

VILLAGE OF STANLEY
INCORPORATED 1966

BY-LAW NO. 16

MUNICIPAL PLAN BY-LAW

The Council of the Village of Stanley, under authority vested in it by section 24 of the Community Planning Act, enacts as follows:

1. (1) A municipal plan for the physical development and improvement of the municipality is hereby adopted.

(2) The document, entitled "The Village of Stanley Municipal Plan" and dated March, 1978, attached as Schedule "A", constitutes the municipal plan mentioned in subsection (1).

READ FIRST TIME: *July 13, 1978*
READ SECOND TIME: *August 10, 1978*
READ THIRD TIME AND ENACTED: *August 10, 1978*

Shirley Senora
Clerk

John Doe Hillman
Mayor

APPROVED
Pursuant to s. 69
Community Planning Act
James B. Smith
Minister of Municipal Affairs
September 22, 1978
Date

VILLAGE OF STANLEY
MUNICIPAL PLAN

Prepared by:

Community Planning Branch
Department of Municipal Affairs
October, 1976

Revised March, 1978

Minister: Hon. H. B. Smith Deputy Minister: R. L. Bishop

Director: T. J. Jellinek

INTRODUCTION

The Plan and policies outlined on the following pages are intended as a starting point for discussion, and this should not be interpreted as a final document. In order to achieve a plan which will be supported by the citizens, it is necessary that the fullest possible exposure be given to the proposals and the greatest amount of discussion be encouraged. Many proposals refer to matters of taste and aesthetics - concepts which vary from place to place and are best decided by the individual community. Other proposals refer to matters of public safety, health and the efficient provision of urban services and facilities. An effort has been made to explain the need for such policies and the problems which these policies are attempting to remedy or avert. These too must be carefully scrutinized to ensure that they will result in the kind of community that its inhabitants desire.

Finally, it should be stressed that a plan is not a static document. To reflect changing needs and conditions, it must constantly be reviewed, revised, or added to so that it remains an up-to-date effective statement of the goals and aims of the community.

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Appendix I

Sewer System and Treatment Plant - Cost Analysis.

1. UTILITIES

1.1 Proposed Sewage System

The plan proposes that Council install a sewer system covering the area shown on Plate 1.

The proposed sewer system would initially service 141 buildings, including commercial, institutional and residential buildings.

The Pollution Control Branch of the Department of the Environment have conducted a preliminary cost of the sewer system. Plate 1 shows the schematic layout of the sewer system. Sewage is to flow to a sewage treatment plant and the treated sewage is dumped into the River.

The Department of Education and the Department of Health have indicated a willingness to assist the village in the capital cost up to 50% of the cost of installing their own individual treatment units. This will help to substantially reduce the cost per dwelling for the sewer system.

According to the calculations of the Pollution Control Branch (March 1975) the user charge, assuming assistance from the Department of Education and the Department of Health, would be \$56.38 per dwelling. (March 1975 calculations).

A copy of the cost and financial analysis for a sewer system is presented in Appendix I.

Septic tanks will continue to be used in that area of the village not designated to be served by a municipal

sewerage system. Such systems shall be installed in accordance with the standards established by the Department of Health.

1.2 Water

Private wells will continue to be used. The installation of a public sewerage system will greatly reduce the possibility of private wells becoming polluted.

2. TRANSPORTATION

No new major streets are required over the plan period. The only streets required are those resulting from the subdivision of land for residential purposes. These shall be provided by the developer as a condition of approval of the subdivision of his land.

Pleasant St., Harrison Ave., Centennial St. and Water St. shall be widened to 26 feet travel portion where possible. A 66 foot right-of-way is recommended for all streets. If 66 feet cannot be acquired then the maximum right-of-way possible is to be acquired.

A turning circle at the end of Pleasant St. and Harrison Ave. shall be constructed. The turning circle shall have a minimum radius of 50 feet (see Plate 2).

It is recommended that the subdivision of land proposed in this plan for single family residential dwellings be completed so that access from properties fronting Main St. be provided via local and collector streets.

2.1 Sidewalks

A sidewalk shall be constructed along that portion of Main Street presently without a sidewalk. (See Plate 2 for location.)

2.2 Parking Lot

A parking lot shall be constructed for use by those

working and shopping in the central commercial district. The area proposed for a parking lot is located at the end of Main St. between the existing post office and the river bank (see proposed land use map).

Street parking shall be prohibited on arterial streets.

2.3 Parking Site Standards

The following off-street parking standards shall apply in the village:*

- | | |
|--|---|
| 1) for a business or professional office, medical or dental clinic | 1 space per 400 feet of gross floor area |
| 2) for a church, club, lodge or place of public assembly | 1 space for every 8 persons normal attendance |
| 3) for a dwelling | 1 space for each dwelling unit plus one additional space per four units |
| 4) for a factory | 1 space for every 400 square feet of floor space used for industry, except storage. |

* Source: Adopted from N. B. Provincial Regulation - 73-73, section 14.

