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2023-11-16

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BY-LAW NO. Z22-05



A BY-LAW TO AMEND BY-LAWS NO. Z22-01, 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 removing the definition of **“BOARDING HOUSE”**;
2. By amending the definition of **“BED AND BREAKFAST”** to read:

Means an establishment in a *single-family dwelling* offering short-term food and lodging to travelers for compensation but does not include a ~~boarding house~~ *rooming house, short-term rental, or a hotel or motel.*

3. By amending the definition of **“FAMILY”** to read:

Means one (1) or more persons, not necessarily related, occupying a premises and living as a single housekeeping unit in a *dwelling*, as distinguished from a group occupying a *hotel, boarding house rooming house* or other similar use. A family does not include a group of children or adults living together under the direct supervision or care of a government or private agency in a *group home or nursing home.*

4. By amending the definition of **“ROOMING HOUSE”** to read:

Means an establishment where lodging is provided with six (6) or more bedrooms that is served by a common kitchen and bathroom(s), but does not include:

- (a) a *single-family dwelling, duplex, or triplex*;
- (b) a *bed and breakfast*;
- (c) a *short-term rental*;
- (d) *hospital*;
- (e) *residential care facility*;
- (f) *rental suite*;
- (g) *senior citizen housing*;
- (h) *hotel, motel, or hostel*;
- (i) *an apartment dwelling*;
- (j) a *group home*; or
- (k) any other establishment otherwise classified or defined in this By-Law.

5. By amending **Section 4.1.9(a) Home-Based Businesses** to read:

- (a) except in the case of a *Bed and Breakfast, or a Short-Term Rental or a Boarding House*, such businesses shall not aggregately use more than twenty-five percent (25%) of the *dwelling unit* or an *accessory building*

not exceeding twenty-five (25%) of the floor area of the *dwelling unit* for business premises;

6. Amend section 4.1.11 to read:

~~Boarding Houses~~ Rooming Houses

~~A boarding house shall be permitted in a single family dwelling, provided that~~ Where permitted, a *rooming house* is subject to the following conditions:

~~(a) it meets the general provisions set out in 4.1.9 with the exception of 4.1.9~~

~~(a) regarding the percentage of the floor area that may be used;~~

~~(b) accommodations for compensation are provided for no more than eight persons; and~~

~~(c) cooking equipment is not permitted in a room used for sleeping accommodation~~

(a) it meets the standards of the *Residential Properties Maintenance and Occupancy Code Approval Regulation, NB Reg 84-86*; and

(b) a *building permit* is obtained if applicable.

7. Amend Section 4.1.13 to read:

Standards for Apartment Dwellings, Senior Citizens' Housing, Residential Care Facilities, and Rooming Houses

Notwithstanding any other provision of this By-Law, no *building* containing, or modified so as to contain four or more *dwelling units* or bedrooms, except for townhouse or rowhouse dwellings in any zone, shall be erected unless:

...

8. Amend Section 4.1.14 to read:

Amenity Space Requirements for Apartment Dwellings, Senior Citizens' Housing, Residential Care Facilities, and Rooming Houses

No land shall be developed for the purpose of an *apartment dwelling, senior citizens' housing, special care facilities, or a rooming house*, in excess of six (6) *dwelling units* or bedrooms unless usable amenity space is provided on the same lot or contiguous to it in accordance with the following:

...

9. Amend Section 4.2.1(b)(ii) to read:

(ii) subject to Section 4.1.9 a *home based business* ~~other than a boarding house~~;

10. Amend Section 4.4.1(b)(ii) to read:

(ii) subject to Section 4.1.9 a *home based business* ~~other than a boarding house~~;

11. Amend Section 4.5.1(a)(viii) to read:

(viii) a ~~boarding house~~ *rooming house*, subject to Sections 4.1.11, 4.1.13, and 4.1.14;

12. Amend Section 4.5.1(b)(i) to read:

- (i) If the *main use* is listed under sub-sections 4.5.1 (a)(i) to (iv), subject to Section 4.1.9, a *home-based business* other than a *bed and breakfast* ~~or boarding house~~;

13. Amend Section 4.5.3 MR1 Zone Lot Requirements to read:

	Inside the Town plat & environs and Historic Business District	Outside the Town plat & environs and Historic Business District
Minimum Lot Frontage	24.4 m (80 ft) or 6.0 m (20 ft) per <i>dwelling unit</i> - or in the case of a <i>rooming house</i> , per bedroom – whichever is greater	24.4 m (80 ft) or 6.0 m (20 ft) per <i>dwelling unit</i> - or in the case of a <i>rooming house</i> , per bedroom – whichever is greater

14. By-Law No. Z22-01, the Zoning By-Law for the Town of Saint Andrews, is amended by changing the zone as shown on the Zoning Map attached to the said By-Law as Schedule “A” thereof for the lands shown on Schedule “1” attached hereto and forming part hereof from SR (Serviced Residential) Zone to MR1 (Multiple Residential) Zone.

