BY-LAW NO. HAM-2024-18
A BY-LAW TO AMEND THE HAMPTON ZONING BY-LAW NO. HAM-2023-16

The Council of Hampton, under authority vested in it by the Community Planning Act, enacts as follows:

1. An amendment to Schedule A, the Hampton Zoning Map, to rezone a portion of PID 00194779 from Medium Density Residential (R2) zone to General Commercial zone (see Schedule A).

2. An amendment to Schedule A, the Hampton Zoning Map, to rezone the PID 30210207 from One and Two-Unit Residential (R1) to the Institutional zone (see Schedule A).

3. An amendment to section 4.2.1, Access Provisions, which reads:

   a) *New development must have vehicular access to a publicly owned road, unless the Planning Advisory Committee specifies otherwise.*

   b) *The number of driveways shall be limited to one for each lot frontage.*

   c) *Notwithstanding (b), two driveways may be permitted:*

      a. *When the lot frontage exceeds 60 metres, or*

      b. *When the lot frontage exceeds twice the required lot frontage of the zone.*

      c. *In a non-residential zone, a second driveway is permitted when required to serve a Secondary Use of Accessory Use in an accessory building.*

   d) *A lot with two driveways shall have a minimum distance of 7.5 metres from nearest edge to nearest edge.*

   e) *No access shall be constructed, installed or used within 15 metres of an intersection of two or more streets including a railway crossing unless otherwise prescribed by the appropriate Provincial agency.*

   f) *In a non-residential zone, a driveway must maintain a minimum distance separation of 30 metres from:*

      a. *an at-grade intersection of two or more streets if traffic at such intersection is controlled by traffic lights;*

      b. *an at-grade intersection of two or more streets, or a traffic circle, or with island channelization or other similar traffic control device;*

      c. *an interchange; or*

d. a railway grade crossing.

g) Driveway widths shall not exceed:

a. 10.0 metres for two-way operation;

b. 8.5 metres for one-way operation.

h) Driveway widths in subsection (g) may be increased to 11 and 9 metres respectively where:

a. a substantial portion of the vehicular traffic is composed of tractor trailers of 18 metres, or over, in length;

b. the abutting street is an arterial with four or more traffic lanes;

c. the slope of the access where it meets the abutting street is at least 6% than the slope of the street.

i) Driveways shall meet the travelled portion of the fronting street at an angle of no less than 30 degrees perpendicular to the street.

j) A driveway shall be located at least 3 metres from the side or flankage property line.

k) A driveway shall be located at least 3 metres from the side or flankage property line.

l) Driveways in non-residential zones shall be maintained with an all-weather, dust-free surfacing sufficient to carry imposed loads.

m) Additional standards may be applied through the Access Control Policy.

Is hereby updated to read:

a) New development must have vehicular access to a publicly owned road, unless the Planning Advisory Committee specifies otherwise.

b) The number of driveways shall be limited to one for each lot frontage.

c) Notwithstanding (b), two driveways may be permitted:

a. When the lot frontage exceeds 30m, or

b. When the lot frontage exceeds twice the required lot frontage of the zone.

c. In a non-residential zone, a second driveway is permitted when required to serve a Secondary Use of Accessory Use in an accessory building.

d) A lot with two driveways shall have a minimum distance of 7.5 metres from nearest edge to nearest edge.

e) No access shall be constructed, installed or used within 15 metres of an intersection of two or more streets including a railway crossing unless otherwise prescribed by the appropriate Provincial agency.

f) In a non-residential zone, a driveway must maintain a minimum distance separation of 30 metres from:

    a. an at-grade intersection of two or more streets if traffic at such intersection is controlled by traffic lights;

    b. an at-grade intersection of two or more streets, or a traffic circle, or with island channelization or other similar traffic control device;

    c. an interchange; or

    d. a railway grade crossing.

g) Driveway widths shall not exceed:

    a. 10.0 metres for two-way operation;

    b. 8.5 metres for one-way operation.

h) Driveway widths in subsection (g) may be increased to 11 and 9 metres respectively where:

    a. a substantial portion of the vehicular traffic is composed of tractor trailers of 18 metres, or over, in length;

    b. the abutting street is an arterial with four or more traffic lanes;

    c. the slope of the access where it meets the abutting street is at least 6% than the slope of the street.

i) Driveways shall meet the travelled portion of the fronting street at an angle of no less than 30 degrees perpendicular to the street.

j) A driveway shall be located at least 3 metres from the side or flankage property line.

k) Driveways in non-residential zones shall be maintained with an all-weather, dust-free surfacing sufficient to carry imposed loads.

l) Additional standards may be applied through the Access Control Policy.

