

# DISTRICT OF CARLETON NORTH ZONING BY-LAW

BY-LAW #P-02

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CHAPTER 1

# **TITLE & SCOPE**

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The Council of the District of Carleton North, under the authority vested in it by the *Community Planning Act*, SNB 2017, c. 19, enacts the DISTRICT OF CARLETON NORTH Zoning By-law as follows:

## 1.1 TITLE

This By-law may be cited as the District of Carleton North Zoning By-law #P-02. It is referred to as "the By-law" throughout this document.

## 1.2 PURPOSE

This By-law shall:

1. Divide the District into zones;
2. Prescribe the purposes for which land, buildings, and structures in any zone may be used and regulate the standards to which land use and the placement, erection, alteration, and use of buildings and structures shall conform; and
3. Prohibits the use, placement, erection, or alteration of land buildings, or structures other than in conformity with the purposes and regulated standards mentioned in paragraph (b).

## 1.3 SCOPE

1. With the exception of fences, no building or structure shall be erected, altered, or demolished unless a Development/Building permit has been issued, and no Development/Building permit shall be issued unless all the provisions of this By-law are satisfied.

2. Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law, Subdivision By-law, or any other By-law in force within the District or to obtain any license, permission, permit authority or approval required by this or any other By-law of the Municipality, or other lawful authority.
3. Where the provisions of this By-law conflict with those of any other municipal, provincial, or federal regulations, By-laws or codes including regulations pertaining to on-site sewage disposal systems, the more stringent requirements shall prevail.

## 1.4 SEVERABILITY

If any provision of the By-law is declared by a court or tribunal of competent jurisdiction to be invalid, that ruling shall not affect the validity of any other provision herein, nor of the By-law as a whole.

## 1.5 REPEAL

1. The portion of the South Central Carleton Country Planning Area Rural Plan (11-SCC-045-00) and amendments thereto that fall within the administrative boundaries of the District are hereby repealed.
2. The Bath Rural Plan No. 20 is hereby repealed.
3. The Centreville Rural Plan By-law No. 16-2022 is hereby repealed.
4. The Florenceville-Bristol Zoning By-law No. 13B is hereby repealed.

5. Notwithstanding the repeal of the By-law in preceding subsection (4):
  - a. Section 59 Conditions, pursuant to the *Community Planning Act*, which have been registered prior to the coming into force of this By-law shall remain in force.
  - b. Nothing in this By-law shall prohibit a development for which the Development Officer issued a permit prior to the coming into force of this By-law, but any time limits established by such permit shall continue to apply.

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CHAPTER 2

# ADMINISTRATION

## 2.1 ADMINISTRATIVE AREA

The geographical area within the boundaries of the District of Carleton North is divided into zones as shown on the Zoning Map attached as Schedule A.

## 2.2 ZONES

The following zones appear on the Zoning Map in Schedule A. The table below provides the zone and corresponding abbreviation:

Zone	Abbreviation
Neighbourhood Residential	R1
Low Rise Residential	R2
Rural Residential	RR
Mini-Home Park Residential	MHP
District Centre	DC
Local Centre	LC
Mixed Use	MU
General Commercial	GC
Rural	R
Light Industrial	LI
Heavy Industrial	HI
Aggregate Extraction	AE
Institutional	I
Environmental Conservation	EC
Parks and Recreation	PR
Flood Risk Area Overlay	FR
Watercourse and Wetland Overlay	WW

## 2.3 ZONE BOUNDARIES

1. Where a zone boundary follows a lot line, that lot line is the zone boundary;
2. Where a zone boundary follows the sideline of a highway, road, lane or street, such sideline is the zone boundary;
3. Where a zone boundary follows a transmission right-of-way, rail right-of-way, or watercourse, the centre of that feature is the zone boundary;
4. Where a zone boundary follows the municipal boundary, the municipal boundary is the zone boundary; and
5. Where none of the above applies, the zone boundary is determined by measuring the Zoning Map directly.

## 2.4 PROPERTIES AFFECTED BY MORE THAN ONE ZONE

Where a lot extends across more than one zone, the provisions of each zone shall be applied to the corresponding areas of the lot.

## 2.5 BY-LAW APPLICABILITY AND ENFORCEMENT

Except for the Crown or agent of the Crown as described in section 129 of the *Community Planning Act*, no person shall, within any zone, use any land or place, or erect, alter or use any building or structure except in accordance with the provisions of this By-law.

## 2.6 USES

### 2.6.1 PERMITTED USES

If a use is not listed as a permitted use in a particular zone, it is hereby deemed to be a prohibited use in that zone unless determined to be a similar or compatible use by the Planning Review and Adjustment Committee in accordance with Section 2.9 of this By-law.

### 2.6.2 CONDITIONAL USES

Notwithstanding Section 2.6.1, conditional uses are:

Subject to terms and conditions imposed by the Planning Advisory Committee; and

Subject to all other provisions of this By-law.

### 2.6.3 SECONDARY USES

1. Secondary uses are:

- a. Subordinate to the main use; and
- b. Located on the same lot as the main use, unless otherwise provided by this By-law.

2. Secondary uses are subject to the requirements of the zone in which the main use is listed and may be subject to additional provisions described in Chapter 4 of this By-law.

### 2.6.4 ACCESSORY USES

1. An accessory use is:
  - a. Subordinate to the main use or secondary use;
  - b. Located on the same lot as the main use unless otherwise provided by this By-law; and
  - c. Complementary to the main use, as the discretion of the Development Officer.
2. Accessory uses are subject to the requirements of the zone in which the main use is listed and may be subject to additional provisions described in Chapter 4 of this By-law.

### 2.7 MEASUREMENTS AND CALCULATIONS

1. Numerical requirements in this By-law are provided in metric units of measurement. Imperial measurements are provided in parentheses as guidelines and are rounded up to the nearest imperial unit. In the event, of a conflict, the metric measurement shall prevail.
2. A numerical requirement shall be determined by measuring the closest distance in a straight line made along a horizontal plane and not by following the topography or slope of the land except as otherwise provided by this By-law.
3. Where the calculation of a numerical requirement results in a fraction:
  - a. A fraction of less than one-half shall not be taken into consideration; and

- b. A fraction of one-half or more shall require rounding to the next higher full number.

## 2.8 POWERS & ROLE OF COUNCIL

### 2.8.1 NON-CONFORMING USE

1. Pursuant to section 61(1) of the Community Planning Act, Council may require that any land, building, or structure containing a non-conforming use shall be maintained and kept in a condition appropriate to the area in which it is located, in accordance with the standards prescribed by the Council.
2. Pursuant to section 61(3) of the Community Planning Act, if the standards prescribed under paragraph (a) are not complied with, Council may perform, at the expense of the owner or occupier, the work required to meet the standards or require the termination of the use.

### 2.8.2 SATISFACTORY SERVICING

1. No building may be erected within a *Community Node* or other area intended for municipal services in the opinion of Council, satisfactory arrangements have not or cannot be made for the supply of electrical power, water, sewerage, streets, and other services and facilities.
2. In all other areas of the District, private services shall be provided in accordance with applicable provincial standards.

## 2.9 POWERS OF THE PLANNING REVIEW AND ADJUSTMENT COMMITTEE AND REGIONAL SERVICE COMMISSION

1. No building or structure may be placed, erected, or altered on any site where it would otherwise be permitted under this By-law when, in the opinion of PRAC, the site is determined to be marshy, subject to flooding, excessively steep, or otherwise unsuitable for development on account of its soil or topography.
2. PRAC may, subject to the terms and conditions it considers fit:
  - a. Authorize for a temporary period, in accordance with the Community Planning Act, a development otherwise prohibited by this By-law.
  - b. Require the termination or removal of a development authorized under a. at the end of the period authorized under the Community Planning Act.
  - c. Under section 53(2)(j) of the Community Planning Act, PRAC may:
    - i. delegate its authority under paragraph (i) of Section 53(2) to the Development Officer, and
    - ii. authorize a delegate to further delegate their authority under paragraph (i) of Section 53(2) to a person.

Where a use is listed as conditional in a zone, or described as subject to terms and conditions, the use is subject to terms and conditions that may be imposed by the PRAC, and no building or development permit shall be issued unless an application and supporting information for such use has been submitted to the PRAC; and the PRAC has reviewed the application and approved it as proposed or subject to specific terms

and conditions or has refused the approval where compliance with reasonable terms and conditions cannot reasonably be expected. Terms and conditions imposed by the PRAC shall be limited to those considered necessary to protect properties within or abutting the zone or abutting zones, public health and safety, and those that maintain compliance with the District's Municipal Plan.

3. PRAC may permit, subject to the terms and conditions it considers fit:
  - a. a proposed use of land or a building that is otherwise not permitted under this By-law if, in its opinion, the proposed use is sufficiently similar to, or compatible with, a use permitted by this By-law for the zone in which the land or building is situated as provided by the Community Planning Act, or
  - b. a reasonable variance from the requirements of this By-law as provided by section 55(1)(b) of the Community Planning Act if, in its opinion, the variance is desirable for the development of a parcel of land, building or structure and is in keeping with the general intent of this By-law and the District's Municipal Plan.

## 2.10 POWERS OF THE DEVELOPMENT OFFICER

Pursuant to Section 55(2) of the Community Planning Act and subject to appropriate terms and conditions, if the Development Officer determines that a variance is desirable for the development of a parcel of land or a building or structure and is in keeping with the

intent of the District's Municipal Plan and the requirements of this By-law, the Development Officer may permit a reasonable variance from the following requirements referred to in sections 53(2)(a)(i), (iii), (iv), (v), (vi), (vii), (viii), (ix), and (xiii), and paragraph 53(2)(f) of the Community Planning Act:

1. The minimum size and dimensions of lots and other parcels into which land may be subdivided, and the minimum and dimensions of land required for a particular class of use or size of building or structure.
2. The height, number of storeys, ground area, floor area, and bulk of buildings and structures;
3. The percentage of land that may be built on, and the depth, size, or area of yards, courts, parking areas, and open spaces;
4. The placement, location and arrangement of buildings and structures, including their setting back from the boundaries of streets and other public areas, and from rivers, streams, or other bodies of water;
5. The design, character and appearance of buildings and structures;
6. The placement, height, and maintenance of fences, walls, hedges, shrubs, trees, and other objects;
7. The types, dimensions, and locations of means of access of lots to streets;
8. The facilities to be provided and maintained for off-street parking and loading of vehicles;

9. The location, dimensions, standards of construction and purposes of advertising signs and billboards; and
10. Prescribe standards with respect to the appearance of land in a zone and require landscaping and improvements in accordance with standards prescribed in the by-law.

Council determines that conditions have changed or there is valid new evidence in support of the requested change.

## **2.11 APPLICATIONS TO AMEND THE ZONING BY-LAW**

1. Anyone who seeks to have this By-law amended shall:
  - a. submit a complete application as prescribed by the Development Officer, signed by the property owner or authorized agent and
  - b. shall pay the fee prescribed by the District.
2. Council may, if it deems fit, return all or any part of the fee mentioned in 1 b.
3. An application under this section shall include such information as may be required for the purposes of adequately assessing the desirability of the proposal.
4. Before giving its views to Council with respect to an application under this section, PRAC may request such information it deems necessary.
5. Where a rezoning application has been refused within the previous twelve months, Council shall not entertain an application to rezone the same parcel unless the proposed use is substantially different from the previous application or unless

CHAPTER 3

# **DEFINITIONS**

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In this By-law, words have their ordinary meaning accept when indicated or defined otherwise:

**"ABATTOIR"** means the use of land, building or structure thereof in which animals are slaughtered.

**"ABUT"** means adjoining and having access thereto directly.

**"ACCESS"** means an access, exit, or driveway from a street to a lot.

**"ACCESSORY BUILDING / STRUCTURE"** means a building that is detached, incidental, subordinate, and exclusively devoted to the main use, main building, or structure located on the same lot.

**"ACCESSORY USE"** means a permitted use in a zone that is incidental to and exclusively devoted to a main use of any land, building, or structure located on the same lot.

**"ACCOMMODATION"** means an establishment that provides lodging for travelers or transients, and includes but is not limited to, a bed and breakfast, hotel, motel, or other short-term lodging type but does not include a hostel or rooming house.

**"ACT, THE"** means the *Community Planning Act*, SNB 2017, c. 19.

**"ADULT ENTERTAINMENT FACILITY"** means an establishment where service or entertainment appealing to, or designed to appeal to, an erotic or sexual appetite or inclination is provided.

**"ADVISORY COMMITTEE"** means the Planning Advisory Committee established under

Section 3 of the *Community Planning Act*.

**"AGGREGATE EXTRACTION USE"** means the use of land for the surface extraction, crushing, screening, and stockpiling of sand, gravel, clay, shale, bedrock, peat, limestone, or other aggregate, as well as peat and may include washing and blasting where permitted under the appropriate Provincial regulation.

**"AGRICULTURAL USE"** means an agricultural operation that is carried on for gain or reward, or in the hope or expectation of gain or reward, and includes:

1. The clearing, draining, irrigating or cultivation of land;
2. The raising of livestock, including poultry;
3. The raising of fur-bearing animals;
4. The raising of bees;
5. The production of agricultural field crops;
6. The production of fruit and vegetables and other specialty horticultural crops, including a greenhouse or nursery;
7. The production of eggs and milk;
8. The production of maple syrup or similar products;
9. The operation of agricultural machinery and equipment, including irrigation pumps;
10. The preparation of a farm product distributed from the farm gate, including cleaning, grading, and packaging;
11. The on-farm processing of farm products for the purpose of preparing farm products for wholesale or retail consumption;

12. The storage, use or disposal of organic wastes for farm purposes;
13. The operation of pick-your-own farms, roadside stands, farm gate sales and farm tourist operations;
14. The application of fertilizers, conditioners, insecticides, pesticides, fungicides, and herbicides, including ground and aerial spraying, for agricultural purposes;
15. The keeping or boarding of horses including a stable;
16. An agritourism use including the incidental sale or manufacturing of farm products, including a restaurant; and
17. Any other agricultural activity or process act or regulation, such as the *Agricultural Practices Act*.

**"AIRFIELD"** means any land, lot, or buildings used for the purpose of landing, storing, taxiing, or taking off of private or commercial aircraft pursuant to the regulations of the appropriate authority.

**"AMENITY SPACE"** means that part of a lot or building intended to be used privately or commonly for recreation or relaxation, such as, but not limited to, a balcony, courtyard, deck, garden, garden room, gym or fitness room, landscaped area, lounge area, gaming or computer room, movie room, pergola, play area, porch, rooftop deck, swimming pool, or veranda, but does not include a driveway or a parking lot.

**"AMUSEMENT PLACE"** means an amusement park or an establishment, other than a private club or an establishment authorized to serve beer or spirits, which for profit provides facilities for dancing, games, the showing of motion pictures, or any form of entertainment, amusement, or recreation, whether or not in conjunction with a restaurant or other commercial establishment.

**"AQUACULTURE USE"** means the cultivation of aquatic plants and animals but does not include the cultivation of aquatic plants and animals in a laboratory for experimental purposes or in an aquarium.

**"ARCHITECT"** means a person who is a registered member or licensee of the Architects' Association of New Brunswick authorized to practice architecture in New Brunswick.

**"ARRAY"** means two or more wind turbines or solar collectors that are physically interconnected.

**"ARTIST OR CRAFTSPERSON STUDIO"** means an establishment used for creating, finishing, refinishing, or similar production of custom or handmade commodities together with the retailing of such commodities.

**"ASPHALT PLANT"** means a use where asphalt is produced and may include, but is not limited to, the production of aggregate or concrete products, the stockpiling and storage of bulk materials, and the storage and sale of finished products manufactured on the premises.

**“ASSEMBLY HALL”** means a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes, and may include a banquet hall, private club, or fraternal organization.

**“BANQUET HALL”** means a room or building used for hosting a party, banquet, function, reception, or other social event such as a dinner theatre, and may include an area for food preparation. The use may be licensed with a Dining Room or Special Facility Licence under the *Liquor Control Act*.

**“BACHELOR APARTMENT”** means a dwelling in which the sleeping and living areas are combined into one habitable room with separate kitchen, and sanitary facilities.

**“BAR, LOUNGE, OR NIGHTCLUB BAR”** means an establishment licensed under the *Liquor Control Act* where liquor is served to the public and where live entertainment may be accommodated as a secondary use.

**“BARRIER FREE PARKING SPACE”** means a parking space designed for the exclusive use of a person with a disability who displays on or in a vehicle a disabled persons identification plate, permit, or placard issued under the authority of the *Motor Vehicle Act*.

**“BASEMENT”** means that portion of a building that is partly underground but which has an average of at least one-half of its height on three sides above the grade of the lot at such walls. May also be defined as a cellar.

**“BED AND BREAKFAST”** means an owner-occupied one unit dwelling in which there are rooms for rent as short-term accommodation

and where meals may be provided for persons staying temporarily at the establishment.

**“BILLBOARD SIGN”** means a surface whereon advertising matter is set in view conspicuously and which advertising does not apply to the premises or any use of the premises wherein it is displayed or posted.

**“BLADE”** means the part of the wind turbine that rotates in the wind and extracts kinetic energy from the wind.

**“BLOCK FACE”** means all lots abutting both sides of a street between two intersecting streets.

**“BUFFER”** means a barrier, spatial separation, or setback between a defined use and a property line.

**“BUILDING”** means any roofed structure with solid exterior walls, whether temporary or permanent, designed or used for the accommodation, enclosure, or shelter of an animal, chattel, person, or material.

