

10.11. Fundy Erosion (FE-2050) and (FE-2100) Overlay Zones

10.11.1. Restrictions on Permitted Uses

In the Fundy Erosion (FE-2050) and (FE-2100) Overlay Zones, new permanent structures shall not be permitted, except in accordance with:

- a) Where existing main buildings are located within the Fundy Erosion (FE-2050) and (FE-2100) Overlay Zones, accessory structures are permitted in accordance with the underlying zone regulations. No new accessory structures or buildings shall be constructed closer to the coastline than the existing main building; Permitted new accessory structures shall not include accessory dwelling units;*
- b) Where an existing building is destroyed by fire or otherwise, the building shall be permitted to be replaced but the building cannot be closer to the coastline than the existing destroyed building; and*
- c) New Structures shall be permitted by site plan approval in the (FE-2100) Zone in accordance with the following provisions:*
 - i) structures shall be constructed on skids or helical piles to allow for the structure to be relocated at a future date;*
 - ii) site design and layout shall locate the new structure as far from the (FE-2050) Zone as possible;*
 - iii) the site plan shall show the location of the on-site sewage disposal system and well;*
 - iv) the on-site sewage disposal system and well shall be located to allow for the structure be relocated away from coastline at a future date; and*
 - v) no part of the on-site sewage disposal system and well shall be located in the (FE-2050) Zone; and*
 - vi) An application for site plan approval shall be in the format specified in Appendix C and shall be accompanied by a sketch in sufficient detail to address all of the matters identified above. The refusal or approval of a site plan is appealable to Council in the same manner as an appeal for a variance.*

10.11.2. Replacement of Building Due to Coastal Erosion

Where a building is destroyed or damaged by coastal erosion and the building cannot be located outside the Fundy Coastal Erosion (FE-2050) and (FE-2100) Overlay Zones the building shall be permitted to be replaced in accordance with the underlying zone and subject to approval of a site plan. The Development Officer shall approve a site plan where the following matters have been addressed:

- a) Site design and layout shall locate the new building as far from the edge of the existing coastline as possible.*
- b) Site design and layout shall take into consideration all existing and proposed structures, any watercourses or other natural features, location of septic system, driveway location, and other natural features.*

An application for site plan approval shall be in the format specified in Appendix C and shall be accompanied by a sketch in sufficient detail to address all of the matters identified above. The refusal or approval of a site plan is appealable to Council in the same manner as an appeal for a variance.

10.11.3. Coastal Erosion Study

If a coastal bank has been stabilized, a main permanent structure may be constructed in accordance with the underlying zone and subject to the approval of a site plan. The Development Officer shall approve a site plan where the following matters have been addressed:

- a) A Coastal Erosion Study conforming to the format in Appendix E has been submitted which has been prepared by a qualified professional. The study shall demonstrate that the proposed new building is located outside the area which is projected to be lost to coastal erosion by 2100.*
- b) Site design and layout shall locate the new main building as far from the edge of the existing coastline as*

possible.

- c) An application for site plan approval shall be in the format specified in Appendix C and shall be accompanied by a sketch in sufficient detail to address all of the matters identified above. The refusal or approval of a site plan is appealable to Council in the same manner as an appeal for a variance.

10.11.4. Marina and Marine Service Industry

Where permitted by the underlying zone Marina and Marine Service Industry uses are permitted to be located up to the shoreline and are not subject to the requirements of the Fundy Erosion (FE-2050) and (FE-2100) Overlay Zones.

10.11.5. Recreation Vehicles

Where permitted by and in accordance with the underlying zone, Recreation Vehicles are permitted in the Fundy Erosion Overlay (FE-2050) and (FE-2100) Zones. Associated accessory structures are not permitted.

PUBLIC INFORMATION: Please acknowledge that the area adjacent to but outside the Fundy Erosion (FE-100) Overlay Zone does not guarantee that this area will not be subject to damage or loss of land to coastal erosion by 2100.

Regulation	Amendment Date	Description
10.2.6 Non-Conforming Uses	October 27, 2021	Enables non-conforming use to change to non-conforming residential