



I certify that this instrument  
is registered or filed in the  
Restigouche  
County Registry Office,  
New Brunswick

J'atteste que cet instrument est  
enregistré ou déposé au bureau  
de l'enregistrement du comté de  
Restigouche  
Nouveau-Brunswick

2024-11-26 15:08:45 45569689  
date/date time/heure number/numéro

EMMA EDMOND  
Registrar-Conservateur

## ARRÊTÉ N° Z-1-62

### UN ARRÊTÉ POUR MODIFIER L'ARRÊTÉ DE ZONAGE N° Z-1

ATTENDU QUE le Conseil a l'autorité de modifier son arrêté de zonage;

ET ATTENDU QUE le Conseil veut prendre cet arrêté et adopter des conditions séparément par voie d'une entente de rezonage conditionnel;

IL EST RÉSOLU QUE le Conseil de Campbellton, en vertu de l'autorité qui lui est confiée par la *Loi sur l'urbanisme*, prenne ce qui suit :

1. *Le paragraphe 6(1) de l'Arrêté N° Z-1 est amendé en ajoutant l'alinéa ag) qui suit immédiatement après l'alinéa af) :*

ag) Annexe AI, intitulée « Modification à la carte de zonage placée à l'annexe « A » de l'Arrêté de zonage de la City of Campbellton » datée de juin 2024.

2. *Le zonage du terrain délimité à l'Annexe AI du présent arrêté devient « Commercial Routier Classe 2 – CRC2 »*

1<sup>re</sup> LECTURE PAR TITRE : 21 octobre 2024

2<sup>e</sup> LECTURE PAR TITRE : 21 octobre 2024

LECTURE INTÉGRALE : 28 octobre 2024

3<sup>e</sup> LECTURE PAR TITRE

ET ADOPTION : 28 octobre 2024

Henri  
MAIRE/MAYOR

## BY-LAW NO. Z-1-62

### A BY-LAW TO AMEND ZONING BY-LAW NO. Z-1

WHEREAS Council has the authority to amend its zoning by-law;

AND WHEREAS Council wishes to make this by-law and include conditions that will be adopted separately by way of a conditional rezoning agreement;

BE IT RESOLVED THAT the Council of Campbellton, under the authority vested in it by the *Community Planning Act*, makes the following:

1. *Subsection 6(1) of By-law No. Z-1 is amended by adding paragraph ag) that follows immediately after paragraph af):*

ag) Schedule AI, entitled "Amendment to the Zoning Map attached as Schedule "A" to the Zoning By-law of the City of Campbellton" dated June 2024.

2. *The zoning of the land delineated on Schedule AI attached to the present By-law becomes "Highway Commercial 2 – HC2"*

1<sup>st</sup> READING BY TITLE: October 21, 2024

2<sup>nd</sup> READING BY TITLE: October 21, 2024

READING IN FULL: October 28, 2024

3<sup>rd</sup> READING BY TITLE

AND ADOPTION: October 28, 2024

EMMA EDMOND  
GREFFIÈRE ADJOINTE/  
ASSISTANT CITY CLERK



Modification à la carte de zonage placée à l'annexe "A" de l'arrêté de zonage de la City of Campbellton.

Amendment to the Zoning Map attached as Schedule "A" to the Zoning By-Law of the City of Campbellton

Annexe A1 de l'arrêté Z-1-62  
Schedule A1 of by-law Z-1-62

Carte / Map  
A1

LÉGENDE / LEGEND



Le zonage du terrain qui est ombragé et délimité tels qu'illustré dans la légende ci-dessus devient Commercial Routeur Classe 2 - CR2

The zoning of the land shaded and defined as illustrated by the legend above becomes Highway Commercial 2 - HC2

Propriétaire / Owner  
Luc Enterprises Ltd

Jun 2024  
June 2024





## **RÉSOLUTION**

ATTENDU que le Conseil a l'intention d'adopter l'Arrêté No Z-1-62 par rapport aux terrains situés au 111 chemin Thompson et étant une partie des NIDS portant les numéros 50003367, 50002591 et 50003375 ;

ET ATTENDU QUE le conseil avait adopté l'arrêté de rezonage conditionnel No Z-1-14 par rapport aux NIDS 50003367 et 50002591 qui a été déposé au bureau d'enregistrement du comté de Restigouche le 15 juillet 2009 sous le numéro 27435263 ;

IL EST RÉSOLU que le Conseil adopte l'Entente de rezonage conditionnel ci-dessous selon son pouvoir prescrit à 59(1)(b) de la Loi sur l'urbanisme ;

IL EST DE PLUS RÉSOLU que l'arrêté de rezonage conditionnel No Z-1-14, de même que les modalités et conditions qui y sont rattachées continuent de s'appliquer.