**“BUILDING INSPECTOR”** means the person appointed by Council as the Building Inspector for the District of Carleton North, or any person designated by the Building Inspector to perform a duty on behalf of the Building Inspector with respect to this By-law.

**“BUILDING LINE”** means any line defining the position of a building or structure on a lot. Also referred to as front yard line.

**“BUILDING PERMIT”** means a permit issued under the *Building Code Administration Act*.

**“CAMPGROUND”** means an area of land, managed as a unit, providing short-term or seasonal accommodation for any combination of tents, tent trailers, travel trailers, recreational vehicles, and campers, and includes services and facilities in connection with the accommodations.

**“CANNABIS”** means cannabis as defined by the Government of Canada, pursuant to the federal Cannabis Act, and the *Provincial Cannabis Control Act*.

**“CANNABIS PRODUCTION OR MANUFACTURING FACILITY”** means a facility and premises authorized by a license issued pursuant to the federal Cannabis Act for growing, producing, testing, destroying, storing, or distribution of cannabis but does not include the retail sale of cannabis or cannabis related products.

**“CANNABIS RETAIL SALES”** means the retail sale of cannabis or cannabis-related products to the general public.

**“CARPORT”** means an accessory structure or building or structure without walls on at least two sides and attached to a permanent structure used for the parking or storage of a motor vehicle.

**“CAR WASH”** means a structure containing facilities for washing automobiles.

**“CEMETERY”** means any land, building, or structure used for burying or interring the dead, and may include a pet cemetery, columbarium, mausoleum, and mortuaries, as well as associated buildings for grounds keeping, equipment storage, or administrative office space but does not include facilities associated with cremation.

**“CLEAN WATER ACT”** means the Clean Water Act, SNB 1989, c C-6.1, of the Province of New Brunswick.

**“CLERK”** means a clerk of a local government appointed under the Local Government Act.

**“CLINIC”** means a building or part of a building used for medical, dental, surgical, or therapeutic treatment of human beings but does not include a hospital or a professional office of a doctor located in a residence.

**“COMMERCIAL ENTERTAINMENT”** means any use where amusement or entertainment is provided to the public for a fee, such as, but not limited to, an arcade, auditorium for the performing arts, bingo hall, bowling alley, cinema, or movie theatre , or other such amusement place, but does not include an adult entertainment facility or a casino.

**“COMMERCIAL GROUP”** means two or more commercial buildings located on a lot or adjoining lots that have been designed as a unified development with respect to the placement of buildings and any associated accessory buildings or structures, amenity spaces, driveways, landscaping, or parking areas.

**“COMMERCIAL RECREATION ESTABLISHMENT”** means a recreational facility operated as a business for gain or reward, but does not include campgrounds, tracks or facilities intended to be used for motocross, auto racing or similar activities.

**“COMMERCIAL USE”** means any permitted use where the primary purpose is to sell, lease, or rent a product or service directly to the public, including, but not limited to, retail

sales, commercial entertainment, or personal or professional services, but does not include any residential use.

**“COMMERCIAL VEHICLE”** means any vehicle that is licensed as a commercial carrier as determined by the appropriate Provincial act or regulation.

**“COMMUNITY CENTRE”** means an establishment that provides, for non-commercial purposes, cultural, educational, recreational, or social activities or events.

**“COMMUNITY NODE”** means a land use designation identified in *Schedule A: Future Land Use Map* of the Municipal Plan, intended to support a more compact form of development within the serviced and settlement areas of the District.

**“CONFINED LIVESTOCK AREA”** means an outdoor nongrazing area where livestock is confined by fences or other structures or topography and includes a feedlot and an exercise yard.

**“CONTRACTOR’S YARD”** means a yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work.

**“CORNER LOT”** means a lot having two or more adjacent sides fronting on two or more intersecting or intercepting streets.

**“CONVENIENCE STORE”** means a retail store that serves the daily or occasional needs of the community with a variety of goods including grocery, sundries, hardware, magazines, and newspapers.

**“CONVENTIONAL INDUSTRIAL USE”** means the use of lands, buildings or structures for the assembling, fabricating, manufacturing, processing, repairing, or storing of raw goods and materials.

**“COUNCIL”** means the Mayor and Councillors of the District of Carleton North.

**“CREMATORIUM”** means a building or structure fitted with the proper appliances for the purpose of cremating human or animal remains.

**“CULTURAL ESTABLISHMENT”** means any use that provides display, storage, restoration, or an event related to art, literature, music, history, performance, or science, and includes, but is not limited to, an art gallery, archive, auditorium, library, museum, performing arts or interpretive centre or theatre.

**“DAY CARE CENTRE”** means an establishment that provides care and supervision for children under the appropriate Provincial legislation, licensing, and regulations.

**“DAY HOME”** means an owner-occupied residential use with the establishment for the provision of care and supervision of 6 to 15 children operating in a residential area.

**“DEVELOPMENT”** means:

1. The erecting, placing, relocating, removing, demolishing, altering, repairing, or replacing of a building or structure other than utility poles and wires, traffic control devices, and pipelines defined in the *Pipeline Act, 2005*, except for buildings and structures remote from a pipeline used for management and administration or housing or storing of moveable equipment or statutory notices;
2. Any change in the purpose for which any land, building, or structure is used.
3. Any excavation of sand, gravel, clay, shale, limestone, or other deposit for a development mentioned in subsection

(1). or for purposes of the sale or other commercial use of the material excavated; or

4. The making of land by cutting or filling to a depth in excess of 1 metre (3.3 feet) except in the case of laying pipelines defined in the Pipeline Act, 2005.

**“DEVELOPMENT OFFICER”** means the person appointed by Council or the Regional Service Commission as the Planning Director, or any person delegated authority by the Planning Director, in accordance with the *Community Planning Act*.

**“DIRECTOR”** means the Planning Director as defined within the *Community Planning Act*.

**“DRIVEWAY”** means the portion of any lot or parking lot designed or intended to provide vehicular access from a street to a parking space or parking aisle.

**“DOMESTIC ANIMAL”** means an animal customarily kept within a dwelling or in an outside pen or accessory building for the sole purpose of pleasure rather than utility, and includes dogs, cats, rabbits, rodents, small birds, and other animals but excludes cattle, sheep, horses, pigs, poultry, goats, and other animals normally raised on farms as well as exotic animals.

**“DRIVE-THRU RESTAURANT”** means an establishment that serves prepared food to customers who pull up in their vehicles to a microphone and/or window while the customers remain in their vehicles .

**“DRY CLEANING OR LAUNDRY DEPOT”** means an establishment for the drop-off and pickup of fabrics, textiles, or other clothing to be cleaned off-site.

**“DWELLING”** means a building or part of a building designed, occupied, or intended as a home, living quarters, or residence by one or more persons and containing one or more separate dwelling units, but does not include a hostel, hotel, or motel.

**“DWELLING, CONVERTED”** means a one-unit dwelling that is, through renovation, converted into a two-unit or multiple dwelling.

**“DWELLING, GROUP”** means a development of more than four detached dwelling units located on the same lot.

**“DWELLING UNIT”** means any room or suite of rooms used or intended to be used as a place of habitation by one or more persons.

**“DWELLING, MINI-HOME”** means a detached, one-unit dwelling having a width of 6 metres (19.7 feet) or less that is designed to be transported and placed on either a permanent or non-permanent foundation. It does not include a manufactured dwelling transported in two or more sections and assembled on site.

**“DWELLING, MANUFACTURED”** means a dwelling transported in two or more sections and assembled on site.

**“DWELLING, MULTIPLE”** means a building or a portion thereof designed for or occupied as three or more dwelling units, but does not include a motel, hotel, or shared dwelling.

**“DWELLING, ONE-UNIT”** means a detached dwelling unit but does not include a mini home.

**“DWELLING, SEMI-DETACHED”** means a one-unit dwelling attached to another one-unit dwelling by a common above grade wall with

each dwelling unit located on a separate abutting lot.

**"DWELLING, SHARED"** means a use where bedrooms are rented for payment as separate rooms for residential accommodation and includes shared bathroom and kitchen facilities made available to all tenants. This does not include a bed and breakfast or supportive housing use.

**"DWELLING, TOWNHOUSE"** means a building abutting a public street that contains three or more dwelling units arranged side by side and vertically separated with each said dwelling unit having an independent exterior entrance. Also referred to as a rowhouse.

**"DWELLING, TWO-UNIT"** means a building divided into not more than two dwellings each of which has an independent entrance, either directly from an outside entrance or through a common vestibule and both units are on a single lot and may include a one-unit dwelling with a basement apartment.

**"EASEMENT"** means a right to use land, most commonly for access to other lands or as a right-of-way for a utility service or for a municipal service.

**"ENGINEER"** means a professional engineer who is a member in good standing with the Association of Professional Engineers and Geoscientists of New Brunswick and registered or licensed to practice engineering in the Province of New Brunswick.

**"ERECT"** means to construct, build, assemble, or relocate a building or structure, and includes any physical operation preparatory thereto.

**"ESCARPMENT"** means a slope greater than 50% (i.e., a 2:1 slope).

**"EXCAVATION"** means the extraction of sand, gravel, clay, shale, limestone, or other deposit for the construction of a building or structure or for purposes of the sale or other commercial use of the material extracted.

**"EXCAVATION SITE"** means a disturbance of the ground for the purposes of mining or extracting quarriable substances for sale or off-site use.

**"EXISTING LOT"** means a lot, in existence at the time of the enactment of this Regulation.

**"FARMERS MARKET"** means an establishment where local farm products, which may also include other foods, beverages, or arts and crafts, are sold to the public by a group of retailers from within a building or outside of a building and may include the sale and service of alcohol subject to the appropriate liquor licensing requirements.

**"FLANKING LOT LINE"** means the lot line which abuts a street on a corner other than the front lot line.

**"FLANKAGE"** yard means, the yard on a corner lot which is not the front yard.

**"FLOOD PLAIN"** means an area of low-lying land that is subject to flooding from adjacent or nearby waterbodies.

**"FLOOR AREA"** means the maximum area bounded by the exterior faces of a building.

**"FORESTRY USE"** means the general growing, harvesting, and storage of trees and, without limiting the generality of the foregoing, may

include silviculture activities, the raising and cutting of wood, pulpwood, sawlogs, and other primary forest products, and the growing, harvesting and production of Christmas trees, maple syrup and fiddleheads, but does not include a sawmill.

**“FRONT YARD”** means the yard extending across the full width of the lot between the street line and the nearest main wall of any building or structure and minimum front yard means the minimum depth allowed by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any main building or structure on the lot.

**“FUNERAL HOME”** means an establishment that provides the preparation of the deceased for interment or cremation and the holding of a memorial service and may include the accessory on incidental sale and storage of caskets, urns, and other related funeral items. An associated chapel or crematorium are permitted as secondary uses.

**“GARDEN CENTRE”** means the use of lands, buildings, or structures or part thereof for the purpose of buying or selling lawn and garden equipment, furnishings, and supplies.

**“GARDEN SUITE”** means any secondary use to a main dwelling unit established in a separate building on the same lot.

**“GENERAL SERVICE SHOP”** means a shop for servicing, repairing, installing, or renting things and equipment, including but not limited to radio or television service or repair shops, locksmith shops, small appliance service or repair shops, or household and carpentry tool service or repair shops.

**“GRADE”** means the finished level of the ground at the exterior walls of a building or structure.

**“GRAVEL PIT”** means an open area of land where quarriable substances are excavated without the use of explosives for sale or off tract use, and does not include an asphalt or concrete processing operation.

**“GREENHOUSE”** means a primary or accessory building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal use.

**“GROCERY STORE”** means a building used for the sale primarily of food products and which specifically excludes the sale of specialty products as a principle use and may include a seasonal greenhouse and garden centre.

**“GROSS FLOOR AREA”** means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

**“GROUND FLOOR”** means the lowest storey of a building, approximately at or first above the finished grade level, excluding any basement, cellar, subcellar, and/or car parking areas.

**“GROUNDWATER”** means water occurring below the soil surface that is held in soil itself, subsurface water, or water stored in capillary pores cracks or crevices in the ground below

the water table, and water occurring in the zone of saturation below the earth's surface.

**"GROUP HOME"** see supportive housing definition.

**"GUY WIRE"** means a cable or wire used to support a tower.

**"HEAVY EQUIPMENT MANUFACTURING, SALES OR SERVICE OPERATION"** means a building or part of a building or structure in which heavy machinery is manufactured, maintained, repaired, or offered for sale, rent, or lease.

**"HEIGHT"** means the vertical distance between the average finished grade and a structure's highest point but shall not include any construction used as an ornament or for the mechanical use of the building including a chimney tower, steeple, solar collector, antenna, satellite receiving dish or wind turbine.

**"HEN"** means to the female of the *gallus gallus domesticus* species and does not include roosters, toms, drakes, guineas, or geese.

**"HOBBY FARM"** means a small-scale farm that is clearly accessory to a residential use. A hobby farm is intended for recreation and personal enjoyment rather than primary income. It may include the cultivating of land, the raising of animals, including the keeping of bees. Hobby farms shall be maintained in accordance with the provisions of section 4.15.

**"HOME OCCUPATION"** means an accessory use in a portion of a dwelling unit or accessory building where the occupant of the dwelling unit conducts a business.

**"HOME INDUSTRY"** means a gainful occupation, trade or service conducted within an accessory building or structure.

**"HORSE BOARDING STABLE OR RIDING OPERATION"** means any land, building or structure used for the feeding, housing, exercising, or riding of more than two horses for gain or profit.

**"HOTEL"** means an establishment designed to accommodate the travelling public that consists of one or more buildings containing four or more attached accommodation units accessible from the interior and that may or may not have facilities for serving meals.

**"INCIDENTAL USE"** means a use subordinate to or ancillary to a main or accessory use that is expected to be carried out as part of the function of the permitted use.

**"INFILL"** means development consisting of either construction on one or more lots in an area that is mostly developed or new construction between existing structures.

**"INSTITUTIONAL USE"** means the use of land, buildings, or structures for a public non-profit purpose and, without limiting the generality of the foregoing, may include such buildings as a place of learning, place of worship, public hospitals, a clinic, emergency services facility, aged or infirmed care facility, cemetery, village offices, library, recreational facility, government office, and community centre.

**"KENNEL"** means an establishment for the keeping, breeding, boarding, or training of four or more household domestic animals such as dogs and cats over 6 months in age

as described by the appropriate Provincial agency.

**"LANDSCAPING"** means any combination of trees, shrubs, flowers, grass, or other horticultural elements designed to enhance the visual amenity of a property and/or to provide screening to mitigate the impact of a land use, building, or structure on an adjacent property.

**"LARGE SCALE WIND TURBINE OR LWT"** means a wind turbine that has a power generation capacity greater than 100 kW.

**"LIGHT INDUSTRIAL USE"** means the use of land, buildings, or structures for the making of finished products or parts, usually from already prepared materials, including the processing, fabrication, assembly, treatment, packaging, removal, storage, sales, and distribution of such products or parts, but excluding conventional industrial uses.

**"LIVESTOCK"** means farm animals kept for use, for propagation, or for intended profit or gain and without limiting the generality of the foregoing, includes dairy and beef cattle, horses, swine, sheep, poultry, goats, geese, mink, and rabbits.

**"LIVESTOCK FACILITY"** means a building used or intended to be used to confine or house livestock or a confined livestock area.

**"LOT"** means a parcel or contiguous parcels of land in one ownership.

**"LOT, CORNER"** means a lot having two adjacent sides fronting on two intersecting roads.

**"LOT, INTERIOR"** means a lot other than a corner lot.

**"LOT DEPTH"** means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel the lot depth shall be the length of the line joining the midpoints of the front and rear yard.

**"LOT FRONTRAGE"** means the horizontal distance measured along a street. Where a lot abuts two streets, the lesser distance shall be deemed the lot frontage. In the case of a curved corner or where side lot lines are not parallel, lot frontage means the distance between the side lines of the lot, at the minimum front yard setback measured parallel to the street or at right angles to the tangent in a curved street.

**"LOT LINE"** means the boundary or exterior line of a lot.

**"MAIN BUILDING"** means a building in which the main or principal use of the lot is conducted.

**"MAIN USE"** means the primary purpose for which a building, other structure, and/or lot is designed, arranged, or intended, or for which may be used, occupied, or maintained under this Regulation.

**"MANUFACTURING OR PROCESSING FACILITY"** means a building or part of a building used primarily for the modification or fabrication of materials into products to be supplied or sold for further manufacturing or processing or for wholesale or retail outlets but does not include salvage yards.

**"MANURE STORAGE"** means a lagoon, tank, or other feature constructed or used to hold or contain manure and shall not include temporary or seasonal manure storage on the ground nor the seasonal application of

manure on agricultural lands, provided such activities are approved in accordance with applicable legislation.

**"MICROBREWERY/ DISTILLERY"** means an establishment that manufactures beer, wine, or spirits, or a combination thereof under the appropriate Provincial Alcoholic Beverage Manufacturers license.

**"MINISTER"** the Minister responsible for the Community Planning Act.

**"MINI-HOME PARK"** means a lot under single ownership designed and serviced to accommodate multiple mini-homes on leased sites, together with associated internal roads, open space, and shared services.

