



Village of New Maryland

MEMORANDUM

TO : Council
FROM : Kyle Arsenault
DATE : January 23, 2019
SUBJECT : Repeal and Replacement of Municipal Plan By-Law 03-2016

Municipal Plan By-Law 03-2016	Proposed Municipal Plan By-Law 03-2019
<p><u>ENACTMENT:</u></p> <p>WHEREAS Section 72 of the Community Planning Act requires that a Municipal Plan and Zoning By-law be reviewed at least every ten years,</p> <p>AND WHEREAS measures have been undertaken to perform said review and a By-law amendment has been proposed,</p> <p>THEREFORE BE IT ENACTED by the Council of the Village of New Maryland under the authority vested in it by the <i>Community Planning Act</i> R.S.N.B. 1973 C-12, as follows:</p>	<p><u>ENACTMENT:</u></p> <p>DELETED</p> <p>DELETED</p> <p>WHEREAS the <i>Community Planning Act</i> S.N.B. 2017, c.19 (“the Act”) was proclaimed and came into force January 1, 2018,</p> <p>AND WHEREAS under Section 141 of the <i>Community Planning Act</i> S.N.B. 2017, c.19, the “former Act” means the Community Planning Act, chapter C-12 of the Revised Statutes, 1973,</p> <p>AND WHEREAS under Section 142 of the Act a municipal development plan made under the authority of the former Act shall be deemed to be a municipal plan made under the Act and is valid and continues in force until amended or repealed, to the extent that it is not inconsistent with this Act or a statement of provincial interest,</p> <p>AND WHEREAS the Council for the Village of New Maryland proposes amendments to Municipal Plan By-Law No. 03-2016,</p> <p>THEREFORE BE IT ENACTED by the Council of the Village of New Maryland under the authority vested in it by the <i>Community Planning Act</i> S.N.B. 2017, c.19, as follows:</p>

<p><u>1.0 – GENERAL PROVISIONS</u></p> <p>1.2 The statements of policy set up in this Municipal Plan (“the Plan”) By-law apply to the Village of New Maryland municipal boundaries as outlined in Regulation 85-6 under the <i>Municipalities Act</i>.</p>	<p><u>1.0 – GENERAL PROVISIONS</u></p> <p>1.2 The statements of policy set up in this Municipal Plan (“the Plan”) By-law apply to the Village of New Maryland municipal boundaries as outlined in Regulation 85-6 under the <i>Local Governance Act</i>.</p>
<p>1.3 The Municipal Plan By-law sets out Village Council's long-term policies and proposals to guide future land use and development. (A proposal is a more detailed statement than a policy and is intended to implement the policy.) The Plan is intended to be used by Council and Village residents to guide day-to-day decisions affecting development. The Municipal Plan will also guide major policy decisions with respect to capital expenditures and will form the basis of the Zoning By-law, which is adopted to implement the Plan. Although the Plan is long term in outlook, it should be reviewed at least every ten years in accordance with provisions of the <i>Community Planning Act</i>. Periodic amendments to this document will be required and these must be undertaken with consultation and due process as outlined in Section 74 of the <i>Community Planning Act</i> for Plan amendments.</p> <p>As pointed out in Section 27 of the Community Planning Act, the adoption of a Municipal Plan shall not commit the Municipality or the Province to undertake any proposal therein suggested or outlined, but shall prevent the undertaking of any development in any manner inconsistent or at variance with:</p> <p>(a) In the case of the Municipality, any policy so outlined or suggested, or</p> <p>(b) In the case of the Province or a person, any proposal so outlined or suggested.</p>	<p>1.3 The Municipal Plan By-law sets out Village Council's long-term policies and proposals to guide future land use and development. (A proposal is a more detailed statement than a policy and is intended to implement the policy.) The Plan is intended to be used by Council and Village residents to guide day-to-day decisions affecting development. The Municipal Plan will also guide major policy decisions with respect to capital expenditures and will form the basis of the Zoning By-law, which is adopted to implement the Plan. Although the Plan is long term in outlook, it should be reviewed at least every ten years in accordance with provisions of the <i>Community Planning Act</i>. Periodic amendments to this document will be required and these must be undertaken with consultation and due process as outlined in <i>Section 117 of the Community Planning Act</i> for Plan amendments.</p> <p>As pointed out in Section 27 of the Community Planning Act, the adoption of a Municipal Plan does not commit the Municipality or the Province to undertake a proposal suggested or outlined in the plan, but, <i>in the case of a municipality, shall prevent the undertaking of a development in any manner inconsistent with a proposal or policy outlined or suggested in the plan.</i></p>
<p><u>2.0 – NON CONFORMING USES</u></p> <p>2.3.2.1 In conformance with Section 40 of the <i>Community Planning Act</i>, it shall be a policy of Council that any land use existing at the time this Plan is approved, that does not conform to the land use designations shown on the Future Land Use Map, and which is subsequently non-conforming to the Zoning By-law, will be permitted to continue. However, if a building or structure containing such a use is damaged to the extent of at least half of the whole (exclusive of foundation) or if it is discontinued for a consecutive period of 10 months, then any reuse must conform to the Plan and Zoning By-law unless otherwise permitted by the Planning Advisory Committee.</p>	<p><u>2.0 – NON CONFORMING USES</u></p> <p>2.3.2.1 In conformance with <i>Section 60 of the Community Planning Act</i>, it shall be a policy of Council that any land use existing at the time this Plan is approved, that does not conform to the land use designations shown on the Future Land Use Map, and which is subsequently non-conforming to the Zoning By-law, will be permitted to continue. However, if a building or structure containing such a use is damaged to the extent of at least half of the whole (exclusive of foundation) or if it is discontinued for a consecutive period of 10 months, then any reuse must conform to the Plan and Zoning By-law unless otherwise permitted by the Planning Advisory Committee.</p>

<p><u>3.0 – RESIDENTIAL</u></p> <p>3.3.2.1 In the areas designated Residential on the Future Land Use Map, it shall be a policy of Council that higher density uses (up to 20 units), whether new units or conversion of existing single-unit dwellings, would only be permitted as an amendment (through Section 39 of the <i>Community Planning Act</i>) to the Zoning By-law and subject to the following conditions:</p>	<p><u>3.0 – RESIDENTIAL</u></p> <p>3.3.2.1 In the areas designated Residential on the Future Land Use Map, it shall be a policy of Council that higher density uses (up to 20 units), whether new units or conversion of existing single-unit dwellings, would only be permitted as an amendment (through Section 59 of the <i>Community Planning Act</i>) to the Zoning By-law and subject to the following conditions:</p>
<p><u>7.0 – RECREATION</u></p> <p>7.3.2.1 It shall be a policy of Council that, in accordance with Section 42(3)(f) of the <i>Community Planning Act</i>, all subdivision of land will be accompanied by public dedication of eight percent of the area subdivided (exclusive of public streets). The land so dedicated shall be capable of being developed for recreational purposes or other such public uses defined as "land for public purposes" in Section 1 of the <i>Community Planning Act</i>. Where land dedication is not practical or where land is not needed for recreational purposes, the Council will collect cash in lieu of land (equal to the value of the land at the time of application which would otherwise be dedicated), and the money so collected shall be used for the purpose of acquisition or development of land for public purposes. Council could also consider the option of taking four percent land area and four percent in cash in order to equip or furnish the park or playground site.</p>	<p><u>7.0 – RECREATION</u></p> <p>7.3.2.1 It shall be a policy of Council that, in accordance with Section 75(1)(f)(i) of the <i>Community Planning Act</i>, all subdivision of land will be accompanied by public dedication of eight percent of the area subdivided (exclusive of public streets). The land so dedicated shall be capable of being developed for recreational purposes or other such public uses defined as "land for public purposes" in Section 1 of the <i>Community Planning Act</i>. Where land dedication is not practical or where land is not needed for recreational purposes, the Council will collect cash in lieu of land (equal to the value of the land at the time of application which would otherwise be dedicated), and the money so collected shall be used for the purpose of acquisition or development of land for public purposes. Council could also consider the option of taking four percent land area and four percent in cash in order to equip or furnish the park or playground site.</p>
<p><u>9.0 TRANSPORTATION</u></p> <p>9.3.8.1 In accordance with Section 60 of the <i>Community Planning Act</i>, Council should adopt, where appropriate, deferred widening By-laws to regulate development which abuts arterial and collector streets in order to:</p>	<p><u>9.0 TRANSPORTATION</u></p> <p>9.3.8.1 In accordance with Section 63 of the <i>Community Planning Act</i>, Council should adopt, where appropriate, deferred widening By-laws to regulate development which abuts arterial and collector streets in order to:</p>
<p><u>13.0 ENVIRONMENT</u></p> <p>13.3.2.1 (b) Employing Section 34(3)(g) of the <i>Community Planning Act</i> which prohibits building when the site is marshy, subject to flooding, excessively steep or unsuitable for development because of soil conditions or topography, or in accordance with Provincial Wetland Policies under the Clean Water Act; and</p>	<p><u>13.0 ENVIRONMENT</u></p> <p>13.3.2.1 (b) Employing Section 53(2)(h) of the <i>Community Planning Act</i> which prohibits building when the site is marshy, subject to flooding, excessively steep or unsuitable for development because of soil conditions or topography, or in accordance with Provincial Wetland Policies under the Clean Water Act; and</p>

<p><u>14.0 ADMINISTRATION</u></p> <p>Administration and implementation of municipal planning documents is a continuous process, and there may be a need to amend the Plan and associated By-laws over time. Therefore, as required under Section 72 of the <i>Community Planning Act</i>, Village Council shall conduct a Plan Review at least every ten years to determine the need for Plan amendments. Any Plan Review or amendment process will include public involvement and input. Implementation of the Municipal Plan will be accomplished through the adoption and enforcement of By-laws including Zoning, Subdivision, and Building By-laws as well as through capital budgeting.</p>	<p><u>14.0 ADMINISTRATION</u></p> <p>Administration and implementation of municipal planning documents is a continuous process, and there may be a need to amend the Plan and associated By-laws over time. Therefore, as required under Section 32 of the <i>Community Planning Act</i>, Village Council shall conduct a Plan Review at least every ten years to determine the need for Plan amendments. Any Plan Review or amendment process will include public involvement and input. Implementation of the Municipal Plan will be accomplished through the adoption and enforcement of By-laws including Zoning, Subdivision, and Building By-laws as well as through capital budgeting.</p>
<p>14.3.1.1 (a) Plan Review and Amendment - Plan implementation is a continuous process, and there may be a need to amend the Plan as the assumptions on which it is based change in the light of new trends, changing technology or new community attitudes. Thus, it shall be a policy of Council to conduct a thorough review of the Plan at least every ten years (as required under Section 72 of the <i>Community Planning Act</i>) to ascertain the need for Plan amendments. Also, since the Plan is an expression of the goals of the people, periodic Plan review provides an opportunity for participation and re-involvement on the part of the public.</p> <p>Amendments to the Plan may be made at any time. Amendments are required:</p> <ul style="list-style-type: none">(i) Where any major policy intent is to be changed,(ii) Where a zoning amendment will violate the future land use as shown on the Future Land Use Map (see Schedule “A” attached hereto), and(iii) Where detailed secondary or functional plans are desired to be incorporated into this Plan. <p>Under Section 74 of the <i>Community Planning Act</i>, amendments require the same public participation and ministerial approval as does the adoption of the Plan itself. A Municipal Plan amendment would also be subject to an administrative fee as outlined in Schedule “B” of the Zoning By-law.</p>	<p>14.3.1.1 (a) Plan Review and Amendment - Plan implementation is a continuous process, and there may be a need to amend the Plan as the assumptions on which it is based change in the light of new trends, changing technology or new community attitudes. Thus, it shall be a policy of Council to conduct a thorough review of the Plan at least every ten years (as required under Section 32 of the <i>Community Planning Act</i>) to ascertain the need for Plan amendments. Also, since the Plan is an expression of the goals of the people, periodic Plan review provides an opportunity for participation and re-involvement on the part of the public.</p> <p>Amendments to the Plan may be made at any time. Amendments are required:</p> <ul style="list-style-type: none">(i) Where any major policy intent is to be changed,(ii) Where a zoning amendment will violate the future land use as shown on the Future Land Use Map (see Schedule “A” attached hereto), and(iii) Where detailed secondary or functional plans are desired to be incorporated into this Plan. <p>Under Section 117 of the <i>Community Planning Act</i>, amendments require the same public participation and ministerial approval as does the adoption of the Plan itself. A Municipal Plan amendment would also be subject to an administrative fee as outlined in Schedule “B” of the Zoning By-law.</p>