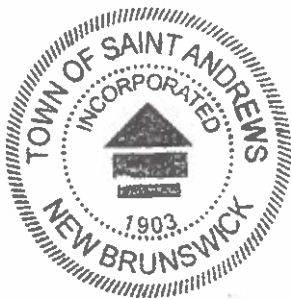
Public Presentation this	5th day of	June	, 2023
Public Hearing of Objections this	8th day of	August	, 2023
Read the First Time this	8th day of	August	, 2023
Read the Second Time this	5th day of	September	, 2023
Read the Third Time this	5th day of	September	, 2023



Brad Henderson, Mayor



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 59, 110, and 111 of the *Community Planning Act* have been complied with in respect to Bylaw No. Z22-05, A By-Law to amend Bylaw No. Z22-01, Being the Zoning By-Law for the Town of Saint Andrews.
3. 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 11 day of October 2022



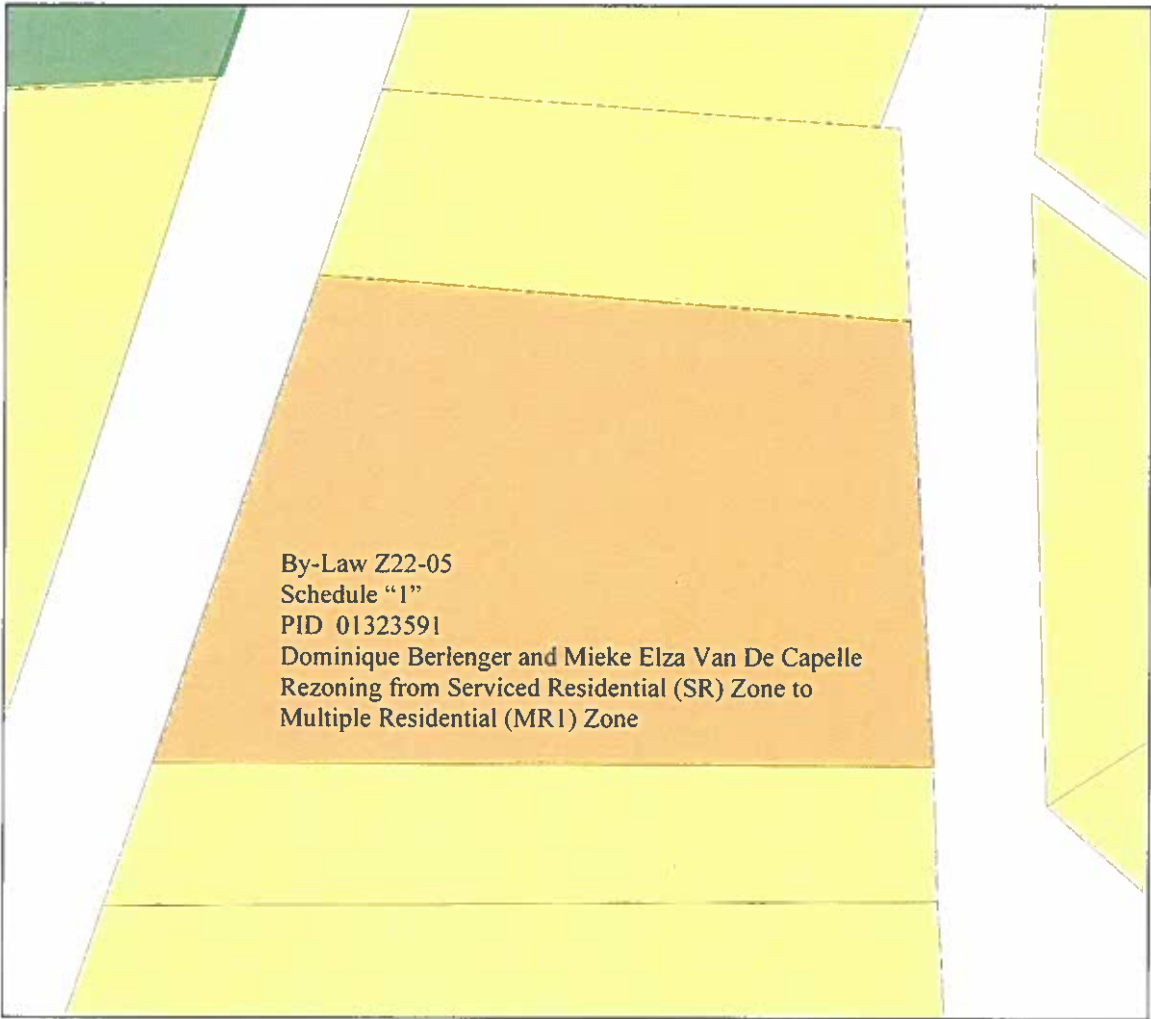
COMMISSIONER OF OATHS

Andrew Harrison
Being a Solicitor



Paul Nopper, Clerk

BY-LAW NO. Z22-05
Schedule "A"



Z22-01 Zoning
Green Space Zone
Multiple Residential Zone
Served Residential Zone



APPROVED
Pursuant to the
Community Planning Act
[Signature]
Per - Minister / pour le Ministre
Local Government and Governance Reform
Gouvernement Local et de la Réforme de la gouvernance locale
[Signature] 18, 2023
Date