4. An amendment to section 4.3.1, Accessory Building Standards, to add a setback clarification as follows:

   d) Except as otherwise provided by this By-law, an accessory building or structure shall not be placed, erected or altered so that it:

   a) *Fails to comply with minimum setbacks provided in each Zone*

5. Five amendments to section 6.2.4 Medium Density Residential "R2" Zone Standards which are outlined below:

Section	Current Standard	Proposed Change
a) Minimum Lot Area:	*One Unit, Two Unit, or Semi Detached, serviced lot*	One Unit, Two Unit, or Semi Detached, small lot one unit, serviced lot
a) Minimum Lot Area: Townhouse Dwelling, serviced lot	*345 square metres*	220 square metres
b) Minimum Lot Frontage: One Unit, Two Unit, or Semi-Detached Interior Lot, serviced	*30 metres*	23 metres
b) Minimum Lot Frontage: One Unit, Two Unit, or Semi-Detached Corner Lot, serviced	*37 metres*	30 metres
b) Minimum Lot Frontage:	None	Dwelling, small lot one unit - 15 metres

6. An amendment to section 3, Definitions, dwelling, small lot one-unit dwelling" which reads:

   "dwelling, small lot one-unit dwelling" means a detached dwelling unit one a lot with a minimum area of 555 m2 (20m x 30m) in a subdivision development which consists of primarily semi-detached and/or townhouse dwellings."

   Is hereby updated to read:

   "dwelling, small lot one-unit dwelling" means a detached dwelling unit in a subdivision development which consists of primarily semi-detached and/or townhouse dwellings."

7. An amendment to section 7.2.1, Permitted Uses in the Mixed Use zone, which reads:

   k) Dwelling, Multi-unit

   Is hereby updated to read:

k) Dwelling, Multiple, up to and including 12 units

8. An amendment to section 7.2.3, Permitted Uses in the Mixed-Use zone, which reads:

c) Dwelling, Multi-unit, up to and including 24 units

Is hereby updated to read:

c) Dwelling, Multi-unit, 13 units up to and including 24 units.

9. An amendment to section 8.1.5, Conditions of Use in the Rural zone, which reads:

a) A stationary sawmill is permitted provided that outdoor storage of logs or lumber shall be a minimum of 15 metres from a public road frontage.

b) A temporary or mobile sawmill shall conform with the following:

a. Shall be permitted on a lot not less that 2 hectares;

b. Shall be setback a minimum of 50 metres from any property line;

c. Shall be setback a minimum of 150 metres from a residential structure on an abutting lot;

d. Shalll be permitted to operate on a lot for a period not exceeding 6 months;

e. May only process timbre removed from the lot on which it is located. Timbre from an off-site location shall not be processed on the lot;

Is hereby updated to read:

A sawmill shall conform with the following:

a) Shall be permitted on a lot not less than one (1) hectare in area.

b) Shall be setback a minimum of 100 metres from a residential structure on an abutting lot.

10. An amendment to the following sections:

a) 7.1.1 Town Centre "TC" Zone – Permitted Uses

b) 7.1.3 Town Centre "TC" Zone – Conditional Uses

c) 7.2.1 Mixed Use "MU" Zone – Permitted Uses

d) 7.2.3 Mixed Use "MU" Zone – Conditional Uses

e) 7.3.1 General Commercial "GC" Zone – Permitted Uses

f) 7.3.3 General Commercial "GC" Zone – Conditional Uses

g) 8.1.1 Rural "RU" Zone – Permitted Uses

h) 8.1.3 Rural "RU" Zone – Condition Uses

i) 10.1.1 Institutional "INST" Zone – Permitted Uses

j) 11.1.1 Conservation "C" Zone – Permitted Uses

k) 12.1 Parks and Recreation Zone – Permitted Uses

l) 13.1.1 Aggregate Extraction "AE" Zone – Permitted Uses

which reads:

"*Any land, building or structure may be used for the purposes of and for no other purpose, than,*"

Is hereby updated to read:

"Any land, building or structure may be used for the purposes of one or more of the following uses".

11. An amendment to Section 3, Definitions, "sawmill" which reads:

"sawmill" means a building or structure used to process wood from sawlogs to another use and may include land used for open storage of raw or finished lumber or products but does not include a portable milling machine used on a temporary basis."

Is hereby updated to read:

"sawmill" means an operation that processes logs, timber, lumber and wood from sawlogs to another use and may include land used for delivery, storage of raw, finished or waste lumber or products but does not include a portable mill used on a temporary basis.

12. An amendment to Section 3, Definitions, "forestry use" which reads:

"forestry use" means the general growing, harvesting, and storage of trees and, without limiting the generality of the foregoing, may include silviculture activities, the raising and cutting of wood, pulpwood, sawlogs and other primary forest products, and the growing, harvesting and production of Christmas trees, maple syrup and fiddleheads, but does not include a sawmill.

Is hereby updated to read:

"Forestry use" means the general growing, harvesting, and storage of trees and, without limiting the generality of the foregoing, may include silviculture activities, the raising and cutting of wood, pulpwood, sawlogs and other primary forest products, including the portable milling and sawing of wood, and the growing, harvesting and production of Christmas trees, maple syrup and fiddleheads, but does not include a sawmill.