**"MOTEL"** means an establishment that:

1. consists of one or more buildings containing one or more attached accommodation units;
2. may include facilities for serving meals; and
3. is designed to accommodate the traveling public whereby the automobile is the principal means of transportation.

**"NACELLE"** means the frame and housing at the top of a wind turbine tower that encloses the gearbox and generator and protects them from the weather.

**"NURSING HOME"** see definition for supportive facility.

**"OFFICE"** means a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government.

**"OUTDOOR STORAGE"** means storage not in a building or covered area, and includes

materials covered by a canvas, plastic, steel dome, or any other type of covering material.

**"OUTDOOR RECREATIONAL FACILITY"** means an area of land set aside for recreational purposes and may include, but is not limited to: playgrounds; baseball fields; golf courses; tennis courts; soccer and other athletic fields; outdoor rinks; outdoor swimming pools; areas designed for passive enjoyment and similar uses; and includes the buildings and structures in connection therewith but does not include campgrounds, tracks, or facilities intended to be used for motocross, auto racing, or similar activities.

**"OUTFITTER OPERATION"** means guiding services and may include the provision of supplies and equipment for hunting, fishing, and trapping.

"overlay" means a set of requirements described in this By-law, mapped in Schedule A, and imposed in addition to those of the underlying land use zone. Development within an overlay must conform to the requirements of both the overlay and the zone or the more restrictive of the two.

**"PARKING LOT"** means a vehicular parking area serving the main use of the property.

**"PASSIVE RECREATIONAL USE"** means a recreational activity that generally does not require a developed site and may include, but is not limited to, trails used for hiking, cross-country skiing, bicycling, or horseback riding; nature interpretation; public boat launch; observation activities, or gardening.

**"PERSONAL SERVICE"** means a building or part of a building in which professional

or personal services are provided for gain and where the sale of retail goods is only accessory to the provisions of such service, including, but without limiting the generality of the forgoing, barber shops, beauty shops, tailor shops, laundromat, shoe repair, and health and wellness centres, and excludes automobile service, dry cleaning of articles or fabrics, and the manufacturing or fabrication of goods for retail or wholesale distribution.

**"PET DAY CARE"** means an establishment where domestic animals such as dogs are cared for or boarded during daytime hours but does not include overnight boarding of the domestic animals. Such use may be commonly referred to as a 'doggy day care'.

**"PET GROOMING"** means an establishment where animals are groomed and washed and may include the ancillary sale of products related to this service but does not include any associated outdoor kennel or overnight accommodation.

**"PIT"** means a disturbance of the ground or an excavation for the purposes of removing a quarriable substance without the use of explosives. Also referred to as a 'gravel pit'.

**"PLANNER"** means an individual who is entitled to use the appellation MCIP or RPP under the by-laws of the Canadian Institute of Planners.

**"PLACE OF WORSHIP"** means a building or structure used for public worship by any religious organization, and may include a rectory or manse, church hall, auditorium, day care, or religious school associated with or accessory thereto.

**"PLAYGROUND"** means an area of landscaped open space equipped with children's play equipment such as slides, swings or wading pools.

**"QUARRY"** means a disturbance of the ground or an excavation for the purpose of removing a quarriable substance by the use of explosives.

**"QUARRIABLE SUBSTANCE"** means sand, gravel, clay, soil, ordinary stone, building or construction stone, and rock other than metallic ores, but does not include topsoil.

**"REAR LOT LINE"** means the line farthest from or opposite from the front lot line.

**"REAR YARD"** means the yard extending across the full width of the lot between the rear lot line and the nearest main wall of any building or structure and minimum rear yard means the minimum depth allowed by this By-law of a rear yard on a lot between the rear lot line and the nearest main wall of any main building or structure on the lot.

**"RECREATIONAL USE"** means the use of land, buildings, and structures for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, boat and yacht clubs, picnic areas and swimming pools, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but does not include commercial camping grounds nor a track for the racing of any form of motorized vehicles or any animals.

**"RECREATIONAL FACILITY"** means a building or space designed and equipped for the

conduct of sports, leisure time activities, and other customary and usual recreational activities but does not include a commercial recreational establishment.

**"RECREATIONAL VEHICLE"** means any vehicle used for sleeping or eating accommodation on a seasonal basis and so constructed as to be suitable for being attached to and drawn by a motor vehicle or self-propelled and not used as a full-time residence.

**"RECYCLING FACILITY"**, means a building used for the deposit, collection, and handling of wastepaper, rags, tires, bottles, or other materials that are to be delivered wholesale to other off-site operations for further processing or salvage but does not include salvage yards.

**"RESTAURANT"**, means a building or portion thereof where food and drinks (alcoholic and/or non-alcoholic) are prepared and served for public consumption, either within the restaurant or outside the restaurant, including a catering service or take-out restaurant, but does not include a Drive-thru Restaurant.

**"RETAIL STORE"**, means a building or part of a building primarily used for the sale of goods for direct use or consumption by the purchaser at a separate location, including establishments such as grocery stores, clothing and shoe stores, furniture stores, paint and hardware stores, book stores, and appliance and electronics stores and excludes retail operations specifically defined in this By-law such as automobile dealerships.

**"ROAD, ARTERIAL"** means a road intended to move a relatively large volume of traffic at medium to high speeds classified as an arterial road by the Minister of Transportation

& Infrastructure under the appropriate Provincial legislation and include all roads assigned a route number from 1 to 99 as well as municipally owned roads that function in a similar capacity.

**"ROAD, COLLECTOR"** means a road intended to collect traffic from local streets and land access roads classified as a collector road by the Minister of Transportation & Infrastructure under the appropriate Provincial legislation and include all named roads assigned a route number from 100-199 as well as municipally owned roads that function in a similar capacity.

**"ROAD, LOCAL"** means a road intended to provide property access classified as a local road by the Minister of Transportation & Infrastructure under the appropriate Provincial legislation and include all named roads assigned a route number greater than 199 as well as municipally owned roads that function in a similar capacity.

**"ROTOR'S ARC"**, means the largest circumferential path traveled by a wind turbine's rotor blade.

**"SALVAGE YARD"**, means a lot or premises for the storage, handling, or processing and sale of scrap material, and without limiting the generality of the foregoing, shall include wastepaper, rags, used bicycles, vehicles, tires, metal, or other scrap material or salvage.

**"SAWMILL"** means a building or structure used to process wood from sawlogs to another use and may include land used for open storage of raw or finished lumber or products but does not include a portable milling machine used on a temporary basis.

**“SECONDARY SUITE”** means a secondary, small dwelling unit is established within a one or two-unit dwelling or townhouse dwelling.

**“SECONDARY USE”** means a use, other than a main or accessory use that is conducted, unless otherwise provided (expressly or by definition), entirely within a building or structure containing the main use on the lot.

**“SELF-STORAGE”** means an establishment where goods or personal items are stored inside separate compartments within a building, each having separate exterior access or access through a common hallway. Shipping containers may be used for self-storage, provided they are accessory to the main building.

**“SERVICED LOT”** means a lot that has access to municipal sewer.

**“SERVICE STATION”** means an establishment where fuel or lubricants are offered for sale via a gasoline bar, and may include minor automobile repair or maintenance, sale of convenience items, or a car wash inside a building or structure, but shall not include a vehicle repair garage, a vehicle body and paint shop, vehicle sales and leasing, or a vehicle rental use.

**“SIDE LOT LINE”** means a lot line other than the front, flankage, or rear lot line.

**“SIDE YARD”** means the yard extending from the front yard to the rear yard on either side, between a side lot line and the nearest main wall of any building or structure and minimum side yard means the minimum depth allowed

by this By-law of a side yard on a lot between the side lot line and the nearest main wall of any main building or structure on the lot.

**“SIGN”** means any structure, device, light, or natural object including the ground itself, or any part thereof or any device attached thereto, or painted or represented thereon that shall be used to identify, advertise, or attract attention to any object, product, place, activity, enterprise, organization, industry, or business, or which shall display or include any device or representation intended to be seen from off the premises or from a parking lot.

**“SIGN, ELECTRONIC”** means a sign or portion of a sign that displays electronic images, text, or video that may be programmed, controlled, or modified by electronic means. This includes, but is not limited to, LED signs, digital displays, electronic message boards, and screens. Electronic signs are capable of displaying static, scrolling, or changing messages, with or without animation or video, at intervals or continuously.

**“SIGN AREA”** means the area of the smallest triangle, rectangle, circle, or semicircle that can wholly enclose the surface area of the sign. Only one side of a multi-faced sign shall be used to determine sign area. The sign area of individual letters or figures, which are attached or painted on a surface, shall be the smallest triangle, rectangle, circle, or semicircle that can wholly enclose all of the letters, numbers, or insignia.

**“SMALL SCALE WIND TURBINE OR SWT”** means a wind turbine that has a power generation capacity of no greater than 100 kW.

**"SOLAR COLLECTOR"** means a device or collection of devices that collect and/or concentrate solar radiation for the purpose of generating energy and may include, but is not limited to, evacuated tubes, flat plate collectors, concentrating mirrors, and building-integrated photovoltaic materials. Solar collectors do not include windows or greenhouses.

**"STOREY"** means the portion of a building that is located between the top of a floor and the top of the next floor above it, or the portion between the top of a floor and the ceiling above.

**"STORMWATER MANAGEMENT SYSTEM"** means a system that has been constructed in accordance with an engineering drawing to collect and detain or retain stormwater on a lot or other parcel of land.

**"STREET LINE"** means the common line between a street and a lot.

**"STRUCTURE"** means a combination of materials that form a construction that is intended to be safe and stable, other than a building, or a power or telephone pole.

**"SUPPORTIVE CARE FACILITY"** means an establishment licensed or approved by a government agency to provide a range of care and / or supervision on a 24-hour basis by professional staff.

**"SUPPORTIVE HOUSING"** means an establishment licensed or approved by a government agency to provide care and/or supervision on a 24-hour basis by professional staff to a maximum of five residents of any age pursuant to the appropriate Provincial

legislation, but does not include a temporary housing residence or a shared dormitory accommodation.

**"SWIMMING POOL"** means a tank or body of water, other than an existing natural body of water or stream, either above or below ground, intended to be used for diving, swimming, or wading.

**"PORTABLE GARAGE"** means a collapsible structure covered with plastic or fabric, used for the purpose of temporarily storing and/or covering vehicles and must be located behind the building line.

**"THROUGH LOT"** means a lot other than a corner lot that is bounded on opposite sides by two streets.

**"TOPSOIL"** means topsoil as defined under the Topsoil Preservation Act.

**"TOPSOIL REMOVAL OPERATION"** means an operation involving the removal of topsoil for the purposes of the sale or commercial use of the material excavated.

**"TOURIST ESTABLISHMENT"** means an area of land, such as a campground, bed and breakfast, or inn that is managed as a unit, operated to provide self-contained accommodations to the traveling or recreating public, and includes services and facilities in connection with the accommodations.

**"TRUCKING OPERATION"** means a building or land on which a business or industry involving the maintenance, servicing, or repair of trucks and similar commercial vehicles is conducted, including the dispensing of fuel and petroleum products and the sale of parts and accessories.

**"USE"** means the purpose for which any land building or structure is used, occupied, maintained, or leased.

**"UTILITY"** means any agency that under public franchise or ownership or under certificate of convenience provides the public with electricity, gas, heat, steam, communication, telephone, telecommunication tower, rail transportation, water or sewage, or other similar services.

**"VEHICLE"** means a motor vehicle, trailer, traction engine, farm tractor, road building machine, and any vehicle drawn, propelled, or driven by any kind of power including muscular power, but does not include rail cars running only on rails.

**"VEHICLE BODY AND PAINT SHOP"** means an establishment where motor vehicle bodies and frames are repaired and/or painted.

**"VEHICLE REPAIR GARAGE"** means an establishment involved in the repair of automobiles, trucks, motorcycles, snowmobiles, cars, recreational vehicles, and other vehicles, and may include the sale, installation, servicing, or machining of automotive parts and accessories, or a drive thru vehicle inspection, repair, servicing, or cleaning facility such as, but not limited to, automotive glass replacement, exterior vehicle cleaning, muffler replacement, safety inspection, tire alignment, tire replacement, transmission repair, or vehicle upholstery cleaning but does not include a vehicle body and paint shop.

**"VEHICLE SALES, RENTAL, AND SERVICE"** means an establishment where new and or used vehicles are sold or leased and may

include an associated vehicle repair garage that provides on-site servicing, repair, cleaning, or polishing of such vehicles and the sale of auto accessories or related products.

**"VETERINARY CLINIC"** means the office of a veterinary surgeon and premises for the treatment of animals but excludes a kennel.

**"WAREHOUSE"** means a building used primarily for the storage or containment of manufactured goods and materials and may include the wholesaling and distribution of such goods.

**"WATERCOURSE"** means a natural or human made feature the primary function of which is the conveyance or containment of water including the bed, banks, and sides of any incised channel greater than 0.5 metres (1.6 feet) in width that displays a rock or soil bed in which water flow does not have to be continuous and may be absent during any time of year or a natural or human-made basin.

**"WAYSIDE PIT"** means a temporary pit developed for use by the Province, directly or under contract, solely for the purpose of highway construction, not including private roads, and is not located within a highway as defined by the Highway Act.

**"WORKERS HOUSING"** means dwelling units provided in association with the occupants' employment, which may include communal facilities such as kitchens, washrooms, or common areas, with or without the exchange of rent.

**"WETLAND"** means land that has the water table at, near, or above the land's surface, or

which is saturated, for a long enough period to promote wetland or aquatic processes as indicated by hydric soils, hydrophytic vegetation, and various kinds of biological activities adapted to the wet environment, or as described by the appropriate Provincial agency.

**“WIND FARM”** means an array of large-scale wind turbines.

**“WIND TURBINE”** means a structure that produces power by capturing the kinetic energy in surface winds created by the sun and converting it into energy in the form of electricity and includes the wind turbine tower, rotor blades, and nacelle.

**“WIND TURBINE HEIGHT”** means the height from grade to the highest vertical extension of a wind turbine at the top of the rotor’s arc.

**“WIND TURBINE TOWER”** means a freestanding structure or a structure attached to guy wires that serves to support other parts of the wind turbine.

**“YARD”** means that part of a lot required to be unoccupied by buildings or structures.

**“YARD, FRONT”** means, in relation to any building, structure, or use on a lot, that part of the lot between such building, structure, or use and a front lot line.

**“YARD, REAR”** means in relation to any building, structure, or use on a lot, that part of the lot between such building, structure, or use and a rear lot line.

**“YARD, SIDE”** means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part

of the building, structure or use on a lot.

**“ZONE”** means a designated area of land use as shown on Schedule A of this By-law.



CHAPTER 4

# GENERAL PROVISIONS

art

## 4.1 USES PERMITTED IN ALL ZONES

Nothing in this By-law shall prevent the use of any land for:

1. A Community Garden
2. Land for Public Purposes
3. A Lane, Street, or Highway
4. A Municipal Recreation Use
5. A Park or Playground
6. A Pipeline
7. Public Display Boards or Installation
8. A Stormwater Management System
9. A Telecommunications Tower
10. Temporary Parking Lot to Facilitate Snow Clearing
11. Utility Service Building or Structure
12. Walking Trail
13. Wayside Pit.

## 4.2 ACCESS

### 4.2.1 ACCESS FOR RESIDENTIAL PURPOSES

An access for residential purposes means an access that serves a residential building or buildings.

### 4.2.2 ACCESS FOR NON-RESIDENTIAL PURPOSES

1. No more than two driveways shall be permitted per lot.

2. A Non-Residential Driveway, when facilitating two-way traffic, shall have a minimum width of 6 metres (19.7 feet).
3. No driveway shall meet the travelled portion of the fronting street at an angle of less than 60 degrees.

### 4.2.3 CORNER SITE LINE

On a corner lot, no fence, sign, or any other structure, shall be placed above the grade of the center line of the streets that abut the lot within the triangular area included within the street lines for a distance of 6 metres (19.7 feet) from their point of intersection.

### 4.2.4 DRIVE-THRU QUEUING SPACES

1. Queuing spaces shall be provided for drive-thru businesses including a Drive-thru Restaurant, Car Wash, Service Station, and drive-In Vehicle Repair Garage, as follows:
  - a. A minimum of five in-bound queuing spaces shall be provided for approaching vehicles and any overflow beyond six vehicles shall not encroach on a public street.
  - b. A minimum of one out-bound queuing space shall be provided on the exit side of each service position. This space shall be located so as not to interfere with service to the next vehicle.
2. Drive-through overflow shall be accommodated on site and shall not encroach on a public sidewalk or street.

3. All queuing spaces shall be a minimum of 6.5 metres (21.3 feet) long and 3 metres (9.8 feet) wide.
4. All queuing lanes shall provide sufficient space for turning and maneuvering.
- d. Notwithstanding subsection (a), in the Neighbourhood Residential (R1) and Rural Residential (RR) zone, an accessory building may project in front of the main building line by 1 metre (3.3 feet)

## 4.3 ACCESSORY BUILDINGS AND STRUCTURES

### 4.3.1 GENERAL STANDARDS - ACCESSORY BUILDINGS AND STRUCTURES

1. Except as otherwise provided by this By-law, an accessory building or structure shall be permitted in any zone subject to the requirements of this section.
2. An accessory building or structure shall be located on the same lot as the main use.
3. Except as otherwise provided by this By-law, an accessory building or structure shall not be placed, erected, or altered so that it:
  - a. Is wholly or partially within the front yard of a lot;
  - b. Is so located as to block the only vehicle access to the rear of the lot. Should this be unavoidable, a minimum of 3 metres (9.8 feet) shall be retained along a side yard to allow for vehicle access;
  - c. Notwithstanding subsection (a), an accessory building may be placed in the front yard of a lot in the Rural, Light Industrial, Heavy Industrial, and Institutional zone; and

4. The total lot coverage of all accessory building or structures, shall not exceed:

Zone	Accessory Building Size / Lot Coverage
Residential Zones	15% of lot area
Commercial and Mixed-Use Zones	20% of lot area
All other zones	Limited by the lot occupancy standards for that zone.