- | | |
|---|---|
| 5) for a hotel | 1 space for every 2 bedrooms |
| 6) for a motel | 1 space for every habitable unit |
| 7) for a public or private school | 1 space for every classroom |
| 8) for a residential building other than hotel, motel or apartment building | 1 space for every habitable unit |
| 9) for a restaurant | 1 space for every 200 square feet public floor area |
| 10) for a retail store | 1 space for every 200 square feet of floor area used for selling |
| 11) for a service or repair shop | 1 space for every 300 square feet of floor area used for providing services |
| 12) for a shopping center | three times the ground floor of the building |
| 13) for a theatre, billiard or pool room, dance hall, bowling alley | 1 space for every 8 person normal attendance |

- | | |
|--|--|
| 14) for an undertaking establishment | 1 space for every 8 seats with a minimum of 4 spaces |
| 15) warehouse, storage yards transportation yard | 1 space for every 400 square feet of storage space |

2.4 Loading/Unloading Zone Standard for Commercial and Institutional Buildings

The following standard for loading/unloading zones for commercial and institutional buildings shall apply in the village:*

Off-street spaces not less than 30 feet long, 12 feet wide and 14 feet high, with access thereto, shall be provided for loading for every commercial and institutional building or structure used for any purpose involving the use of vehicles for the receipt of distribution of materials, in the following numbers.

<u>Total Floor Area</u>	<u>No. of Spaces</u>
Up to 20,000 sq. feet	1
20,001 to 50,000 sq. feet	2
for each additional 50,000 sq. feet or major portion thereof	1

*Source: N. B. Provincial Regulation 73-73, section 15.

3. RESIDENTIAL

3.1 Single Family

The plan designates an area within the village along Main Street, for single family residential development.

It is proposed that this area be subdivided with local and collector streets connecting private properties to the major transportation route.

In the serviced portion of the village residential properties should be a minimum of 7500 square feet; minimum frontage being 75 feet with a minimum depth of 100 feet.

Uses permitted within the residential area are:

(1) Offices within the home - doctors, dentists, etc. These are permitted upon condition that (a) the floor area required for office use does not exceed 25% of the total floor area of the dwelling, (b) the zoning by-law shall limit the number and size of signs, (c) only resident to engage in activity, and (d) the zoning by-law shall limit the number of employees involved.

(2) Churches are permitted within the residential zone. Off-street parking must be provided. The parking standard for churches, established by this plan shall apply

3.2 Multiple Family

Although Stanley is basically a single family dwelling community, the multiple family residence - that is - duplex,

double house, apartments - may become a popular form of dwelling.

The plan provides for an area within the village to be developed for both single family and multiple family dwellings. The area so designated for this mixed use is located adjacent to the proposed central commercial area along Main Street and between Harrison Ave. and Pleasant Street and behind the commercial area on Centennial Street.

For the purposes of zoning this land shall be zoned R-I (single family residential).

Upon receipt of an application for the construction of a multiple family dwelling, council shall give consideration to the application for rezoning of land for multiple family dwellings in the area designated on the proposed land use map as "single and multiple family mixed use".

Lot size for multiple family dwellings, serviced by sewerage shall be:¹

1) three-family dwelling

1) a width of at least 105 feet

2) a depth of at least 100 feet

3) an area of at least 15,000 square feet

2) multiple family

1) a width of at least 120 feet plus 5 feet for each dwelling unit in excess of four

1. Source: N. B. Provincial Regulations - Reg. 73-73.

- 2) a depth of at least 100 feet
- 3) an area of at least 17,000 square feet,
plus 1,125 square feet for each dwelling
unit in excess of four.

The parking standards for multiple family dwellings as established by this plan shall apply.

3.3 Mobile Home

An area along Main St. has been recommended for development of mobile home sites. (See Plate 3.)

This area is to be serviced with sewage and water. The minimum site size would be 7,500 square feet. Minimum frontage permitted is 75 feet.

The land designated in the plan should be able to accommodate about 98 mobile homes. Because the demand for mobile home sites is not great, it is recommended the subdivision be developed in stages.

The zoning by-law shall zone the land in question as residential. Upon receiving the application for the development of mobile home sites, the council may rezone the land.

3.4 General

All residential properties must abut a public street.

4. COMMERCIAL

Two areas have been designated as commercial, (1) central commercial and (2) highway commercial.

4.1 Central Commercial

The area designated as central commercial is located along a portion of Main Street and Bridge Street. (See Plate 3)

This area shall be used for retail and wholesale outlets as well as for institutional uses.

Buildings can serve a dual use; i.e. residence and commercial, provided that the commercial establishment is located on the ground floor.