## **RESOLUTION**

WHEREAS Council intends to adopt By-law No. Z-1-62 regarding land located at 111 Thompson Road and being a portion of PID bearing numbers 50003367, 50002591 et 50003375;

AND WHEREAS Council had adopted Conditional Rezoning By-law No. Z-1-14 in relation to PID 50003367 and 50002591 which was filed in the Restigouche County Registry Office on July 15, 2009, under number 27435263;

BE IT RESOLVED that Council adopts the Conditional Rezoning Agreement below as per its authority under 59(1)(b) of the Community Planning Act;

BE IT ALSO RESOLVED that Conditional Rezoning By-law No. Z-1-14 and its terms and conditions continue to apply.

**ENTENTE DE REZONAGE  
CONDITIONNEL (ARRÊTÉ N° Z-1-62)**

**LOI SUR L'URBANISME  
ARTICLE 59**

**ENTRE**

Luc Enterprises Ltd., ayant son lieu d'affaires au 111 chemin Thompson à Campbellton, Province du Nouveau-Brunswick (ci-après nommé le « Propriétaire »),

D'UNE PART ;

**ET**

CAMPBELLTON, un gouvernement local constitué selon la *Loi sur la gouvernance locale* et ses règlements (ci-après nommé la « Municipalité ») ;

D'AUTRE PART.

**ATTENDU QUE** la Municipalité a reçu une demande du Propriétaire visant le rezonage de trois portions de terrains situés au 111 chemin Thompson et étant une portion des NIDS portant les numéros 50003367, 50002591 et 50003375 (ci-après nommée la « Propriété ») ;

**ET ATTENDU QUE** le conseil avait adopté l'arrêté de zonage N° Z-1-14 le 13 juillet 2009 afin de permettre l'aménagement d'une entreprise d'un entrepreneur général sur une portion des NIDS 50003367 et 50002391 ;

**ET ATTENDU QUE** le but de ce rezonage vise à permettre à l'agrandissement du bâtiment principal existant et d'agrandir les superficies de terrains affectés à l'usage de l'entreprise en excavation, aménagement paysager et déneigements actuels ;

**ET ATTENDU QUE** le Conseil a l'intention de prendre l'Arrêté N° Z-1-62 et d'ajouter des conditions qui s'appliqueraient au rezonage ;

**ET ATTENDU QUE** le Conseil a l'intention de conclure une entente avec le Propriétaire pour s'assurer qu'une fois le rezonage complété, la propriété, de même que tout bâtiment ou toute construction qui s'y trouvent, seront aménagés et

**CONDITIONAL REZONING AGREEMENT  
(BY-LAW NO. Z-1-62)**

**COMMUNITY PLANNING ACT  
SECTION 59**

**BETWEEN**

Luc Enterprises Ltd., having its place of business at 111 Thompson Road in Campbellton, Province of New Brunswick (hereinafter referred to as the "Owner"),

OF THE FIRST  
PART;

**AND**

CAMPBELLTON, a local government created under the *Local Governance Act* and its regulations (hereinafter referred to as the "Municipality");

OF THE SECOND  
PART.

**WHEREAS** the Municipality has received a request from the Owner to rezone three portions of land located at 111 Thompson Road and being a portion of PID bearing numbers 50003367, 50002591 and 50003375 (hereinafter referred to as the "Property");

**AND WHEREAS** Council adopted Zoning By-law No. Z-1-14 on July 13, 2009, to permit the development of a general contractor's business on a portion of PID 50003367 and 50002391;

**AND WHEREAS** the purpose of this rezoning is to allow the expansion of the existing main building and to increase the area of land used by the current excavation, landscaping and snow removal business;

**AND WHEREAS** Council intends to make By-law No. Z-1-62 and wishes to add conditions that would apply to the rezoning;

**AND WHEREAS** Council intends to enter into an agreement with the Owner to assure that on the rezoning of the land, the property and any building or structure on the land is developed and used in

utilisés conformément aux modalités et aux conditions de l'entente ;

**ET ATTENDU QUE** le paragraphe 59(2) de la *Loi sur l'urbanisme* stipule que la présente entente, une fois conclue, ne prendra effet qu'après le dépôt des copies certifiées conformes de l'arrêté de rezonage et de l'entente au bureau d'enregistrement des biens-fonds.

**QU'IL SOIT RÉSOLU QUE :**

1. Les modalités et les conditions suivantes sont imposées sur les portions des NIDS portant les numéros 50003367, 50002591 et 50003375 tel que démontré à l'annexe AI (ci-après nommée la « Propriété ») ;

- a) Le propriétaire est responsable de prendre connaissance et de se conformer aux commentaires et directives émanant des différents ministères de la province et qui sont mentionnés dans le rapport de rezonage.
- b) Avant d'aménager le poste de lavage, le propriétaire doit communiquer avec la Direction des études d'impact sur l'environnement pour confirmer si ce projet pourrait déclencher une Étude d'impact sur l'environnement.
- c) Toute aire extérieure servant à entreposer des matériaux et des débris de construction et autres objets récupérés doit être cachée de la vue à partir de la rue et des autres propriétés avoisinantes par une bande d'arbres et d'arbustes suffisamment dense et haute pour servir d'écran visuel opaque.
- d) Il est interdit d'entreposer des produits dangereux, pétroliers et/ou chimiques sans avoir reçu au préalable la permission des autorités provinciales concernées.
- e) Les autres dispositions contenues dans l'arrêté de zonage N° Z-1 continuent de s'appliquer à tout usage, bâtiment et construction sur la propriété.