5. The percentages prescribed in the table above shall not exceed the lot occupancy requirements prescribed in any zone.
6. The setbacks and height of an accessory buildings shall not exceed the setback and height requirements prescribed in the zone.
7. The standards prescribed in this section do not apply to an active agricultural use registered or permitted by the appropriate Provincial agency.

### 4.3.2 FENCES

A fence is permitted in any yard in any zone subject to the following conditions:

1. A fence in any residential zone shall not exceed a maximum height of 1 metre (3.3 feet) in the front yard.
2. A fence in any residential zone shall not exceed a maximum height of 1 metre (3.3 feet) in front of the building line.
3. A fence in any residential zone may be a maximum of 2 metres (6.6 feet) in the side yard, behind the building line, and in the rear yard.
4. Except within the Heavy Industrial (HI) Zone, a fence in any non-residential zone shall not exceed a maximum height of 2.5 metres (8.2 feet) in any yard.
5. The standards prescribed in this section do not apply to an active agricultural use registered or permitted by the appropriate Provincial agency.
6. Fences shall not be constructed of or contain barbed wire or other pointed object or be electrified, except for a fence used in conjunction with an agricultural or industrial use.
7. No fence or wall shall be located in such a way that obstructs the line of sight at an intersection.

### 4.3.3 PORTABLE GARAGES

Notwithstanding section 4.3.1, any setback or yard requirements in this By-law, portable garages may be permitted on any lot with

a one-unit dwelling, two-unit dwelling, or mini-home, provided a minimum setback of 1 metre (3.3 feet) is maintained from all front, side, and rear lot lines.

### 4.3.4 SHIPPING CONTAINERS AND VEHICLE BODIES

1. A motor vehicle, tractor trailer, tractor engine, farm tractor, road building machine, and any vehicle drawn, propelled, or driven by any kind of power, notwithstanding its wheels having been removed, shall not be used or occupied as a dwelling unit within the Community Node land use designation in Schedule A: Future Land Use Map of the District's Municipal Plan.
2. Notwithstanding subsection (1), a shipping container may be used as building materials for a dwelling or a commercial main building so long as plans are designed, reviewed, and stamped by a Professional Engineer and, in the case of a dwelling, the resulting structure does not have the appearance of a shipping container.
3. Notwithstanding subsections (1) and (2), a shipping container may be used as an accessory building or structure in a Rural Residential Zone, any Commercial and Mixed Use, Rural, Industrial, Institutional, and Parks and Recreational zones subject to the following:
  - a. In the Rural Residential, Mixed Use, and Institutional zones, the shipping container shall be located entirely within the rear yard;

- b. In the Commercial, Rural, and Industrial zones, the shipping container may be located in the rear or side yard, provided it is not located closer to the front lot line than the main building;
- c. A shipping container may require screening to the satisfaction of the Development Officer; and
- d. The use of shipping containers is subject to the provisions of that zone in addition to the standards provided in this section.

#### 4.3.5 SWIMMING POOL ENCLOSURES

Where a swimming pool is located on a lot within the Community Node land use designation in Schedule A of the Future Land Use Map in the District's Municipal Plan, it shall conform to the following provisions:

- 1. No land may be used for purposes of a swimming pool capable of containing a depth in excess of 0.6 metres (2 feet) of water unless the swimming pool is enclosed by a fence, or by a wall of a building or structure, or by a combination of walls and fences, at least 1.5 metres (4.9 feet) in height.
- 2. Where a portion of a wall of a building forms part of an enclosure:
  - a. No main or service entrance to the building may be located therein, and
- b. Any door therein, other than a door to a dwelling or dwelling unit, shall be self closing and equipped with a self-latching device at least 1.1 metres (3.6 feet) above the ground.

3. Where a fence forms an enclosure or part thereof, the fence shall:

- a. Be constructed of a chain link material with galvanized, vinyl or other coating, or of wood or of other materials, and shall not have rails, bracing or other attachments on the outside thereof that would facilitate climbing.
- b. Be located:
  - i. A minimum of 1.2 metres (3.9 feet) from the edge of the swimming pool;
  - ii. A minimum of 1.2 metres (3.9 feet) from any condition, structure, or ground elevation that would facilitate being climbed from the outside, and
  - iii. So that the bottom of the fence is elevated by no more than 10.28 centimetres (4.1 inches) above grade.
- c. In the case of a chain link construction:
  - i. No greater than 50-millimetre (2-inch) diamond mesh;
  - ii. Steel wire not less than No.12 gauge, or a minimum No.14 gauge covered with vinyl or other approved coating forming a total thickness

equivalent to No.12-gauge wire; and

- iii. At least 38-millimetre (1.5-inch) diameter steel posts set below frost in an envelope of concrete and spaced not more than 2.4 metres (7.9 feet) apart, with a top horizontal rail of at least 32-millimetre (1.26-inch) diameter steel.
- d. In the case of wood construction:
  - i. Vertical boarding, not less than 2.5 centimetres (1 inch) by 10.28 centimetres (4.1 inches) finished dimensions, spaced not more than 3.9 centimetres (1.6 inches) apart, attached to supporting members and arranged in such a manner as not to facilitate climbing on the outside, and
  - ii. Supporting posts at least 10.28 centimetres (4.1 inches) square or round with a diameter of 10.28 centimetres (4.1 inches), set below frost and spaced not more than 2.4 metres (7.9 feet) apart, with the portion below grade treated with a wood preservative, and with a top horizontal rail of at least 5 centimetres by 10.16 centimetres (4 inches) finished dimensions.
- e. In the case of construction with materials, and in a manner other than described in subsections c) and d) hereof, the material used and construction shall be of a rigidity and design equal to the specifications set forth herein.
- f. Gates forming part of the enclosure shall:
  - i. Be equivalent to the fence in content, manner of construction, and height;
  - ii. Be supported on substantial hinges;
  - iii. Be self-closing and equipped with a self latching device at least 1.1 metres (3.6 feet) above the grade, and
  - iv. Be located so that the bottom of the gate be elevated by no more than 10.28 centimetres (4.1 inches) above grade.
- g. Enclosures shall:
  - i. Not exceed 2.4 metres (7.9 feet) in height; and
  - ii. Not be located in the required front and / or flankage yards.
- 4. The walls of an above ground swimming pool may form part of the enclosure if:
  - a. The vertical walls of an above ground pool are at least 1.5 metres (4.9 feet) in height and do not possess any horizontal members that may facilitate climbing, and
  - b. The ladder area, or deck that provides access to the above ground pool is enclosed by a gated enclosure that complies with the requirements for enclosures set out in this section.

## 4.4 AGGREGATE EXTRACTION USES

### 4.4.1 APPLICATION FOR A QUARRY

The following information shall be submitted for the development of a quarry:

1. A copy of the Approval to Operate issued by the appropriate Provincial agency, if required.
2. A site plan of the extraction site.
3. A site rehabilitation plan.
4. A final perimeter of the extraction area.
5. A location and design of the entrance to the site.

### 4.4.2 STANDARDS FOR AGGREGATE EXTRACTION USES

1. The following standards are required for an aggregate extraction use:

	Minimum Distance from the Operating Perimeter of a Quarry	Minimum Distance from the Operating Perimeter of a Gravel Pit
Residential Zone	200 metres (656 feet)	30 metres (98.4 feet)
Foundation of a full-time residential, industrial, institutional, or commercial building located on an adjacent property	100 metres (328 feet)	60 metres (197 feet)
Other Zones	30 metres (98.4 feet)	30 metres (98.4 feet)
Public Road	30 metres (98.4 feet)	30 metres (98.4 feet)
Watercourse or Wetland*	60 metres (197 feet)	30 metres (98.4 feet)
Other requirements	In accordance with the Provincial approval process	

\*Aggregate Extraction Uses that involve the harvesting of peat are exempt from this setback

2. The operating perimeter of a quarry shall be located 600 metres (1,968 feet) from any Drinking Water Supply Well and / or Public Water Distribution System unless written permission has been obtained by the well owner or the District.
3. An undisturbed buffer strip of 30 metres (98.4 feet) in width, or as prescribed by a Provincial Approval to Operate, will be maintained between the operating perimeter of a quarry and any lot.
4. Any site used for a quarry will be kept clean of construction residue, domestic refuse, abandoned vehicles and equipment, and all other scrap and waste materials.
5. A barricade such as a fence or berm shall be put in place around any quarry that has a vertical face slope steeper than 60 degrees from horizontal and in excess of 4 metres (13.1 feet) in height.
6. Signage will be posted around the perimeter of a quarry and visible from any access, warning people of any dangerous situations within the operation, including but not limited to blasting, heavy equipment operation, open pools, and moving vehicles.
7. With the exception of quarries and gravel pits located on Crown Land, gates shall be required at all entrances and exits of a quarry.

## 4.5 AGRICULTURAL OPERATIONS

Where permitted, an agricultural operation is subject to the approval or exemption of the Livestock Operations Act.

## 4.6 BED & BREAKFAST ESTABLISHMENTS

Where permitted, a Bed & Breakfast is subject to the following:

1. A bed and breakfast shall not be conducted in a dwelling or on a lot that also contains shared housing, supportive housing, day home, or a secondary or garden suite use.
2. Parking shall be provided in accordance with section 4.25.
3. A bed and breakfast shall be limited to a maximum of six sleeping rooms.

## 4.7 CONVERTED DWELLINGS

Where permitted, a one-unit dwelling may be converted to a two-unit or multiple dwelling, subject to the following:

1. The building shall have been originally constructed as a one or two-unit dwelling.
2. There shall be no change to the exterior appearance of the building that would indicate the building has been converted to accommodate additional units.
3. There shall be a minimum of one parking space per dwelling unit in addition to those required by any other uses on the lot.
4. Parking shall not be provided in any required front, side, or rear yard.
5. No alteration may be undertaken that extends the use into the front yard.
6. The lot may not contain a day care or supportive housing use.

## 4.8 DAY CARES & DAY HOMES

### 4.8.1 DAY HOMES

A day home may be permitted as a Home Occupation in a one- or two-unit dwelling, town or row house dwelling, or mini home subject to the following:

1. A day home shall comply with the Province's day care regulations;
2. Any fenced, outdoor play area shall be in the rear or side yard;
3. A day home shall provide an off-street

drop-off area so as to limit the obstruction of passing traffic, and conform with the parking provisions outlined in section 4.25; and

4. No bed and breakfast, garden suite, secondary suite, or supportive housing is permitted in any building on the lot.

### 4.8.2 DAY CARE CENTRES

A day care centre shall be subject to the following:

1. A Day Care Centre shall comply with the Province's day care regulations.
2. Any fenced or outdoor play area shall be in the rear or side yard.
3. Notwithstanding (2), a fenced, outdoor play area may be located in the front yard when the distance from the front property line to the fenced, outdoor play area is equal to or greater than the minimum required setback for the zone.
4. One on-site parking space shall be provided for every ten children.
5. Pick-up and drop-off of children must occur on-site.

## 4.9 DEVELOPMENT NEAR A WATERCOURSE, WETLAND, LAKE OR HIGH WATERMARK

Any development within 30 metres (98.4 feet) of a wetland or the banks of a watercourse shall be subject to the regulations of the Province of New Brunswick.

## 4.10 DWELLINGS PER LOT AND MINIMUM DWELLING SIZE

### 4.10.1 DWELLINGS PER LOT

No more than one main building containing one or more dwelling units shall be erected on any lot, except for the following:

1. In a mini-home park;
2. In a group dwelling; or
3. In the Rural or Rural Residential zones, where each dwelling is located such that the lot could be subdivided in compliance with all applicable by-laws respecting minimum lot size, frontage, setbacks, and lot configuration.

### 4.10.2 MINIMUM DWELLING SIZE

Within the Community Node land use designation identified in Schedule A: Future Land Use Map of the District's Municipal Plan, no building shall be constructed for the purpose of a one-unit dwelling, rowhouse dwelling, semi-detached dwelling, mini-home, or manufactured dwelling unless the proposed unit has a minimum gross floor area of 69.7 m<sup>2</sup> (750 ft<sup>2</sup>).

## 4.11 EXISTING BUILDINGS & UNDERSIZED LOTS

### 4.11.1 EXISTING BUILDINGS

A building that has been erected on or before the effective date of the adoption of this By-law on a lot that has less than the required

minimum lot area, frontage, or depth, or having less than the minimum front, side or rear yard setback required by this By-law, may be enlarged, reconstructed, repaired, or renovated, provided that:

1. The enlargement, reconstruction, repair, or renovation does not further reduce the front, side, or rear yards, and
2. All other applicable provisions of this By-law are satisfied.

### 4.11.2 EXISTING UNDERSIZED LOTS

This By-law does not prevent the use of an existing lot that does not meet the required minimum lot area of the zone in which it is located, provided:

1. The proposed use of the lot is permitted in the zone; and
2. The front, side, and rear yard setbacks, height, lot coverage and all other relevant requirements of the zone are maintained.

## 4.12 FILLING AND EXCAVATION

No person may strip, excavate, or otherwise remove the topsoil, for sale or for use, from a lot or other parcel of land, except:

1. In connection with the construction of a building structure, quarry, or pit site, if there is an excess of topsoil other than that required for grading and landscaping; or
2. If the activity satisfies the requirements of Provincial regulations.

## 4.13 GARDEN SUITES

Where permitted, a garden suite shall:

1. Be secondary to a one-unit dwelling or mini home;
2. Be located in the side or rear yard and behind the building line of the main dwelling;
3. Have a maximum ground floor area of 72 square metres (775 ft<sup>2</sup>);
4. Have a maximum height of 9 metres (30 feet) but not be taller than the main dwelling;
5. A mini home may be used as a garden suite in the Rural Residential and Rural zones;
6. Where the property is connected to municipal water and/or sanitary systems, a Garden Suite shall be connected to the main dwelling and shall not be connected to independent laterals at the street;
7. Where municipal water and/or sanitary systems do not exist, a Garden Suite shall be connected to a private septic system approved by the Department of Public Safety;
8. No vehicle bodies, recreational vehicles, or shipping containers may be used as a garden suite; and
9. Notwithstanding subsection (9), a shipping container may be used as a building material for a garden suite if the construction drawings are reviewed and stamped by a Professional Engineer and all other provisions of this section are met.

## 4.14 HEIGHT RESTRICTIONS

The maximum height of buildings and structures prescribed in the zones of this By-law, unless otherwise indicated, shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television, telephone or radio antennae, ventilators, chimneys, clock towers, cupola, solar collectors, or wind turbines.

## 4.15 HOBBY FARMS

A Hobby Farm may be established in the Rural and Rural Residential zones subject to the following:

1. The hobby farm shall be clearly accessory to the main use; and
2. The hobby farm shall not change the residential character of the premises.

## 4.16 HOME INDUSTRY

Where permitted, a home industry is subject to the following:

1. A home industry may be considered a second main use on a lot that contains a one-unit dwelling or mini home.
2. A home industry may be used for, but without limiting the generality of the foregoing, a shop for carpentry, electric equipment repair, woodworking, window framing, welding, plumbing, machine or auto repair riding, stables, a service shop, and storage building for vehicles, equipment, and commodities, a kennel, or similar uses.
3. A home industry shall be located within a separate building from the main dwelling.
4. A home industry shall conform to the rules of the zone it is proposed within.
5. Outdoor storage shall be in accordance with section 4.24.
6. A sign shall be permitted in accordance with Section 4.31.
7. Parking shall be provided in accordance with section 4.25.
8. A home industry shall be located on the same property as the principal residence of the operator.

## 4.17 HOME OCCUPATION

### 4.17.1 CLASS 1 HOME OCCUPATION

Where permitted, a Class 1 Home Occupation may be permitted as a secondary use within a one-unit or two-unit, town or rowhouse, or mini-home dwelling or an accessory building subject to the following conditions:

1. That there are no additional employees beyond those that reside within the subject dwelling unit;
2. That the Class 1 Home Occupation be clearly secondary to the residential use and may include, but without limiting the generality of the foregoing; a professional office, a personal service shop, an educational service, a craft studio, a day home, and a small-scale general service shop, such as computer repair, and similar uses;
3. That the residential character of the land, building or structure be maintained;
4. That the service not generate sewage in excess of what can be accommodated by the existing sewage disposal system;
5. That the service not produce inordinate amounts of water or create excessive noise, fumes, dust, vibration, glare, electronic interference, or odor;

6. That a sign be placed in accordance with section 4.31;
7. That off-street parking be in accordance with section 4.25;
8. That no more than 35% of the floor area of the subject dwelling shall be devoted to the home occupation, with the exception of a day home;
9. That no more than 60 square metres (650 ft<sup>2</sup>) of the floor area of the accessory building or structure shall be devoted to the Home Occupation; and
10. That the Home Occupation only supply or sell goods and services that are produced on site.

