

# Hanwell

## By-Law No. 04-2014

### A By-Law to Amend the Designated Rural Plan of Hanwell

Pursuant to section 77 of the *Community Planning Act*, the Council of the rural community of Hanwell enacts the following amendment to the designated Rural Plan of Hanwell, as indicated within the Rural Community of Hanwell Regulation 2014-30 of the *Municipalities Act* (2014-81):

#### 1. NEW ZONE

(a) The following is added after section 14.11:

#### **Commercial and Light Industrial 3 – “CLI 3” Zone**

##### Permitted Uses

14.12 In a “CLI 3” Zone, any land, building, or structure may be used for no other purpose than

(a) one or more of the following main uses:

- (i) an automotive sales or rental establishment,
- (ii) an automobile repair shop,
- (iii) a service or repair shop,
- (iv) a transportation terminal,
- (v) a self-service storage facility,
- (vi) a restaurant,
- (vii) a convenience store,
- (viii) a retail store,
- (ix) an auction centre,
- (x) a business office,
- (xi) a personal service establishment,
- (xii) a heavy equipment sales and service operation,
- (xiii) a warehouse,
- (xiv) a service station, subject to terms and conditions as may be set by the Commission,
- (xv) a manufacturing operation, subject to terms and conditions as may be set by the Commission, and

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- (b) one or more of the following secondary uses:
  - (i) an attached single family dwelling, and
  - (c) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

(b) Section 2.4(2) is repealed and replaced with the following:

2.4(2) The zones mentioned in subsection 2.4(1) are classified and referred to as follows:

- (a) Residential – “R” Zone
- (b) Rural Residential – “RR” Zone
- (c) Rural – “RU” Zone
- (d) Commercial Recreational – “CR” Zone
- (e) Commercial and Light Industrial – “CLI” Zone
- (f) Commercial Kennel – “CK” Zone
- (g) Industrial – “I” Zone
- (h) Mini Home Park – “MP” Zone
- (i) Resource and Conservation – “R&C” Zone
- (j) Gravel Pit – “GP” Zone
- (k) Yoho Lake – “YL” Zone
- (l) Mixed Use – “MU” Zone
- (m) Commercial and Light Industrial 2 – “CLI 2” Zone
- (n) Commercial Recreational and Residential Mixed – “CRRM” Zone
- (o) Commercial and Light Industrial 3 – “CLI 3” Zone

## 2. REZONING

That portion of land having PID 01501931, beginning at its northeasterly intersection with PID 75444554 and PID 75359216, thence in a southerly direction along the eastern property line of PID 01501931 a distance of approximately 759 metres; thence in a westerly direction a distance of approximately 239 metres or until it meets the southeast intersection of PID 75487561 and PID 01501105; thence in a northerly direction along the eastern property line of PID 01501931 a distance of approximately 879 metres to the southern boundary of PID 75444554; thence in a southeasterly direction along the southern property line of PID 75444554 a distance of approximately 284 metres or back to the place of beginning; and

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containing a total area of 20.25 hectares, is hereby rezoned from Rural – “RU” zone to Commercial Light Industrial 3 – “CLI3” Zone, within the Rural Community of Hanwell of the parish of Kingsclear and the county of York, being within the area designation of the *Rural Plan of Hanwell - Community Planning Act*, and as shown on the plan herein attached as Schedule G-1 subject to terms and conditions as contained within attached Schedule G.

This By-Law shall come into effect and be binding on all persons as of and from the date filed at the Registry Office.

FIRST READING: (By title) July 17, 2014  
SECOND READING: (In its entirety) August 21, 2014  
THIRD READING AND ENACTMENT: (By title) October 8, 2014