2. Les modalités et conditions ci-dessus lient les parties, ainsi que leurs héritiers, administrateurs, officiers, successeurs et ayants droit respectifs, le cas échéant.

accordance with the terms and conditions of the agreement;

**AND WHEREAS** subsection 59(2) of the *Community Planning Act* stipulates that this agreement, once entered into, will only take effect after certified copies of the rezoning by-law and the agreement are filed in the land registration office.

**BE IT RESOLVED THAT:**

1. The following terms and conditions are imposed on the portions of PID bearing numbers 50003367, 50002591 et 50003375 as shown on Schedule AI (hereinafter referred to as the "Property");

- a) The owner is responsible for taking cognizance of and complying with the comments and directives emanating from the various provincial ministries and referred to in the rezoning report.
- b) Prior to constructing the wash bay, the owner must contact the Environmental Impact Assessment Branch to confirm whether this project could trigger an Environmental Impact Assessment
- c) Any outdoor area used to store construction materials and debris, and other salvaged items must be screened from the view from the street and other neighbouring properties by a strip of trees and shrubs sufficiently dense and tall to act as an opaque visual screen.
- d) It is forbidden to store hazardous, petroleum and /or chemical products without prior permission from the appropriate provincial authorities.
- f) The other provisions contained in Zoning by-law No. Z-1 continue to apply to all uses, buildings and structures on the property.

2. The above-mentioned terms and conditions are binding upon the parties, their administrators, officers, heirs and assigns.

3. Une fois le rezonage terminé, la propriété et tout bâtiment ou construction s'y trouvant ne pourront être aménagés ou utilisés qu'en conformité avec cette proposition, avec les modalités et les conditions imposées, et à l'intérieur des délais impartis.

4. Les parties ont eu l'occasion d'obtenir des avis juridiques quant aux exigences de l'article 59 de la *Loi sur l'urbanisme* avant de conclure cette entente.

3. Upon completion of the rezoning, the property and any building or structure thereon shall not be developed or used except in accordance with this proposal, with the terms and conditions imposed, and within the time limits specified.


4. Both parties have had the opportunity to consult legal counsel regarding the requirements of Section 59 of the *Community Planning Act* prior to signing this agreement.

Signé, scellé et remis:

Signed, sealed and delivered:

  
\_\_\_\_\_  
Jean-Guy Levesque  
Maire/Mayor

10-31-2024  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Julie Caissie  
Greffière adjointe/Assistant City Clerk

10-31-2024  
\_\_\_\_\_  
Date



  
\_\_\_\_\_  
Luc Pelletier  
Propriétaire/Owner

  
\_\_\_\_\_  
Témoïn/Witness

10-31-2024  
\_\_\_\_\_  
Date

\_\_\_\_\_



## Déclaration d'un Urbaniste professionnel certifié (UPC)

## Registered Professional Planner (RPP) Certification

Je soussigné,

\_\_\_\_\_ Nom de l'urbaniste professionnel certifié

résidant à

\_\_\_\_\_ Nom de la communauté où réside l'urbaniste

dans la province de Nouveau-Brunswick, certifie par les présentes :

1. Que je suis un urbaniste professionnel certifié en règle, au sens de la *Loi sur les urbanistes professionnels certifiés* du Nouveau-Brunswick.
2. Que ce document s'intitule

\_\_\_\_\_ Titre du document

et qu'il s'agit d'un ou d'une :

- Plan municipal
- Plan rural d'un gouvernement local
- Plan rural d'un district rural
- Arrêté de zonage
- Arrêté de lotissement
- Arrêté concernant les redevances d'aménagement
- Arrêté concernant les ententes de zonage incitatif
- Plan régional d'aménagement du territoire
- Modification d'un :

\_\_\_\_\_ Identifier le type de document modifié

au sens de la *Loi sur l'urbanisme* du Nouveau-Brunswick.