Commercial establishments are required to provide off-street loading and unloading facilities. (See Transportation for standard).

Adequate pedestrian walkways should be provided in the commercial area.

Where possible landscaping of commercial properties shall be encouraged.

The village merchants should make a special effort to maintain and continue to upgrade commercial buildings and properties.

4.2 Highway Commercial

An area located along Highway 107 has been designated

for highway commercial use. Activities permitted in this

- area are
- (1) service stations
 - (2) gas bars
 - (3) restaurants
 - (4) tourist establishments
 - (5) drive-in restaurants
 - (6) automobile sales establishments.

Off-street loading and unloading facilities are required for each commercial building.

Off-street parking shall be provided in accordance with the standards established in this plan.

4.3 Signs

The zoning by-law shall regulate consistency in the type of sign used, size of sign and location of sign in the Central Commercial area.

6. INSTITUTIONAL

6.1 Education

The Department of Education's property located on School Street has been designated institutional - education. It is expected that the existing facilities will adequately meet future demand.

6.2 Health

The Stanley Hospital located on Main Street and the new Medical Clinic located on Highway 620 have been designated institutional - health. It is expected that these facilities will adequately serve the needs of the residents of the village over the planning period.

6.3 Police

At the present time the R.C.M.P. function as the village police force. It is recommended that a small R.C.M.P. station be located in the village serving the region. A police force of two R.C.M.P. officers with one car, supplemented by staff from the Fredericton office would suffice. It is suggested that the police station be located in the commercial district near the existing fire station.

6.4 Fire

The fire station is presently located in the designated commercial zone. The station is presently in a good location. This area has been designated institutional - fire station.

6.5 Library

The library is presently located in the Council Chambers Building. It is recommended that the library continue to add to its present volume in the light of demand for books by village residents.

7. RECREATION AND LEISURE FACILITIES

The existing recreation facilities found in the village are adequate to serve the village population.

The village requires a tot lot to serve the area of lower Main Street, Pleasant Avenue and Harrison Avenue. It is recommended that a portion of the school property be used for a tot lot. The village council shall seek cooperation from the local school board in an attempt to develop a tot lot. The lot would include equipment such as sand boxes, slides, swings etc.

It is further recommended that the school board and village residents make maximum use of school facilities through organized activities.

The fair grounds located at the end of Centennial St. have been designated recreation and park land.

8. AGRICULTURE AND RESOURCE USE

In an attempt to limit development to those serviced areas designated on the proposed land use map and to reduce ribbon development, the greatest portion of the village has been designated for agricultural and resource use. This portion of the village can be used for agricultural or forestry functions until such time as expansion of the village requires development of portions of this area. Single family residential dwellings are permitted in this area provided they have a minimum lot size of two acres, the minimum lot frontage being 180 feet.

Gravel or sand pits, are permitted in this area. Under the zoning by-law, the building inspector shall be given power to issue excavation permits. The operation of excavation sites should be regulated as to:

- (1) location relative to other buildings
- (2) hours of operation
- (3) environmental effects
- (4) steepness of slope up the excavation
- (5) condition for and timing of rehabilitation programs.

9. OPEN SPACE

An area along the River has been designated as open space - conservation area. The zone runs along both sides of the Nashwaak River extending 100 feet from the River bank. No buildings shall be permitted in this conservation area. Activities permitted are: (1) parking space; (2) recreation area; (3) agricultural activity.

The area within 500 feet of the proposed sewage lagoon is conservation area. No buildings shall be permitted in this area.

For purposes of zoning, these lands shall be zoned Open Space.

The zoning by-law shall give powers to the Planning Advisory Committee to restrict building on these lands under section 34 (3)(g) of the Community Planning Act.

10. BUFFER ZONE

A buffer zone is required between differing land uses. An area where a buffer zone will be required is between the proposed industrial zone and the adjacent single family residential zone. It is suggested that a row of trees would suffice as a buffer zone between the industrial zone and adjacent land uses. It shall be the industrial developers responsibility to provide the buffer between the industrial zone and adjacent land uses.

A second area where a buffer zone is required is between the proposed mobile home sites and the single family residential zone. At the present time, a natural buffer zone (trees) surrounds the proposed mobile home sites. It is the intention of this plan that these trees be preserved to act as a buffer zone.

11. CEMETERY

The plan designates the cemetery at the top of Cemetery Road for continued use as a cemetery.

12. CONSERVATION

Natural features must be preserved, where practicable, in order to create a harmonious relationship between the structures and the natural environment. It is Council's policy to require landscaping of lots to ensure a pleasing living environment.

12.1 Planting

Planting should be regarded as an essential feature of any planned community. Trees and shrubs, when properly located, can provide protection from the wind, sun etc. but more important, it helps to enhance the natural environment of the village.

It shall be the policy of the Council to protect and preserve existing trees and to implement a tree planting program.

