

Central York Rural Community
By-Law No. A-12
A By-Law to Amend the Douglas Planning Area Rural Plan Regulation (03-DOU-024-00)

Pursuant to section 59 of the *Community Planning Act*, the Council of the Central York Rural Community enacts the following amendments to *The Douglas Planning Area Rural Plan Regulation (03-DOU-024-00)*.

1. The following amendment to subsection 2.4:

2.4(1) For the purposes of the Regulation, the area is zoned as delineated on the attached Schedule A, entitled "Douglas Planning Area Zoning Map" and dated February 14, 2001, is amended by schedules "C-1" and "D-1".

2. That the land having PID 75147009 & 01526839, as shown on the map herein attached as Schedule D-1 and subject to the agreement herein attached as Schedule D, is hereby rezoned, pursuant to section 59 of the *Community Planning Act*, from Golf Course Zone "GC Zone" & Single and Two-Family Residential and Agricultural Zone "R Zone" respectively to Gravel Pit Zone "GP Zone", within the Central York Rural Community of the parish of Douglas and the county of York, being within the designated area of *The Douglas Planning Area Rural Plan Regulation (03-DOU-024-00)*.

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

First Reading: May 13, 2025

Second Reading: May 13, 2025

Third Reading: May 27, 2025



David DuPlessis, Mayor



Duncan Walker, CAO/ Clerk

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

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

2025-06-17 11:54:36 46667137
date/date time/heure number/numéro
K. Platt
Registrar-Conservateur



Central York Rural Community
By-Law No. A-12
Schedule D

THIS AGREEMENT MADE THIS 6 day of
June 2025.

Between: THE CENTRAL YORK RURAL
COMMUNITY, a Municipal Body Corporate,
being situated in the County of York, in the
Province of New Brunswick (hereinafter
referred to as the "Municipality")

AND: MCL Management (hereinafter referred to
as the "applicant")

WHEREAS the Municipality has been asked to
rezone property currently owned by MCL
Management located in the Central York Rural
Community, NB, PID 75147009, from Golf
Course Zone – "GC Zone" & PID 01526839 from
Single and Two-Family Residential and
Agricultural Zone – "R Zone" to Gravel Pit Zone -
"GP Zone", under section 59 of the Community
Planning Act,

AND WHEREAS the Municipality is authorized by
the provisions of Section 59 of the Community
Planning Act to enter into an Agreement with
the applicant imposing reasonable terms and
conditions, as a Resolution of council,

NOW THEREFORE WITNESSETH that for and in
consideration of mutual covenants and
agreements contained herein, the Municipality
and the applicant covenant and agree to as
follows:

1. THAT the operation of the quarry be in
general conformity with the site plan
attached as Schedule D-2;
2. THAT prior to the commencing of any
excavation upon said lands, a copy of an
Approval to Operate, as issued by the
Department of Environment and Local
Government, shall be submitted to the
Development Officer at the Capital
Region Service Commission;
3. THAT a copy of all subsequent Approval
to Operate, as issued by the
Department of Environment and Local
Government, shall be submitted to the
Development Officer at the Capital
Region Service Commission;
4. THAT all excavations shall comply, as
required, with the *Clean Air Act*, the
*Water Quality Regulation – Clean
Environment Act*, the *Clean Water Act*,
in particular, the *Watercourse and
Wetland Alteration Regulation*, and the
*Water Well Regulation – Clean Water
Act*;
5. THAT the applicant contact the
Watercourse and Wetland Alteration
branch of the Department of
Environment and Local Government to
verify a potential unmapped
watercourse or wetland on the
property;
6. THAT the applicant shall obtain, if
required, a Watercourse and Wetland
Alteration permit, and address concerns
noted by the Department of
Environment and Local Government –
WAWA Branch;
7. THAT the applicant shall obtain, if
required, an Environmental Impact
Assessment and address concerns
noted by the Environmental
Assessment Branch;
8. THAT the applicant shall submit to the
Authorizations Branch, a revised Final
Operational Perimeter (FOP), Blast
Monitoring Plan (BMP), adhere to *Rock
Quarry sitting standards*, apply and be
approved for a revised Approval to
Operate, and address any concerns
noted by the Authorization Branch of
Department of Environment and Local
Government;

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9. THAT the developer of the operation shall comply with the *Species at Risk Act* and must address concerns noted by the Department of Natural Resources and Energy Development;
10. THAT if there is an accidental discovery of archaeological resources during any groundbreaking activities, the proponent shall follow Section 9 of the *Heritage Conservation Act*;
11. THAT the provisions within subsections 3.5(2), 3.5(3), 3.5(4), 3.5(5), and 3.5(6) of the *Douglas Planning Area Rural Plan Regulation – Community Planning Act*, for excavations within a gravel pit – GP Zone, apply;
12. THAT the hauling road for the entry of trucks upon, or the removal of materials from, said lands be located upon, or in the vicinity of lands having PID's 75349084 and 75152702, and connecting to Royal Road, as shown on Schedule D-2 subject to the following:
 13. All associated costs of constructing and maintaining the hauling road will be borne by the applicant,
 14. All required permits are obtained with regards to the construction of any structure to facilitate the crossing of a watercourse;
15. THAT the hours of operation are restricted to 7:00am to 7:00pm Monday to Saturday, with no operation on Sunday or prescribed days of rest in accordance with the *Days of Rest Act*;
16. THAT the entrance to the site shall have a barrier to control access to the site;
17. THAT signs shall be placed at any entrance, tracks and/or trails etc. bearing the word "Danger", "No Trespassing", and the nature of the operation;
18. THAT trucks and vehicles waiting to access the quarry are not to be parked or idling along Route 620;
19. THAT any additional services beyond those specified in the application require the applicant to contact the CRSC Planning and Development office to assess the necessity of obtaining any further land use approvals.
20. THAT the rezoning of lands herein does not mean an approval on the issuing of subsequent permits or approvals, such as for building or subdivision.

