

Planning Report on Municipal Plan By-law

To: Council of the Municipal District of St. Stephen

From: Southwest New Brunswick Service Commission

Date: April 23rd, 2025

Plans: Municipal Plan By-law, M-4 (revised version)

Summary: This is a proposed municipal plan by-law that will repeal and replace the Town of St. Stephen Municipal Plan, Dufferin Planning Area Rural Plan, St. Croix River South Planning Area Rural Plan, St. David Planning Area Rural Plan, that currently apply to the Municipal District of St. Stephen's territory, but which are outdated and no longer conform with provincial planning law.

Proposed Draft By-law Revisions:

Since the public presentation of the proposed municipal plan on March 26th, 2025, and circulation to various Provincial Departments for feedback, planning staff made modifications from the plan that was presented. Since the presentation, staff held five meetings with residents or stakeholders regarding the original draft and worked to provide amendments that would address their concerns. The minor changes to the new revised by-law, dated April 23rd, 2025, are highlighted in red text in the document and include the following main modifications:

Page 3 – Reason: to provide clarity as to when the by-law should be amended.

- **Original:** “Council is not required to carry-out any of the proposals, but it cannot take actions that would prevent a proposal from ever being carried-out in the future.”
- **Revised:** “Council is not required to carry-out any of the proposals, but it cannot **approve developments** that would prevent a proposal from ever being carried-out in the future.”

Page 40 – Reason: to ensure the boat launch is protected and enhanced.

- **Original:** “Site C (PID 15207749) may be developed for a single building with rear access parking spaces on a ~15 m wide x 24 m deep building lot that is subdivided

off this parcel. The remnant parcel (trail and boat launch area) may be added to the adjoining Chocolate Park.”

- **Revised:** “Site C (PID 15207749, 01305606) may be developed for a **small building on a ~13 m wide x 12 m deep building lot that is subdivided off these parcels. The boat launch maneuvering area may be leveled and paved, with lowered curbs around the trail, to improve the boat launch as well as create dedicated boat launch parking spaces.**”

Page 40 – Reason: to balance the development needs of downtown properties for guaranteed property access without promoting an unfettered public access.

- **Original:** “Site G (PID 15080955, 01301894, 15080963) the land with PID 15080955 is proposed to be acquired by the Municipality to serve as a public laneway and increase the development potential of the adjacent downtown properties. Council may further connect PID 15080955 to the lane at PID 15080963 by acquiring a small parcel.”
- **Revised:** “Site G (PID 15080955, 15080963) given that the old laneways with PID 15080955 and 15080963 have ‘unknown ownership,’ they may be acquired by the Municipality. PID 15080955 is needed as a public laneway. PID 15080963 may be acquired to be offered to the abutting property owner to increase their development potential.”

Page 50, 56 – Reason: to ensure that the grants for the downtown façade improvement program are approved and funded directly by Council, with the support of Future St. Stephen and the MDSS staff.

- **Original:** “...FSS is mandated to: ...Provide limited grants to cover a portion of downtown storefront façade improvements that maintain historic character-defining elements and/or where traditional building materials are used.”
- **Revised:** “...FSS is mandated to: ... **Support downtown business owners to make applications to the MDSS downtown storefront façade improvement program.**” And, ...MDSS is mandated to: ... **Downtown Façade Improvement Program - Provide limited grants to cover a portion of downtown building façade improvements that include traditional building materials to architecturally enhance non-heritage buildings or preserve existing historic character.**”

Next Steps:

The Municipal Plan By-law is in draft form, but Council may now start the by-law reading process and motion to give three readings by title (where the full text of the by-law is posted

online). Council must complete the Act's requirement to hold and set a date public hearing of objections as well as request the written views of PRAC.

Further non-substantial changes may still be made to the draft by Council prior to 3rd reading. Once it has passed third reading, the Mayor and Clerk sign the face of the by-law and send it to the Southwest New Brunswick Service Commission Planning Director to be stamped for certification, ensuring the by-law complies with the Community Planning Act. Once it is certified, it gets sent to be approved by the Minister of Local Government and, as a last step, it is sent to be registered at the Land Registration Office.

Recommendation:

It is therefore recommended that Council now give 1st reading to the by-law by title only. Council may also give 2nd reading if its procedural by-laws permit two readings in one night. Council may now set a date public hearing of objections as well as request the written views of Planning Review and Adjustment Committee.

A handwritten signature in blue ink, appearing to read 'Alex Henderson', is written over a horizontal line.

Alex Henderson, MCIP, RPP.

Planning Director, Southwest New Brunswick Service Commission