By-law adds clarity regarding the Development Officer authority.
	3.2	Applications and Development Permit Approvals	Title only
	3.2(A)	Council and Planning Advisory Committee Applications/Planning Advisory Committee	Under the authority of the <i>CPA</i> , Council is responsible for the review of the following applications: <ul style="list-style-type: none"> • Amendments to Municipal Development Plan; • Amendments to Zoning By-law; • Non-Conforming Uses; • Development Agreements pursuant to Section 59 of the <i>Community Planning Act</i> of New Brunswick. Under the authority of the <i>CPA</i> , the Planning Advisory Committee is responsible to review the following applications: <ul style="list-style-type: none"> • Similar With or Compatible To Use; • Temporary Approval; • Variances; • Discretionary Uses;

		Applications/Development Officer Applications	<ul style="list-style-type: none"> • By-law Amendments as referred by Council. <p>Under the authority of the <i>CPA</i>, the Development Officer may review the following applications:</p> <ul style="list-style-type: none"> • Variances as identified in Section 3.1(B); • Development Permits
	3.3	Development Permit Approvals	Title only
	3.3(A)	Development Permit Required	Development Permits are required for <u>ALL</u> developments, as defined by the Zoning By-law. This includes the clearing and grubbing of land (site preparation work) and applies to any disturbance of soil measuring one (1) metre in depth or greater. Development Permits are also required for change of uses or any general land development.
	3.3(B)	Development Permit Not Required	<ul style="list-style-type: none"> • Interior renovations, and/or alterations to the exterior of a building that do not increase the exterior dimensions or alter the building envelope; • A sign face where the approved sign face area, exterior dimensions, and/or size of the sign is not increased.
	3.4 (A)-(F)	Development Permit Application	<p>This Section describes what is required to make a Development Permit Application, outlining:</p> <ul style="list-style-type: none"> • When an application is not complete; • When an application can be rejected by the Development Officer; • Completion of the application; and • When a Development Permit can be issued.
	3.5 (A) - (J)	Development Permit Issuance	<p>This Section offers further direction on Development Permits:</p> <ul style="list-style-type: none"> • A Development Permit is valid for a period of one (1) year from the date of issue; • An expired Development Permit may be reinstated by the Development Officer; • A Development Permit may be modified after it has been approved; • Development Permits can be revoked or suspended by the Development Officer; • The Development Officer reserves the right to refer an application for a Development Permit to the Planning Advisory Committee.
	3.6 (A)	Complete Application	The Development Officer has the authority to determine when an application for a Development Permit is complete.
Definitions Proposed to be Added			
#2	(16-1)		Definition of Cannabis
#3	(16-2)		Definition of Cannabis Production Facility
#4	(16-3)		Definition of Cannabis Retail Sales
#5	(22-1)		Definition of Development Permit
#6	(25-1)		Definition of Development Permit
#7	(82-1)		Definition of Surveyed Property Pin