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

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In WITNESS WHEREOF the heretofore parties
mentioned have hereunto set their hands and
seals this 6 day of JUNE 2025.

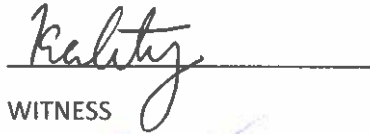
CENTRAL YORK RURAL COMMUNITY



MAYOR



CLERK



WITNESS



APPLICANT



WITNESS



Central York - Douglas Planning Area
By-Law A-12
Schedule D-1
March 2025

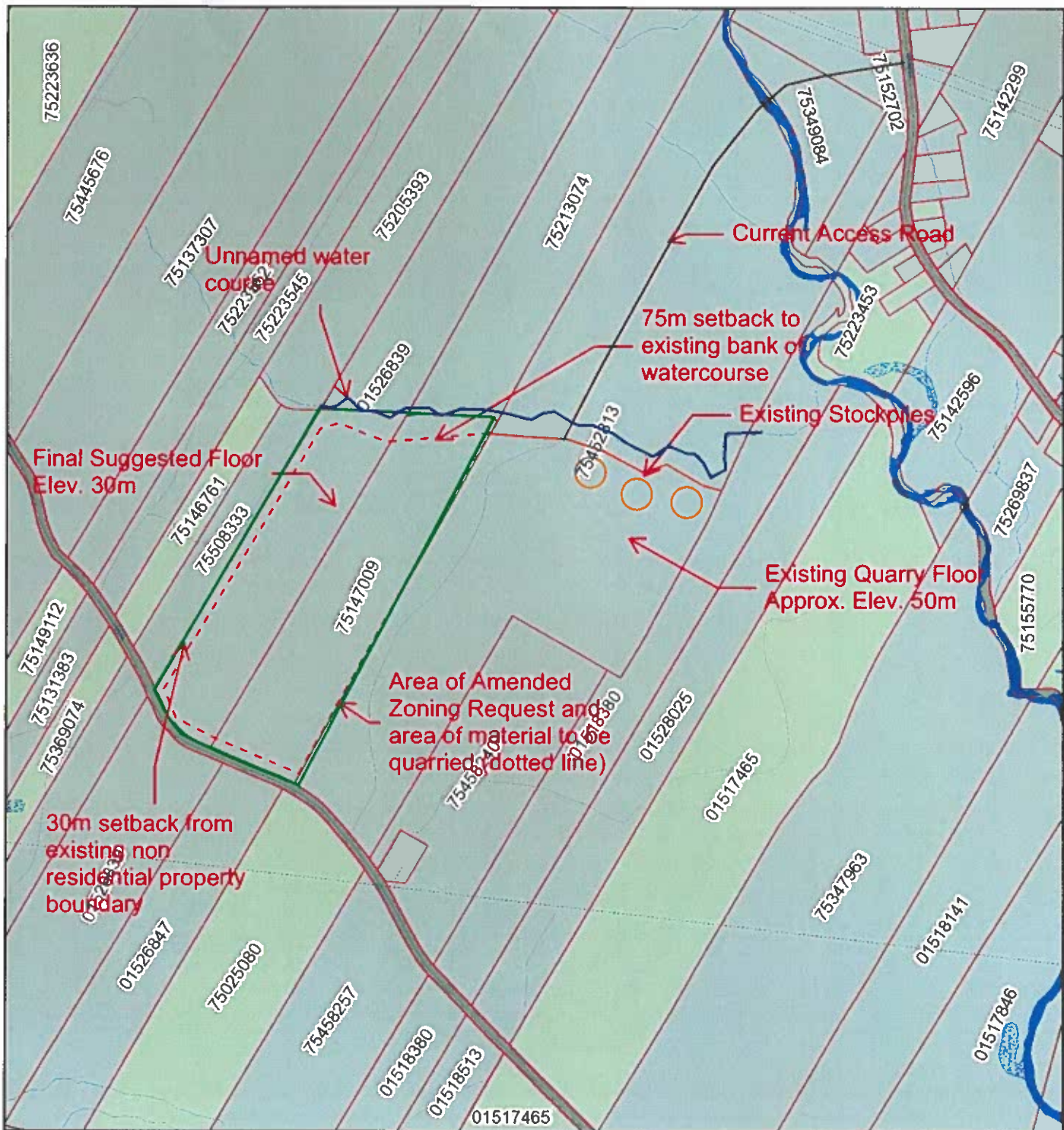
This by-law rezones portions of properties as shown
from Golf Course Zone (GC Zone) – PID 75147009
& Single and Two-Family Residential and Agricultural
Zone (R Zone) – PID 01526839 to Gravel Pit Zone (GP Zone)
under Section 59 of the Community Planning Act



0 50 100 150 200 metres

Scale 1:5,000





MIRA Grant Quarry Zoning

Scale/Échelle 1:10848

Date: 2021/05/27 07:49:02

Application



While this map may not be free from error or omission, care has been taken to ensure the best possible quality. This map is a graphical representation of property boundaries which approximates the size, configuration and location of properties. It is not a survey and is not intended to be used for legal description or to calculate exact dimensions or area.

Même si cette carte n'est peut-être pas libre de toute erreur ou omission, toutes les précautions ont été prises pour en assurer la meilleure qualité possible. Cette carte est une représentation graphique approximative des terrains (limites, dimensions, configuration et emplacement). Elle n'a aucun caractère officiel et ne doit donc pas servir à la rédaction de la description officielle d'un terrain ni au calcul de ses dimensions exactes ou de sa superficie.