<p>14.3.2.1 (a)(v) Those uses which currently exist, and which upon adoption of this Plan do not conform to the designated uses on the zoning maps, shall be permitted to continue as non-conforming uses (under Section 40 of the <i>Community Planning Act</i>). However, the nonconforming use must cease and any redevelopment must conform to the Plan if:</p>	<p>14.3.2.1 (a)(v) Those uses which currently exist, and which upon adoption of this Plan do not conform to the designated uses on the zoning maps, shall be permitted to continue as non-conforming uses (under Section 60 of the <i>Community Planning Act</i>). However, the nonconforming use must cease and any redevelopment must conform to the Plan if:</p>
<p><u>15.0 REPEAL AND TRANSITION</u></p> <p>15.1 By-law No. 03-2006, the Village of New Maryland Municipal Plan adopted on December 18, 2006, is hereby repealed.</p>	<p><u>15.0 REPEAL AND TRANSITION</u></p> <p>15.1 By-law No. 03-2016, the Village of New Maryland Municipal Plan adopted on April 20, 2016, is hereby repealed.</p>
<p>15.2 The repeal of By-law No. 03-2006, the Village of New Maryland Municipal Plan shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or are pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.</p>	<p>15.2 The repeal of By-law No. 03-2016, the Village of New Maryland Municipal Plan shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or are pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.</p>
<p><u>APPENDIX B – FIVE YEAR CAPITAL EXPENDITURE PLAN</u></p> <p>Regulatory requirements specified in section 23 (5) (c) of the <i>Community Planning Act</i> state that a Municipal Plan shall contain a five year capital budget to support the physical development of the Municipality. Prepared in conjunction with the Village’s Municipal Plan Review exercise in 2015/2016, the Five Year Capital Expenditure Plan illustrated below will enable Council and Staff to: consider possible timing and funding that relates to major capital projects and/or purchases; coordinate major infrastructure renewal projects; and, implement objectives of strategic plans and priorities of Council. Information presented in the table below shall be considered as being subject to continuous update and revision based on competing priorities, and funding opportunities or constraints. The information below is presented solely for the purpose of planning, coordination and discussion, and is not intended to imply any guarantee that the listed projects will be completed within the indicated timeframe, the estimated cost, or if at all.</p>	<p><u>APPENDIX B – FIVE YEAR CAPITAL EXPENDITURE PLAN</u></p> <p>Regulatory requirements specified in Section 24 (5)(d) of the <i>Community Planning Act</i> state that a Municipal Plan shall contain a five year capital budget to support the physical development of the Municipality. Prepared in conjunction with the Village’s Municipal Plan Review exercise in 2015/2016, The Five Year Capital Expenditure Plan illustrated below will enable Council and Staff to: consider possible timing and funding that relates to major capital projects and/or purchases; coordinate major infrastructure renewal projects; and, implement objectives of strategic plans and priorities of Council. Information presented in the table below shall be considered as being subject to continuous update and revision based on competing priorities, and funding opportunities or constraints. The information below is presented solely for the purpose of planning, coordination and discussion, and is not intended to imply any guarantee that the listed projects will be completed within the indicated timeframe, the estimated cost, or if at all.</p>



Village of New Maryland
Municipal Plan

By-law No. 03-2019 - DRAFT

TABLE OF CONTENTS

1.0	GENERAL PROVISIONS	1
1.1	Title	1
1.2	Area of Coverage	1
1.3	Purpose	1
1.4	Organization	2
1.5	Community Vision.....	2
1.6	Future Land Use Map.....	2
1.7	Sustainable Development.....	2
1.8	Climate Change.....	3
2.0	LAND USE	4
2.1	Goal	4
2.2	Objectives	4
2.3	Policies	4
2.3.1	Land Use Designations.....	4
2.3.2	Non-Conforming Uses	5
2.3.3	Reservation of Lands for Public Use	5
2.3.4	Efficient, Compatible Development.....	5
2.3.5	Design Criteria	5
2.3.6	Climate Change Considerations – Land Use	6
3.0	RESIDENTIAL	7
3.1	Goal	7
3.2	Objectives	7
3.3	Policies	7
3.3.1	Permitted Uses in Residential Designation	7
3.3.2	Multiple-Unit Dwellings	8
3.3.3	Mobile and Mini-Home Development.....	8
3.3.4	Home Occupations	8
3.3.5	Institutional Uses.....	9
3.3.6	In-Law Suites and Garden Suites.....	9
3.3.7	Land for Public Purposes.....	9
3.3.8	Subdivision Design Standards.....	9
3.3.9	Seniors Housing.....	10
3.3.10	Climate Change Considerations - Residential.....	10
4.0	COMMERCIAL	11
4.1	Goal	11
4.2	Objectives	11
4.3	Policies	11
4.3.1	Community Commercial	11
4.3.2	Commercial Development Standards	11
4.3.3	Non-Conforming Uses	11
4.3.4	Liquor-Licensed Establishments.....	12
4.3.5	Climate Change Considerations – Commercial.....	12
5.0	BUSINESS PARK.....	13
5.1	Goal	13
5.2	Objective.....	13
5.3	Policies	13
5.3.1	Business Park.....	13
5.3.2	Industrial Uses	13
5.3.3	Climate Change Considerations – Business Park.....	13

6.0	INSTITUTIONAL.....	14
6.1	Goal	14
6.2	Objectives.....	14
6.3	Policies	14
6.3.1	Institutional Designation.....	14
6.3.2	Community Use of Public Buildings.....	15
6.3.3	Future Municipal Buildings.....	15
6.3.4	Future Health Care Facilities	15
6.3.5	Cemeteries.....	15
6.3.6	Climate Change Considerations - Institutional	15
7.0	RECREATION	16
7.1	Goal	16
7.2	Objectives.....	16
7.3	Policies	16
7.3.1	Designation of Recreation Land	16
7.3.2	Public Dedication of Land	16
7.3.3	Neighbourhood Scale Recreation Facilities.....	17
7.3.4	Community Scale Recreation Facilities	18
7.3.5	Pathway Network.....	19
7.3.6	Additional Recreation Needs	19
7.3.7	Climate Change Considerations - Recreation	19
8.0	RURAL.....	21
8.1	Goal	21
8.2	Objectives.....	21
8.3	Policies	21
8.3.1	Rural Designation	21
8.3.2	Agricultural Use.....	21
8.3.3	Pits and Quarries	21
8.3.4	Mineral/Petroleum Extraction Activities	22
8.3.5	Alternate Energy Sources.....	22
8.3.6	Climate Change Considerations - Rural	22
9.0	TRANSPORTATION.....	23
9.1	Goal	23
9.2	Objectives.....	23
9.3	Policies	23
9.3.1	Street Hierarchy and Standards	23
9.3.2	External Roadway Connections.....	24
9.3.3	Upgrading of Route 101.....	24
9.3.4	Collector Street System	25
9.3.5	Upgrading of Local Streets	25
9.3.6	Dangerous Goods Routes	26
9.3.7	Designated Truck Routes	26
9.3.8	Deferred Widening.....	26
9.3.9	Pedestrian/Bicycle Considerations	26
9.3.10	Parking and Loading Areas	27
9.3.11	Commuter Carpooling.....	27
9.3.12	Climate Change Considerations - Transportation	28
10.0	MUNICIPAL INFRASTRUCTURE AND UTILITIES	29
10.1	Goal	29
10.2	Objectives.....	29
10.3	Policies	29
10.3.1	Municipal Water Systems	29
10.3.2	Climate Change Considerations – Municipal Water System.....	30
10.3.3	Municipal Sanitary Sewer Systems	30

10.3.4	Climate Change Considerations – Municipal Sanitary Sewer Systems	30
10.3.5	Unserviced Development.....	30
10.3.6	Storm Drainage System.....	30
10.3.7	Climate Change Considerations – Storm Drainage Systems.....	31
10.3.8	Electrical and Communications Utilities.....	31
10.3.9	Climate Change Considerations – Electrical and Communications Utilities.....	32
11.0	PROTECTIVE SERVICES.....	33
11.1	Goal	33
11.2	Objectives	33
11.3	Policies	33
12.0	CULTURE AND HERITAGE.....	34
12.1	Goal	34
12.2	Objective.....	34
12.3	Policies	34
13.0	ENVIRONMENT	35
13.1	Goal	35
13.2	Objectives	35
13.3	Policies	35
13.3.1	Preservation and Enhancement	35
13.3.2	Open Space	36
13.3.3	Waste Collection and Disposal	36
13.3.4	Hazardous Materials and Chemicals	36
13.3.5	Wellfield Protection	37
13.3.6	Climate Change Considerations - Environment	37
14.0	ADMINISTRATION AND IMPLEMENTATION	38
14.1	Goal	38
14.2	Objectives	38
14.3	Policies	38
14.3.1	Administration	38
14.3.2	Implementation	39
14.3.3	Climate Change Considerations – Administration and Implementation	41
15.0	REPEAL AND TRANSITION.....	42

SCHEDULE "A"	Future Land Use Map
APPENDIX "A"	Overall Trails Master Plan Map
APPENDIX "B"	Five Year Capital Expenditure Plan

**VILLAGE OF NEW MARYLAND MUNICIPAL PLAN
BY-LAW NO. 03-2019-DRAFT**

ENACTMENT:

WHEREAS the *Community Planning Act* S.N.B. 2017, c.19 (“the Act”) was proclaimed and came into force January 1, 2018,

AND WHEREAS under Section 141 of the *Community Planning Act* S.N.B. 2017, c.19, the “former Act” means the Community Planning Act, chapter C-12 of the Revised Statutes, 1973,

AND WHEREAS under Section 142 of the Act a municipal development plan made under the authority of the former Act shall be deemed to be a municipal plan made under the Act and is valid and continues in force until amended or repealed, to the extent that it is not inconsistent with this Act or a statement of provincial interest,

AND WHEREAS the Council for the Village of New Maryland proposes amendments to Municipal Plan By-Law No. 03-2016,

THEREFORE BE IT ENACTED by the Council of the Village of New Maryland under the authority vested in it by the *Community Planning Act* S.N.B. 2017, c.19, as follows:

1.0 GENERAL PROVISIONS

1.1 Title

This By-law may be referred to as the “Village of New Maryland Municipal Plan”.

1.2 Area of Coverage

The statements of policy set up in this Municipal Plan (“the Plan”) By-law apply to the Village of New Maryland municipal boundaries as outlined in Regulation 85-6 under the *Local Governance Act*.

1.3 Purpose

The Municipal Plan By-law sets out Village Council's long-term policies and proposals to guide future land use and development. (A proposal is a more detailed statement than a policy and is intended to implement the policy.) The Plan is intended to be used by Council and Village residents to guide day-to-day decisions affecting development. The Municipal Plan will also guide major policy decisions with respect to capital expenditures and will form the basis of the Zoning By-law, which is adopted to implement the Plan. Although the Plan is long term in outlook, it should be reviewed at least every ten years in accordance with provisions of the *Community Planning Act*. Periodic amendments to this document will be required and these must be undertaken with consultation and due process as outlined in *Section 117 of the Community Planning Act* for Plan amendments.

As pointed out in Section 27 of the *Community Planning Act*, the adoption of a Municipal Plan does not commit the Municipality or the Province to undertake a proposal suggested or outlined in the plan, but, in the case of a municipality, shall prevent the undertaking of a development in any manner inconsistent with a proposal or policy outlined or suggested in the plan.

1.4 Organization

The Municipal Plan is organized into sections as follows:

Section 1.0	General Provisions
Section 2.0	Land Use
Section 3.0	Residential
Section 4.0	Commercial
Section 5.0	Business Park
Section 6.0	Institutional
Section 7.0	Recreation
Section 8.0	Rural
Section 9.0	Transportation
Section 10.0	Municipal Infrastructure and Utilities
Section 11.0	Protective Services
Section 12.0	Culture and Heritage
Section 13.0	Environment
Section 14.0	Administration and Implementation
Section 15.0	Repeal and Transition

Each section outlines the goals, objectives, and policies pertaining to the specific aspect. Where applicable, the intent of the policies is illustrated on the accompanying Future Land Use Map (see Schedule "A" attached hereto).