12.2 Historical Buildings

It shall be the policy of Council to preserve those buildings located within the municipality which are of historical and architectural interest.

13. NON-CONFORMING USES

Those uses presently existing, which upon adoption of this plan do not conform to the plan's designated land uses shall continue as non-conforming uses. A non-conforming use discontinues if:*

1. such use is discontinued for a consecutive period of four months, or
2. the building or structure has been damaged to the extent of at least half of the whole exclusive of the foundation; unless the planning advisory committee agrees that it should be rebuilt.

* Community Planning Act, Section 40, subsections (a) and (b).

14. IMPLEMENTATION OF THE PLAN

The plan establishes a set of policies for the orderly development of the Village of Stanley. Council, once it has adopted the plan must next implement the development plan, by the adoption and implementation of by-laws or through public works programs.

Under the Community Planning Act and the Municipalities Act, the Council can adopt by-laws to assist in carrying out the intent of this plan.

14.1 Community Planning Act

(a) Subdivision By-law

The Council should continue to enforce the present subdivision by-law. The intent of the subdivision by-law is to regulate the form and type of subdivision within the village.

(b) Zoning By-law

The municipality shall prepare and enact a municipal zoning by-law regulating the land use designations and the policies set out in this plan.

All amendments to the zoning by-law should be checked against the Land Use Map and the text of this plan for the purpose of conformity.

(c) Deferred Widening By-law

Where land is required for the purpose of widening, altering, or diverting an existing street, then Council may do

so by first adopting a Deferred Widening By-law. The by-law should:

- (a) state intentions of acquiring land for such purpose,
- (b) set out boundaries of new streets,
- (c) establish building lines for such widened, altered, diverted or new street, and
- (d) prohibit the placing, erecting, altering and repairing of anything on land between the street and a building line mentioned in clause (c).

(d) Building By-law

Council shall adopt a 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.

14.2 Municipalities Act and Unsightly Premises Act

Under authority of the Unsightly Premises Act of the Province, the Municipality may adopt an Unsightly Premises By-law which gives the Village the power to require a property owner to upgrade his property to meet standards established by the By-law. Section 190 of the Municipalities Act gives the Villages the power to adopt such By-law.

Should a Village not wish to adopt an Unsightly Premises By-law then they may request that the Provincial

inspectors appointed under the Clean Environment Act enforce the Provincial Unsightly Premises Act in their municipality.

15. CAPITAL COSTS AND PHASING

The capital costs involved with the implementation of the plan are minimal. The major project resulting from the plan is the construction of a sewerage system. However, this is not included in the capital costs. The sewerage system is financed through user charges.

Capital expenditures involved with the implementation of this plan are concerned with improving and upgrading existing facilities as well as the addition of services or facilities. Capital expenditures in this plan relate to (1) upgrading streets, (2) installation of sidewalks and (3) purchase of land for parking lot and construction of parking lot.

The capital costs are estimates and are in terms of 1975 dollars.

1. Cost of street widening as proposed in the plan	Land Chip Seal	\$55,000 <u>\$20,000</u> \$75,000
2. Cost of sidewalk on Main St. and Bridge St.		\$20,000
3. Cost of parking lot on Water Street	Land Development	\$ 5,000 <u>\$ 3,000</u> \$ 8,000
4. Construction of turning circle, Harrison Ave. and Pleasant St.		\$15,000

15.1 Financial Feasibility

The village is permitted to borrow money for capital expenditures, however, the maximum borrowing power for a municipality shall not exceed at any time a sum greater than 8 per cent of the assessed value of the real and business property. In any one year a municipality is not permitted to borrow for capital purposes money in excess of two per cent of the assessed value of real and business property.

Table I is a breakdown of the Assessed Tax Base for the village for 1974 and 1975 as well as the calculated maximum borrowing capacity for any one time or any one year. It should be noted that the village borrowing capacity does not include money required for sewage and water systems.

	<u>BORROWING CAPACITY</u>	
	1974	1975
Assessment	1,827,750	1,956,950
8% Borrowing Capacity	\$146,220	\$156,556
2% Yearly Borrowing Capacity	\$36,555	\$39,139

An examination of the borrowing capacity of the village along with the capital cost resulting from the plan would indicate that with proper phasing the plan can be implemented without concern for the financing of the projects resulting. The yearly borrowing capacity of the village was in 1975, \$39,139. Since the widening of streets would cost \$75,000 it is suggested that this project be approached

in stages taking 2 to 3 years to complete the proposed work.

15.2 Suggested Phasing

The following is the suggested phasing of projects resulting from the municipal plan.

YEAR	PROJECT
1977-1978	Commence installation of Sewerage System
1979-1982	Widening of Streets as suggested in Plan
1983	Construction of sidewalk along Main St. and Bridge St.
1984	Development of Municipal parking lot