#### 4.17.2 CLASS 2 HOME OCCUPATION

Where permitted, a Class 2 Home Occupation may be permitted as a secondary use within a one-unit dwelling or an accessory building subject to the following conditions:

1. That not more than two people are engaged therein in addition to those residing in the subject dwelling;
2. That the Home Occupation may include, without limiting the generality of the foregoing, a Class 1 Home Occupation, a workshop, a trades business (i.e., carpenter, electrician, plumber, etc.), small engine repair, furniture repair, pet grooming, or similar uses;
3. That the residential character of the land, building, or structure be maintained;

4. That a sign be placed in accordance with section 4.31;
5. That the outdoor storage of supplies, materials or products be screened from view from the street and neighbouring properties and not exceed 250 square metres (2,690 ft<sup>2</sup>) in area;
6. That the service not generate sewage in excess of what can be accommodated by the existing sewage disposal system;
7. That off-street parking be in accordance with section 4.25;
8. That no more than 35% of the floor area of the subject dwelling shall be devoted to the Home Occupation, with the exception of a day home; and
9. That no more than 120 square metres (1,290 ft<sup>2</sup>) of the floor area of an accessory building or structure shall be devoted to the Home Occupation.

### 4.18 INDUSTRIAL DEVELOPMENT STANDARDS

#### 4.18.1 BUFFERING

1. Where a permitted use in the Light Industrial zone abuts a Residential, Commercial, Mixed Use, or Institutional Zone:
  - a. The lot line abutting a Residential, Commercial, Mixed Use or Institutional Zone shall consist of a landscaped buffer and must be:
    - i. 5 metres (16.5 feet) wide when the permitted use is an industrial or manufacturing use.

- ii. 3 metres (9.8 feet) for any other use permitted in the Light Industrial Zone.
- b. The part of the abutting property that is being used for industrial purposes including any buildings, structures, parking, outdoor display, or outdoor storage, shall be screened:
  - i. With opaque fencing no less than 2 metres (7 feet) in height, or
  - ii. With opaque natural vegetation no less than 2 metres (7 feet) in height, or
  - iii. A combination of (i) and (ii).
- 2. Where a permitted use in the Heavy Industrial Zone abuts a Residential, Commercial, Mixed Use, or Institutional Zone:
  - a. The lot line abutting a Residential, Commercial, Mixed Use, or Institutional Zone shall consist of a landscaped buffer of at least:
    - i. 25 metres (82 feet) for any industrial or manufacturing use, agricultural use, fabrication, and processing facility, recycling depot, or a salvage yard.
    - ii. 10 metres (33 feet) for any other use permitted in the Heavy Industrial Zone.
  - b. The part of the abutting property that is being used for industrial purposes including any buildings, structures, parking, outdoor display, or outdoor storage shall be screened:
    - i. With opaque fencing no less than 2 metres (7 feet) in height, or

#### **4.18.25 SALVAGE YARD OR RECYCLING DEPOT**

Where land is used for the exterior storage of scrap, recycling, or automotive materials, the following standards shall apply:

1. The whole of the area used for outdoor storage shall be surrounded by an opaque fence, not less than 3 metres (9.8 feet) and not greater than 5 metres (16.5 feet) in height.
2. The fence must be located at least 6 metres (19.7 feet) from the front lot line and 1.5 metres (4.9 feet) from the side or rear lot lines, and the land between the fence and any lot line not required for entrance and exit driveways shall be landscaped and maintained; and no material shall be piled higher than the height of the surrounding fence.

#### **4.19 KEEPING OF HENS**

The keeping of hens is permitted as an accessory use on a lot containing a one-unit dwelling or mini-home having a minimum lot size of 1100 m<sup>2</sup>. The following additional conditions shall apply within a residential (R1 and R2) zone:

- a. No more than six hens are kept at any given time;
- b. Male fowl are not to be kept at any time;
- c. Chickens may not run at large;
- d. Chicken enclosures shall contain an enclosed, roofed coop connected to a run that shall be fully enclosed, and shall be designed and constructed to ensure proper ventilation and provide significant space for the hens;
- e. Coops and associated runs must be a minimum of 3 metres (9.8 feet) from any potable water well and must comply with the minimum setback requirements of the applicable zone;
- f. Coops and associated runs may not be located within the front yard of the property and shall be visually screened from a public street;
- g. Coops shall be maintained so as not to cause a nuisance to neighbouring properties;
- h. The sale of eggs is not permitted; and
- i. Slaughter or disposal of chickens on site is prohibited.

## 4.20 LANDSCAPING, LIGHTING, AND AMENITY SPACE

### 4.20.1 LANDSCAPING

1. The owner of a lot developed for residential purposes shall landscape the front yard of the main building with reasonable accommodation for a driveway and walkway access; and
2. Landscaping shall consist of a lawn and may include paths, patios, walkways, a driveway, trees, and ornamental features.

### 4.20.2 LIGHTING

1. Industrial, Commercial, or similar uses interior or exterior lighting or lighted signs, shall not be of such intensity, located or directed in such a way, so as to produce glare on public streets or neighboring property; and
2. Lighting provided for pedestrian or active transportation trails shall be illuminated with a shielded light source.

### 4.20.3 LIGHTING IN AN INDUSTRIAL ZONE

Where an industrial zone abuts a residential use, outside illumination shall be directed away from such residential use. Outside illumination fixtures should be full cut-off fixtures, not emitting any light above a horizontal plane drawn through the bottom of the lighting fixture. The Development Officer may require glare guards, lower wattage lights, and other measures to rectify any light pollution infraction.

## 4.21 LOCATION OF BUILDINGS AND STRUCTURES ON A LOT

1. No building or structure may be placed, erected, or altered so that any part of it is within:
  - a. 15 metres (49.2 feet) from the boundary of an arterial or collector highway or
  - b. 7.5 metres (24.6 feet) from the boundary of a street or highway other than an arterial or collector highway, unless otherwise stated in the zone.
2. Notwithstanding (a), a building or structure may be placed, erected, or altered so that it is:
  - a. as near a boundary of a street or highway as existing buildings or structures provided that the existing buildings or structures are on each side of and immediately adjacent to, such building or structure; and
  - b. the nearest side of each existing building or structure, immediately adjacent thereto, will be within 30metres (98.4 feet) of the nearest side of the building or structure to be placed, erected or altered.

## 4.22 MULTIPLE USES

1. Unless otherwise prescribed, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied.
2. Where any land or building is used for more than one purpose and more than one standard applies, the more stringent standard shall prevail.

## 4.23 MULTI-UNIT DWELLINGS, TOWN HOUSES AND GROUP DWELLINGS

1. The following standards apply to any group dwelling units:
  - a. That a group dwelling unit shall not exceed 92 square metres (1,000 ft<sup>2</sup>) in gross floor area and be placed on a permanent foundation.
  - b. That it shall be developed as a bare-land condominium that complies with all Provincial regulations and registration requirements under the Condominium Property Act.
  - c. That, for a development proposed in an area not connected to a municipal water supply (i.e., unserviced areas), a hydrogeological study or well yield test shall be submitted by a qualified professional, confirming that the proposed development can be adequately serviced without negatively impacting adjacent properties.
2. The following standards apply to any series or group of townhouse or rowhouse dwellings:
  - a. No group or series shall contain more than six dwelling units with the same or approximately the same front line, and the front façade shall be articulated at regular intervals to provide visual distinction between units.
  - b. No group or series shall exceed 65 metres (213.3 feet) in continuous building length.
  - c. No side wall of a townhouse or rowhouse dwelling shall be placed, erected, or altered so that any part of such wall is closer than 7 metres (23 feet) or the height of the building (whichever is greater) to the side wall of another townhouse or rowhouse.
  - d. Where individual townhouse or

rowhouse units are to be subdivided by party wall, easements shall be established to ensure access to the rear yard of each unit. Easements are not required where the entire group of units is to be maintained on a single lot.

3. No multiple-unit dwelling may be placed, erected, or altered so that it contains a dwelling unit with a gross floor area less than:

- 32 square metres (350 ft<sup>2</sup>) in the case of a bachelor apartment;
- 41 square metres (450 ft<sup>2</sup>) in the case of a one-bedroom dwelling unit;
- 55 square metres (600 ft<sup>2</sup>) in the case of a two-bedroom dwelling unit; or
- 66 square metres (700 ft<sup>2</sup>) in the case of a dwelling unit containing three or more bedrooms.

4. For residential developments containing six or more dwelling units, the applicant shall, unless otherwise approved by the Development Officer, submit a site plan that includes:

- Building footprints and proposed setbacks;
- Internal circulation, including driveways, parking areas;
- Garbage storage locations;
- Snow storage areas;
- Preliminary lot grading and drainage concept;

f. Where the lot is located outside the District Centre, Local Centre, or Mixed Use zones and abuts a Neighbourhood Residential (R1) Zone, details of screening between the multi-unit dwelling and the adjacent residential lot in accordance with the following:

- Screening may consist of existing vegetation or structures if sufficient to screen the lot from adjacent properties.
- Where insufficient, screening shall consist of a landscaped buffer at least 4 metres (13.1 feet) wide located along the shared lot line, consisting of trees, shrubs, fencing, or berms designed to provide year-round screening.

5. For residential developments containing ten or more dwelling units, the developer shall, unless otherwise approved by the Development Officer, provide:

- A site plan including those requirements listed in (c) and (d);
- A stormwater management plan stamped by a professional engineer;
- For developments proposed in areas not connected to a municipal water supply (i.e., unserviced areas), a hydrogeological study or well yield test, prepared by a qualified professional, confirming that the proposed development can be adequately serviced without negatively impacting adjacent properties

d. For developments proposed in municipally serviced areas, written confirmation from the municipality that sufficient water and wastewater capacity exists to service the proposed development.

6. Where a multi-unit dwelling is proposed outside the District Centre (DC), Local Centre (LC), and Mixed Use (MU) Zones, and the lot abuts a Neighbourhood Residential (R1) Zone, the following height transition standards shall apply:

- a. Any portion of the building within 12 metres (39.4 feet) of the shared lot line shall not exceed two storeys and a maximum height of 9 metres (30 feet).
- b. Any portion between 12 (40 feet) and 15 metres (49.2 feet) from the shared lot line shall not exceed three storeys and a maximum height of 12 metres (39.4 feet).
- c. Any portion more than 15 metres (49.2 feet) from the shared lot line may be built to the maximum height permitted in the zone, but not exceeding four storeys and 15 metres (49.2 feet).
- d. Notwithstanding any height standard otherwise permitted in the applicable zone, the height limits set out in this section shall apply to all multi-unit dwellings on lots abutting a Neighborhood Residential (R1) Zone.

7. Multi-unit dwellings located in the Rural zone shall not exceed four dwelling units per lot unless the lot is connected to a public sewer system, in which case the maximum number of dwelling units shall not exceed 18 dwelling units per lot.

## 4.24 OUTDOOR STORAGE

Where any portion of any lot in any District Centre (DC), Local Centre (LC), and Mixed Use (MU), and General Commercial Zone is to be used for outdoor storage, the following shall apply:

1. Any area devoted to open storage shall not exceed 50% of the lot area;
2. No outdoor storage shall be permitted within any required front yard; and
3. No outdoor storage shall be permitted within any yard where such yard abuts any Residential zone or residential use, except where a fence or other visual and physical barrier is provided within the abutting yard.

## 4.25 PARKING AND LOADING

### 4.25.1 PARKING STANDARDS

- For the following uses, on-site parking shall be provided in the amounts indicated unless otherwise specified in this By-law:

Use	Minimum Number of Required Parking Spaces
One, Two, Town or Rowhouse, and Converted Dwellings	1 per unit
Multiple Unit Dwelling	1.25 per unit
Secondary or Garden Suite	1 per unit
Shared Dwelling or Bed & Breakfast	1.5 per two bedrooms
Retail, Service, Personal Service greater than 1,000 square metres (10,764 ft <sup>2</sup> ) of gross floor area	1 for each 40 square metres (431 ft <sup>2</sup> ) of gross floor area
Retail, Service, Personal Service less than 1,000 square metres (10,764 ft <sup>2</sup> ) of gross floor area	1 for each 35 square metres (377 ft <sup>2</sup> ) of gross floor area
Office Use	1 for each 50 square metres (538 ft <sup>2</sup> ) of gross floor area

Restaurant	1 per 10 square metres (108 ft <sup>2</sup> ) of gross floor area
Home Occupation and Home Industry	1.25 for each employee in addition to the required parking of the dwelling
Motels, Hotels, or Inns	1.25 per unit
Institutional Use	1 for each 10 square metres (108 ft <sup>2</sup> ) of gross floor area
School	3 per classroom, or in the case of a high school, 4 spaces per classroom
Hospital, Supportive Housing, Supportive Care Facility	1 per 37 square metres (399 ft <sup>2</sup> ) of gross floor area
Day Care Centre	1 per 25 square metres (270 ft <sup>2</sup> ) of gross floor area
Medical or Veterinary Clinic	5 spaces per doctor or veterinarian
Industrial or Manufacturing Uses, Recycling Depot, Warehouse	2 spaces per 100 square metres (1,076 ft <sup>2</sup> ) of gross floor area
A use or development not specified in this section	1 per 30 square metres (323 ft <sup>2</sup> ) of gross floor area

2. A parking area within the District Centre zone consisting of more than ten parking stalls is required to be paved and all parking stalls delineated with painted lines;
3. Notwithstanding subsection (2), a parking area within any other zone consisting of more than 30 parking stalls may be required to be paved and all parking stalls delineated;
4. A parking area shall have unobstructed access to a public street;
5. A parking area shall be located on the same lot as or within 150 metres (492 feet) of the use the parking is associated with;
6. Notwithstanding any other provision in this By-law, parking areas located in the rear yard of a Rural, Light Industrial, Heavy Industrial, or Institutional Zones are not required to be paved;
7. A parking lot for 50 or more parking spaces shall delineate a pedestrian crossing area with paint to ensure the safe movement of pedestrians through the area; and
8. A minimum of one additional barrier free parking space shall be provided where ten standard parking spaces are provided; and one additional barrier free parking space for every additional 25 parking spaces.

#### 4.25.2 LOADING STANDARDS

A loading space not less than 9 metres (30 feet) long, 3.5 metres (11.5 feet) wide, and 4 metres (13.1 feet) high with access thereto

shall be required for every building or structure used for any purpose involving the receipt or distribution of goods, animals, salvage, materials, or commodities.

#### 4.26 PERMITTED ENCROACHMENTS

Unless otherwise indicated in a particular zone, every part of any yard setback required by this By-law shall be open and unobstructed by any structure subject to the following:

1. Projections of sills, cornices, eaves gutters, chimney breasts, pilasters, canopies, or other architectural features as well as solar panels may be constructed in any yard provided that no such feature shall project more than 0.6 metres (2 feet) into a front or side yard setback and 2 metres (7 feet) into the required rear yard setback. This also includes fire escapes, exterior staircase, porches, verandahs, and decks;
2. Window bays may be permitted to project a maximum of 1 metre (3.3 feet) into a required yard setback; and
3. Uncovered patios or steps shall not project further than 0.8 metres (2.6 feet) into a required side yard setback.

#### 4.27 RESIDENTIAL DEVELOPMENT NEAR A LAGOON OR TREATMENT PLANT

The separation between lagoons and residential uses and other uses will be in accordance with Provincial guidelines and regulations.

## 4.28 SECONDARY SUITES

Where permitted by this By-law, a one-unit, two-unit, rowhouse, or townhouse dwelling may also contain a Secondary Suite subject to the following:

1. The Secondary Suite shall not exceed 40% of the gross floor area of the main dwelling unit or 75 square metres (807 ft<sup>2</sup>), whichever is less;
2. The presence of the Secondary Suite shall not change the exterior appearance of the main building; and
3. One on-site parking space shall be provided for the Secondary Suite.

## 4.29 SEPARATION DISTANCES FOR SPECIFIC USES

Unless such uses are permitted on the same lot, any of the following operations shall be setback from any residential or institutional uses by the distances prescribed below:

1. Livestock operation – in accordance with the *Livestock Operations Act*
2. Asphalt plant – 500 metres (1,640 feet)
3. Salvage yard – 200 metres (656 feet)
4. Sawmill – 200 metres (656 feet)
5. Waste composting operation – 500 metres (1,640 feet).

## 4.30 SHARED DWELLINGS

A shared dwelling is subject to the following requirements:

1. Accommodations for compensation are provided for no more than six persons;
2. No Supportive Housing, Home Occupation, or Day Home use be permitted on the same lot;
3. The exterior of the building is not altered or, if newly constructed, the shared dwelling shall reasonably meet the established character of the surrounding neighbourhood, including façade design, cladding material, and building massing;
4. Parking is provided at the rear or the side of the building;
5. No sign advertising the existence of the shared dwelling house shall be displayed except a sign permitted in a residential zone by Section 4.31; and
6. May be used as Workers Housing, provided it complies with the requirements of this section and the applicable zone standards.

## 4.31 SIGNS

### 4.31.1 GENERAL PROVISIONS FOR SIGNS

1. Other than a traffic control device as defined by the Motor Vehicle Act, or a legal notice, no sign may be placed, erected, or displayed on any land, building, or structure.
2. No person shall erect a sign without first obtaining a permit from the Development Officer and no permit to erect a sign shall be issued unless all the sign provisions

of this By-Law are satisfied, with the exception of a sign placed pursuant to section 4.31.2.