1.5 Community Vision

The following represents a general vision for the community, outlining the type of community residents would like to see in the future:

The Village of New Maryland should be a healthy, vibrant community offering residents a pleasant living environment with a high quality of life. It should remain essentially a residential community with accessible, well-connected residential developments, and neighbourhood scale facilities, services and amenities. Commercial and service or light industrial activities will be encouraged as part of a healthy tax base but should be compatible with the Village's basic residential character. Recreation facilities and programs should be provided to serve all areas and age groups within the community. The Village should move towards the provision of a safe, convenient and connected traffic and trail/bikeway network. It should strive to be a sustainable community providing a balance between economic, environmental and social development.

1.6 Future Land Use Map

The Village of New Maryland Future Land Use Map, attached hereto as Schedule "A", and amendments thereto form part of the Municipal Plan By-law.

1.7 Sustainable Development

Sustainable development is development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs. The goal of sustainable development is to achieve a balance between economic/physical development, environmental protection and social well-being so that the community can achieve the highest possible quality of life for its residents.

Some of the principles of sustainable development or "smart growth" include:

- (a) Mixed land use within neighbourhoods;
- (b) Well-designed compact development to make neighbourhoods efficient and convenient for residents;
- (c) Variety and diversity in housing types and densities;
- (d) Variety in transportation/mobility modes;
- (e) Preservation of open space, natural beauty and environmentally sensitive areas;
- (f) Environmental protection and enhancement;
- (g) Economic growth to contribute to employment and tax base;
- (h) Fostering community spirit, pride and identity; and
- (i) Nurturing engaged citizens in community development.

Sustainable development is not a separate function in community development. Good planning and development includes sustainable principles in all aspects of community development. Thus in this Plan sustainable development objectives and policies will be integrated in appropriate sections of the Plan.

1.8 Climate Change

Climate change refers to the long-term changes in weather averages that are experienced in a particular location or region. This is measured by assessing all types of weather including precipitation, temperature ranges, wind patterns and storm events.

All communities regardless of size have been, are, and will continue to be impacted by the effects of climate change. Data and models compiled by Environment Canada for the Fredericton Region indicate the following expected trends: higher annual mean temperatures; higher mean winter, summer and autumn temperatures; more freeze/thaw cycles; more severe or extreme heat waves with longer duration; more annual precipitation; more extreme precipitation events with greater frequency; more extreme and more frequent drought conditions; more winter precipitation as rain; more intense storms; and greater overall variability in our climate.

Although mitigative measures can be taken to reduce or slow the rate of climate change (e.g., reduction in greenhouse gas emissions), it will take time to affect our communities and the impacts of climate change will be unavoidable. It is therefore important for communities to examine ways in which we plan our communities and supporting infrastructure to adapt to these impacts in order to reduce damage and costs associated with extreme weather events.

In each section of this Plan, where climate change impacts can be identified, policies will be presented which will enable Council to consider mitigative or adaptation measures to deal with climate change impacts in the future.

Climate change is a new reality and it is important that Council continually review and update climate change data as it becomes available through Environment Canada or other sources that may be identified in the future. Further, Council could undertake to compile a Climate Change Report Card in order to identify, monitor and track its progress in efforts to mitigate and adapt to climate change. The Report Card would enable the Village to: identify potential local impacts associated with climate change; carry out a risk assessment for various aspects of the community's assets including buildings, infrastructure, parks, etc.; develop strategies/actions to mitigate or adapt to climate change; to carry out a cost/benefit analysis for various measures; to identify priorities to be undertaken; to identify responsibility for implementing aspects of the action plans and to set reasonable timelines for action items.

This process is not static. The Climate Change Report Card is a starting point which then can be updated and modified as more information or technology becomes available, resources become available, emergency events occur, etc.

The Report Card is thus a tool to help the community record and track where it is at any given point in time with respect to its efforts to mitigate or to adapt to climate change.

2.0 LAND USE

Land use management policies allow the Village of New Maryland to guide the location and quality of development in the community to achieve the Village's vision. Future growth and the provision of servicing make land use a critical element in the future success of the community.

2.1 Goal

To promote a pattern of growth and land use which will encourage orderly, efficient and equitable development.

2.2 Objectives

- 1) To enable sustainable land use development by encouraging smart growth principles such as mixed land use, mixed density, well-designed compact neighbourhoods, consolidation and infilling.
- 2) To enable land uses to develop in a compatible manner while allowing sufficient land to be available for future growth.
- 3) To make provision for an efficient street and pedestrian network and water and sewer infrastructure as the basic framework around which the community will grow.
- 4) To develop a street and pedestrian network that promotes connections between existing and future areas of development.
- 5) To encourage the provision of community facilities and services to all areas and residents of the community.

2.3 Policies

2.3.1 Land Use Designations

Policy

- 1) It shall be a policy of Council to manage the land use resources of the Village in accordance with the land use plan designated on the Future Land Use Map (see Schedule "A" attached hereto). The designations include: Residential, Commercial, Business Park, Institutional, Rural, Recreation and Open Space.

The specific policies applicable to each of these land use designations will be described in the appropriate sections which follow.

- 2) It shall be a policy of Council to require amendments to the Municipal Plan where a major change in land use is proposed.
- 3) It shall be a policy of Council to provide for more specific delineation of land use categories in the Zoning By-law, which is consistent with the Generalized Future Land Use Designations.

2.3.2 Non-Conforming Uses

Policy

- 1) In conformance with **Section 60 of the *Community Planning Act***, it shall be a policy of Council that any land use existing at the time this Plan is approved, that does not conform to the land use designations shown on the Future Land Use Map, and which is subsequently non-conforming to the Zoning By-law, will be permitted to continue. However, if a building or structure containing such a use is damaged to the extent of at least half of the whole (exclusive of foundation) or if it is discontinued for a consecutive period of 10 months, then any reuse must conform to the Plan and Zoning By-law unless otherwise permitted by the Planning Advisory Committee.
- 2) It shall be a policy of Council to encourage the relocation of non-conforming uses to appropriately designated and planned sites.

2.3.3 Reservation of Lands for Public Use

Policy

- 1) It shall be a policy of Council that, wherever the reservation of private land for public use is mentioned in this Plan, it shall be with the understanding that it will be the intention of Council to acquire the use of such land through outright purchase, through public dedication or through negotiation and agreements with the owners of such lands. In the interim, such designated land shall be zoned in a category which provides protection of the affected land for its long-term intended use (as recommended in this Plan).

2.3.4 Efficient, Compatible Development

Policy

- 1) It shall be a policy of Council to encourage general growth and development that is cost effective, compatible and environmentally sound by:
 - (a) Concentrating new growth in areas that are adequately serviced and properly planned;
 - (b) Encouraging development in areas which would be contiguous to, or infilling between, existing built-up areas;
 - (c) Requiring commercial, business park and institutional uses to be physically separated from residential areas by means of adequate separation distances or by incorporating suitable landscaped buffer areas;
 - (d) Discouraging development in physically unsuitable or environmentally sensitive areas; and
 - (e) Restricting development in unserved areas.

2.3.5 Design Criteria

Policy

- 1) It shall be a policy of Council to promote efficient development that is compatible with the scale and character of the Village neighbourhoods.
- 2) To achieve neighbourhood scale development it shall be a policy of Council to include Design Criteria as part of the Zoning By-law which incorporate the following design principles:
 - (a) Create a sense of place for users and passersby;
 - (b) Promote buildings that relate appropriately to surrounding developments and streets and create a cohesive visual identity and street scene through compatible design, scale and landscaping;

- (c) Promote connectivity through contiguous pedestrian and vehicular circulation patterns;
- (d) Promote parking areas that provide safe and efficient access to buildings; and
- (e) Create a unique and identifiable image for development through design, signage and landscaping.

2.3.6 Climate Change Considerations – Land Use

Policy

- 1) It shall be a policy of Council in considering or approving various land use development to encourage development that:
 - (a) Provides more compact, dense and connected development to minimize land consumption and decrease travel times between uses;
 - (b) Minimizes tree clearing and encourages retention and planting to provide more shade to control temperatures and humidity levels;
 - (c) Maximizes natural green spaces and minimizes hard surfaced non-porous materials in parking lots to decrease storm runoff and increase infiltration to replenish groundwater; and
 - (d) Avoids locating uses in flood prone or low lying drainage areas which can interfere with storm water flow and exacerbate flooding.

3.0 RESIDENTIAL

The Village of New Maryland is primarily a residential community. Existing residents value the rural flavour with its human scale, low density, quietness and privacy. In the interests of sustainable development, future neighbourhood design should strive to achieve well-designed compact neighbourhoods with mixed density uses. The residential policies are key in guiding development, as they influence the character and atmosphere of neighbourhoods in the Village. Prior to Village incorporation the development pattern resulted in limited connectivity between and within residential areas and other areas of the Village. Long linear street systems have developed with little opportunity for connections between residential subdivisions. It is envisioned that future development in the Village will include a street and pathway network that will lead to well-connected neighbourhoods.

3.1 Goal

To provide a diverse and healthy community with well-connected neighbourhoods in order to retain and attract residents.

3.2 Objectives

- 1) To encourage infilling and growth of subdivisions in the areas of the Village that are provided with community water and sewer services.
- 2) To encourage forms of higher density housing in acceptable locations and with compatible designs.
- 3) To encourage a mix of housing types that meets the diverse needs of residents with respect to age, income and lifestyle choices.
- 4) To encourage residential development that supports active transportation through well-connected neighbourhoods.
- 5) In the interests of healthy lifestyles and efficient, convenient development, to encourage the development of a pathway network to connect residential development to other nodes of activity such as commercial uses, recreational uses and places of interest.

3.3 Policies

3.3.1 Permitted Uses in Residential Designation

Policy

- 1) In the areas designated Residential on the Future Land Use Map (see Schedule "A" attached hereto), it shall be a policy of Council to permit the following uses:
 - (a) Single-unit dwellings;
 - (b) Two-unit dwellings;
 - (c) Row housing;
 - (d) Multiple-unit dwellings (up to 20 units) subject to Policy 3.3.2;
 - (e) Mobile and mini-home parks and subdivisions subject to Policy 3.3.3;
 - (f) Home occupations subject to Policy 3.3.4;
 - (g) Institutional uses subject to Policy 3.3.5;
 - (h) In-law suites and garden suites subject to policy 3.3.6, and
 - (i) Uses accessory to the above permitted uses.

3.3.2 Multiple-Unit Dwellings

Policy

- 1) In the areas designated Residential on the Future Land Use Map, it shall be a policy of Council that higher density uses (up to 20 units), whether new units or conversion of existing single-unit dwellings, would only be permitted as an amendment (through **Section 59 of the *Community Planning Act***) to the Zoning By-law and subject to the following conditions:
 - (a) That the lot size, yard requirements, building height, number of units and parking requirements be subject to the conditions as outlined in the Zoning By-law;
 - (b) That the development will not cause capacities of existing municipal services to be exceeded;
 - (c) That natural features on the site be preserved through tree retention and minimization of soil removal;
 - (d) That the location, design and layout of vehicular and pedestrian access to the site be reviewed by the Village to ensure it is located adjacent to, or in close proximity to, arterial or collector streets; that it is on the periphery of low density neighbourhoods; and that it incorporates high quality exterior building design;
 - (e) That the development be subject to the Design Criteria as outlined in Policy 2.3.5 and the Zoning By-law; and
 - (f) In addition to the notification required under the *Community Planning Act*, the adjacent residents within 100 metres of the property are informed of the proposed use and an opportunity is provided for questions or expressions of concern.

Proposal

- 1) In an effort to retain and attract young people and seniors and to provide an example of how mixed use and mixed density development can be successfully integrated into the community, it shall be a proposal of Council to call for proposals on a parcel of Village-owned land for development of a mixed use and mixed density development. The Village would indicate on a concept design the type or style of units it wished to be developed. It would then call for proposals from interested developers who would only be considered if they agreed to follow the concept as outlined by Council (or a modified design subject to the approval of Council). That concept would include housing types and facilities that would appeal to seniors as well as young people. It would also include design controls or conditions to ensure the development would be compatible with any adjacent single-family development.

3.3.3 Mobile and Mini-Home Development

Policy

- 1) In the areas designated Residential on the Future Land Use Map, it shall be a policy of Council that mobile or mini-homes shall be permitted only in a mobile or mini-home park or subdivision in accordance with the provisions of the Zoning By-law.

