

**BY-LAW NUMBER C.P. 111-83
A LAW TO AMEND
THE ZONING BY-LAW
OF THE CITY OF SAINT JOHN**

Be it enacted by The City of Saint John in Common Council convened, as follows:

The Zoning By-law of The City of Saint John enacted on the fifteenth day of December, A.D. 2014, is amended by:

1. Amending Schedule "A", the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 1.3 hectares, being the private roadway known as Yellow Gate Road, also identified as a portion of PID Nos. 00289454 and 00289595, from Rural (RU) to Pit and Quarry (PQ).
2. Amending Schedule "A", the Zoning Map of The City of Saint John, by re-zoning parcels of land having an area of approximately 16.1 hectares, located at 348 Acamac Backland Road, also identified as portions of PID No. 00289595, from Rural (RU) to Pit and Quarry (PQ) pursuant to a resolution adopted by Common Council under Section 59 of the Community Planning Act.

- all as shown on the plan attached hereto and forming part of this by-law.

IN WITNESS WHEREOF The City of Saint John has caused the Corporate Common Seal of the said City to be affixed to this by-law the * day of *, A.D. 2019 and signed by:

Mayor/Maire

Common Clerk/Greffier communal

First Reading - November 4, 2019
Second Reading - November 4, 2019
Third Reading -

**ARRÊTÉ N^o C.P. 111-83
ARRÊTÉ MODIFIANT L'ARRÊTÉ DE
ZONAGE DE THE CITY OF SAINT
JOHN**

Lors d'une réunion du conseil communal, The City of Saint John a décrété ce qui suit :

L'arrêté sur le zonage de The City of Saint John, décrété le quinze (15) décembre 2014, est modifié par :

1. La modification de l'annexe «A», Carte de zonage de The City of Saint John, permettant de modifier la désignation pour une parcelle de terrain d'une superficie d'environ 1,3 hectares de portion des NIDs 00289454 et 00289595, connaît de chemin Yellow Gate, de zone rurale (RU) à zone de carrières et de gravières (PQ).
2. La modification de l'annexe «A», Carte de zonage de The City of Saint John, permettant de modifier la désignation pour des parcelles de terrain d'une superficie d'environ 16,1 hectares située au 348, chemin Acamac Backland, et portant les parties de NID 00289595, de zone rurale (RU) à zone de carrières et de gravières (PQ) conformément à une résolution adoptée par le conseil municipal en vertu de l'article 59 de la Loi sur l'urbanisme.

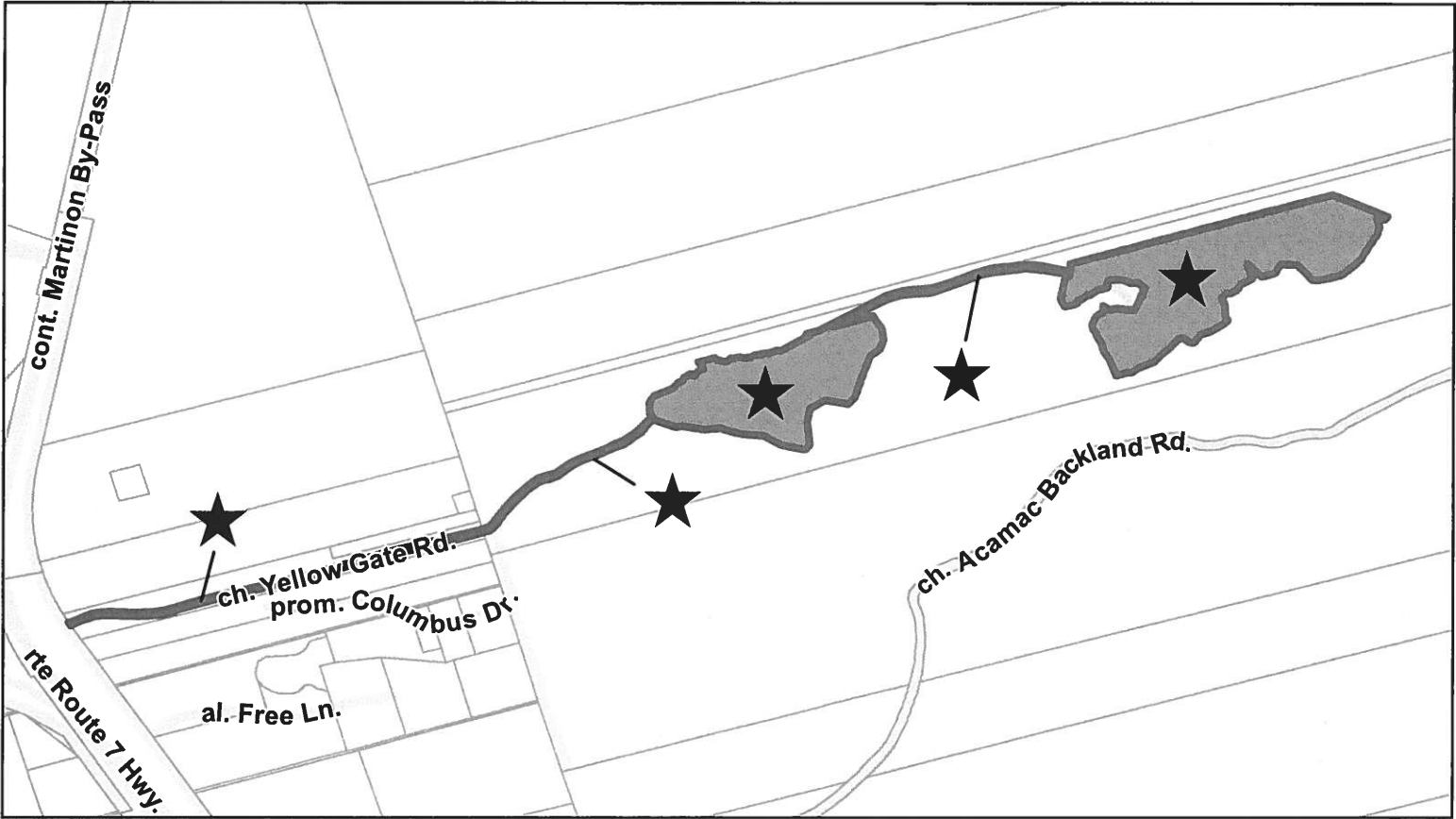
- toutes les modifications sont indiquées sur le plan ci-joint et font partie du présent arrêté.

