

BY-LAW No. 93-4

A BY-LAW TO AMEND BY-LAW No. 93

THE VILLAGE OF ALMA RURAL PLAN

The Council of the Village of Alma, under the authority vested in it by Section 34 and in accordance with Section 39 of the *Community Planning Act*, hereby amends the Village of Alma Rural Plan, being By-law Number 93, and enacts as follows:

1. The Village of Alma Rural Plan By-law No. 93 is hereby amended by rezoning the lands having Property Identifier 5072285 from "R1 – Single Unit Residential" zone and Property Identifier 0608695 from "RT – Residential Tourist" zone to "ID – Integrated Development" zone, subject to terms and conditions as contained within attached Schedule C-1, attached hereto and forming part hereof, the Resolution registered against the property.

2. Schedule B of the Village of Alma Rural Plan By-law #93-3, is hereby amended by the attached Schedule C dated March 5, 2013.

READ THE FIRST TIME this 13th of February, 2015.

READ THE SECOND TIME this 13th day of February, 2015.

READ A THIRD TIME and passed this 2nd day of April, 2015.

Louise Butland

Clerk

Kirstin Shortt

Mayor

38098100
2018-06-18
12:52:58

Variance to Schedule "C-1"
RESOLUTION
Parcel Identifier #05109335
(formerly PIDs 0608695 and 5072285)

WHEREAS Vista Ridge Ltd. is the owner of certain Lands, located at Forest Drive and Shady Lane and identified by PID #05109335, in Alma, New Brunswick, (hereinafter called the "Property");

AND WHEREAS Vista Ridge Ltd. consolidated two properties identified as PID 0608695 (hereinafter referred to as the "Old Campground") and PID 5072285 (hereinafter referred to as the "New Campground") as shown in Schedule "C" into a single property identified as PID 05109335 as required under the terms and conditions set forth on April 2, 2015;

AND WHEREAS the topography and nature of the "Property" and surrounding lands, requires particular attention be paid to site drainage and public safety;

AND WHEREAS the Village of Alma rezoned the "Property" to ID - Integrated Development under By-law No. 93-4, a By-law to Amend By-law No. 93 Village of Alma Rural Plan By-law, passed on April 2, 2015 subject to the terms and conditions;

AND WHEREAS it is acknowledged that an error was made on the original Terms and Conditions (#5) referencing use of an access at Chignecto Drive and that this should be stricken from the new Terms and Conditions;

AND WHEREAS Vista Ridge Ltd. has applied to vary the Terms and Conditions approved by the Village of Alma Council on April 2, 2015;

BE IT RESOLVED that the Council of the Village of Alma, pursuant to Section 59.3 of the *Community Planning Act, 2017, c. 19*, agrees to replace the terms and conditions approved April 2, 2015 with the following terms and conditions for the "Property".

1. That for the purposes of this development, the following words are thus defined:

CAMPGROUND means an area of land, managed as a unit accommodating cabins and recreational vehicles, and where the accessory uses may include an administrative office, farmer's market, washrooms, showers, rain shelters, recreational facilities, and utility and grounds-keeping sheds. A mobile home is not a permitted use in a campground;

CABIN refers to a building located on a campground, intended exclusively for temporary overnight accommodation, that may be equipped with culinary or sanitary facilities;

RECREATIONAL VEHICLE (RV) means any vehicle, whether towed or driven, that is used for accommodation purposes and may include a kitchen, bedroom, and bathroom;

RECREATIONAL VEHICLE SITE means an area of land within a campground designated to accommodate one recreational vehicle.

2. That prior to operation of the "New Campground" site stability and drainage features incorporated into the site based on a Site Drainage Plan (C2-a) be prepared by a Professional Engineer licensed to practice in New Brunswick;
3. That development of the Property shall be in substantial conformity with the Site Plan attached hereto as Schedule C2 (for "old campground") and C2-a (for the "new campground"), this means that:

- A campground containing a combination of Recreational Vehicle Sites and cabins is permitted to a maximum of 31 units.
 - A maximum of five accessory buildings or structures are permitted: 1) one building that may be used as an office/store; 2) one building that may be used as a shelter/washroom facility; and 3) up to three accessory structures used for electrical sheds, each of these electrical sheds being limited in size to 6 m².
 - Safety features such as fencing and stop blocks shall be incorporated as per Schedule C2-a notes.
 - The access on the "New Campground" may be modified to meet engineering standards
4. For the purpose of clarity, any cabin built or located to replace a Recreational Vehicle site, must be placed in substantial conformity with the Site Plan (Schedule C2 and/or C2-a), and shall have:
- a maximum height of 6 m;
 - a maximum building footprint of 61.3 m²;
 - each cabin site must maintain a minimum width of 9m, and
 - a cabin replacing an RV site is considered a new structure and shall require a Building Permit.
5. That deck platforms on RV sites shall be permitted to a maximum of 8.9 m² in area. Fixed overhangs shall not be permitted.
6. That no fire pits shall be permitted on the "New Campground." A communal fire pit is permitted on the "New Campground" and individual fire pits are permitted to continue on the "Old Campground."
7. That any lighting used to illuminate campground entrances and common areas shall be directed downward.
8. That a campground noise policy shall be enforced by campground management. The Property is also subject to By-Law # 63(a) A By-Law Relating to the Prevention of Excessive Noises in the Village of Alma.
9. That an opaque wooden fence, at least 6 feet in height, be erected along the southern line of the "new campground," this particular fence line depicted as " " added to C2-a. This fence must be constructed in the 2018 calendar year

Moved by Councilor: Butland; and

Seconded by Councilor: Casey

This 11 day of June, A.D., 2018.



Schedule "C-1"

RESOLUTION

Parcel Identifier # 0608695 and 5072285

WHERE AS Vista Ridge Ltd. is the owner of certain Lands, located at Foster Road/Chignecto Drive and Shady Lane and identified by PID#5072285 and PID#0608695, in Alma, New Brunswick, as shown in Schedule "C" (hereinafter called the "Property");

AND WHERE AS the topography and nature of the "Property" and surrounding lands, requires particular attention be paid to site drainage and public safety;

AND WHERE AS the Village of Alma has rezoned the "Property", from R1 – Single Unit Residential and RT – Residential Tourist Zones to ID - Integrated Development under By-law No. 93-4, a By-law to Amend By-law No. 93 Village of Alma Rural Plan By-law, passed on April 2, 2015 subject to the terms and conditions imposed in this resolution;

BE IT RESOLVED that the Council of the Village of Alma, pursuant to Section 39 of the *Community Planning Act*, imposes the following terms and conditions on the rezoning, to be implemented within one year from the date of this by-law coming into effect:

1. That for the purposes of this development, the following words are thus defined:

CAMPGROUND means an area of land, managed as a unit accommodating cabins and recreational vehicles, and where the accessory uses may include an administrative office, farmer's market, washrooms, showers, rain shelters, recreational facilities, and utility and grounds-keeping sheds. A mobile home is not a permitted use in a campground;

CABIN refers to a building located on a campground, intended exclusively for temporary overnight accommodation, that may be equipped with culinary or sanitary facilities;

RECREATIONAL VEHICLE (RV) means any vehicle, whether towed or driven, that is used for accommodation purposes and may include a kitchen, bedroom, and bathroom;

RECREATIONAL VEHICLE SITE means an area of land within a campground designated to accommodate one recreational vehicle.

2. That prior to any building and development permits being issued, PID 5072285 and PIDand0608695 must be consolidated.

3. That during development a silt fence must be placed at the western boundary of PID 5072285.

4. That prior to campground operation on PID 5072285:
 - a. The entire Property shall be connected to both municipal water and sewer services as per the requirements of the Village of Alma Water and Sewerage By-law 88;

 - b. That the access road from Forest Drive as indicated on Schedule C-2be completed. This access shall be the primary point of entry and exit to the Property;

 - c. That site stability and drainage features approved by the Village of Alma's Engineering consultant shall be incorporated into a Site Drainage Plan prepared by a Professional Engineer licensed to practice in New Brunswick.

5. That the Property access off Chignecto Drive shall be limited to RV entry, emergency services and proprietor use and that a "No Exit" sign be placed at this entrance.

6. That development of the Property shall be in substantial conformity with the Site Plan attached hereto as Schedule C-2. More specifically, this means that:

- A campground containing a combination of Recreational Vehicle Sites and cabins is permitted to a maximum of 31 units;

- A maximum of five accessory buildings or structures are permitted: 1) one building that may be used as an office/store; 2) one building that may be used as a shelter/ washroom facility; and 3) up to three accessory structures used for electrical sheds, each of these electrical sheds being limited in size to 6 m²;

- Safety features such as fencing and stop blocks shall be incorporated as per Schedule C-2 notes.