3.3.4 Home Occupations

Policy

- 1) It shall be a policy of Council that home occupations will be permitted within residential areas subject to the conditions as outlined in the Zoning By-law covering the types of occupations, number of employees, floor areas, signage and parking requirements.

3.3.5 Institutional Uses

Policy

- 1) In the areas designated Residential on the Future Land Use Map, it shall be a policy of Council that Institutional uses will be permitted only as an amendment to the Zoning By-law and subject to the conditions outlined in Policy 6.3.1.

3.3.6 In-Law Suites and Garden Suites

An in-law suite is a temporary living unit that is attached to the side or rear of a single-detached dwelling and is defined in the current Zoning By-law. A garden suite is a secondary dwelling unit that is detached and located at grade to the rear of a single-detached dwelling.

Policy

- 1) It shall be a policy of Council that garden suites will be permitted only as an amendment to the Zoning By-law and subject to the terms and conditions outlined in the By-law.

3.3.7 Land for Public Purposes

Policy

- 1) It shall be a policy of Council that the developers of all residential subdivisions will dedicate to the municipality eight percent of the land subdivided (exclusive of streets) for public use subject to Policy 7.3.2.

3.3.8 Subdivision Design Standards

Policy

- 1) It shall be a policy of Council that any applications received for subdivision shall be reviewed to ensure compliance with the requirements of the Subdivision By-law and that good principles of subdivision layout and design are incorporated. The following design objectives will guide the Subdivision By-law:
 - (a) To ensure the provision of a network of collector and local streets so that adjacent subdivisions can be integrated over time in accordance with the general collector street network indicated on the Future Land Use Map;
 - (b) To encourage residential development that supports safe, healthy living and active transportation by ensuring the provision of pathways along rights-of-way or easements between streets so that safe movements of pedestrians and cyclists can be encouraged along an integrated network of sidewalks, trails and pathways between subdivisions and to community facilities such as parks, schools, playgrounds and shopping areas in accordance with the Trails and Bikeways Master Plan. This measure will also reduce the potential for trespassing across private properties to gain access to adjacent streets and community facilities;
 - (c) To ensure the traffic capacity of adjacent streets is sufficient to accommodate the forecasted traffic generated by the new development;
 - (d) To ensure vehicle access points to arterial and collector streets are minimized where possible by encouraging shared access driveways and by appropriately controlling access from corner lots;
 - (e) To ensure sidewalks are provided on arterial and collector streets where required; and
 - (f) To create a safe environment for individuals and families to live, work and play.

3.3.9 Seniors Housing

Policy

- 1) In recognition of the importance of allowing seniors to age in place and providing housing options for an aging population, it shall be a policy of Council to encourage the development of assisted living facilities and seniors housing in any zone, as an amendment to the Zoning By-law and subject to the conditions outlined in Policy 6.3.1.

3.3.10 Climate Change Considerations - Residential

Policy

- 1) It shall be a policy of Council, when considering or approving development applications, to encourage residential developments that are more compact, dense and connected by trails and pathways to maximize active transportation and reduce the need for vehicle use.
- 2) It shall be a policy of Council to encourage developers to consider more energy-efficient subdivision layouts that accommodate features such as east-west streets to promote active and passive solar gain as well as landscaping that provides shade in the summer and wind protection during the winter.

4.0 COMMERCIAL

The Village recognizes the commercial amenities in the community provide services to local residents. It is important that the community develop a commercial core that will embrace the character of the Village while providing for commercial opportunities. The aesthetic environment of the commercial areas will be improved through a set of design guidelines outlined in the Zoning By-law.

4.1 Goal

To develop neighbourhood scale commercial uses in suitable locations that are compatible with the residential character of the Village, while meeting the future commercial needs of the residents.

4.2 Objectives

- 1) To provide suitable locations for neighbourhood scale commercial development so that ribbon developments are discouraged and site development standards are met.
- 2) To encourage attractive and functional commercial developments that will reflect the character of the community.
- 3) To encourage commercial core areas that are easily accessed by all residents by providing land for commercial uses on the east and west side of Route 101.

4.3 Policies

4.3.1 Community Commercial

Policy

- 1) In areas designated Commercial on the Future Land Use Map (see Schedule "A" attached hereto), it shall be a policy of Council to permit commercial development.
- 2) In the Commercial designation, it shall be a policy of Council to provide for one Commercial Zone in the Zoning By-law, namely the Community Commercial Zone.
- 3) To reflect the input from residents in the survey results conducted for this Plan, Council may wish to make prospective developers aware that residents identified preferences for additional uses such as a coffee shop, a liquor outlet, a supermarket/grocery store, and a family restaurant.

4.3.2 Commercial Development Standards

Policy

- 1) It shall be a policy of Council to encourage commercial development of a neighbourhood scale that is community serving in nature by requiring that any application for new commercial development in the Community Commercial Zone be subject to Policy (1) and (2) of Section 2.3.5 of this Plan.

4.3.3 Non-Conforming Uses

Policy

- 1) It shall be a policy of Council to recognize all legally-zoned commercial uses existing at the time of approval of this Plan either as permitted uses on the Zoning Map and By-law or as legal non-conforming uses.

4.3.4 Liquor-Licensed Establishments

Policy

- 1) It shall be a policy of Council that liquor-licensed establishments will only be permitted as an amendment to the Zoning By-law and subject to such terms and conditions as may be imposed by Council.

4.3.5 Climate Change Considerations – Commercial

Policy

- 1) It shall be a policy of Council, when considering commercial development applications, to encourage the provision of measures that would minimize rapid storm runoff in areas subject to flooding or drainage issues by incorporating features such as permeable paving materials in parking lots as well as possible storage on roofs, parking lots, attenuation ponds or underground storage tanks so runoff can be temporarily contained and allowed to be released after the peak of storm runoff has passed.

5.0 BUSINESS PARK

The community has expressed support for the establishment of an appropriately located business park. A business park will provide the potential for an increased tax base for the municipality and additional commercial and employment opportunities for residents.

5.1 Goal

To enable potential business park developments through an amendment to the Zoning By-law.

5.2 Objective

- 1) To have policies in place that will enable the future development of a business park.

5.3 Policies

5.3.1 Business Park

Policy

- 1) It shall be a policy of Council to provide for the establishment of a business park subject to the following conditions:
 - (a) That it be permitted only in areas serviced by the municipal sewer system;
 - (b) That it be located near and have access to a proposed By-Pass Highway and the Trans-Canada Highway as shown on the Future Land Use Map (see Schedule "A" attached hereto);
 - (c) That it be subject to the conditions as outlined in the Zoning By-law regarding lot area, yard and height requirements, parking, loading, signage, and landscaping requirements; and
 - (d) Prior to the development of the business park it shall be the intention of Council to develop Design Criteria that will guide site development in the park.

5.3.2 Industrial Uses

Policy

- 1) Although all existing businesses can continue after adoption of this amended Plan, it shall be a policy of Council to encourage those businesses that are borderline industries to eventually relocate to the business park if they are contemplating expansion of operations.
- 2) It shall be a policy of Council that Industrial uses would only be permitted as an amendment to the Zoning By-law.

5.3.3 Climate Change Considerations – Business Park

Policy

- 1) It shall be a policy of Council, when considering industrial or business park development applications, to encourage similar measures as suggested for commercial developments in Policy 4.3.5(1).

6.0 INSTITUTIONAL

Wellness is an essential part of the overall quality of life in New Maryland, as a healthy population and safe community are essential to community development. The Village's capacity to prosper is also influenced by the education services provided. As health care and education are services largely administered by the Province, the Village understands the importance of working with the Provincial government and other agencies so that the necessary services are in place for the overall wellness of the community.

6.1 Goal

To provide adequate community facilities and public buildings to serve the Village residents.

6.2 Objectives

- 1) To encourage community use of school facilities, church, public halls and the New Maryland Centre.
- 2) To consider the long-term provision of additional municipal building(s) to house public works, protective services, and recreational operations.
- 3) To promote the continued use of educational facilities for recreational and community uses in addition to educational uses.
- 4) To encourage the provision of public and private health service providers in the community.

6.3 Policies

6.3.1 Institutional Designation

Policy

- 1) The Future Land Use Map (see Schedule "A" attached hereto) designates the New Maryland Elementary School, medical facilities, churches, heritage buildings, Village Office, and Fire Hall as Institutional. No specific areas have been designated for future Institutional uses since various municipal and government departments and private interest groups have their own unique criteria for locating facilities within the community. It shall, therefore, be a policy of Council that Institutional uses will be permitted in the Residential designation as an amendment to the Zoning By-law and subject to the following conditions:
 - (a) That adequate provision for any required pedestrian access has been incorporated;
 - (b) That an adequate buffer as required by the Zoning By-law has been provided adjacent to any neighbouring residential uses; and
 - (c) That off-street parking has been provided in accordance with the Zoning By-law.
- 2) It shall be a policy of Council that Institutional uses will be permitted in the Commercial designation subject to the criteria as outlined above in Policy (1) of Section 6.3.1.

6.3.2 Community Use of Public Buildings

Policy

- 1) It shall be a policy of Council to encourage and facilitate the continued use of school and Village facilities such as gymnasiums, sports fields, the New Maryland Centre, and possibly classroom or meeting facilities for community activities and adult education courses. Council shall also encourage community use of local church halls and Victoria Hall subject to any conditions imposed by the owners.

6.3.3 Future Municipal Buildings

Policy

- 1) It shall be a policy of Council to periodically assess the need and opportunities for additional municipal building(s) to house uses such as public works, protective services, and recreation facilities. Such building(s) should be subject to the same conditions as outlined in Policy (1) of Section 6.3.1.

6.3.4 Future Health Care Facilities

Policy

- 1) It shall be a policy of Council to support the provision of high quality health care services for Village residents. This includes hospital/clinic and ambulance services, as well as the provision for additional assisted-living facilities as the population ages.

6.3.5 Cemeteries

Policy

- 1) It shall be a policy of Council to permit cemeteries associated with religious institutions as a permitted use in the Institutional zone.
- 2) Any applications for isolated cemeteries will be considered only through amendments to the Zoning By-law.

6.3.6 Climate Change Considerations - Institutional

Policy

- 1) It shall be a policy of Council, when considering or approving public or institutional buildings, to encourage:
 - (a) Energy-efficient requirements such as LEED (Leadership in Energy and Environmental Design) building design;
 - (b) Use of recycled building materials;
 - (c) Multi-purpose or functional design to serve refuge or emergency needs (air conditioning, extra washrooms, etc.) of residents if needed during the municipality's response to public emergency situations;
 - (d) Lawns and porous surfacing as well as onsite storage to reduce runoff and facilitate infiltration; and
 - (e) Landscaping provisions to lower temperatures and humidity levels as well as assist with shade and wind protection.

7.0 RECREATION

The Village will continue to support and promote healthy living through access to recreational facilities throughout the community. Opportunities for recreation will also be provided through the development of a pathway network, providing residents with active transportation opportunities to move within the community, and integrating neighbourhoods, services, and amenities within the Village.

The Village had a Recreation Master Plan prepared in 2010 and the Implementation section of the Plan that contained Action Steps and the timing was updated by the Recreation Committee in 2012. It contained recommendations on Operations, Communications and Collaboration, Policies and Procedures, Programs and Facilities. Staff have continued to use it as a guide to decision making. Several revisions and updates have been made over the 2012-2015 period. Progress has been made and it is assumed that staff, with the advice and direction of Council, will continue to implement the Plan as recommended or revised by staff/Council. Some policies which follow have been made to support or update some of the Recreation Master Plan recommendations based on staff and public input.

7.1 Goal

To provide a full range of recreation facilities and programs that are well integrated into both individual neighbourhoods and the overall community.

7.2 Objectives

- 1) To provide neighbourhood recreation facilities throughout the Village to serve as many residents as possible.
- 2) To provide recreation services and facilities for all age groups in the community.
- 3) To provide and protect open spaces for the enjoyment of all residents and promote health and wellness by providing opportunities for active lifestyles as well as providing shaded areas as a means of heat refuge.

7.3 Policies

7.3.1 Designation of Recreation Land

Policy

- 1) It shall be a policy of Council to review, update and adopt the Village of New Maryland Recreation Master Plan.
- 2) The Future Land Use Map (see Schedule "A" attached hereto) designates as Recreation all lands that have been obtained by, or dedicated to, the Village for recreation purposes. In these designated areas, it shall be a policy of Council to provide for the development of a variety of recreation facilities such as pathways, parks, playgrounds, green spaces and sports fields in accordance with other policies of this Plan and within the provisions included in the Zoning By-law.