3. The use of land or building or structure for the purpose of placing, erecting, or displaying a sign not expressly permitted by this section is permitted only in compliance with terms and conditions.
4. No sign shall be illuminated intermittently or incorporate flashing in any way other than a traffic control device as defined by the Motor Vehicle Act.
5. The Development Officer has the discretion to require the removal of any sign or parts thereof when the sign is unsightly, not in good state of repair or may constitute a hazard.
6. A Home Occupation or Home Industry sign is limited to a maximum of one sign per lot.

#### 4.31.2 SIGNS PERMITTED IN ALL ZONES

Notwithstanding anything else in this By-law, the following signs shall be permitted in any land use zone and do not require a permit from the Development Officer:

1. A real estate sign with an area not exceeding 2 square metres (22 ft<sup>2</sup>) in a Residential Zone or 3 square (33 ft<sup>2</sup>) in any other zone. A real estate sign shall be placed on the property that it is advertising.
2. A sign associated with a special event or public election shall not exceed 3 square metres (33 ft<sup>2</sup>) in total are of the sign's faceand shall be removed within seven days after the event.

3. A directional sign subject to the following:
  - a. A maximum of one directional sign for each entrance, exit, and drive through lane is permitted;
  - b. A directional sign that includes a logo, limited to the purpose of directing vehicle and pedestrian traffic to an access or driveway on the same lot;
  - c. A directional sign shall not exceed a maximum sign face area of .5 square metres (54 ft<sup>2</sup>);
  - d. A directional sign shall not exceed 1.5 metres (4.9 feet) in height;
  - e. All directional signs shall have a minimum setback of 1.5 metres (4.9 feet) from a front, flankage, or side lot line and a minimum setback of 1 (3.3 feet) from the edge of a paved or painted lane, access, or driveway.
4. A point-of-purchase sign .
5. An entrance identification sign.
6. A public welfare or safety sign authorized by the District or Province including a directional or traffic sign outside of a public street or right-of-way.
7. A sign identifying a hazard or danger on a lot.
8. A memorial or foundation sign on a building.
9. A sign that identifies the address of a residence, the name of the resident, or a sign regulating the conduct of a person on the lot, provided such a sign does not exceed 0.5 metres (1.64 feet) in total sign face area.

residence, the name of the resident, or a sign regulating the conduct of a person on the lot, provided such a sign does not exceed 0.5 metres (1.64 feet) in total sign face area.

10. A flag, banner, or emblem representing a country, province, municipality, or non-commercial organization.

11. A sign affixed to a licensed taxicab or car service.

#### **4.31.3 SIGNS PROHIBITED IN ALL ZONES**

Except as otherwise provided in this By-law, the following signs are not permitted:

1. A temporary or mobile sign that is not affixed to the ground, a building, or structure.
2. A third-party sign advertising an activity, business, product, or service not conducted on the lot or premises where the sign is located, except for Billboards in accordance with Section 4.31.4.
3. A sign shall not use words or lights that may mislead, confuse, or interfere with traffic along a public street other than a traffic control device defined under the Motor Vehicle Act.

#### **4.31.3 BILLBOARD SIGNS**

A billboard sign may be placed, erected, or displayed subject to the following requirements:

1. A Billboard Sign shall be permitted only in the Industrial and Rural Zones.
2. A Billboard Sign's face shall not exceed a width greater than 10 metres (33 feet) or a height greater than 4 metres (13.1 feet).
3. A Billboard Sign shall not be located in any required front, flankage, rear, or side yard.
4. A Billboard Sign shall not be within 250 metres (820 feet) of another Billboard Sign.
5. Notwithstanding subsection (4) two Billboard Signs may be located together as a unit if the total sign face width does not exceed 15 metres (49.2 feet).
6. A Billboard Sign oriented towards a Provincial Highway is subject to Provincial approval.

#### **4.31.5 AWNING AND CANOPY SIGNS**

Awning / Canopy signage is permitted in any non-residential zone and is subject to the following requirements:

1. An awning sign shall be attached below the level of the second-floor windows of a building;
2. An awning sign shall have a minimum clearance of 2.5 metres (8.2 feet) above a sidewalk or walkway; and
3. An awning sign shall not exceed a maximum projection of 1 metre (3.3 feet) over a sidewalk or walkway.

## 4.31.6 GROUND SIGNS

### 4.31.6.1 GENERAL PROVISIONS FOR GROUND SIGNS

1. All Ground Signs shall be located no closer to a street line than the lesser of:
  - a. 3 metres (9.8 feet);
  - b. The required front yard of the zone; or
  - c. No closer to a side or rear lot line than 1.5 metres (4.9 feet).
2. The height of a Ground Sign shall not exceed the maximum height permitted in the zone in which the sign is located.
3. Ground Signs in Residential Zones and the Environmental Conservation Zone shall not be illuminated from within. Any illumination shall be downcast upon the sign to lessen impact on the surrounding environment.

### 4.31.6.2 GROUND SIGNS IN RESIDENTIAL ZONES

A Ground Sign shall only be permitted in a Residential Zone with the following maximum sign face area:

1.	Day Home, Home Occupation, or Supportive Housing	0.5 square metres (5.4 ft <sup>2</sup> ) for each face
		1 square metre (11 ft <sup>2</sup> ) total all faces

2.	Shared Dwelling	1 square metre (11 ft <sup>2</sup> ) for each face
		2 square metres (22 ft <sup>2</sup> ) total of all faces
3.	Bed and Breakfast	1.5 square metres (17 ft <sup>2</sup> ) for each face
		3 square metres (33 ft <sup>2</sup> ) total of all faces
4.	Other purpose	0.25 square metres (2.7 ft <sup>2</sup> ) for each face
		0.5 square metres (5.4 ft <sup>2</sup> ) total of all faces

### 4.31.6.3 GROUND SIGNS IN COMMERCIAL ZONES

A Ground Sign shall only be permitted with the following maximum sign face area:

1.	In the District Centre or Local Centre Zone	3 square metres (33 ft <sup>2</sup> ) for each face
		6 square metre (65 ft <sup>2</sup> ) total all faces
2.	In the Mixed-Use Zone	7.5 square metre (81 ft <sup>2</sup> ) for each face
		15 square metres (161 ft <sup>2</sup> ) total of all faces

3.	In the General Commercial Zone	5 square metres (54 ft <sup>2</sup> ) for each face  10 square metres (108 ft <sup>2</sup> ) total of all faces
4.	Other purpose	2.5 square (27 ft <sup>2</sup> ) metres for each face  5 square metres (54 ft <sup>2</sup> ) total of all faces

3.	In the Parks and Recreation Zone	5 square metres (54 ft <sup>2</sup> ) for each face  10 square metres (108 ft <sup>2</sup> ) total of all faces
4.	In the Environmental Conservation Zone	2.5 square metres (27 ft <sup>2</sup> ) for each face  5 square metres (54 ft <sup>2</sup> ) total of all faces
5.	In the Rural Zone	3 square metres (33 ft <sup>2</sup> ) for each face  6 square metres (65 ft <sup>2</sup> ) total of all faces

#### 4.31.6.4 GROUND SIGNS IN OTHER ZONES

1.	In an Industrial Zone	9 square metres (97 ft <sup>2</sup> ) for each face  18 square metres (194 ft <sup>2</sup> ) total all faces
2.	In the Institutional Zone	5 square metres (54 ft <sup>2</sup> ) for each face  10 square metres (108 ft <sup>2</sup> ) total of all faces

#### 4.31.7 PROJECTING WALL SIGNS

Projecting Wall Signs are permitted in all Commercial Zones, the Industrial Zone, and the Institutional Zone and are subject to the following requirements:

1. The Projecting Wall Sign shall be no larger than 2 square metres (22 ft<sup>2</sup>) in size;
2. The sign shall not exceed a projection of 1.5 metres (4.9 feet) from the building; and
3. The sign shall be no less than 2.5 metres (8.2 feet) high at its lowest point.

#### 4.31.8 WALL SIGNS

##### 4.31.8.1 GENERAL PROVISIONS FOR WALL SIGNS

1. A Wall Sign shall be parallel to the wall to which it is affixed.
2. A Wall Sign shall not cover a fence or roof.
3. Wall Signs in a Residential zone shall be placed on a wall oriented towards the street.
4. Wall Signs in Residential Zones and the Environmental Conservation Zone shall not be illuminated from within. Any illumination shall be downcast upon the sign to lessen impact on the surrounding environment;
5. No sign shall be illuminated intermittently or incorporate flashing in any way.

##### 4.31.8.2 WALL SIGNS IN RESIDENTIAL ZONES

A Wall Sign shall only be permitted in a Residential Zone with the following maximum sign face area:

1.	Day Home, Home Occupation, Home Industry, Supportive Housing, Shared Dwelling	0.5 square metres (5.4 ft <sup>2</sup> )
2.	Other	0.25 square metres (2.7 ft <sup>2</sup> )

##### 4.31.8.3 WALL SIGNS IN COMMERCIAL ZONES

A Wall Sign shall only be permitted with the following maximum sign face area:

1.	District Centre and Local Centre Zone	0.5 square metres (5.4 ft <sup>2</sup> ) per metre of occupied building frontage for every business with an external public entrance
2.	Mixed Use Zone	0.7 square metres (7.5 ft <sup>2</sup> ) per metre of lot frontage Or 0.7 square metres (7.5 ft <sup>2</sup> ) per metre of occupied building frontage for every business with an external public entrance

3.	General Commercial Zone	0.5 square metres (5.4 ft <sup>2</sup> ) per metre of lot frontage  Or  0.5 square metres (5.4 ft <sup>2</sup> ) per metre of occupied building frontage for every business with an external public entrance
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#### 4.31.8.4 WALL SIGNS IN OTHER ZONES

1.	Industrial Zones	0.5 square metres (5.4 ft <sup>2</sup> ) per metre of lot frontage
2.	Institutional Zone	0.7 square metres (7.5 ft <sup>2</sup> ) per metre of lot frontage
3.	Parks and Recreation Zone, Environmental Conservation Zone, Rural Zone	0.25 square metres (2.7 ft <sup>2</sup> ) per metre of lot frontage

#### 4.31.9 CONSTRUCTION SIGNS

1. Notwithstanding section 4.31.3, nothing in this By-law shall prevent the placement of a sign that identifies the architects, engineers, contractors, or other professional individuals or firms involved with a development occurring on the same lot, or an announcement concerning

proposed development on the same lot.

2. A construction sign shall not advertise any product.
3. A construction sign shall be removed within 14 days of the beginning of the intended use of the construction.
4. A construction sign:
  - a. Shall not exceed 1.11 square metres (12 ft<sup>2</sup>) in area for each firm; and
  - b. Shall not, in total, exceed 5.57 square metres (60 ft<sup>2</sup>) in area.

#### 4.31.10 ELECTRONIC SIGNS

Notwithstanding section 4.31.3, an electronic message board sign may be erected subject to the following requirements:

1. Electronic Signs are permitted subject to terms and conditions in all non-residential zones;
2. Electronic Signs are prohibited in Residential zones;
3. Only one electronic message board sign shall be permitted per lot;
4. Messages shall be static images displayed for at least ten seconds;
5. Message transitions shall not strobe, flash, or be animated;
6. An electronic message board shall adjust in brightness between daytime and nighttime and shall be of a reduced brightness in the nighttime; and

- Where permitted, an electronic message board shall not exceed a maximum total sign face area of 4.25 square metres (46 ft<sup>2</sup>).

#### **4.32 STANDARDS FOR MINI HOMES**

Notwithstanding any other provision of this By-law, where permitted, a mini home shall meet the following requirements:

- The mini home must be placed, erected, or altered in accordance with CSA standards and approved by the Building Inspector.
- The lot and mini home meet the provisions for front yard setback, side yard setback, rear yard setback, lot frontage, lot width, lot area and lot coverage for that specific zone.
- When possible, the mini home must be placed, erected, or altered so that longest side of the mini home is parallel to the front lot line.
- The mini home must be skirted to satisfaction of the Building Inspector.

#### **4.33 SUPPORTIVE HOUSING**

Where permitted by this By-law, Supportive Housing shall comply with the following:

- Within the Residential zones, Supportive Housing uses shall be limited to a maximum of 5 residents.
- A Tourist Establishment, Bed and Breakfast, Home Occupation, Day Care, or Secondary Suite are not permitted on the same lot.

- When abutting a lot containing a one or two-unit dwelling, there shall be appropriate screening between the Supportive Housing use (including parking) and the adjacent use.

#### **4.34 TOURIST ESTABLISHMENTS**

Where a tourist establishment is permitted, the following conditions shall apply:

- The area of the lot must not be less than 8,000 square metres (2 acres).
- All tents, tent trailers, bunkhouses, glamping domes, travel trailers, recreational vehicles and campers, and their accessory uses shall be located at least 5 metres (16.5 feet) from any property line.
- When abutting a Residential zone, a 2-metre (6.5 feet) fence, in accordance with section 4.3.2 shall be required, unless an adequate treed buffer is maintained to reasonably shield the use from view at the satisfaction of the Development Officer.
- A sign may be permitted in association with section 4.31.

#### **4.35 CAMPGROUNDS & RV PARKS**

Where permitted by this By-law, campgrounds are subject to the following development standards:

#### 4.35.1 SITE PLAN

A Site Plan for a Campground shall be drawn to scale and illustrate the following information:

1. Delineation of the property to be developed on a legal survey;
2. Location and size of campsites;
3. Internal roads and accesses;
4. Parking areas;
5. Accessory uses (not limited to but including laundry facilities, storage areas, washrooms, showers, convenience store, and outdoor and indoor recreation facilities);
6. Pedestrian walkways and trails within the camping site;
7. Landscaping; and
8. Buffers and screening between the site and other nearby land uses.

#### 4.35.2 STANDARDS

No campsites shall be located closer than 10 metres (33 feet) from any property boundary and:

1. Existing vegetation at the perimeter of the site shall be retained and incorporated into the site's landscaping.
2. All areas disturbed by the development shall be landscaped.
3. Refuse collection shall be fully enclosed and screened from the adjacent property

and containers used for refuse shall be locked or include mechanisms.

#### 4.36 WIND TURBINES & SOLAR COLLECTORS

##### 4.36.1 WIND TURBINES

1. Where permitted by this By-law, a small-scale turbine for personal or on-site use may be permitted as an accessory use in the Institutional, Rural Residential, Rural, and Industrial zones. subject to the following:
  - a. A minimum setback of 1.5 times the total height of the wind turbine from the rear, front, and side lot lines, dwellings, transmission lines, and public rights-of-way;
  - b. Be located on the same property as the main use; and
  - c. Wind turbines that have not been used for electricity production for a period of two years are to be removed.

2. As per section 4.1, commercial turbine developments shall be considered public utilities and are therefore permitted in all zones subject to the Provincial permitting process.

##### 4.36.2 SOLAR COLLECTORS

1. Solar collectors are permitted as an accessory use in all zones subject to the following:
  - a. The height of the collector shall not exceed 2 metres (7 feet) from the

highest peak of the roof structure  
upon which it is located and

- b. Be located on the same property as  
the main use.
- 2. As per section 4.1, commercial solar  
developments shall be considered public  
utilities and are therefore permitted in all  
zones subject to the Provincial permitting  
process.

Draft



CHAPTER 5

# RESIDENTIAL ZONE

Dr. fixit

## 5.1 NEIGHBOURHOOD RESIDENTIAL (R1)

The Neighbourhood Residential (R1) Zone is intended for concentrations of uniform residential development like residential subdivisions built on an internal street network. These neighbourhoods are typically built out or approaching full build out with limited opportunities for expansion. One- and two-unit dwellings, and semi-detached dwellings are common housing types in this zone with the expectation being that these areas will evolve over time to include townhouses, rowhouses, garden homes, and small apartment buildings.

### 5.1.1 PERMITTED USES

Any land, building, or structure may be used for one of the following uses:

1. Dwelling, One-unit
2. Dwelling, Mini-home, subject to section 4.32
3. Dwelling, Town or Rowhouse, up to and including four units
4. Dwelling, Two-unit
5. Dwelling, Converted with a maximum of four units
6. Supportive Housing, subject to section 4.33.

### 5.1.2 SECONDARY USES

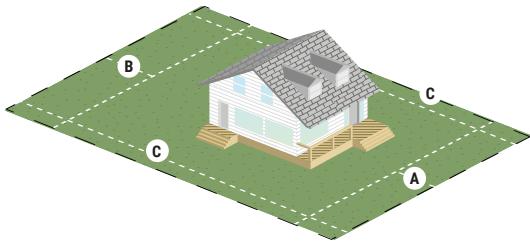
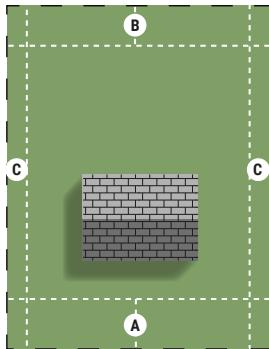
Any land, building, or structure may be used for one or more of the following secondary uses:

1. Day home, subject to section 4.8
2. Garden Suite, subject to section 4.13
3. Home Occupation, Class 1, subject to section 4.17
4. Home Occupation, Class 2, subject to section 4.17
5. Keeping of Hens, subject to section 4.19
6. Secondary Suite, subject to section 4.28.

### 5.1.3 CONDITIONAL USES

Any land, building or structure may, subject to terms and conditions, be used for one of the following uses:

1. Bed and Breakfast, subject to section 4.6
2. Dwelling, including up to four dwelling units
3. Dwelling, Shared, subject to section 4.30.