13. An amendment to Section 3, Definitions, add the following definition:

"Portable Mill" means equipment small enough to be easily moved and set up on a lot for the purpose of cutting and sawing of wood or lumber."

First Reading: April 9, 2024

Second Reading: May 14, 2024

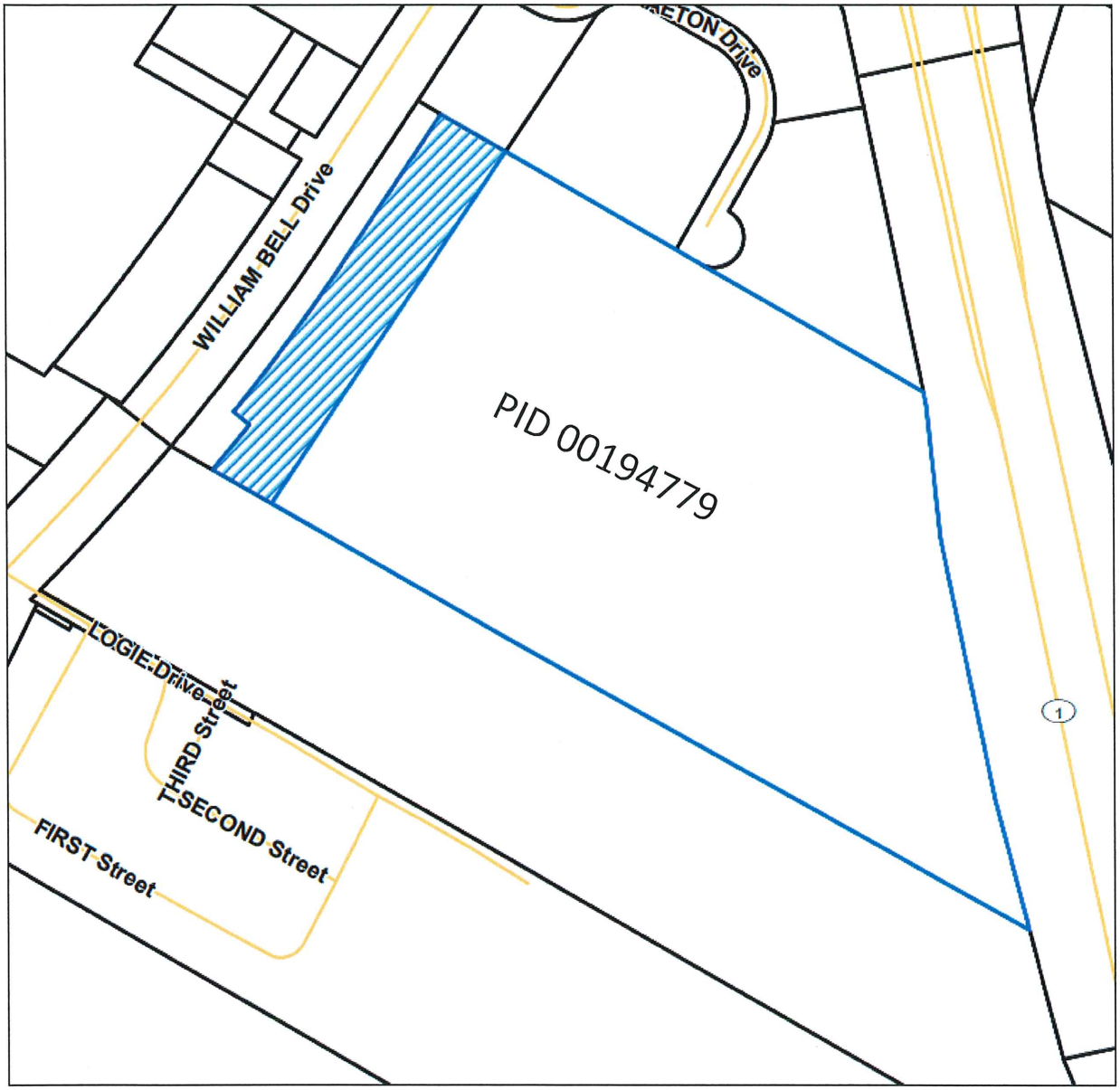
Third Reading and Enactment: June 11, 2024

Robert Doucet
Mayor

Richard Malone
Clerk

HAMPTON INCORPORATED 1966 NEW BRUNSWICK

Schedule A: A By-Law to Amend the Hampton Zoning By-law No. HAM-2024-18



PID: Portion of 00194779

Civic Address: William Bell Drive

Current Zoning: Medium Density Residential (R2)

Proposed Zoning: General Commercial

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Schedule A: A By-Law to Amend the Hampton Zoning By-law No. HAM-2024-18

PID: 30210207

Civic Address: 27 Centennial Road

Current Zoning: One and Two-Unit Residential

Proposed Zoning: Institutional

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