



rural community of Hanwell
By-Law No. 17-2019
A By-Law to Amend the rural community of Hanwell Rural Plan

Pursuant to section 44 of the *Community Planning Act*, the Council of the rural community of Hanwell enacts the following amendments to the *rural community of Hanwell Rural Plan By-Law 11-2016*.

1. The following addition to 2.4(2):
 - (o) Commercial – “C” Zone

2. The following subsection is added to Part C: Zoning Provisions Section 4 – Zones:
Commercial
4.15. In a “C” Zone, any land, building, or structure may be used for no other purpose than,
 - (a) one or more of the following main uses:
 - (i) a single family dwelling,
 - (ii) multiple family dwelling,
 - (iii) veterinary services,
 - (iv) a community care facility,
 - (v) a recreational facility,
 - (vi) a medical or dental clinic,
 - (vii) a convenience store,
 - (viii) a legal services, architecture, or engineering office,
 - (ix) a service or repair shop,
 - (x) a self-service storage facility,
 - (xi) a retail store,
 - (xii) a business office,
 - (xiii) a personal service establishment,
 - (xiv) a warehouse,
 - (xv) an establishment for garden and nursery sale and supplies,
 - (xvi) a fitness centre,
 - (xvii) a commercial recreation establishment,
 - (xviii) a restaurant, and
 - (xix) a bed and breakfast;
 - (b) 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.

3. The following addition to Part C: Zoning Provisions Section 1 – Zoning Map & Interpretation:

“bed and breakfast” means an owner-occupied single family dwelling in which there are rooms for rent as short term accommodation and breakfast is served to overnight guests for commercial purposes;

“establishment for garden and nursery sale and supplies” means a store or shop engaged in the sale of garden commodities or goods to individual consumers for personal use rather than for resale, without limiting the generality of the foregoing, may include: the growing of young plants and trees for sale or for planting elsewhere;

“legal services, architecture, or engineering office” means a store or shop providing personal, financial, or technical services, assistance, or advice pertaining to legal, architecture, or engineering services;

4. That the land having the PID 75532473, as shown on the map herein attached as Schedule 17-2019-E1, is hereby rezoned, subject to terms and conditions contained in Schedule C, pursuant to section 59 of the *Community Planning Act*, from Commercial and Light Industrial – “CLI” Zone to Commercial – “C” Zone, within the rural community of Hanwell of the parish of Kingsclear and the county of York, being within the designated area of the *rural community of Hanwell Rural Plan – Community Planning Act*.

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: October 16, 2019

Second Reading: October 16, 2019

Third Reading: November 20, 2019

Susan Cassidy, Mayor

Terri Parker, Clerk

rural community of Hanwell

By-law No. 18-2019

Schedule C

Terms and Conditions regarding the Rezoning of the land being within the designated area of the rural community of Hanwell Rural Plan

Whereas the Municipality has been asked to rezone the property having the PID 75532473, currently owned by Frank Jardine, located along Hanwell Road (Route 640) near the Jardine Auctioneers business, rural community of Hanwell, NB, being within the parish of Kingsclear and the County of York, from Commercial and Light Industrial to Commercial, under section 59 of the *Community Planning Act*, for the purpose of permitting a range of commercial uses, and single and multiple family dwelling uses. The said rezoning is being carried out by the rural community of Hanwell By-law No. 17-2019, subject to the following terms and conditions:

1. THAT all signs are in accordance with applicable provisions in the signage By-law No. 10-2015 and in accordance with any applicable Department of Transportation and Infrastructure policies;
2. THAT parking is in accordance with the applicable provisions of subsection 3.3 of the *rural community of Hanwell Rural Plan*;
3. THAT outdoor lighting is located, arranged, or shielded as not to interfere with traffic proceeding along Hanwell Road (Route 640) or with nearby landowners in the reasonable enjoyment of their properties;

4. THAT any and all activities and construction related to the commercial use occur within the area shown on Schedule 17-2019-E1, and no activities related to the commercial use occur outside these areas;
5. THAT existing vegetation along the western property, where residential properties are directly abutting the property line, is maintained, or a fence is constructed to provide visual and audio screening;
6. THAT the hours of operation will be from no earlier than 6:00 am to no later than 10:00 pm, seven days a week;
7. THAT all uses on the lot adhere to all applicable government regulations.

Any violation of the terms and conditions as set out by Council resolutions and contained within Schedule C may result in the termination and cancellation of this rezoning within 30 days of written notice.