

Harvey Rural Community
By-Law No. 2025-02
A By-Law to Amend the Kingsclear Planning Area Rural Plan Regulation – Community Planning Act (06-KNG-041-00)

Pursuant to section 59 of the *Community Planning Act*, the Council of the Harvey Rural Community enacts the following amendments to *Kingsclear Planning Area Rural Plan Regulation – Community Planning Act (06-KNG-041-00)*:

1. The following amendment to the “garden suite” definition in subsection 1.2:
“garden suite” means a one storey, one or two bedroom, self contained dwelling contained on the same lot, but clearly secondary to, an existing main residential use;
2. The following addition to subsection 1.2:
“garage suite” means a one or two bedroom dwelling unit located above a detached garage on the same lot, but clearly secondary to an existing main residential use;
3. The following addition to subsection 1.2:
“secondary suite” means a self-contained dwelling unit with a prescribed floor area located in and secondary to a detached single-family dwelling and where both dwelling units constitute a single real estate entity;
4. The following addition of subsections 3.1(b)(v) and 3.1(b)(vi) to Section 3:
(v) a garage suite, subject to section 4.3;
(vi) a secondary suite, subject to section 4.21;
5. The following addition of subsections 3.2(1)(b)(iii) and 3.2(1)(b)(iv) to Section 3:
(iii) a garage suite, subject to section 4.3;
(iv) a secondary suite, subject to section 4.21;
6. The following amendment to subsection 4.3(1):
Garden Suites and Garage Suites
4.3(1) Where permitted, there can be a maximum of one garden suite or one garage suite on a lot. A garden suite or a garage suite shall:
 - (a) be considered a secondary building and not a second main building;
 - (b) not exceed 4.25 metres in height for a garden suite or 6.2 metres in height for a garage suite;
 - (c) be located on a lot where the main building is a detached single-family dwelling;
 - (d) not exceed 115 square metres of gross floor area;
 - (e) be located a minimum of 6 metres from any other building on the lot;

- (f) be on a lot fully serviced by municipal sanitary sewer or an on-site sewage disposal system approved by the appropriate government department;
- (g) provide adequate parking per section 4.12;
- (h) not be placed, erected, or altered so that it is closer to the front lot line than the required front yard for the main building;
- (i) be located on a lot with at least 4000 square metres.

7. The following addition of subsection 4.21 to Section 4:

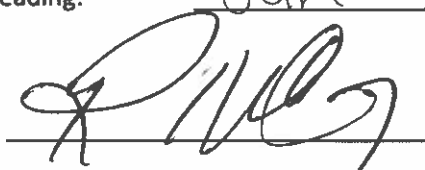
Secondary Suites


4.21(1) Where permitted, a secondary suite shall:

- (a) be located in a single-family dwelling;
- (b) be contained within the main building;
- (c) not result in more than two dwelling units contained in any single-family dwelling;
- (d) contain a maximum of 2 bedrooms with the floor area of each bedroom not exceeding 20 square metres;
- (e) be secondary to the main building and not exceed 80% of the gross floor area of the main dwelling or 80 square metres, whichever is less;
- (f) be on a lot fully serviced by municipal sanitary sewer or an on-site sewage disposal system approved by the appropriate government department;
- (g) provide adequate parking per section 4.12;
- (h) provide common driveway access to both the main building and the secondary suite.

This By-Law shall come into effect and be binding on all persons as of and from the date filed at the Registry Office.

First Reading: May 26 / 25
 Second Reading: May 26 / 25
 Third Reading: June 9 / 25


 Richard Corey, Mayor


 Shawn Hawley, CAO

I certify that this instrument is registered or filed in the York County Registry Office, New Brunswick
 J'atteste que cet instrument est enregistré ou déposé au bureau de l'enregistrement du comté de York Nouveau-Brunswick

2025-06-30 10:41:52 46212321
 date/date time/heure number/numéro
K. Platt
 Registrar-Conservateur