I, **Kim Thompson**

\_\_\_\_\_ Name of Registered Professional Planner

residing in the

**Town of Heron Bay**

\_\_\_\_\_ Name of the community where the planner resides

In the Province of New Brunswick, do hereby certify:

1. That I am a Registered Professional Planner in good standing, in accordance with the meaning set out in the *Registered Professional Planners Act of New Brunswick*.
2. That this document is entitled

**By-law No. Z-1-62, "A By-law to Amend Zoning By-law No. Z-1"**

\_\_\_\_\_ Name of document

and is a:

- Municipal plan
- Rural plan for a local government
- Rural plan for a rural district
- Zoning by-law
- Subdivision by-law
- Development charge by-law
- Incentive or bonus zoning agreement by-law
- Regional land use plan
- Amendment to a:

**Zoning By-law**

\_\_\_\_\_ Identify type of document being amended

as defined in the *Community Planning Act of New Brunswick*.



3. Que ce document a été préparé sous ma direction.

4. Que ce document est conforme aux dispositions de la *Loi sur l'urbanisme* du Nouveau-Brunswick et aux règlements d'application de cette loi, notamment qu'il est cohérent et aligné sur le *Règlement sur les déclarations d'intérêt public*, comme le précise l'analyse ci-jointe.

5. Que ce document est

\_\_\_\_\_

Nom et le numéro de l'arrêté

adopté par le Conseil de

\_\_\_\_\_

Nom de la municipalité ou communauté rurale

le

\_\_\_\_\_

jour-mois-année

Fait à

\_\_\_\_\_

Nom de la communauté ou la signature est apposée

le

\_\_\_\_\_

jour-mois-année

3. That this document was prepared under my direction.

4. That this document complies with the provisions of the *Community Planning Act of New Brunswick* and the Regulations under that act, including that this document is consistent and aligned with the *Statements of Public Interest Regulation*, as detailed in the attached analysis.

5. This document is

**By-law No. Z-1-62, "A By-law to Amend Zoning By-law No. Z-1"**

\_\_\_\_\_

Insert by-law name and number

adopted by the Council of the

**Campbellton Regional Community**

\_\_\_\_\_

Name of the municipality or rural community

on the

**28<sup>th</sup> day of October, 2024**

\_\_\_\_\_

day-month-year

Dated at the

**N-B Campbellton Regional Community NB**

\_\_\_\_\_

Name of community where signature is made

on the

**1<sup>st</sup> day of November 2024**

\_\_\_\_\_

day-month-year

**Kim Thompson**

\_\_\_\_\_

Nom en caractères d'imprimerie / Print Name

\_\_\_\_\_

Signature



Placer le timbre ou le sceau de l'UPC dans cette case /  
Place stamp/seal of the RPP in this box



## Analysis Demonstrating Compliance to the *Statement of Public Interest Regulation*

As of October 1st, 2023, SPIs apply to new land use plans, new by-laws, and new amendments. The SPIs are not retroactive; land use plans, by-laws or regulations that were in force prior to SPI enactment remain in effect until they are amended or replaced. This means some land use plans and by-laws will not be consistent with the SPIs until they are amended. As of January 1st, 2023, all local governments and rural districts in New Brunswick are required to have land use plans in place by January 1st, 2028.

A Registered Professional Planner (RPP) may provide their analysis in a different format; however, they must ensure the following are provided:

1. a list of which Statements of Public Interest are supported by the document, and
2. an explanation as to how each Statement of Public Interest is supported by the document.

The *Statement of Public Interest Regulation* includes five statements with supporting policies. The following analysis should clearly identify which Statements are supported by the document and how.

### How to use

Check the SPIs that are supported by the proposed amendment and explain how the amendment is consistent with each SPI. For any SPI that does not apply, indicate "n/a".

#### Proposed amendment and its purpose

##### By-law No. Z-1-62, "A By-law to Amend Zoning By-law No. Z-1"

The proposed amendments will change the land use designation and the zoning of the lands belonging to Luc Enterprises Ltd, located at 107 Thompson Road in Campbellton and being a portion of PIDs 50003367, 50002591 and 50003375.

The main building at 107 Thompson Road was originally built in 1988 after the former Restigouche Planning Commission granted a similar and compatible use variance. The Planning Commission determined that a general contractor's use was similar to the agricultural and forestry uses permitted in the "Green Belt Zone" in effect at that time. The 2009 rezoning re-authorized the general contractor business, allowing the owner to obtain a license for his mechanic to perform NB vehicle inspections on the company trucks, but also allowed only one expansion to the main building. The 2009 rezoning included approximately 4 acres of land fronting on Thompson Road and surrounding the main building, allowing accessory buildings, containers, tanks and parking areas for storage of salt, sand, tools, petroleum products, heavy vehicles and equipment.

By-law No. M-1-24 will change the land use designation from "Peripheral Development" to "Highway Commercial Class 2", in order to permit By-law No. Z-1-62 to change the zoning from "Peripheral – PR" to "Highway Commercial Class 2 – HC2". These amendments will allow a second expansion of the existing main building, rezoned in 2009 to allow one expansion only. In addition, the company's activities expanded outside the 4 acres rezoned in 2009, developing outdoor areas for storage of materials recovered from the company's operations and storage of sand, gravel and aggregates. As a result, the proposed amendments will also increase the land designated and zoned HC2 from 4 acres to 16 acres. The Campbellton Municipal Plan prescribes three Highway Commercial categories, Class 1, 2 and 3. Regarding Class 2, the Plan mentions: "This type of Highway Commercial designation is the one that resembles most to a Light Industrial area ... As a result of this new approach, the Industrial designation in the previous municipal plan becomes Highway Commercial Class 2 with the new revision." A general contractor is an industrial use and should be rezoned as such.



