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## PART III

### 16 Repeal of By-law No. Z-2, A Zoning By-law for the City of Fredericton

- 16.1** By-law No. Z-2, *A Zoning By-law for the City of Fredericton*, and amendments thereto, given third reading on November 14, 2005, is hereby repealed.
- 16.2** The repeal of By-law No. Z-2, *A Zoning By-law for the City of Fredericton*, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.
- 16.3** The repeal of By-law No. Z-2, *A Zoning By-law for the City of Fredericton*, shall not affect any existing Development Agreement or Terms and Conditions imposed by Council pursuant to Section 59 of the Community Planning Act in effect or existing as of the date of the adoption of By-law No. Z-5, *A Zoning By-law for the City of Fredericton*.

### 17 Repeal of By-law No. Z-2 Amendments

- 17.1** To ensure consistency between the *Municipal Plan* and *Zoning By-law, development* approvals involving by-law amendments that have not proceeded to the construction stage within 5 years of their initial approval may be reviewed to determine whether the by-law should be repealed because it is no longer consistent with the land use policy direction of the *Municipal Plan*. This review would occur in conjunction with a future review of *By-law No. Z-5. Development* approvals involving zoning by-law amendments will be carried forward from *By-law No. Z-2* to *By-law No. Z-5*, however, the 5-year time frame for review will still apply to these applications as noted above.
- 17.2** After Council reviews a rezoning application, Council may refuse to rezone land for *development* where Council deems that the *development* cannot reasonably be completed within 10 years of the coming into force of the rezoning. To achieve this intent Council may refuse the application on the basis that it is premature or Council may establish timeframes that the applicant must satisfy to begin construction within a 10- year period.

# 18 Enforcement

18.1 Any person who violates any provision of this By-law is subject to the enforcement provisions of the *Community Planning Act*, Chapter C-12 and amendments thereto.

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Brad Woodside,  
Mayor / maire

  
Brenda L. Knight,  
City Clerk / secrétaire municipale