Housekeeping - General Provisions			
#8	6.(B-1)	Lot Boundary Verification	The Development Officer can request to see surveyed property pins for any Development Permit Application; Development Permits will not be issued where property lines can not be clearly delineated using established property pins; It is an offence to remove a surveyed property pin.
	6.(B-2)	Surface Water Drainage	Surface water drainage shall not discharge directly onto an adjacent property; Dry wells may be used in the management of surface water, however the dry well must be designed by a professional engineer Licensed with the province of New Brunswick.
#9	6.(F)	Elevations of New Structures and Residential Driveways	Providing authority to the Development Officer to approve new structure Elevation Variances; <ul style="list-style-type: none"> • Maximum grade for a New Residential driveway is 10%; • A variance and Hold Harmless Agreement are required for Driveways in excess of a incline or decline grade of 10% or greater.
#10	6.(I)(1)	Development Adjacent to a Stream or Watercourse	Providing the Development Officer, the authority to review and approve developments occurring adjacent to a Stream or Watercourse, ensuring that WAWA permits are applied for where applicable.
	6.(I)(2)	Development Adjacent to a Stream or Watercourse	Unmapped Watercourses or Wetlands will be required to be delineated to the satisfaction of the New Brunswick Department of Environment.
#11	6.(L)(2)(g)	Day Care Facilities	Removal of this Section that reads “The Day Care Facility shall be located a minimum distance of four hundred (400) metres from another Day Care Facility.” Legal Council informed staff it is not enforceable.
#12	6.(L)(2)(l)	Day Care Facilities	To reflect the correct Provincial Department responsible for Day Care regulations in New Brunswick.
#13	6.(W-1)	Garden Suite (Coach Homes)	This new Section provides provisions for the development of Garden Suites within the municipal boundary: <ul style="list-style-type: none"> • They are permitted in R1 and RU zones; • On lots no less than 1330 square metres in R1; On lots not less than 5350 sqm on lots in an RU zone; • Have a gross floor of 35% (or less) of the main dwelling unit to a maximum of 100 sqm; • Limited to five (5) metres in height; • Not permitted on lots already having a 2nd dwelling unit or an accessory dwelling unit; • Meet all zoning requirements for the zone in which they are located; • Located in the rear yard; • Electrical service provided underground when located in a R1 zone; • Potable water service provided direct from main dwelling; • Connected to municipal sewer or on site septic • No subdivision is permitted to create an independent lot for the garden suite; and

			<ul style="list-style-type: none"> The property owner must reside on the property, either in the principal dwelling or in the garden suite.
#14	6.(BB)	Restrictions for Waterfront Properties	The Development Officer has the authority to approve developments occurring on waterfront properties, imposing reasonable terms and conditions. The Development Officer may request a Watercourse and Wetland Alteration Permit or environmental impact assessment screening before granting or denying the variance request. Development Permits and Building Permits are required for the development of any structure destroyed by fire and provides authority to the Development Officer and Planning Advisory Committee to provide reasonable terms and conditions.
#15	6.(EE)	Cannabis Production Facility	Permitted as a Discretionary Use in Light Industrial zones; Within a completely enclosed building; The lot containing a cannabis production facility can be no closer than 150 metres to a residential zone or public or private school as a minimum standard.
	6.(FF)	Cannabis Retail Sales	Permitted as a Discretionary Use, the Planning Advisory Committee may implement reasonable terms and conditions. Retail sales shall be at least three hundred (300) metres away from a daycare or educational use as a minimum standard.
Housekeeping Items			
#16	8.(B)(1)(d)		Add Garden Suite as a Discretionary Use to Section 8 (Residential).
#17	12.(B)(1)(k)		Add Cannabis Retail Store to Section 12 (Central Commercial).
#18	14.(B)(1)(g)		Add Cannabis Retail Store to Section 14 (Highway Commercial).
#19	18.(B)(1)(b)		Add Cannabis Production Facility to Section 18 (Light Industrial).
#20	25.(B)(1)(b)		Add a Garden Suite to Section 25 (Rural).
#21			Reflection of the correct CPA references throughout the By-law

SCHEDULE “A-1”
Development Permit Fees

Development Permit Services	Fees
1. Dwelling Unit Review: Single and Two-Family, In-law Suites, Garden Suites	\$50.00 per dwelling unit
2. Multi-Dwelling Unit Review: 1-4 dwelling units 4+ dwelling units	\$50.00 per dwelling unit \$200.00 for the first 4 dwelling units plus \$10.00 for each dwelling unit thereafter
3. Commercial / Industrial / Institutional Review	\$250.00
4. Subdivision Site Work Review	\$250.00
5. Development Officer Variance Review: With Public Notice Without Public Notice	\$300.00 \$150.00
6. Accessory Building	\$1.50 per square metre
7. Detached Garage	\$2.25 per square metre
8. Fence	\$0.80 per linear metre
9. Deck	\$1.75 per square metre
10. Swimming Pool	\$75.00
11. Change of Use	\$25.00