## SETTLEMENT PATTERNS



**SP.1 Promote efficient development and land use patterns that are in the best interests of the Province, local governments and residents of the Province in the long-term.**

*The document meets this SPI because:*

- In changing the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building and existing industrial activities, By-law No. Z-1-62 will amend the Zoning By-law in a manner consistent with the Campbellton Municipal Plan (By-law No. M-1) and By-law No M-1-24 (A By-law to Amend By-law No. M-1). Thompson Road passes through a tunnel under Route 11. The topography of the area consists of mountain ridges containing slopes with a grade of 15% and higher, a physical constraint that limits development. As a result, the portion of Thompson Road south of Route 11 is isolated from the urban core of Campbellton. Existing infrastructure is underdeveloped, with no public water and sewer systems and public roads are underdeveloped. Due to this isolation, the Campbellton Municipal Plan places a low priority on the development of this section of the Thompson Road for residential purposes. At the same time, this isolation makes a good location for industrial development, according to the Municipal Plan: *"The development of this area as an industrial site is not completely ruled out."*
- The land being rezoned to allow expansion of a general contractor's existing main building and existing industrial activities is located outside the urban core of Campbellton, at the end of an existing rural dead-end road located in a narrow valley. The valley ridges and trees hide the company's outdoor areas used for storage of materials recycled and recovered from the company's operations and storage of sand, gravel and aggregates. The proposed development and use of the land being rezoned is compatible with the resource-based activities permitted in the surrounding "Peripheral Zone", i.e. agricultural use, forestry use.
- Regarding environmentally sensitive areas, see NR.1, NR.3 and NR.4.
- Regarding triggers for Environmental Impact Assessment (EIA), see SP.4.
- Council is imposing rezoning conditions, in an agreement pursuant to section 59 of the *Community Planning Act*, to mitigate impacts to neighboring properties and to steer the development and use of the lands being rezoned in accordance with provincial requirements. Certain conditions are based on the comments received from the provincial authorities. The agreement also includes a condition that imposes *"a strip of trees sufficiently dense and tall to act as an opaque visual screen"* to hide outdoor areas located outside the 4 acres rezoned in 2009 and used to store construction materials, debris and salvaged items.
- These amendments allow an existing business to make improvements and continue operations at the same location previously rezoned. No written objections were received on the proposed development and amendments.



**SP.2 Promote a range of housing options such as size, type, density and design throughout communities.**

*The document meets this SPI because: n/a*



**SP.3 Support the provision of a range of affordable housing options throughout communities.**

*The document meets this SPI because: n/a*



- SP.4 Avoid development and land use patterns that may cause environmental or health and safety issues.**

*The document meets this SPI because:*

- By-law No Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building and existing Industrial activities, located in the built-up area of Thompson Road. The land being rezoned is not within a mapped flood hazard area nor in a coastal area at risk of erosion. The existing buildings and existing Industrial activities are not more or less at risk of forest fires than other properties and buildings in the Thompson Road built-up area.
- That said, the section of Thompson Road south of Route 11 is surrounded by forests. Forest fires probably represent the main climatic hazard that can affect this area of Campbellton. What is more, the tunnel under Route 11 is the only access point for emergency services and the only escape route. The community will need to identify the risks associated with forest fires and other hazards as part of a future climate change adaptation plan, followed by integration of this information into the municipal plan. Protective measures can then be developed for the entire community and integrated into the municipal plan. In due course, the community will need to put in place comprehensive policies that limit risks and increase its resilience to natural hazards.
- The rezoning applicant/owner of the land being rezoned was given a copy of comments and directives from the various provincial environmental authorities. One part of the proposed expansion, a future washing station for company trucks and vehicles, could trigger an EIA (Item "s" of the list of "Projects that must be registered under the EIA regulation"). Details of this expansion, especially regarding water demand, must be provided to the EIA Branch prior to construction (i.e. with the building permit application) to confirm whether it will need to be registered for an EIA review.
- Council is imposing rezoning conditions, in an agreement pursuant to section 59 of the *Community Planning Act*, to mitigate impacts to neighboring properties and to steer the development and use of the lands being rezoned in accordance with provincial requirements. Certain conditions are based on the comments received from the provincial authorities.

- SP.5 With respect to development that occurs in a community with existing or planned public infrastructure and services, promote development in locations where the public infrastructure and services are or are planned to be available.**

*The document meets this SPI because:*

- By-law No Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building, which is connected to existing on-site water supply and sewer disposal systems and located on an existing public road. There are no public water and sewer systems at this location. However, a general contractor's operations do not require connections to these systems.