7.3.2 Public Dedication of Land

- 1) It shall be a policy of Council that, in accordance with **Section 75(1)(f) of the Community Planning Act**, all subdivision of land will be accompanied by public dedication of eight percent of the area subdivided (exclusive of public streets). The land so dedicated shall be capable of being developed for recreational purposes or other such public uses defined as "land for public purposes" in Section 1 of the *Community Planning Act*. Where land dedication is not practical or where land is not needed for recreational purposes, the Council will collect cash in lieu of land (equal to the value of the land at the time of application which would otherwise be dedicated), and the money so collected shall

be used for the purpose of acquisition or development of land for public purposes. Council could also consider the option of taking four percent land area and four percent in cash in order to equip or furnish the park or playground site.

- 2) It shall be the intention of Council that, when a proposed subdivision plan involves the dedication of lands for public purposes (in accordance with Policy 7.3.2, 1) above), Council shall have regard for the following planning considerations:
 - (a) Existence of other nearby recreation facilities,
 - (b) Quantity and nature of recreation demand in the area,
 - (c) Suitability of the land for its intended purpose,
 - (d) Accessibility,
 - (e) Site frontage,
 - (f) Potential for integration with the existing park and open space network,
 - (g) Compatibility with existing and proposed land uses,
 - (h) Potential traffic generation and on-site parking requirements,
 - (i) Potential maintenance,
 - (j) Consideration of special needs groups and individuals, and
 - (k) Any other matter deemed necessary by Council.
- 3) In those subdivisions already in existence, but for which no provision was made for public recreation space, it shall be a policy of Council to negotiate with the subdivision owners to determine if an agreement can be reached to have space set aside for recreation facilities. It should be emphasized to the owners that recreation facilities may help to make the subdivision more attractive for existing and prospective residents, since many young families base property purchase decisions on the availability of such facilities.

Proposal

It is a proposal of Council to pursue the establishment of a park/playground in Castle Acres. One obvious site for consideration is the former lagoon site at the east end of the subdivision.

7.3.3 Neighbourhood Scale Recreation Facilities

Policy

- 1) It shall be a policy of Council to reserve space in all future subdivisions (in accordance with Policies 1) and 2) of Section 7.3.2 for provision of neighbourhood scale recreational facilities. It shall be the prerogative of Council (on the recommendation of the Recreation Coordinator) to determine the type of facility and equipment required in each area, depending upon the area, the extent of development, and the age groups served. Recreational areas should have road frontage and, where possible, also connect with other existing recreation areas. The following table is provided for the guidance of Council.

Park Classification	Intended Use
Pocket Park	Pocket Parks should be located within the subdivision so that they are central to the homes they are intended to serve, have visibility from several homes for supervision, and not be located on a major street. They should be relatively flat land and are typically equipped with swings, slides, climbers, seesaws, etc. Consideration should be given to providing this equipment in the form of a creative playground. Seating areas with shade should also be provided for adults. A minimum of 230 square metres is recommended for Pocket Parks, with a preferred minimum frontage of 10 metres.
Neighbourhood Park	Neighbourhood Parks provide recreation opportunities for individuals within the neighbourhood and should provide for all age groups. It would be ideal if these facilities could be located adjacent to existing parks or municipal buildings. These typically provide playground equipment suited to school age children as well as sports fields that can be used by children and adults. For older residents, they could include shade trees, benches, tables and such facilities as shuffleboard courts. Playgrounds require fairly flat land. These parks should be easily accessible by all residents in the neighbourhood. A minimum size of 465 square metres is recommended with a minimum frontage of 20 metres.
Community Park	Community Parks consist of swimming/wading pools, arenas, outdoor rinks, nature or walking trails and soccer fields. These are facilities for community-wide use, which should ideally be located in conjunction with an elementary school or a municipal facility, or in a grouping, to take advantage of joint use and joint funding of facilities.
Pathways	Pathways incorporated into subdivision design should link to other recreation areas, provide connections between subdivisions, and provide connections to community-scale facilities. Trails incorporated into the overall pathway network are recommended to have a minimum travel width of 2 metres within a 5-metre right-of-way. Multi-use trails are to have a 3-metre travel width.

7.3.4 Community Scale Recreation Facilities

Policy

- 1) The Village recently completed renovations to the New Maryland Centre. It shall be a policy of Council to encourage and support increased usage of this facility.
- 2) It shall be a policy of Council to encourage and support applications for community recreation facilities if deemed appropriate. In considering potential new facilities, it shall be a policy of Council to consider the input from the resident survey which expressed a desire for facilities such as a dog park, a splash pad/water feature and more outdoor rinks.
- 3) It shall be a policy of Council to work with the University of New Brunswick (UNB) regarding the use of the portion of the UNB Woodlot that is within the Village limits for recreational or open space uses.

- 4) If the current community garden site is eventually displaced by development of the property, it shall be a policy of Council to relocate the popular facility to an appropriate central location which ideally should be fenced and have a water source on site.

7.3.5 Pathway Network

Policy

- 1) In 2012 Council adopted a *Trails and Bikeways Master Plan*. That Plan and the accompanying map outline six levels of path systems. It was based on existing and proposed street systems as well as connections to nodes of activities and uses such as schools and playgrounds as well as to existing and proposed subdivisions. The Overall Master Plan Map has been included in Appendix "A".

It shall be a policy of Council to endeavor to obtain pathways and trails as part of public dedication when new subdivisions are approved. In existing subdivisions these trails should be obtained through purchase, development agreements or negotiation with the subdivision owner or developer or with existing adjacent residents.

- 2) While the proposed pathway network is to serve non-motorized travel, it shall be a policy of Council to consider the provision of specific trails for motorized vehicles such as all-terrain vehicles and snowmobiles as demand and opportunities warrant.
- 3) In addition to Policy 1) in Section 7.3.5 above, it shall be a policy of Council to encourage and promote, through its own resources or that of volunteers, service clubs or church groups, the establishment of trails. The use of trails for non-motorized uses such as walking, hiking, snowshoeing, horseback riding, and cross-country skiing is becoming very popular. The Village has excellent potential for these activities. Such trails often only involve negotiation to cross private woodlands or meadows. In pursuing this issue Council should be aware of any liability issues associated with such trails.

7.3.6 Additional Recreation Needs

Policy

- 1) In the planning of future recreation facilities and programs, it shall be a policy of Council to give consideration to the needs of special groups such as senior citizens and the physically challenged. Even though many citizens, including seniors, appreciate sitting areas and benches in park areas, many still enjoy the competition gained from activities such as lawn bowling, shuffleboard, walking, or jogging. These features could easily and inexpensively be incorporated into existing and future park and playground areas. As the more fitness-conscious generation ages, there is going to be a continuing demand to meet the needs of older citizens, and Council should begin to incorporate these measures and facilities as opportunities arise.
- 2) In terms of new facilities, it shall be a policy of Council that all planning for public facilities and buildings consider accessibility for seniors and those physically challenged, and provisions be required for wheelchair ramps and easily opening larger doors on buildings and washrooms. In upgrading or renovating of existing buildings, consideration should be given to incorporating these measures.
- 3) In recognition of the need to upgrade some older parks and playground equipment, it shall be a policy of Council to have an assessment of all parks and playgrounds completed of the physical condition as well as the appropriateness of equipment to serve current needs in each neighbourhood and to develop an upgrading plan including priorities and cost/budget projections for consideration.

7.3.7 Climate Change Considerations - Recreation

Policy

- 1) It shall be a policy of Council, when evaluating development of recreational facilities or lands, to consider:
 - (a) Taking public dedication under the Subdivision By-law not only for active recreational uses such as parks or playgrounds but also lands that might serve more passive uses such as buffer areas or setbacks along watercourses which allows Council to control uses along these streams. This then might be left vegetated or in its natural state to protect and preserve shade along the streams which protects any habitat in or along the streams. It could also be used for trail or bikeway development which provides active transportation as well as connectivity between residential areas or other developments along the watercourse. It also preserves and protects the watercourse to serve its natural function of providing an important component of the storm drainage network in the Village; and
 - (b) The use and design of recreation buildings for accommodating residents during emergency events where food, water, and shelter could be made available to displaced residents or those affected by storm events or severe heat days. Design considerations would include air conditioning as well as more washrooms or outlets for charging of electronic devices.

8.0 RURAL

Lands designated as Rural serve important functions within the Village in that they provide areas for agricultural, passive recreation, and resource-based land uses and provide a land bank for future development of the Village. The Village will continue to support existing agricultural land uses and future development that minimizes impacts on adjacent land uses.

8.1 Goal

To permit agricultural, passive recreation, and resource activities to be carried on with minimal impact on existing uses and the environment.

8.2 Objectives

- 1) To protect and preserve lands currently being used as farms, cropland, orchards, or the keeping of animals.
- 2) To minimize impacts between rural and urban uses.
- 3) To permit exploitation of granular resources under controlled conditions which minimize impacts on urban uses and the natural environment.

8.3 Policies

8.3.1 Rural Designation

Policy

- 1) It shall be a policy of Council that in the areas designated as Rural on the Future Land Use Map (see Schedule "A" attached hereto), no developments will be permitted except those associated with forestry, agriculture or resource use and subject to conditions as outlined elsewhere in this Plan. Recreational and open space uses may be permitted; however, residential uses will not be permitted, except as accessory to the permitted uses identified above.

8.3.2 Agricultural Use

Policy

- 1) Given the level of agricultural activity that exists within the Village and recognizing the benefits provided by agricultural use, it shall be a policy of Council to designate and retain these agricultural uses for as long as the owner wishes to continue the agricultural use. These existing operations as shown on the Future Land Use Map include the two farm operations on the east side of Route 101. These operations would be permitted to continue but not expand to other farming use. The spreading of manure or fertilizers should be in keeping with Provincial regulations.
- 2) It shall be a policy of Council that any new agricultural operations will only be permitted as an amendment to the Zoning By-law and subject to the provisions of the Rural zone.

8.3.3 Pits and Quarries

Policy

- 1) It shall be a policy of Council that the operations of pits and quarries will be a conditional use in the area designated as Rural on the Future Land Use Map subject to the issuance of a permit and adherence to the conditions that may be imposed by Council with respect to the following aspects:
 - (a) The siting of buildings, structures and equipment;

- (b) The hours and days of operation;
- (c) The creation of noise, smoke, dust, odours, vibrations and other nuisances;
- (d) The incorporation of setbacks, buffer areas, screening, fencing, security, safety, site grading and landscaping provisions;
- (e) The location of entrances, exits, and limitations on access to existing streets;
- (f) Surface water and groundwater protection;
- (g) Effluent, erosion and sediment control; and
- (h) The reclamation of the site.

8.3.4 Mineral/Petroleum Extraction Activities

Policy

- 1) Recognizing that mineral and petroleum extractions are the purview of the Province, it shall be a policy of Council that any applications for such extraction or related exploration shall be subject to the full legislated requirements of the Federal or Provincial governments related to such activities including full public information and participation programs.
- 2) Further, it shall be a policy of Council that any applications for any resource development, including mineral or petroleum extraction, would only be considered as an amendment to the Municipal Plan and Zoning By-law and only after Council review and approval of an independent professional consultant's report outlining any issues.

8.3.5 Alternate Energy Sources

Any applications (with the exception of residential use) to use alternate energy sources such as geo-thermal or wind power would only be permitted as an amendment to the Zoning By-law, including the requirement for any professional consultant's reports Council may require.

8.3.6 Climate Change Considerations - Rural

Policy

- 1) It shall be a policy of Council to consider the Village's rural lands, especially those with a high agricultural capability, as a potential source of food should it be needed in the future.
- 2) Since most of the Village's forested lands are in the Rural designation and on private property, it shall be a policy of Council to encourage good forestry management practices to prevent loss through disease or to forest fires. This will become increasingly important as the Village experiences more threats of pests or diseases as well as forest fires that have higher potential with more extreme heat days that are expected.

9.0 TRANSPORTATION

The overall transportation network should provide a safe and efficient means for vehicle and non-motorized travel between areas internal and external to the Village. Key transportation system improvements for future development include: development of a bypass roadway to Route 101 providing an additional roadway linkage to the City of Fredericton; development of a collector street network that becomes the framework for future land development; development of street linkages connecting existing and future subdivision development; and a pedestrian, bicycle and multi-use trail and pathway network to serve the Village.