7. For the purpose of clarity, any cabin built or located to replace a Recreational Vehicle site, must be placed in substantial conformity with the Site Plan (Schedule C-2), and shall have:

- a maximum height of 6m;
- a maximum building footprint of 61.3 m²;
- each cabin site must maintain a minimum width of 9m; and
- a cabin replacing an RV site is considered a new structure and shall require a Building Permit.

8. That deck platforms on RV sites shall be permitted to a maximum of 8.9 m² in area. Fixed over hangs shall not be permitted.

9. That no fire pits shall be permitted on PID 5072285. A communal fire pit is permitted on PID 0608695 and individual fire pits are permitted to continue on PID 0608695.

10. That any lighting used to illuminate campground entrances and common areas shall be directed downward.

11. That a campground noise policy shall be enforced by campground management. The Property is also subject to By-Law # 63(a) A By-Law Relating to the Prevention of Excessive Noises in the Village of Alma.

Moved by Councillor: Butland; and

Seconded by Councillor: Casey

This 2nd day of April ,A.D., 2015.

SOLEMN DECLARATION

I, **Brenda Hoar**, of the Village of Alma, in the County of Alma and Province of New Brunswick, Clerk, **DO SOLEMNLY DECLARE**;

- 1. **THAT** I am the **CLERK** of the Village of Alma, a Municipal Corporation, and have personal knowledge of the facts herein declared;
- 2. **THAT** the requirements of Section 111 of the **COMMUNITY PLANNING ACT, 2017, c.19** has been complied with in respect of the **VARIANCE** to a Council resolution related to **BY-LAW NO. 93-4**. An amendment related to Vista Ridge Ltd., which was passed by the Council of the Village of Alma on June 11, 2018.

AND, I make this solemn declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath and by virtue of the Evidence Act.

Declared before me at the)
 Village of Alma, County of)
 Albert, and the)
 Province of New Brunswick,)
 this 12th day of June,)
 A D., 2018.)

Brenda Hoar
 Clerk

Rhonda Lee Rossiter
 Commissioner of Oaths)

Rhonda Lee Rossiter
 Commissioner of Oaths
 Expires December 31, 2020



For Council: May 11, 2018

Resolution

**Re: Varying Resolution for Terms and Conditions related to Village of Alma Rural Plan
By-law No. 93-4**

Moved by Councillor Councillor Casey

Moved by Councillor Councillor Buttard

WHEREAS Council has agreed to consider an application from Christopher Bowron agent for Vista Ridge Ltd. to vary the resolution containing terms and conditions set out in Schedule C1 and C2 of By-law 93-4 duly registered at the Assiniboia County registry office on April 17, 2005 as 347-00331.

BE IT RESOLVED that the Council of the Village of Alma directs that an amended set of terms and conditions be prepared to replace Schedule C1 and C2 of By-law No. 93-4, as it pertains to the above, that the notice of intention requirements of the *Community Planning Act, 2017* Section 59(3) be fulfilled with respect to the proposed amendment: Council sets a Special Council meeting on ^{June 4} DATE, 2018 at ^{5:00} TIME pm at the Alma Activity Centre, 8584 Main Street, Alma, S.B. as the date, time and place for the Public Hearing for consideration of support and objections to the amended terms and conditions.

Solemn Declaration

I, **Louise Butland**, of the Village of Alma, in the County of Alma and Province of New Brunswick, Clerk, **DO SOLEMNLY DECLARE;**

1. **THAT** I am the **CLERK** of the Village of Alma, a Municipal Corporation, and have personal knowledge of the facts herein declared;

2. **That** the requirements of Section 66 and 68 of the **COMMUNITY PLANNING ACT** have been complied with in respect of By-law No.93-4, A By-law to AMEND BY-LAW NO. 93 THE VILLAGE OF ALMA ZONING BY-LAW, which was passed by the Council of the Village of Alma on April 2, 2015.

AND, I make this solemn declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath and by virtue of the Evidence Act.

Declared before me at the)

Village of Alma, County of)

Albert, and the)

Province of New Brunswick,)

This 2nd day of April)

A.D., 2015.)

Louise Butland

Clerk)

Rhonda Lee Rossiter

Commissioner of Oaths)

Rhonda Lee Rossiter

Commissioner of Oaths

Expires December 31, 2015.

Schedule C

Village of Alma Zoning Map

Date: March 5, 2013