- SP.6 With respect to development that occurs in a community with no existing or planned public infrastructure or services, promote development in locations with previously constructed and actively maintained roads.**

*The document meets this SPI because:*

- By-law No Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building, which is located on an existing public road that is actively maintained. This amendment is consistent with the Campbellton Municipal Plan (By-law No. M-1) and By-law No M-1-24 (A By-law to Amend By-law No. M-1) (see SP.1).



- Outside of the built-up area on Thompson Road, there are natural resource development areas, consisting of large peripheral lots, zoned "Peripheral", where agricultural uses and forestry uses are permitted (see NR.1). The proposed development and use of the land being rezoned, a general contractor, is compatible with the resource-based activities permitted in the surrounding "Peripheral Zone".

**SP.7 Promote a range of transportation options, including public, regional and active transportation.**

*The document meets this SPI because: n/a*

**SP.8 Promote the use of green infrastructure, including climate resilient lands.**

*The document meets this SPI because: n/a*

**SP.9 Promote development in downtown areas and urban cores through increased density, infill and brownfield development.**

*The document meets this SPI because: n/a*

## AGRICULTURE

**AA.1 Identify prime agricultural areas and prioritize them for agricultural uses and other compatible uses.**

*The document meets this SPI because:*

- The land being rezoned is not identified as a prime agricultural area due to the soil type and topography.
- The soils in this area are a 50:50 split between Class 5 (very severe limitations) and Class 7 (no capability for arable culture or permanent pasture) with subclass T (adverse topography).



### CLASS 5

**SOILS IN THIS CLASS HAVE VERY SEVERE LIMITATIONS THAT RESTRICT THEIR CAPABILITY TO PRODUCING PERENNIAL FORAGE CROPS, AND IMPROVEMENT PRACTICES ARE FEASIBLE.**

The limitations are so severe that the soils are not capable of use for sustained production of annual field crops. The soils are capable of producing native or tame species of perennial forage plants, and may be improved by use of farm machinery. The improvement practices may include clearing of bush, cultivation, seeding, fertilizing, or water control.

### CLASS 7

**SOILS IN THIS CLASS HAVE NO CAPABILITY FOR ARABLE CULTURE OR PERMANENT PASTURE.**

This class also includes rockland, other non-soil areas, and bodies of water too small to show on the maps.



**AA.2 Identify current and future areas for fishery use and aquaculture use and prioritize them for those uses and other compatible uses.**

*The document meets this SPI because: n/a*



**AA.3 Consider set-backs, including reciprocal setbacks if appropriate, between areas with an agricultural use, fishery use or aquaculture use and areas used for incompatible purposes.**

*The document meets this SPI because: n/a*

## **CLIMATE CHANGE**



**CC.1 Promote energy conservation and efficiency, improved air quality, climate change mitigation and climate change adaptation through development and land use patterns.**

*The document meets this SPI because:*

- By-law No. Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building and existing industrial activities located in the built-up area of Thompson Road. The existing main building is connected to existing on-site water supply and sewer disposal systems and is located on an existing public road that is actively maintained. The expansion is small and does not substantially increase the existing main building footprint. The existing industrial activities are on previously cleared land. Using existing buildings, infrastructure and cleared land in this manner reduces the overall carbon footprint of clearing forested land to build new buildings.
- Regarding climate change mitigation and adaptation, see FH.1, FH.2, FH.3 and FH.4.



**CC.2 Consider how the siting and design of infrastructure can improve air quality and energy conservation and efficiency, minimize the health and public safety impacts of climate change and increase climate resiliency.**

*The document meets this SPI because: n/a*

## **FLOOD AND NATURAL HAZARD AREAS**



**FH.1 Identify flood and natural hazard areas using provincial flood hazard mapping, provincial erosion mapping and other resources.**

*The document meets this SPI because:*

- By-law No. Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building and existing industrial activities, located in the built-up area of Thompson Road. The land being rezoned is not within a mapped flood hazard area nor in a coastal area at risk of erosion. The existing buildings and existing industrial activities are not more or less at risk of forest fires than other properties and buildings in the Thompson Road built-up area.



- That said, the section of Thompson Road south of Route 11 is surrounded by forests. Forest fires probably represent the main climatic hazard that can affect this area of Campbellton. What is more, the tunnel under Route 11 is the only access point for emergency services and the only escape route. The community will need to identify the risks associated with forest fires and other hazards as part of a future climate change adaptation plan, followed by integration of this information into the municipal plan.