Susan Cassidy, Mayor

Detlef Rudolph, Clerk/Treasurer

**Schedule G**

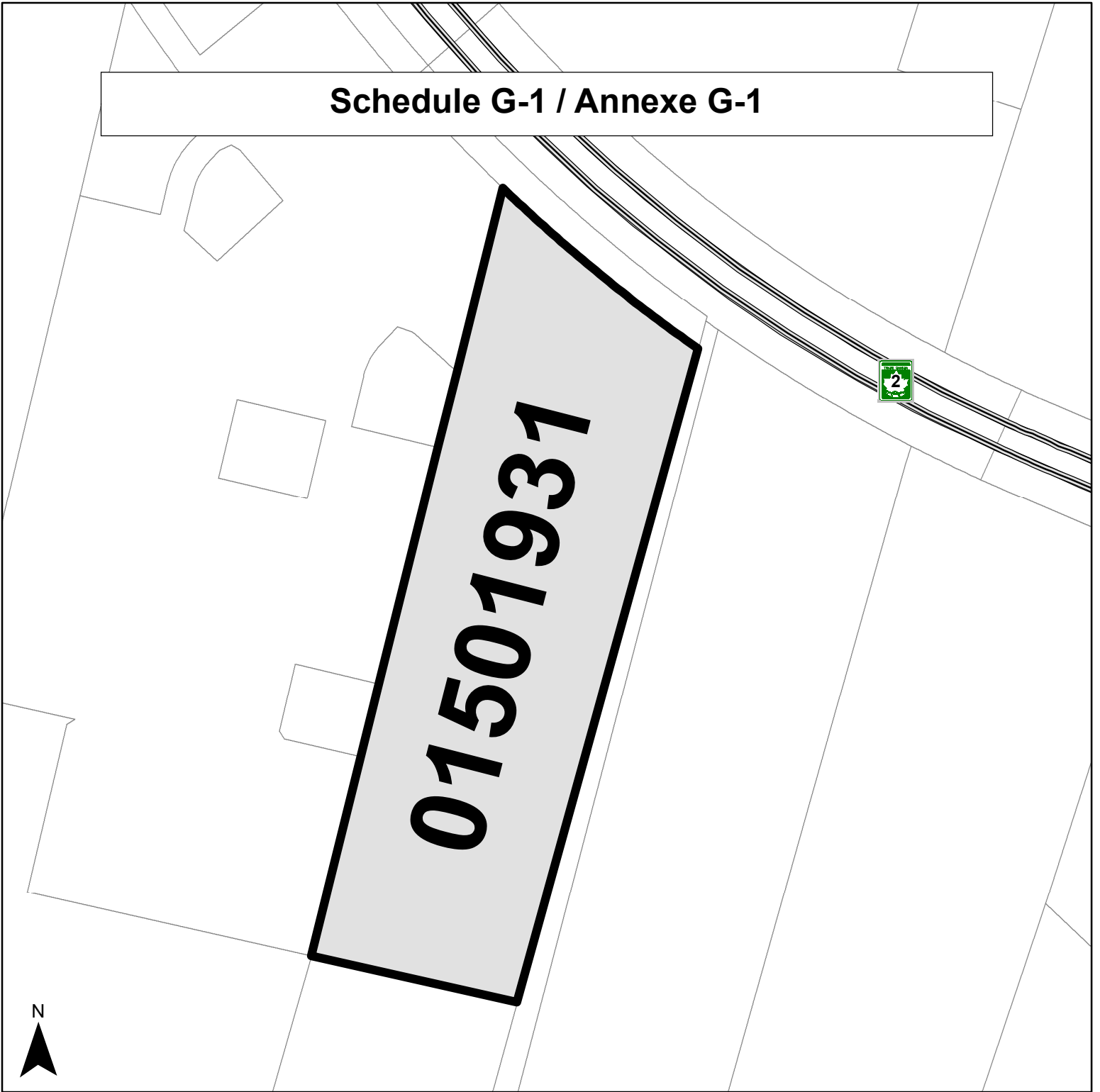
Terms and Conditions Regarding the Rezoning of Lands by By-law 04-2014

Whereas the applicant, namely, Tony Durling and Ernie McFadzen, on behalf of 670036 NB Inc., proposes to operate a commercial/light industrial park containing such operations as a warehouse, a business office, a heavy equipment sales and service and a transportation terminal upon lands having PID 01501931, lying southwesterly of Route 2 within the Rural Community of Hanwell of the parish of Kingsclear and the county of York, and being within the area designation of the Rural Plan of Hanwell - Community Planning Act, as shown on the plan herein attached as Schedule G-1, has in conjunction therewith applied to the Council of the Rural Community of Hanwell to have the said lands re-zoned from Rural – “RU” Zone to Commercial/Light Industrial – “CLI3” Zone under the Rural Plan of Hanwell - Community Planning Act, or any amendments made thereto, the said re-zoning being carried out by section 2 of this by-law, namely By-law 04-2014, subject to the following terms and conditions:

- 1 that any proposed development is subject to the applicable requirements of such Acts as the Community Planning Act, and any of its regulations, in particular, the Provincial Subdivision Regulation, the Clean Environment Act, and any of its regulations, in particular, the Environmental Impact Assessment Regulation, and the Clean Water Act, and any of its regulations, in particular, the *Wellfield Protected Area Designation Order*, as administered by the Minister of Environment and Local Government, and the Health Services Act, and any of its regulations, as administered by the Minister of Health;
- 2 that the re-zoning of lands herein does not, in itself, mean an approval on the issuing of subsequent permits or approvals, such as, for building construction or subdivision design;
- 3 that any proposed subdivision is subject to the applicable requirements of the Highway Act, as administered by the Minister of Transportation and Infrastructure; and
- 4 that any proposed industrial development is subject to the applicable requirements of the Plumbing Installation and Inspection Act, and any of its regulations, in particular, the Plumbing Licensing and Inspection Regulation, as administered by the Minister of Public Safety.

In the event of any breach of these terms and conditions, of any amendments made to them, or of the applicable provisions of the *Rural Plan of Hanwell - Community Planning Act*, or any amendments made thereto, by 670036 NB Inc., their heirs, assigns or successors, or any other operator of the lands herein identified, the said 670036 NB Inc., their heirs, assigns or successors, or any other operator of the said lands, may lose the right to use said lands as specified within this by-law and the use of said lands may revert to those of the previous zone, namely, Rural – “RU” Zone of the *Rural Plan of Hanwell - Community Planning Act*.

# Schedule G-1 / Annexe G-1



## Legend / Légende

Portion of lot being rezoned from  
Rural - "RU" Zone  
to Commercial & Light Industrial 3 - "CL13" Zone



Partie de lotissement de rezonage de  
Zone rurale - Zone RU  
à Zone commerciales et industrielles légères 3 - Zone CL13

metres 0 180 360 mètres

Échelle 1:6,000 Scale