#### 5.1.4 ZONE STANDARDS

Lot Component	Service Lots	Unserviced Lots
Minimum Lot Area		
One-unit	600 square metres (6,456 ft <sup>2</sup> )	4,000 square metres (1 acre)
Two-unit, Multi-unit, Town, or Rowhouse	250 square metres (2,690 ft <sup>2</sup> ) per dwelling unit	4,000 square metres (1 acre)
Minimum Lot Frontage		
One-unit	23 metres (76 feet)	54 metres (178 feet)
Two-unit, Multi-unit, Town, or Rowhouse	7 metres (23 feet) per dwelling unit	54 metres (178 feet) total lot frontage for all units

Lot Component	Service Lots	Unserviced Lots
Minimum Lot Depth	30 metres (98.4 feet)	38 metres (125 feet)
Minimum Front / Flankage Yard <span style="float: right;">A</span>		
One-unit	7.5 metres (24.6 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)
Two-unit, Multi-unit, Town, or Rowhouse	5 metres (16.5 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)
Minimum Rear Yard <span style="float: right;">B</span>	5 metres (16.5 feet)	5 metres (16.5 feet)
Minimum Side Yard <span style="float: right;">C</span>		
One-unit	3 metres (9.8 feet)	3 metres (9.8 feet)
Two-unit, Multi-unit, Town, or Rowhouse	3 metres (9.8 feet) 0 metres on common wall side	3 metres (9.8 feet) 0 metres on common wall side
Maximum Building Height	9 metres (30 feet)	9 metres (30 feet)
Maximum Lot Coverage	50%	50%
Other Requirements	In accordance with Section 4 of this By-law	

## 5.2 LOW RISE RESIDENTIAL (R2) ZONE

The Low Rise Residential (R2) Zone is intended to accommodate a mixture of housing types, specifically multiple dwellings, in areas serviced by municipal water and sanitary services. The R2 Zone provides the flexibility to allow a wider range of housing types and increased density while maintaining the small-town look and feel that is important to residents of the District. Townhouses, rowhouses, garden homes, apartment buildings are encouraged in this zone.

### 5.2.1 PERMITTED USES

Any land, building, or structure may be used for one of the following uses:

1. Dwelling, Converted
2. Dwelling, Multiple, up to and including 24 units, subject to section 4.23
3. Dwelling, Town or Rowhouse, subject to section 4.23
4. Dwelling, Two-unit
5. Supportive Housing, subject to section 4.33
6. Supportive Care Facility.

### 5.2.2 SECONDARY USES

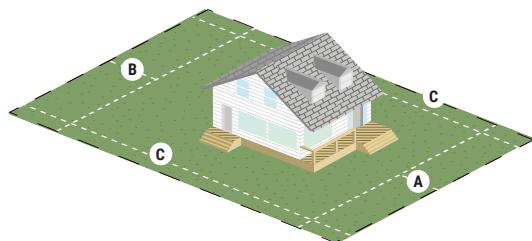
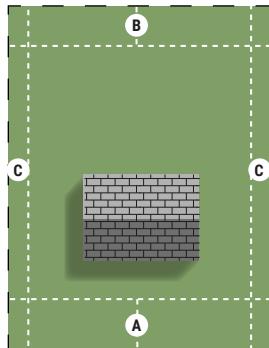
Any land, building, or structure may be used for one or more of the following secondary uses:

1. Day home, subject to section 4.8
2. Garden Suite, subject to section 4.12
3. Home Occupation, Class 1, subject to section 4.17
4. Secondary Suite, subject to section 4.28.

### 5.2.3 CONDITIONAL USES

Any land, building or structure may, subject to terms and conditions, be used for one of the following uses:

1. Bed and Breakfast, subject to section 4.6
2. Dwelling, Group, up to and including 12 dwelling units, subject to section 4.23
3. Dwelling, Multiple, exceeding 24 units, subject to section 4.23
4. Dwelling, Shared, subject to section 4.30
5. Dwelling, One-unit
6. Home Occupation, Class 2, subject to section 4.17
7. Keeping of Hens, subject to section 4.19.



#### 5.2.4 ZONE STANDARDS

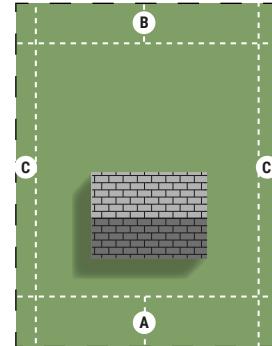
Lot Component	Service Lots	Unserviced Lots
Minimum Lot Area		
One-unit	390 square metres (4,197 ft <sup>2</sup> )	4,000 square metres (1 acre)
Two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	250 square metres (2,690 ft <sup>2</sup> ) per dwelling unit	4,000 square metres (1 acre)

Lot Component	Service Lots	Unserviced Lots
Multiple Dwelling, Supportive Care Facility	500 square metres (5,380 ft <sup>2</sup> )	8,000 square metres (2 acres)
Minimum Lot Frontage		
One-unit	23 metres (76 feet)	54 metres (178 feet)
Two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	7 metres (23 feet) per dwelling unit	54 metres (178 feet) total lot frontage for all units
Multiple Dwelling, Supportive Care Facility	30 metres (98.4 feet)	54 metres (178 feet)
Minimum lot depth	30 metres (98.4 feet)	38 metres (125 feet)
Minimum front / flankage yard <span style="float: right;">A</span>		
One-unit	7.5 metres (24.6 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)

Lot Component	Service Lots	Unserviced Lots	Lot Component	Service Lots	Unserviced Lots
Two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, Supportive Housing, Multiple Dwelling, Supportive Care Facility	5 metres (16.5 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)	One-unit, Group Dwelling, Shared Dwelling, Supportive Housing	3 metres (9.8 feet)	3 metres (9.8 feet)
Minimum rear yard <span style="float: right;">B</span>					
One-unit, two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	5 metres (16.5 feet)	5 metres (16.5 feet)	Multiple Dwelling, Supportive Care Facility	5 metres (16.5 feet)	7.5 metres (25 feet)
Maximum Building Height <span style="float: right;">B</span>					
Multiple Dwelling, Supportive Care Facility	10 metres	10 metres	Maximum Lot Coverage	50%	50%
Other Requirements					In accordance with Section 4 of this By-law

## 5.3 RURAL RESIDENTIAL (RR) ZONE

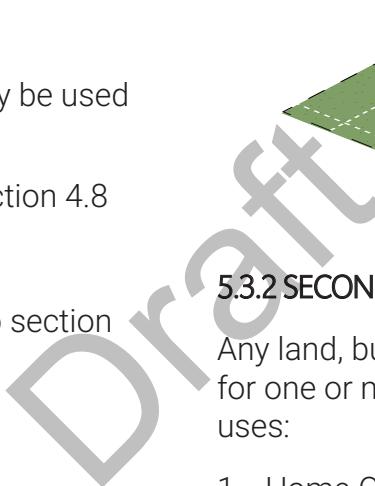
The Rural Residential (RR) Zone is intended for larger lots and unserviced residential developments that front along Provincial Highways and Rural Routes throughout the District. The RR Zone ensures the rural character of the District is maintained by allowing a variety of secondary uses typical of the rural way of life.



### 5.3.1 PERMITTED USES

Any land, building, or structure may be used for one of the following uses:

1. Day Care Centre, subject to section 4.8
2. Dwelling, One-unit
3. Dwelling, Mini-home, subject to section 4.32
4. Dwelling, Two-unit
5. Dwelling, Converted
6. Supportive Housing, subject to section 4.33.



### 5.3.2 SECONDARY USES

Any land, building, or structure may be used for one or more of the following secondary uses:

1. Home Occupation, Class 1, subject to section 4.17
2. Home Occupation, Class 2, subject to section 4.17
3. Day Home, subject to section 4.8
4. Garden Suite, subject to section 4.13
5. Horse Boarding Stable or Riding Operation; subject to section 5.3.5
6. Secondary Suite, subject to section 4.28
7. Hobby Farm, subject to section 4.15
8. Bed and Breakfast, subject to section 4.6.

### 5.3.3 ZONE STANDARDS

Lot Component	Service Lots	Unserviced Lots
Minimum Lot Size	600 square metres (6,456 ft <sup>2</sup> )	4,000 square metres (1 acre)
Minimum Lot Frontage	23 metres	54 metres (178 feet)
Minimum Lot Depth	30 metres (98.4 feet)	38 metres (125 feet)
Minimum Front / Flankage Yard Setback <sup>A</sup>	5 metres (16.5 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)
Minimum Rear Yard <sup>B</sup>	5 metres (16.5 feet)	3 metres (9.8 feet)
Minimum Side Yard <sup>C</sup>	3 metres (9.8 feet)	3 metres (9.8 feet)
Maximum Building Height	12 metres (39.4 feet)	12 metres (39.4 feet)
Other Requirements	In accordance with Section 4 of this By-law	

### 5.3.4 ADDITIONAL STANDARDS FOR HORSE BOARDING STABLE

1. A Horse Boarding Stable in the Rural Residential Zone shall only be permitted be on a lot having an area of 8,000 square metres (2 acres) or more.
2. A Horse Boarding Stable in the Rural Residential Zone shall not have more than one horse, excluding offspring until weaning, per 4,000 square metres (1 acre).

## 5.4 MINI-HOME PARK (MHP) ZONE

The Mini-Home Park (MHP) Zone is intended for land leased developments containing mini-homes on individual sites. Given the compact residential form of a Mini-Home Park, supportive uses like retail convenience and sales and property managing are accommodated to increase convenience in the area. The expansion or redevelopment of a Mini-Home Park is only permitted through a rezoning process.

### 5.4.1 PERMITTED USES

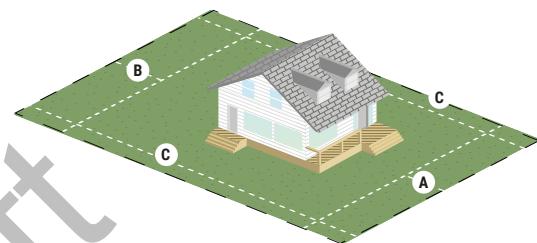
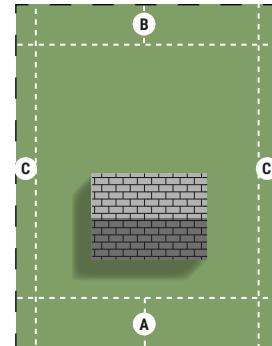
Any land, building, or structure may be used for one of the following uses:

1. Mini-Home Park
2. Mini-home dwelling
3. Office associated with the management of the Mini-Home Park
4. Retail convenience
5. Dry Clean and Laundry Depot.

### 5.4.2 SECONDARY USES

Any land, building, or structure may be used for one or more of the following secondary uses:

1. Day Home, subject to section 4.8
2. Home Occupation, Class 1, subject to section 4.17.



### 5.4.3 ZONE STANDARDS

Lot Component	Front-On Sites (longer dimension of the structure is parallel to street)	End-On Sites (shorter dimension of the structure is parallel to the street)
Minimum Lot Area	500 square metres (5,380 ft <sup>2</sup> )	500 square metres (5,380 ft <sup>2</sup> )
Minimum Lot Frontage	27 metres (89 feet)	15 metres (49.2 feet)
Minimum Lot Depth	15 metres (49.2 feet)	31 metres (102 feet)
Minimum Front Yard Setback	4.5 metres (15 feet)	6 metres (19.7 feet)

Minimum Rear Yard <b>B</b>	4.5 metres (15 feet)	3 metres (9.8 feet)
<b>Minimum Side Yard <b>C</b></b>		
Interior Lot – Driveway side	3.5 metres (11.5 feet)	3.5 metres (11.5 feet)
Interior Lot – Non-driveway side	1.5 metres (4.9 feet)	1.5 metres (4.9 feet)
Corner Lot – Street side	4.5 metres	6 metres (19.7 feet)
Corner Lot – Non-street side	1.5 metres (4.9 feet)	1.5 metres (4.9 feet)
Maximum Building Height	9 metres (30 feet)	9 metres (30 feet)
Maximum Lot Occupancy	60%	60%
Other Requirements	In accordance with Section 4 of this By-law	

#### 5.4.4 ADDITIONAL STANDARDS FOR THE MINI-HOME PARK ZONE

In a Mini-Home Park, at least 8% of the park development area shall be provided as amenity space including but not limited to a park, recreation space, and landscaped areas.

Where a Mini-Home Park is proposed to be expanded through a rezoning, Council may require a percentage of the expanded park development area be provided as amenity space as described in subsection (1). The percentage is at the discretion of Council but shall not be prescribed in excess of 8%.

The amenity space described in subsections (1) and (2) may be allocated as Lands for Public Purposes, through the Subdivision process.

A 6-metre (20-foot) landscaped buffer shall be maintained between the Mini-Home Park development area and adjacent properties not intended to be or not currently used as a Mini-Home Park.

Streets in a Mini-Home Park shall have a minimum surface width of 7.3 metres (24 feet) and be surfaced with asphalt or chipseal when developed within a Community Node, as defined in the Future Land Use Map in Schedule A of the District's Municipal Plan.



CHAPTER 6

# COMMERCIAL AND MIXED-USE ZONES

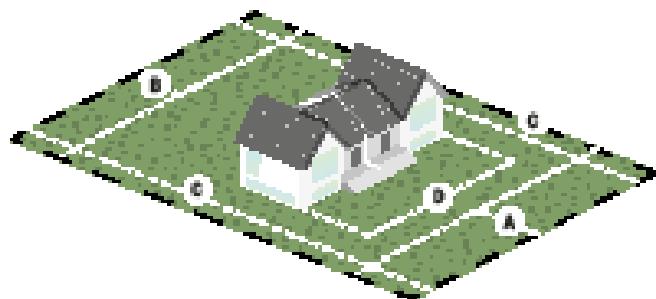
## 6.1 DISTRICT CENTRE (DC) ZONE

The District Centre (DC) Zone is the central hub of the community where the largest concentration of retail and services are located with a mixture of residential uses that contribute to a high quality and vibrant community centre. The area is intended to permit a broad range of uses including multi-unit residential development to facilitate the economic health of the central business area for the District.

### 6.1.1 PERMITTED USE

Any land, building or structure may be used for one or more of the following uses:

1. Accommodation
2. Amusement Place
3. Artist or Craft Person Studio
4. Assembly Use
5. Bakery
6. Bar, Lounge, or Nightclub Bar, subject to section 6.1.5
7. Butcher or Meat Shop
8. Cannabis Retail Sales
9. Cultural Establishment
10. Clinic
11. Commercial Recreation Establishment
12. Day Care Centre, subject to section 4.8
13. Dry Cleaning and Laundry Depot
14. Dwelling Unit located above the Ground Floor, subject to section 6.1.5



15. Dwelling, Multiple, subject to 6.1.5 and 6.23
16. Dwelling, Town or Rowhouse, subject to 4.23
17. Dwelling, Converted, subject to section 4.7
18. Farmers Market
19. Fitness Centre
20. Funeral Home
21. General Service Shop
22. Grocery Store
23. Institutional Use
24. Microbrewery / Distillery
25. Office
26. Personal Service
27. Place of Worship
28. Private Club
29. Recreation Facility
30. Recreational Use
31. Restaurant, excluding Drive-thru
32. Retail Use
33. Service Station

- 34. Supportive Facility
- 35. Supportive Housing, subject to section 4.33
- 36. Vehicle Repair Garage
- 37. Vehicle Sales, Rental, and Service
- 38. Veterinarian Clinic.

### 6.1.2 SECONDARY USES

Any land, building, or structure may be used for one or more of the following secondary uses:

1. Day Home, Subject to section 4.8
2. Home Occupation, Class 1, subject to section 4.17
3. Garden Suite, subject to section 4.13
4. Secondary Suite, subject to section 4.28
5. Bed and Breakfast, subject to section 4.6.

### 6.1.3 CONDITIONAL USES

Any land, building, or structure may, subject to terms and conditions, be used for one of the following uses:

1. Car Wash
2. Dwelling Unit located on the Ground Floor, subject to section 6.1.5
3. Dwelling, Shared, subject to section 4.30
4. Restaurant, Drive-thru
5. Vehicle Body and Paint Shop.

### 6.1.4 ZONE STANDARDS

Lot Component	Standards
Minimum Lot Area	
Townhouse	200 square metres (2,152 ft <sup>2</sup> ) per unit
Multiple Dwelling	690 square metres (7,425 ft <sup>2</sup> )
All other uses	500 square metres (5,380 ft <sup>2</sup> )
Minimum Lot Frontage	12 metres (39.4 feet)
Minimum Front / Flankage Yard <sup>A</sup>	0 metres
Minimum Rear Yard <sup>B</sup>	1.5 metres (4.9 feet)
Minimum Side Yard <sup>C</sup>	3 metres (9.8 feet)
Minimum Building Height	2 storeys
Maximum Building Height	20 metres
Maximum Lot Coverage	70%
Other Requirements	In accordance with Section 4 of this By-law

## 6.15 ADDITIONAL STANDARDS FOR THE DISTRICT CENTRE ZONE

1. Within the District Centre (DC) Zone, no development shall be permitted and no main building or structure may be used unless:
  - a. There is at least one public entrance to the building facing any public street; and
  - b. All mechanical, electrical, air conditioning or other similar equipment located on the roof of a building is screened from view from the adjacent public street.
2. A residential dwelling unit shall not be located below the second storey of a building except where:
  - a. The portion of the ground floor facing the front and flankage yards is occupied by a permitted non-residential use; and
  - b. Any residential use on the ground floor is located behind or away from the front and flankage yards and is not visible from the public street.
3. Parking areas shall not be permitted in the front yard of a multiple dwelling unit in the District Centre (DC) Zone.
4. A lot containing a Bar, Lounge, or Nightclub Bar permitted in section 6.1.1 shall not be located within 30 metres (98.4 feet) of a Residential zone.