**FH.2 Promote land use and development in areas other than flood and natural hazard areas.**

*The document meets this SPI because:*

- By-law No. Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building and existing industrial activities, located in the built-up area of Thompson Road. The land being rezoned is not within a mapped flood hazard area nor in a coastal area at risk of erosion. The existing buildings and existing industrial activities are not more or less at risk of forest fires than other properties and buildings in the Thompson Road built-up area.
- That said, the section of Thompson Road south of Route 11 is surrounded by forests. Forest fires probably represent the main climatic hazard that can affect this area of Campbellton. What is more, the tunnel under Route 11 is the only access point for emergency services and the only escape route. The community will need to identify the risks associated with forest fires and other hazards as part of a future climate change adaptation plan, followed by integration of this information into the municipal plan. Protective measures can then be developed for the entire community and integrated into the municipal plan.

**FH.3 Promote land use and development that are not expected to increase the impacts on safety and costs associated with flooding and natural hazards.**

*The document meets this SPI because:*

- By-law No. Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building and existing industrial activities, located in the built-up area of Thompson Road. The land being rezoned is not within a mapped flood hazard area nor in a coastal area at risk of erosion. The existing buildings and existing industrial activities are not more or less at risk of forest fires than other properties and buildings in the Thompson Road built-up area.
- That said, the section of Thompson Road south of Route 11 is surrounded by forests. Forest fires probably represent the main climatic hazard that can affect this area of Campbellton. What is more, the tunnel under Route 11 is the only access point for emergency services and the only escape route. The community will need to identify the risks associated with forest fires and other hazards as part of a future climate change adaptation plan, followed by integration of this information into the municipal plan. Protective measures can then be developed for the entire community and integrated into the municipal plan. In due course, the community will need to put in place comprehensive policies that limit risks and increase its resilience to natural hazards.

**FH.4 Promote land use and development that incorporate mitigation measures with respect to flooding and natural hazards or that are appropriate for areas subject to natural hazards.**

*The document meets this SPI because:*



- By-law No. Z-1-62 will change the zoning of 16 acres of land located at 107 Thompson Road to allow expansion of a general contractor's existing main building and existing industrial activities, located in the built-up area of Thompson Road. The land being rezoned is not within a mapped flood hazard area nor in a coastal area at risk of erosion. The existing buildings and existing industrial activities are not more or less at risk of forest fires than other properties and buildings in the Thompson Road built-up area.
- That said, the section of Thompson Road south of Route 11 is surrounded by forests. Forest fires probably represent the main climatic hazard that can affect this area of Campbellton. What is more, the tunnel under Route 11 is the only access point for emergency services and the only escape route. The community will need to identify the risks associated with forest fires and other hazards as part of a future climate change adaptation plan, followed by integration of this information into the municipal plan. Protective measures can then be developed for the entire community and integrated into the municipal plan. In due course, the community will need to put in place comprehensive policies that limit risks and increase its resilience to natural hazards.

## NATURAL RESOURCE DEVELOPMENT



**NR.1** Identify natural resource development areas and environmentally sensitive areas.

*The document meets this SPI because:*

- Regarding environmentally sensitive areas, according to comments received from the provincial environmental authority, their reference maps indicate that 3 watercourses and wetlands, and their 30-metre buffer zones, are present on parcels having PIDs 50003367, 50002591 and 50003375. In addition, a wetland over 2 ha in size is located south of these parcels. What is more, there is potential for an unmapped wetland in the northern section of these parcels.
- Campbellton's water supply, the Pritchard Lake – Smith Lake Watershed, is located south of parcels having PIDs 50003367, 50002591 and 50003375.
- Forested lands used for reforestation, silviculture and harvesting constitute the main natural resource development areas in the vicinity of the land being rezoned.
- Land in the immediate vicinity of the land being rezoned is Class 5, lands having severe limitations to the growth of commercial forests. Subclass U denotes exposure to significant adverse departure from the median climate of the region, while Subclass D indicates physical restriction to rooting by dense or consolidated layers, other than bedrock. Balsam Fir is the tree species indicator for this class. Surrounding this is more Class 5 land (70%) with the same subclasses/tree species, and Class 4 land with low fertility and White Spruce indicated (30%).



**CLASS 5**

**LANDS HAVING SEVERE LIMITATIONS TO THE GROWTH OF COMMERCIAL FORESTS.**

Soils are frequently shallow to bedrock, stoney, excessively or poorly drained of coarse or fine texture, may have poor moisture holding capacity and be low in natural fertility.

The most common limitations (often in combination) are: moisture deficiency or excess, shallowness to bedrock, adverse regional or local climate, low natural fertility, exposure particularly in maritime areas, excessive stoniness and high levels of carbonates.

Productivity will usually be from 31 to 50 cubic feet per acre per year.



**NR.2 Prioritize natural resource development areas for natural resource extraction and development.**

*The document meets this SPI because:*

- Forested lands used for reforestation, silviculture and harvesting constitute the main natural resource development areas in the vicinity of the land being rezoned (see NR.1). The proposed development and use of the land being rezoned (a general contractor), as well as its location and size, does not conflict with the use of the surrounding forested lands for natural resource extraction and development.