EN FOI DE QUOI, The City of Saint John a fait apposer son sceau communal sur le présent arrêté le 2019, avec les signatures suivantes :

GROWTH & COMMUNITY DEVELOPMENT SERVICES
SERVICE DE LA CROISSANCE ET DU DÉVELOPPEMENT COMMUNAUTAIRE

REZONING / REZONAGE

Amending Schedule "A" of the Zoning By-Law of The City of Saint John
Modifiant Annexe «A» de l'Arrêté de zonage de The City of Saint John



FROM / DE

Rural
Zone rurale

RU



PQ

TO / À

Pit and Quarry
Zone de carrières
et de gravières



Pursuant to a Resolution under Section 59 of the Community Planning Act
Conformément à une résolution adoptée par le conseil municipal en vertu
de l'article 59 de la Loi sur l'urbanisme

Applicant: Gemtec Ltd. on behalf of Fundy Regional Service Commission

Location: 348 Acamac Backland Road

PID(s)/NIP(s): Portion of/de 00289595, portion of/de 00289454

Considered by P.A.C./considéré par le C.C.U.: October 16 octobre, 2019

Enacted by Council/Approuvé par le Conseil:

Filed in Registry Office/Enregistré le:

By-Law #/Arrêté #

Section 59 Conditions – 348 Acamac Backland Road

That Common Council, pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the following conditions on the use of the parcel of land with an area of approximately 16.1 hectares, located at 348 Acamac Backland Road, also identified as portions of PID No. 00289595, for the use of a Pit and for the use of a Quarry:

- a. That access to the site be limited to the existing private roadway known as Yellow Gate Road.
- b. That the excavated clay and aggregate material from the site only be used by the regional landfill in their operations.
- c. No portion of the site shall be developed in accordance with the applicant's proposal prior to the proponent receiving a Certificate of Determination through the Provincial Environmental Impact Assessment Process and all other necessary Provincial approvals including a Wetland and Watercourse Alteration Permit(s). Proof of these approvals must be submitted to the Development Officer with the required Excavation Permit Application(s).
- d. No portion of the site shall be developed in accordance with the applicant's proposal prior to the proponent receiving the appropriate approval(s) from the Province for access to the site. Proof of these approval(s) must be submitted to the Development Officer with the required Excavation Permit Application(s).
- e. That the Fundy Regional Services Commission provide a financial contribution to the City of \$5000 per year until 2048, or until the excavation activity ceases. These funds are to be used in the Ketepec, Belmont, and Morna area for neighbourhood parks, community facilities and greenspaces to mitigate quality of life impacts associated with the proposal. These monies are to be placed in the Lands for Public Purposes Trust Fund and that these funds be earmarked for the Ketepec, Belmont, and Morna area.

That Common Council, pursuant to the provisions of Section 59 of the *Community Planning Act*, impose the following conditions on the use of the parcel of land with an area of approximately 1.3 hectares, being the private roadway known as Yellow Gate Road, also identified as a portion of PID Nos. 00289454 and 00289595:

- a. The use of the rezoned portion of land is limited to the following:
 - i. An access to the pit and quarry operation located on PID 00289595; and
 - ii. Access to any use permitted in the Rural (RU) zone.