

## BY-LAW NO. Z21-03

### A BY-LAW TO AMEND BY-LAWS NO. Z21-01, BEING THE ZONING BY-LAW FOR THE TOWN OF SAINT ANDREWS

**BE IT ENACTED** by the Council of the Town of Saint Andrews as follows:

1. By repealing paragraph (1) in Section 3.33 and substituting the following:

(1) Any existing *licensed premises* featuring a lounge shall be permitted to continue.

2. By repealing paragraph (2) in Section 3.33 and substituting the following:

(2) Applications for a *licensed premises* featuring a lounge will only be permitted through an amendment to the Zoning By-law and subject to such terms and conditions as may be imposed by **Council**.

3. By repealing paragraph (3) in Section 3.33 and substituting the following:

(3) Applications for licenced premises featuring a live entertainment licence can be permitted by the Town of Saint Andrews under the following terms and conditions”

- a. No music (live or recorded) on the deck after 9:00 p.m.
- b. No liquor services or use on the deck after 11:00 p.m.
- c. Hours: Thursday to Saturday noon to 2:00 a.m. No live music after 1:00 a.m.
- d. Hours: Sunday to Wednesday: live music on permission of Town.

4. By repealing paragraph (c) in Section 5.2.1 and substituting the following:

(c) A *licensed premises* as a *secondary use* within a *restaurant, nanobrewery*, or a *cultural use* subject to section 5.1.4; and

5. By adding after Section 5.1.3 the following:

#### 5.1.4 Special Requirements for Licensed Premises in Cultural Uses

Within any *zone* where a *cultural use* is a permitted *main use* of land and a *licensed premises* is permitted as a secondary use of land, any development of a *licensed premises* within a *cultural use* is subject to the following conditions:

- a) the *use* is carried out in association with a special event or an exhibition or specific activity to promote the *cultural use*;
- b) no permanent lounge area may be developed for this *use*; and,
- c) the *use* is thirty meters (30) from a property classified under the Residential Zones listed under section 2.1(2).

Read the first time this 5 day of July, A.D. 2021.

Read the second time this XX day of XXXXX, A.D. XXXX.

Read the third time this XX day of XXXXX, A.D. XXXX.

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Brad Henderson, Mayor

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Paul Nopper, Clerk

I, **Paul Nopper**, of the Town of Saint Andrews, in the County of Charlotte and Province of New Brunswick, Town Clerk, DO SOLEMNLY DECLARE:

1. THAT I am the Town Clerk of the Town of Saint Andrews, a municipal corporation, and have personal knowledge of the facts herein declared.
2. THAT the requirements of Sections 110 and 111 of the *Community Planning Act* have been complied with in respect to Bylaw No. Z21-03, A By-law to amend By-law No. Z21-01, Being the Zoning Bylaw for the Town of Saint Andrews

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

DECLARED before me at the Town of Saint Andrews, in the County of Charlotte and Province of New Brunswick, this     day of A.D. 2021.

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COMMISSIONER OF OATHS

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Paul Nopper, Clerk