9.1 Goal

To provide a safe and efficient internal and external multi-purpose transportation system in the Village for all users (motorists, pedestrians, and cyclists).

9.2 Objectives

- 1) To work with the Province and Regional Service Commission 11 to encourage the provision of a bypass highway linking Route 101 at Nasonworth to the Vanier Highway at the Wilsey Road / Alison Boulevard interchange as part of the regional highway network.
- 2) To continue the upgrading of Route 101 to provide for more convenient and safer movement of vehicles and pedestrians.
- 3) To provide collector streets to efficiently and safely move traffic to arterial and other collector roadways.
- 4) To upgrade and maintain existing streets to acceptable standards for right-of-way, surface condition and drainage.
- 5) To provide for the active transportation modes along and across arterial and collector streets as well as between existing and future subdivisions.
- 6) To provide appropriate roadway widths in new developments that accommodate safe and efficient motorized and active transportation movements while minimizing construction and operating costs.

9.3 Policies

9.3.1 Street Hierarchy and Standards

Policy

- 1) It shall be a policy of Council to adopt the following street hierarchy:
 - (a) Arterial street: a street whose function is the movement of large volumes of traffic at medium to high speeds. Arterials typically connect with collector streets, other arterial streets and freeways. The amount of direct access to adjacent development is limited on arterial streets.
 - (b) Collector street: a street whose equally important functions are to provide access to adjacent land as well as to provide traffic movement. Collector streets typically carry traffic between local and arterial streets.
 - (c) Local street: a street whose major function is to provide direct land access to individual properties. Local streets are typically designed to carry low traffic volumes for short distances and normally connect to other local and collector streets.
- 2) It shall be a policy of Council to maintain the following minimum right-of-way standards in future street construction:

- | | | |
|-----|-------------------|------------------------|
| (a) | Arterial streets | 30 metres |
| (b) | Collector streets | 20 metres to 25 metres |
| (c) | Local streets | 15 metres to 20 metres |

- 3) It shall be the intention of Council to review public street standards on a periodic basis to improve the efficiency of motorized travel and active transportation and moderate construction and maintenance costs. This review may consider reductions in the surfaced travel width of local residential streets and provision of facilities for active transportation such as bicycle lanes.
- 4) It shall be a policy of Council to review proposed accesses onto Route 101 including private driveways, public streets, and private streets that are proposed to serve new and existing developments.

9.3.2 External Roadway Connections

Policy

- 1) Given the current role of Highway 101 in providing the primary access between outlying areas to the south of the Village and the City of Fredericton to the north, combined with its role as the Village's main north-south arterial street, it shall be a policy of Council to strongly encourage the provincial Department of Transportation and Infrastructure to construct a new bypass highway linking Nasonworth on the south to the Vanier Highway on the north and following the corridor proposed on the Future Land Use Map (see Schedule "A" attached hereto). This bypass roadway would serve as a southern extension of the proposed major arterial street in the Doak/Alison Master Plan completed for the City of Fredericton, providing an alternative access into the City of Fredericton. Council should also ensure that this route is included as a priority when the Regional Development Plan is prepared for Regional Service Commission 11.
- 2) It shall also be a policy of Council to request the provincial Department of Transportation and Infrastructure and developers to include additional roadway connections to areas external to the Village. This would include connections west towards Hanwell Road as well as east towards Nevers Road.

9.3.3 Upgrading of Route 101

Policy

- 1) As the proposed bypass roadway may not be a reality for several years and in recognition of the high traffic volumes, poor levels of service and unsafe pedestrian situations, it shall be a policy of Council to continue the ongoing program of upgrades to the entire length of Route 101 through the Village and to work with the provincial Department of Transportation and Infrastructure and senior levels of government to secure funding where available.

Proposal

- 1) In regard to Route 101, it shall be a proposal of Council to address the following priorities:
- (a) Sharing of investment priorities with the provincial government;
 - (b) Continuation of highway widening;
 - (c) Upgrading of the highway south of Sunrise Estates Drive;
 - (d) Management of storm water management and upgrading of the culvert at Charters Settlement Road/Highway 101 intersection;
 - (e) Correction of frost heaving between MacIntosh Drive and Atkinson Lane;
 - (f) Undertaking of an asphalt crack sealing program;
 - (g) Completion of catch basin adjustments; and

- (h) Instituting more pedestrian crossings.

9.3.4 Collector Street System

Policy

- 1) It shall be a policy of Council to provide a phased system of collector streets as shown on the Future Land Use Map. Council shall obtain such streets either by purchasing the required right-of-way, building the collectors and recovering the costs from the owner as the property is developed, or by reserving the collectors and having them dedicated to the municipality as each subdivision owner develops. The latter approach would take a significantly longer time to put the system in place.

Other than at their intersections with Route 101, where it is critical to reserve future corridors, the collectors shown on the Future Land Use Map are not intended to be fixed in terms of exact alignment. There may be variations from the routes shown due to siting or ownership requirements; however, it is suggested that the relative locations remain approximately as shown and that the landowners and developers conform to the general alignments as development proceeds.

As developers submit subdivision or development plans for these properties, Council should ensure that they include these collector streets. Any modifications to these alignments should take into account factors such as: topography (grades and slopes of existing land) to facilitate the gravity flow of sanitary sewage to minimize the need for lift stations or pumping; property ownership to minimize the number of properties that have to be crossed so the route can be provided sooner and easier; and minimizing the number of stream or wetland crossings to avoid bridges/culverts and environmental impacts.

In addition to the collectors shown on the Future Land Use Map, Council may determine that collector streets in other locations may be required in the future.

- 2) As future subdivision and development is approved for the areas between the future collector roadways shown on the Future Land Use Map it shall also be a policy of Council that adequate roadway connections are provided between existing and future subdivisions and the collector roadways as well as between the existing and future subdivisions themselves.

9.3.5 Upgrading of Local Streets

Policy

- 1) It shall be a policy of Council to prepare and update annually a five- year plan for the upgrading of local streets and to undertake a street upgrading program in accordance with the priority list established. These improvements should also be coordinated with the water and sewer installation and upgrading program.
- 2) It shall further be a policy of Council that, during the annual inspection, drainage ditches and storm sewer systems shall also be inspected and a priority list for improvements shall be compiled. In approving future subdivision plans, Council shall require the provision of underground storm sewer systems.

- 3) It shall be a policy of Council to adopt a program of traffic calming on residential streets where it is determined there are excessive vehicle speeds and/or an inappropriate volume of traffic is utilizing the street. Traffic calming is to be used as a measure of last resort when appropriate street design techniques and enforcement measures fail. Options for consideration include stop signs, traffic islands, indented curbs, raised crosswalks, or others to be determined by Village staff/Council.

9.3.6 Dangerous Goods Routes

Policy

- 1) Council shall request and work with the Province of New Brunswick to determine and enforce dangerous goods routes which will:
 - (a) Serve to protect wellfields, important aquifers and environmentally sensitive areas; and
 - (b) Include routes covered by trucks transporting dangerous goods.

9.3.7 Designated Truck Routes

Policy

- 1) Council shall continue to work with the provincial government to designate, improve and maintain routes designed for the movement of truck traffic to ensure that high levels of commercial truck traffic are directed away from residential areas.
- 2) If the Hanwell Industrial area on the Village's northwestern boundary ever becomes connected to the Village, Council should assure that truck traffic is not permitted to access local streets in the Village, through the designation of truck routes, signage and enforcement.

9.3.8 Deferred Widening

Policy

- 1) In accordance with **Section 63 of the *Community Planning Act***, Council should adopt, where appropriate, deferred widening By-laws to regulate development which abuts arterial and collector streets in order to:
 - (a) Provide for future road widening;
 - (b) Enhance the safety and functionality of the street; and
 - (c) Provide for a greater level of buffering for abutting uses.
- 2) Council may also consider, on existing local streets where Council determines there is a need for widening the street right-of-way, the adoption of a deferred widening By-law.

9.3.9 Pedestrian/Bicycle Considerations

As referenced in Policy 7.3.5, in 2012 the Village adopted a Trails and Bikeways Master Plan. In the interests of promoting active transportation, convenient and safe community connectivity, as well as a healthy lifestyle, Council will continue to implement the components of the Trails and Bikeways Master Plan as outlined on the Overall Trails Master Plan shown in Appendix "A".

Policy

- 1) **Sidewalks** - It shall be a policy of Council to provide sidewalks as funding permits and opportunities rise (such as the upgrading of Route 101, the constructing of water and sewer systems or the upgrading of local streets under the five-year capital works plan) along Route 101 and along all existing and future collector streets, with priority given to those streets on which community facilities such as schools, churches, recreation areas and shopping facilities are located. Council should use its judgment based on traffic volumes and the location of residences and community facilities in determining whether sidewalks should be constructed on one or both sides of streets. Where applicable, sidewalk and trail connections should also be provided to existing and future pathways.
- 2) **Pathways** - As subdivisions develop and expand, it shall be a policy of Council to require that pathways for pedestrians and bicycles be provided between subdivisions as well as from the subdivisions to adjacent trail systems, community facilities and shopping areas.
- 3) **Abandoned Route 101** - It shall be a policy of Council to approach the provincial Department of Transportation and Infrastructure and the University of New Brunswick to determine if it is possible to retain the former Route 101 alignment through the UNB Woodlot, as a portion of a pathway network, providing a safe and unique link between New Maryland and the City.
- 4) **Crosswalks** - It shall be a policy of Council to provide pedestrian crosswalks at major intersections along Route 101 and across all future collector streets where warranted. Further, it shall be a policy to review and consider the provision of crossing guards at strategic locations in the vicinity of the school and recreation areas.

9.3.10 Parking and Loading Areas

Policy

- 1) It shall be a policy of Council that all future off-street parking and loading are provided in accordance with the respective sections of the Zoning By-law.
- 2) It shall be a policy of Council that parking and loading areas in new developments or in redevelopment projects shall be located such that the visual impacts of the parking and/or loading areas on adjacent properties and roadways shall be minimized. This may include measures such as locating parking and loading areas to the rear of buildings and screening via fences or landscaping.

9.3.11 Commuter Carpooling

Policy

- 1) In the interest of reducing traffic on Highway 101 and to support climate change initiatives, it shall be a policy of Council to consider the implementation of a pilot project of establishing a commuter parking lot in the Village so that it might make it more attractive for residents to consider carpooling into the City in the mornings and back in the evenings.

9.3.12 Climate Change Considerations - Transportation

Roadways are one of the components of a municipal infrastructure system that have the potential to be most affected by the severity and variability of future climate change. Impacts related to temperature changes include pavement rutting, bleeding of asphalt, flash freezing and more frequent freeze/thaw cycles, frost heaving and potholes. Precipitation changes can also impact pavement deterioration through increased moisture in road subgrades and embankments, resulting in lower bearing capacity, and through increased potential for flooding as well as freezing.

Policy

- 1) It shall be a policy of Council in planning and construction of future roadways to consider measures such as:
 - (a) Avoiding low areas prone to flooding/drainage problems,
 - (b) Considering higher road elevations in low areas,
 - (c) Connecting isolated subdivisions to provide alternate accesses in the event of washouts or flooding blockages,
 - (d) Promoting improved or more tolerant pavement design,
 - (e) Developing salt management plans to manage the environmental impacts of road salt usage and snow removal operations,
 - (f) Coordinating with NB Department of Transportation and Infrastructure, and
 - (g) Revising Infrastructure and Roadway Construction Specifications as new standards for design, operation or maintenance are adopted.

10.0 MUNICIPAL INFRASTRUCTURE AND UTILITIES

In 2005, the Village constructed a new wastewater treatment facility and expanded its collection system that serves 99% of Village residents. The Village has developed a draft plan entitled *The Village of New Maryland Water Management Plan*, and work is ongoing regarding development of a municipal water supply. Key priorities for the current municipal plan horizon include continued water supply development and continued upgrades to the Village's infrastructure systems as well as completion of a Storm Water Management Master Plan.

Electrical and communications utilities are also important to the development of the municipality. Provision of these utilities is the responsibility of Crown Corporations and private companies who utilize portions of the municipal right-of-way for their transmission and distribution structures.