**NR.3 Prioritize environmentally sensitive areas for conservation and protection.**

*The document meets this SPI because:*

- The rezoning applicant/owner of the land being rezoned was given a copy of comments and directives from the various provincial environmental authorities. Summary of comments regarding environmentally sensitive features:
  - Any modification carried out in or within 30m of a watercourse or wetland requires a Watercourse and Wetland Alteration (WAWA) permit.
  - Wetlands must be protected. Where it is not possible to avoid impacts on a wetland, the wetland loss must be compensated at a ratio of 2:1.
  - All lots should have sufficient buildable area outside wetlands and their 30m buffer zones.
  - Modifications affecting wetlands over 2 ha in size may be subject to the registration of an EIA under item "v" of the list of "Projects that must be registered under the EIA regulation".
  - A wetland delineation of unmapped wetlands may be required.
  - These recommendations are valid for a period of 24 months from the date of the correspondence.
- Council is imposing rezoning conditions, in an agreement pursuant to section 59 of the *Community Planning Act*, to mitigate impacts to neighboring properties and to steer the development and use of the lands being rezoned in accordance with provincial requirements. Certain conditions are based on the comments received from the provincial authorities.



**NR.4 Consider set-backs, including reciprocal setbacks if appropriate, between natural resource development areas or environmentally sensitive areas and areas used for incompatible purposes.**

*The document meets this SPI because:*

- The rezoning applicant/owner of the land being rezoned was given a copy of comments and directives from the various provincial environmental authorities. Summary of comments regarding environmentally sensitive features:
  - Any modification carried out in or within 30m of a watercourse or wetland requires a Watercourse and Wetland Alteration (WAWA) permit.
  - Wetlands must be protected. Where it is not possible to avoid impacts on a wetland, the wetland loss must be compensated at a ratio of 2:1.
  - All lots should have sufficient buildable area outside wetlands and their 30m buffer zones.
  - Modifications affecting wetlands over 2 ha in size may be subject to the registration of an EIA under item "v" of the list of "Projects that must be registered under the EIA regulation".



- A wetland delineation of unmapped wetlands may be required.
- These recommendations are valid for a period of 24 months from the date of the correspondence.
- Council is imposing rezoning conditions, in an agreement pursuant to section 59 of the *Community Planning Act*, to mitigate impacts to neighboring properties and to steer the development and use of the lands being rezoned in accordance with provincial requirements. Certain conditions are based on the comments received from the provincial authorities.



## Declaration confirming by-law preparation requirements have been satisfied

<b>Local Government Name:</b>		
Campbellton		
<b>By-law Name and Number:</b>		
By-law No. Z-1-82, "A By-law to Amend Zoning By-law No. Z-1"		
<b>By-law Type:</b>	zoning by-law <input checked="" type="checkbox"/> zoning by-law amendment, including rezonings rural plan amendment – zoning map and/or text changes, including rezonings <input checked="" type="checkbox"/> section 59 specific proposal rezoning agreements	subdivision by-law subdivision by-law amendment
<i>Insert checkmark ✓ beside each item that applies</i>	<b>I confirm that this by-law was prepared:</b>	
<input checked="" type="checkbox"/>	under the direction of the planning director, or another planner (RPP) engaged by council and responsible to the planning director	
<input checked="" type="checkbox"/>	In compliance with all Statements of Public Interest (SPIs) Regulations in effect	
<input checked="" type="checkbox"/>	<b>In consultation with the GNB government departments/agencies which I selected as being appropriate to consult on this specific by-law, as identified by checkmarks [✓] below:</b> <input checked="" type="checkbox"/> DELG – Environmental Impact Assessment <input checked="" type="checkbox"/> DELG – Source & Surface Water Management <input checked="" type="checkbox"/> DELG – Authorizations <input checked="" type="checkbox"/> DELG – Air & Water Sciences <input checked="" type="checkbox"/> DELG – Climate Change Secretariat <input checked="" type="checkbox"/> DELG – Regional Operations & Compliance – regional office <input checked="" type="checkbox"/> NRED - Planning <input checked="" type="checkbox"/> DAAF – Agriculture <input checked="" type="checkbox"/> DAAF – Aquaculture & Commercial Fisheries <input checked="" type="checkbox"/> THC – Parks Programming and Planning <input checked="" type="checkbox"/> THC – Archeological Services <input checked="" type="checkbox"/> DTI – Rights of Way Management <input checked="" type="checkbox"/> JPS – Inspection & Enforcement – regional office  <i>Others? Please specify:</i>	
<b>Date</b>	<b>Print Name</b>	<b>Signature</b>
Nov. 1, 2024	Kim Thompson	
<b>What is your Position/Title with the local government?</b>		
Planning Director/Senior Planner		
<b>This section intended for Restigouche RSC office use only:</b>		