10.1 Goal

To provide safe, efficient and economical water and sewage services for all residents of the Village. The municipality should be provided with basic municipal infrastructure in the form of community water and sewer services to enable it to grow in a sustainable fashion while also protecting its groundwater resources and the natural environment.

10.2 Objectives

- 1) To provide a sustainable municipal water supply and distribution system of acceptable quality and quantity to meet the domestic and firefighting needs of the community.
- 2) To provide the Village with municipal sewage collection and treatment systems that meet current standards.
- 3) To provide an upgraded storm drainage system in the Village as streets are upgraded or as municipal water and sewer systems are provided.
- 4) To work with utility companies in the provision of electricity and communications services to the Village so that the impacts of their facilities on adjacent land uses and the environment are minimized.

10.3 Policies

10.3.1 Municipal Water Systems

Policy

- 1) It shall be a policy of Council to ensure all existing or future wellfields are protected by Wellfield Protection Plans in accordance with Provincial Regulations.
- 2) To ensure the future sustainability of potable water, it shall be a policy of Council to continue the development of additional water supply sources as well as a community-wide water distribution system in accordance with the *Village of New Maryland Water Management Plan*.
- 3) Once an additional water source has been identified, it shall be a policy of Council to refine and adopt the document, the *Village of New Maryland Water Management Plan*.
- 4) It shall be a policy of Council that new developments be required to connect to the municipal water supply system and that the developer provide an engineering report indicating the expected demand so that it could be determined whether or not the Village system is capable of supplying that demand.

- 5) It shall be a policy of Council to permit municipal services and utility uses in all zones.

10.3.2 Climate Change Considerations – Municipal Water System

Policy

- 1) With respect to climate change considerations, it shall be a policy of Council to consider the following:
- (a) To monitor trends in annual and seasonal precipitation in order to determine measures that may be required to enhance water supply such as additional supplementary wells or storage facilities as well as instituting and enforcing conservation measures; and
 - (b) To monitor freeze/thaw cycles and frost penetration levels to determine if construction practices relating to depth of water lines and laterals or insulation measures may be required.

10.3.3 Municipal Sanitary Sewer Systems

Policy

- 1) It shall be a policy of Council to undertake continued improvements to the Village's sanitary sewer collection and treatment systems, where required.
- 2) It shall be a policy of Council to develop a long term Master Plan for the Village's Sanitary Sewage Treatment and Collection Systems.

10.3.4 Climate Change Considerations – Municipal Sanitary Sewer Systems

Policy

- 1) With respect to climate change considerations, it shall be a policy of Council to consider the following:
- (a) Many subdivisions have footing drains that are connected directly to the sanitary sewer system. Some homes also have sump pumps connected to the sanitary sewer. This contributes to overloading of sewers and Council shall consider encouraging homeowners to address their situation by redirecting sump water disposal to other areas such as drainage swales or ditches. The best ultimate solution is to install storm sewers in these subdivisions and redirect pumps and footing drains to the storm sewer system.

10.3.5 Unserviced Development

Policy

- 1) It shall be a policy of Council that no further subdivisions shall be permitted on the basis of individual wells and individual sewage disposal systems. If, for any reason, Council feels it necessary or appropriate to approve individual wells, all requirements under Provincial Regulations pertaining to lot sizes and water systems shall be followed. Such applications may be considered for residential, institutional or commercial development on a specific and individual basis.
- 2) In addition to the Provincial Regulations to be followed in 10.3.5, 1), it shall be a policy of Council that the house on such a lot is to be located on the front quarter of the lot unless circumstances warrant an exception. This will facilitate future subdivision of the lot at the time municipal water and services are extended to or by the lot.

10.3.6 Storm Drainage System

Policy

- 1) It shall be a policy of Council to complete its long-range plan for the handling of storm drainage in the Village. Such a plan shall include the requirement that all future subdivisions be provided with curb and gutter and a piped storm sewer system. It shall also incorporate priorities for the phased improvement of the existing drainage system.
- 2) If uses are approved in areas with ditches, it shall be a policy of Council that any culverts required will be provided by the developer or lot owner and the design of the culvert must be to the satisfaction of the Village Engineer.

10.3.7 Climate Change Considerations – Storm Drainage Systems

Policy

- 1) With respect to climate change considerations, it shall be a policy of Council to consider the following:
 - (a) Continue monitoring areas of flooding and drainage problem locations (as initially studied in the recent Wet Weather Survey) to identify areas and set priorities for dealing with locations most likely to be impacted during high runoff periods.
 - (b) Consider a policy of zero increase in storm runoff (maintaining pre-development flows) as sites are developed. This may include requiring storm attenuation ponds to detain or slow the flow of runoff or, for larger commercial or industrial sites, it may include on-site storage techniques such as roof storage, underground detention tanks and parking areas being used as detention ponds during heavy rainfall events.
 - (c) Develop or update municipal construction specifications to require developers to provide larger pipe sizes, fully gasketed pipes, larger catch basins or larger sumps.
 - (d) Consider the use of vacuum street sweepers instead of mechanical ones to prevent overloading storm systems with sand used on streets during the winter.
 - (e) In an effort to decrease rapid runoff and to increase infiltration into the soil (to help replenish groundwater), consider the requirement for gravel, stone or porous paving materials for parking lots.

10.3.8 Electrical and Communications Utilities

Policy

- 1) It shall be a policy of Council to permit electrical and communication utility uses in all zones.
- 2) It shall be a policy of Council that the location of electrical and communications utilities to serve new developments should be at the discretion of the developer and utility company. Above ground utilities or underground installation should be located so as to minimize their visual impact, with rear lot servicing for above ground utilities implemented where feasible.
- 3) When the utility companies are proposing new facilities such as transmission lines, substations or switching facilities, it shall be a policy of Council to encourage the utility company to undertake consultation with area landowners.

10.3.9 Climate Change Considerations – Electrical and Communications Utilities

Policy

- 1) Electrical and communications services are critical in their own right as well as to the functioning of other infrastructure and services that operate and depend on power. Extreme cold, heat and storms (ice, wind, and/or lightning) can all impact power and communication requirements during all seasons. With respect to these climate change considerations, it shall be a policy of Council to consider the following:
 - (a) Cooperate with NB Power in the maintenance of trees near power lines;
 - (b) Consider requiring developers to place power lines underground;
 - (c) Encourage residents as well as developers to consider more energy-efficient designs of homes, sites and subdivisions, including consideration of energy-efficient materials, heating/cooling systems, appliances for homes and buildings; energy-efficient subdivision street and lot layout to take advantage of sun exposure, prevailing wind directions and use of vegetation to invite or block sun and winds; and
 - (d) Encourage residents to have backup methods of obtaining energy, especially for emergency events, such as solar or wind power (which may require a zone amendment under Section 7.13 of the Zoning By-law), gas-powered generators, backup wood stoves, etc.

11.0 PROTECTIVE SERVICES

In 2002 the Village established its own fire department and has continued to have policing services provided by the RCMP. The Village shall continue to provide these protective services to protect life and property within the Village.

11.1 Goal

To provide efficient police and fire services to protect life and property within the Village.

11.2 Objectives

- 1) To support the development and operation of the Village Fire Department.
- 2) To support the Village's policing needs through the provision of policing services by the RCMP.
- 3) To support and make provision for community safety.

11.3 Policies

Policy

- 1) It shall be a policy of Council to address fire protection requirements in the ongoing development of the water supply and expanded water distribution system for the Village.
- 2) It shall be a policy of Council to provide sufficient capital funding for the replacement of fire department facilities and equipment.
- 3) Council shall work with the RCMP, Province, Regional Service Commission 11 and municipal associations so that the policing needs of the Village are being met via the Provincial RCMP contract.
- 4) Council shall consider support for local groups that are working towards a safer environment in accordance with the Community Vision.
- 5) Council shall require and support the continual updating of the Village's Emergency Response Plan as personnel, support organizations or circumstances change in the future, such as climate change information.

12.0 CULTURE AND HERITAGE

Structures or sites of historic and cultural significance within New Maryland should be preserved and maintained as they provide a link to the area's settlement, and provide insight into the history of the Village.

12.1 Goal

To protect cultural and historic resources within the Village.

12.2 Objective

- 1) To promote the preservation of existing structures, buildings and sites of historical significance.

12.3 Policies

Policy

- 1) It shall be a policy of Council to promote the heritage of the Village through its recognition of the retention of buildings, sites and areas within the Village having historical significance. This includes buildings such as Victoria Hall and the Anglican Church, or sites such as the Segee Farm where the famous Street-Wetmore duel occurred in 1821.
- 2) It shall be a policy of Council to encourage the provision of public art in the Village, especially in Village-owned buildings and grounds, but also in private sector developments in visible locations and areas frequented by visitors or the general public. These could take the form of paintings, sculptures, statues, fountains / water features or more practical uses such as benches, garbage receptacles, bicycle racks and public infrastructure such as catch basin ornamentation.

13.0 ENVIRONMENT

In New Brunswick, environmental regulations are the responsibility of the Province and pertain to development-related issues such as setbacks from wetlands and watercourses. While environmental protection is within the Province's legislative realm, Municipal Plan policies are provided which include initiatives such as designating land to protect the natural environment and enhancing the built environment within the Village.

13.1 Goal

To encourage sustainable development by providing a pleasant and safe living and working environment while protecting and enhancing the natural environment.

13.2 Objectives

- 1) To preserve and enhance the natural and built environment.
- 2) To encourage the proper collection and disposal of solid waste.
- 3) To undertake recycling in order to reduce solid waste disposal.
- 4) To make provision for suitable control over land uses which utilize hazardous chemicals and which have potential to contaminate the environment and cause health or safety problems.
- 5) To undertake wellfield protection in accordance with the existing and future Wellfield Protection Plans.

13.3 Policies

13.3.1 Preservation and Enhancement

Policy

- 1) It shall be a policy of Council to encourage preservation and enhancement of the natural and built environment by:
 - (a) Preserving wetlands, marshes, stream valley slopes and other environmentally sensitive areas that may be identified in accordance with Provincial legislation pertaining to watercourses and wetlands by designating them as Open Space as outlined in Policy 13.3.2;
 - (b) Ensuring all wellfields that exist or may be developed are protected by the Wellfield Protection Program and Plans in accordance with provincial legislation;
 - (c) Protecting and preserving existing trees and shrubs and instituting a tree planting program;
 - (d) Maintaining and landscaping public buildings and lands;
 - (e) Encouraging the maintenance and enhancement of the commercial areas through maintenance and paint-up campaigns, the control of the location, size and type of signs, as well as the provision of landscaping and street furniture where possible;
 - (f) Requiring the provision of buffer areas (green belt areas, strips of trees or shrubs and architectural screening such as walls or fences) around mobile home subdivisions, commercial or industrial uses, public parking lots, or buildings as required in other policies of this Plan and by the implementing Zoning By-law; and
 - (g) Enforcing the Dangerous or Unightly Premises By-law to enhance the built environment.

13.3.2 Open Space

Policy

- 1) It shall be a policy of Council that all areas designated as Open Space on the Future Land Use Map (see Schedule "A" attached hereto) shall be reserved and protected to serve as passive recreation areas or merely left undisturbed to be enjoyed for their aesthetic appeal. These open spaces should include: all government-owned parks and open areas; flood plains and watersheds; legislated buffer areas along the entire length of stream valley banks and slopes and environmentally sensitive areas.

Council may restrict development in the above areas by:

- (a) Zoning the areas as Open Space, where appropriate;
- (b) Employing Section 53(2)(h) of the *Community Planning Act* which prohibits building when the site is marshy, subject to flooding, excessively steep or unsuitable for development because of soil conditions or topography, or in accordance with Provincial Wetland Policies under the Clean Water Act; and
- (c) Outright purchase of the property or negotiation or agreement with the owner.

Two particular uses, stream valley slopes and environmentally sensitive areas, should be zoned as Open Space. Through this zoning, Council can protect stream valley slopes by prohibiting development and requiring a setback or buffer area of 30 metres from the high water mark of the stream. Environmentally sensitive areas such as designated wetlands and marshes, which are sensitive habitat for various species of plants and animals, should be protected from encroachment by urban uses.

- 2) It shall be a policy of Council to allow cemeteries as a permitted use in the Open Space zone.

13.3.3 Waste Collection and Disposal

Policy

- 1) The Village has representation with Fredericton Region Solid Waste and it shall have a policy to continue to provide input into future planning and decisions regarding waste collection and disposal.
- 2) It shall be a policy of Council to continue to undertake solid waste management practices such as waste collection and disposal as well as recycling, composting and other waste reduction programs.

13.3.4 Hazardous Materials and Chemicals

Policy

- 1) Proposed Uses
In light of recent concerns with the use, transportation and storage of hazardous materials (such as asbestos, UFFI, PCBs) and chemicals (such as oil, gas, perchlorethylene), it shall be a policy of Council that all future uses which utilize materials and chemicals which may be hazardous to human health, if permitted to enter the soil, water or atmosphere, be rigidly controlled in terms of use, transportation and storage. Any such uses (except gas bars) should be prohibited from any area except the business park, and even there, Council will make provision for adequate safeguards to be undertaken before approval is granted. Gas bars are an exception since they often are associated with other community uses such as convenience stores or mini-malls. Before approval of any gas bars, all environmental safeguards as required under the Petroleum Storage and Handling Regulation shall be met, along with any other provisions Council may wish to impose to protect residents.

2) Existing Uses

For any existing uses such as service stations that could pose threats to the health and safety of residents, and even though they are regulated under the Petroleum Storage and Handling Regulation, it shall be a policy of Council to notify the correct provincial agency of any potential leaks. If problem areas are detected, the owner shall be required to correct the situation to the satisfaction of the New Brunswick Department of Environment and Local Government. Council should also urge the provincial government to initiate comprehensive legislation dealing with the use, transportation and storage of hazardous materials.

13.3.5 Wellfield Protection

Policy

- 1) It shall be a policy of Council that development within existing and future wellfields conform to Wellfield Protection Plans in accordance with Provincial Regulations.

13.3.6 Climate Change Considerations - Environment

Policy

- 1) All of the above policies relate to climate change considerations. Generally, it shall be a policy of Council to protect and enhance its natural environment and the flora and fauna it supports through ensuring the protection of such features as:
 - (a) Waterways through such measures as acquisition, public dedication of land, zoning, retention of trees and vegetation in the corridor to protect aquatic habitat;
 - (b) Forest lands through encouraging good forest management practices to preserve the resource and minimize damage/loss due to storm events, fires, disease and insects;
 - (c) Agricultural lands with good agricultural potential to produce food in the future;
 - (d) Surface and ground water resources through enforcement of watershed and wellfield regulations as well as conservation measures; and
 - (e) In addition to those along waterway corridors, to protect and cultivate trees and vegetation in parks, green spaces, street rights-of-way in order to provide shaded areas for temperature and humidity control to offer refuge and relief during extreme heat events.

14.0 ADMINISTRATION AND IMPLEMENTATION

Administration and implementation of municipal planning documents is a continuous process, and there may be a need to amend the Plan and associated By-laws over time. Therefore, as required under **Section 32 of the Community Planning Act**, Village Council shall conduct a Plan Review at least every ten years to determine the need for Plan amendments. Any Plan Review or amendment process will include public involvement and input. Implementation of the Municipal Plan will be accomplished through the adoption and enforcement of By-laws including Zoning, Subdivision, and Building By-laws as well as through capital budgeting.

14.1 Goal

To require that all future development is carried out within the general intent of the policies of the Municipal Plan and that the Plan will be implemented through the adoption and enforcement of appropriate municipal By-laws.

14.2 Objectives

- 1) To adopt and enforce appropriate By-laws to implement the Municipal Plan.
- 2) To provide staff to administer the Plan and its implementing By-laws.
- 3) To encourage private development within the scope of the Plan.
- 4) To nurture engaged citizens through the participation of the public in the implementation of the Plan.
- 5) To undertake capital budgeting to assist in Plan implementation.

14.3 Policies

14.3.1 Administration

Policy

- 1) It shall be a Policy of Council that the following measures are considered in the administration of the Municipal Plan:
 - (a) **Plan Review and Amendment** - Plan implementation is a continuous process, and there may be a need to amend the Plan as the assumptions on which it is based change in the light of new trends, changing technology or new community attitudes. Thus, it shall be a policy of Council to conduct a thorough review of the Plan at least every ten years (as required under **Section 32 of the Community Planning Act**) to ascertain the need for Plan amendments. Also, since the Plan is an expression of the goals of the people, periodic Plan review provides an opportunity for participation and re-involvement on the part of the public.
Amendments to the Plan may be made at any time. Amendments are required:
 - (i) Where any major policy intent is to be changed,
 - (ii) Where a zoning amendment will violate the future land use as shown on the Future Land Use Map (see Schedule "A" attached hereto), and
 - (iii) Where detailed secondary or functional plans are desired to be incorporated into this Plan.
Under **Section 117 of the Community Planning Act**, amendments require the same public participation and ministerial approval as does the adoption of the Plan itself. A Municipal Plan amendment would also be subject to an administrative fee as outlined in Schedule "B" of the Zoning By-law.

- (b) **Updating the Future Land Use Map and the Zoning Map** - The existing Future Land Use Map and the Zoning Map should be continually updated. Council will have a policy to update both documents as Municipal Plan amendments and rezoning applications are approved.
- (c) **Public Involvement** - It shall be a policy of Council to take advantage of every opportunity to involve the public in the planning or decision-making process with respect to the future development of the community. The participation of citizens in Plan implementation is invaluable and can result in the following:
 - (i) Providing residents with opportunities to effectively participate in planning for their own future and the future of their community;
 - (ii) Relieving apprehension by assisting to convert the unknown into the known, or at least reducing the alternatives; and
 - (iii) Creating a forum for mutual education so that citizens and the Council can learn from listening to each other.

14.3.2 Implementation

Policy

- 1) It shall be a policy of Council to update the following By-laws so they are compatible with and implement the Municipal Plan.
 - (a) **Zoning By-law:** The Village will have the Zoning By-law updated as required to be compatible with the Municipal Plan policies and Future Land Use Map. The two main purposes of zoning are to protect existing uses from infringement by incompatible development (i.e., maintain and protect property values) and, more importantly, to use zoning to regulate growth in the directions indicated in the Municipal Plan.

In considering amendments to the Zoning By-law, in addition to all other criteria as set out in various policies of this Plan, Council will have regard to the following matters:

 - (i) That the proposal is in conformance with the intent of this Plan and with the requirements of other Village By-laws;
 - (ii) That the proposal is not premature or inappropriate by reason of:
 - (a) The financial capability of the Village to absorb any costs relating to the development;
 - (b) The adequacy of water and sewer services to accommodate the proposed development;
 - (c) The adequacy and proximity of school, recreation and other community facilities;
 - (d) The adequacy of street networks in or adjacent to the development;
 - (e) The potential for the contamination of watercourses or the creation of erosion or sedimentation; or
 - (f) Creating a leap-frog, scattered or ribbon development pattern as opposed to compact development.
 - (iii) That controls are placed on the proposed development so as to reduce the conflict with any other adjacent use;
 - (iv) Suitability of the proposed site in terms of soils, topography, geology, location of water courses and swamps, as well as proximity to other nuisance factors; and
 - (v) Provision for buffering, landscaping, screening, signing and access control to reduce potential incompatibility with adjacent land uses or traffic arteries.

Those uses which currently exist, and which upon adoption of this Plan do not conform to the designated uses on the zoning maps, shall be permitted to continue as non-conforming uses (under **Section 60 of the Community Planning Act**). However, the nonconforming use must cease and any redevelopment must conform to the Plan if:

- (i) Such use is discontinued for a consecutive period of ten months or such further period that the Planning Advisory Committee considers fit, or
 - (ii) Greater than half the building or structure (exclusive of foundation) has been damaged, unless the Planning Advisory Committee has good reason to agree that it should be rebuilt.
- (b) **Subdivision By-law:** The Council will update its Subdivision By-law as required, based on policies or amendments of this Plan, in order to regulate the form and type of subdivision within the Village. It shall include a set of standards outlining the subdivider's responsibilities with respect to the construction of streets, lots, services, utilities and for the dedication of land for public purposes.
- (c) **Deferred Widening By-law:** Where land is required for the purposes of widening, altering, or diverting an existing street, then Council may do so by first adopting a Deferred Widening By-law, which should:
 - (i) State the Village's intentions of acquiring such land;
 - (ii) Set out the new street lines;
 - (iii) Establish building lines for such widened, altered, diverted or new street; and
 - (iv) Prohibit the placing, erecting, altering and repairing of anything on the land between the street and building line mentioned in Clauses (ii) and (iii).
- (d) **Building By-law:** Council shall update the Building By-law, which will prescribe standards for the building, locating or relocating, demolishing, altering, structurally altering, repairing, or replacing of a building or structure.
- (e) **Unightly Premises By-law:** It shall be a policy of Council to enforce the Dangerous or Unightly Premises By-law.
- (f) **Capital Works Program:**
 - (i) In recognition of the updating of the Municipal Plan, it shall be a policy of Council to have a capital works program prepared in order to set relative priorities for development that is financially feasible for the Village to undertake. This program can then be used by Council to assist in the preparation of its annual capital works budget. Each year the program should be reviewed and updated. The Capital Works Program as envisaged over the next several years is included in Appendix "B".
 - (ii) It shall be a policy of Council to consider the following guidelines in its financial management program:
 - (a) Council shall seek assistance for all capital works projects, which qualify under federal or provincial government funding assistance programs;
 - (b) Funds required by the municipality to undertake capital projects shall be taken from local revenue where possible. The remainder shall be borrowed under the direction and guidance of the Municipal Capital Borrowing Board;
 - (c) Tax rates and user fees shall be set as appropriate to keep pace with inflation and maintain an acceptable level of service to the Village;
 - (d) Council shall endeavor to manage the Village debt to adhere to the suggested guideline that annual debt charges not exceed 20 percent of total municipal expenditures; and
 - (e) Council shall pursue a break-even policy for future development, which will require that the developer pay for the installation of all on-site services to the minimum standards required by the municipality and as outlined in the Zoning By-law, the Subdivision By-law or the Municipal Construction Specifications.
 - (f) With respect to off-site services required to accommodate a new or expanded development or subdivision, Council shall endeavor to arrange for the provision of such services to be cost-shared between the municipality and the owner/developer. The terms of such cost-sharing may be negotiated and contained in a development agreement or a local

improvement agreement. Such agreements could also include infrastructure charges or lot levies where such charges are permitted by provincial enabling legislation.

14.3.3 Climate Change Considerations – Administration and Implementation

Policy

- 1) With respect to climate change, it shall be a policy of Council to consider the following:
 - (a) Consider the initiative of a full or modified Climate Change Report Card (as prepared by the Canadian Institute of Planners) which would contain elements of the following components:
 - (i) To become educated about climate changes and the impacts expected to occur in this region related to changes in heat/temperature, precipitation/flooding, storm events (winds), nature (pests, diseases, fires);
 - (ii) To identify the various elements likely to be impacted in the community (land uses; buildings, facilities; infrastructure; economic, social, cultural aspects; recreation; environment);
 - (iii) To determine how vulnerable each element is to the impacts listed in (ii) based on exposure and probability of occurrence;
 - (iv) To develop specific actions or plans that could be implemented to mitigate or adapt to climate change impacts;
 - (v) To analyze the costs/benefits of possible implementation measures in (iv) and the resource capabilities of the community;
 - (vi) To set priorities based on results of (v);
 - (vii) To assign responsibility along with a timeline to a department, government, agency for undertaking the priority measures identified;
 - (viii) To continually update the Report Card as new climate change information, new impacts or new resources are identified over time in order to monitor and track initiatives and successes in dealing with climate change; and
 - (ix) To continually update education efforts; technical manuals or specifications; Zoning, Subdivision or Building By-laws; emergency response plans; and government/ agency partnerships and funding opportunities, based on the results of the Report Card.

15.0 REPEAL AND TRANSITION

- 15(1) By-law No. 03-2016, the Village of New Maryland Municipal Plan adopted on April 20, 2016, is hereby repealed.
- 15(2) The repeal of By-law No. 03-2016, the Village of New Maryland Municipal Plan shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or are pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

Read First Time:
(By Title Only) _____

Read Second Time:
(By Title Only) _____

Read Third Time:
(By Title and Section Numbers Only) _____

Read Final Time:
(By Title Only) and ENACTED: _____

MAYOR
Judy Wilson-Shee

CLERK
Cynthia Geldart

SEAL:

Schedule "A"
Future Land Use Map

APPENDIX "A"
Overall Trails Master Plan Map

APPENDIX "B"
Five Year Capital Expenditure Plan