## 6.2 LOCAL CENTRE (LC) ZONE

The Local Centre (LC) Zone is applied to the downtown and central community areas in the former Villages of Bath and Centreville as well as any concentrations of development that formed central places of former villages and communities. The LC Zone ensures continued focus on these central community areas.

### 6.1.1 PERMITTED USE

Any land, building or structure may be used for one or more of the following uses:

- one or more of the following uses:
  1. Accommodation
  2. Amusement Place
  3. Artist or Craft Person Studio
  4. Assembly Hall
  5. Bakery
  6. Bar, Lounge or Nightclub, subject to section 6.2.5
  7. Butcher or Meat shop
  8. Cannabis Retail Sales
  9. Clinic
  10. Commercial Recreation Facility
  11. Cultural Establishment
  12. Day Care Centre
  13. Dry Cleaning and Laundry Depot
  14. Dwelling, Multiple up to and including 32 units, subject to 6.1.5 and 4.23
  15. Farmers Market
  16. Fitness Centre
  17. Funeral Home



18. General Service Shop
19. Grocery Store
20. Institutional Use
21. Office
22. Personal Service
23. Private Club
24. Restaurant
25. Retail Store
26. Veterinary Clinic
27. Microbrewery / Distillery
28. Vehicle Repair Garage
29. Vehicle Sales, Rental, And Service
30. Supportive Housing, subject to section 4.33
31. Supportive Care Facility, **or**
- b. one of the following uses:
  1. Dwelling, One Unit
  2. Dwelling, Town or Rowhouse, subject to section 4.23
  3. Dwelling, Two Unit
  4. Dwelling, Converted with a maximum of 6 units

## 6.2.2 SECONDARY USES

Any land, building, or structure may be used for one or more of the following secondary uses:

1. Dwelling unit
2. Secondary Suite, subject to section 4.28
3. Garden Suite, subject to section 4.13
4. Home Occupation Class 1, subject to section 4.17
5. Home Occupation Class 2, subject to section 4.17.

## 6.2.3 CONDITIONAL USES

Any land, building, or structure may, subject to terms and conditions, be used for one of the following uses:

1. Car Wash
2. Dwelling, Shared subject to section 4.30
3. Pet day care and grooming
4. Restaurant, Drive-thru
5. Service Station
6. Vehicle Paint and Body Shop.

## 6.2.4 ZONE STANDARDS

Lot Component	Standards
Minimum Lot Area	
Townhouse	200 square metres (2,152 ft <sup>2</sup> ) per unit
Multiple Dwelling	690 square metres (7,425 ft <sup>2</sup> )
All other uses	500 square metres (5,380 ft <sup>2</sup> )
Minimum Lot Frontage	12 metres (39.4 feet)
Minimum Front / Flankage Yard <span style="color: black;">A</span>	3 metres (9.8 feet)
Minimum Rear Yard <span style="color: black;">B</span>	
Abutting a Residential Zone	7 metres (23 feet)
Abutting Any Other Zone	3 metres (9.8 feet)
Minimum Side Yard <span style="color: black;">C</span>	3 metres (9.8 feet)
Maximum Building Height	12 metres (39.4 feet)
Maximum Lot Coverage	70%
Other Requirements	In accordance with Section 4 of this By-law

## 6.25 ADDITIONAL STANDARDS FOR LOCAL CENTRE ZONE

1. A dwelling unit located above a non-residential use shall have its main access separated from the non-residential use.
2. A lot containing a Bar, Lounge, or Nightclub Bar permitted in section 6.2.1 shall not be located within 30 metres (98.4 feet) of a Residential zone.
3. Notwithstanding section 6.2.4, any unserviced lot zoned as Local Centre (LC) must comply with the standards outlined in section 6.3.4..

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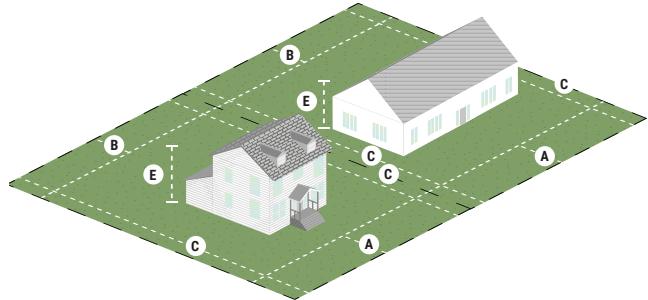
## 6.3 MIXED USE (MU) ZONE

The Mixed Use (MU) Zone is applied to the pockets of commercial and residential development that are found throughout the District. The MU Zone may be applied to the edges of the District Centre (DC) and Local Centre (LC) Zones to ensure the investment in these areas and limits the encroachment of more intensive lands uses into rural or residential areas.

### 6.3.1 PERMITTED USE

Any land, building or structure may be used for one or more of the following uses:

- a. one or more of the following uses:
  1. Amusement Place
  2. Assembly Hall
  3. Bakery
  4. Clinic
  5. Cultural Establishment;
  6. Day Care Centre
  7. Dwelling, Multiple Up to And Including 18 Units, subject to section 4.23
  8. Fitness Centre;
  9. Funeral Home
  10. General Service Shop
  11. Institutional Use
  12. Microbrewery / Distillery
  13. Office
  14. Personal Service;
  15. Restaurant;
  16. Retail Use
  17. Recreation Use



18. Supportive Housing; subject to section 4.33

19. Supportive Care Facility

20. Veterinary Clinic, **or**

b. one of the following uses:

1. Dwelling, One Unit
2. Dwelling, Mini Home, subject to section 4.32
3. Dwelling, Town or Rowhouse, subject to section 4.23
4. Dwelling, Two Unit
5. Dwelling, Converted with a maximum of 6 units

### 6.3.2 SECONDARY USES

Any land, building, or structure may be used for one or more of the following secondary uses:

1. Day Home, subject to section 4.8
2. Garden Suite, subject to section 4.13!
3. Home Occupation Class 1, subject to section 4.17
4. Home Occupation Class 2, subject to section 4.17
5. Secondary Suite, subject to section 4.28

### 6.3.3 CONDITIONAL USES

Any land, building, or structure may, subject to terms and conditions, be used for one of the following uses:

1. Hotel or Motel
2. Pet Day Care and Grooming
3. Dwelling, Shared subject to section 4.30
4. Vehicle Repair Garage
5. Vehicle Sales, Rental, and Service

### 6.3.4 ZONE STANDARDS

Lot Component	Service Lots	Unserviced Lots
Minimum lot area		
One-unit	390 square metres (4,197 ft <sup>2</sup> )	4,000 square metres (1 acre)
Two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	200 square metres (2,152 ft <sup>2</sup> ) per dwelling unit	4,000 square metres (1 acre)

Lot Component	Service Lots	Unserviced Lots
Multiple Dwelling, Supportive Care Facility	500 square metres (5,380 ft <sup>2</sup> )	8,000 square metres (2 acres)
All other uses	500 square metres (5,380 ft <sup>2</sup> )	4,000 square metres (1 acre)
Minimum lot frontage		
One-unit	23 metres (76 feet)	54 metres (178 feet)
Two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	7 metres (23 feet) per dwelling unit	54 metres (178 feet)
Multiple Dwelling, Supportive Care Facility	30 metres (98.4 feet)	60 metres (197 feet)
All other uses	15 metres (49.2 feet)	54 metres (178 feet)
Minimum lot depth	20 metres (66 feet)	38 metres (125 feet)

<b>Lot Component</b>	<b>Service Lots</b>	<b>Unserviced Lots</b>	<b>Lot Component</b>	<b>Service Lots</b>	<b>Unserviced Lots</b>
<b>Minimum front / flankage yard</b> <span style="float: right;">Ⓐ</span>			<b>Minimum rear yard</b> <span style="float: right;">Ⓑ</span>		
One-unit	7.5 metres (24.6 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)	One-unit, two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	5 metres (16.5 feet)	5 metres (16.5 feet)
Two-unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, Supportive Housing, Multiple Dwelling, Supportive Care Facility	5 metres (16.5 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)	Multiple Dwelling, Supportive Care Facility	10 metres (33 feet)	10 metres (33 feet)
All other uses	5 metres (16.5 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)	All other uses, unless otherwise provided	5 metres (16.5 feet)	7.5 metres (24.6 feet)
<b>Minimum side yard</b> <span style="float: right;">Ⓒ</span>					
One-unit, Group Dwelling, Shared Dwelling, Supportive Housing			One-unit, Group Dwelling, Shared Dwelling, Supportive Housing	3 metres (9.8 feet)	3 metres (9.8 feet)
			Two-unit, Town, or Rowhouse	3 metres (9.8 feet); 0 metres on common wall side	3 metres (9.8 feet); 0 metres on common wall side

<b>Lot Component</b>	<b>Service Lots</b>	<b>Unserviced Lots</b>
Multiple Dwelling, Supportive Care Facility	5 metres (16.5 feet)	7.5 metres (24.6 feet)
All other uses	5 metres (16.5 feet)	7.5 metres (24.6 feet)
Maximum building height 	12 metres (39.4 feet)	12 metres (39.4 feet)
Maximum lot coverage	70%	50% or as approved by the appropriate Provincial agency
Other requirements	In accordance with Section 4 of this By-law	

## 6.4 GENERAL COMMERCIAL (GC) ZONE

The General Commercial (GC) Zone is intended for the pockets of commercial activity located throughout the District that serve their immediate neighbourhoods or the travelling public. The GC Zone is applied to areas outside of the Local Centre (LC) and Mixed Use (MU) Zones.

### 6.4.1 PERMITTED USE

Any land, building or structure may be used for one or more of the following uses:

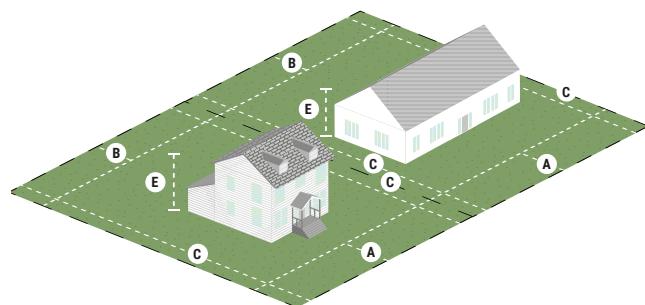
1. Accommodation
2. Amusement Place
3. Assembly Hall
4. Bakery
5. Butcher or Meat Shop
6. Car Wash
7. Clinic
8. Commercial Recreation
9. Contractor's Yard
10. Convenience Store
11. Cultural Establishment
12. Day Care Centre
13. Dwelling, Shared, subject to section 4.30
14. Dry-Cleaning & Laundry Depot
15. Fitness Centre
16. Funeral Home
17. Institutional Use
18. Kennel
19. Microbrewery or Distillery

20. Office
21. Personal Service
22. Pet Day Care and Grooming
23. Private Club
24. Recreation Use
25. Restaurant, including Drive-thru
26. Retail Use
27. Self-storage
28. Service Station
29. Tourist Establishment
30. Veterinary Clinic
31. Vehicle Paint and Body Shop
32. Vehicle Repair Garage
33. Vehicle Sales, Rental, and Service.

### 6.4.2 CONDITIONAL USES

Any land, building, or structure may, subject to terms and conditions, be used for one of the following uses:

1. Dwelling, Multiple
2. Dwelling, Town or Rowhouse, subject to section 4.23.
3. Dwelling, Converted



#### 6.4.3 ZONE STANDARDS

Lot Component	Service Lots	Unserviced Lots
<b>Minimum Lot Area</b>		
Shared Dwelling	500 square metres (5,380 ft <sup>2</sup> )	4,000 square metres (1 acre)
Town or Rowhouse,	250 square metres (2,690 ft <sup>2</sup> ) per dwelling unit	4,000 square metres (1 acre)

Lot Component	Service Lots	Unserviced Lots
Multiple Dwelling	500 square metres (5,380 ft <sup>2</sup> )	8,000 square metres (2 acres)
All other uses	1,100 square metres (11,836 ft <sup>2</sup> )	4,000 square metres (1 acre)
<b>Minimum Lot Frontage</b>		
Shared Dwelling	15 metres (49.2 feet)	54 metres (178 feet)
Town or Rowhouse	7 metres (23 feet) per dwelling unit	54 metres (178 feet)
Multiple Dwelling	30 metres (98.4 feet)	54 metres (178 feet)
All other uses	30 metres (98.4 feet)	54 metres (178 feet)
Minimum Lot Depth	30 metres (98.4 feet)	38 metres (125 feet)
<b>Minimum Front / Flankage Yard</b>		

Lot Component	Service Lots	Unserviced Lots	Lot Component	Service Lots	Unserviced Lots
Shared Dwelling; Town or Rowhouse	5 metres (16.5 feet)	15 metre <sup>A</sup> (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)	Side Yard <sup>C</sup>	Main Building or Structure 7.5 metres (24.6 feet) Accessory Building or Structure 6 metres (19.7 feet)	7.5 metres (24.6 feet)
Multiple Dwelling	7.5 metres (24.6 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)	Maximum Building Height <sup>E</sup>	9 metres (30 feet)	9 metres (30 feet)
All other uses	10 metres (33 feet)	15 metres (49.2 feet) if located on arterial or collector highway or 7.5 metres (24.6 feet)	Maximum Lot Coverage	60%	50%
Minimum Rear Yard <sup>B</sup>			Other Requirements	In accordance with Section 4 of this By-law	
Shared Dwelling; Town or Rowhouse	3.5 metres (11.5 feet)	5 metres (16.5 feet)			
Multiple Dwelling	7.5 metres (24.6 feet)	10 metres (33 feet)			
All other uses	5 metres (16.5 feet)				



CHAPTER 7

# RURAL ZONES

## 7.1 RURAL (RU) ZONE

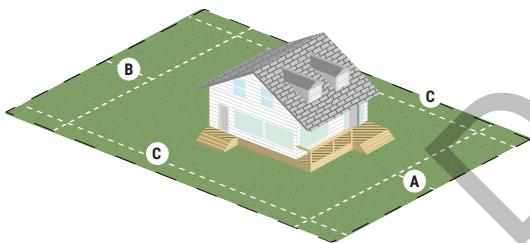
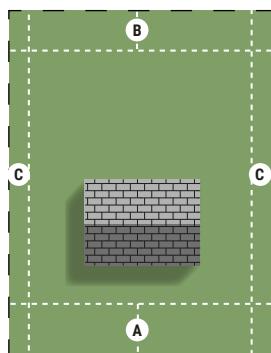
The Rural (RU) Zone makes up the majority of the District's land use. The RU Zone is applied to areas with a mix of residential and non-residential uses on larger lots in distinctly rural areas. The zone is intended to support the continuation of the rural way of life that residents have continued to prioritize while also supporting traditional industry like agricultural and resource development.

### 7.1.1 PERMITTED USE

Any land, building or structure may be used for one or more of the following uses:

1. Accommodation
2. Agricultural Use
3. Airfield
4. Aquaculture Use
5. Assembly Hall
6. Bed and Breakfast, subject to section 4.6
7. Cemetery
8. Commercial Recreation Establishment
9. Contractor's yard
10. Convenience store
11. Confined Livestock Area
12. Cultural Establishment
13. Day Care Centre, subject to section 4.8
14. Dwelling, One-unit
15. Dwelling, Two-unit
16. Dwelling, Converted subject to section 4.7
17. Dwelling, Shared, subject to section 4.30
18. Dwelling, Mini-home, subject to section 4.32
19. Dwelling, Multiple, subject to 4.23
20. Dwelling, Town or Rowhouse, subject to section 4.23
21. Farmers Market
22. Forestry Use
23. Funeral Home
24. General Service Shop
25. Gravel Pit, subject to section 4.4
26. Grocery Store
27. Home Industry
28. Institutional Use
29. Kennel
30. Office
31. Outfitter Operation
32. Personal Service
33. Pet Daycare and Grooming
34. Recreation Use
35. Recreational Facility
36. Restaurant, including Drive-thru
37. Retail Use
38. Sawmill, subject to section 4.29
39. Self Storage, subject to 4.3
40. Service Station
41. Supportive Housing, subject to section 4.33
42. Supportive Care Facility
43. Tourist Establishment, subject to section 4.34
44. Trucking Operation
45. Vehicle Repair Garage
46. Vehicle Sales, Rental, and Service
47. Vehicle Paint and Body Shop

48. Veterinary Clinic
49. Warehouse
50. Workers Housing.



#### 7.1.2 SECONDARY USES

Any land, building or structure may be used for one or more of the following secondary uses:

1. Class 1 Home Occupation, subject to section 4.17
2. Class 2 Home Occupation, subject to section 4.17
3. Day Home, subject to section 4.8
4. Garden Suite, subject to section 4.13
5. Hobby Farm, subject to section 4.15
6. Secondary Suite, subject to section 4.28

#### 7.1.3 CONDITIONAL USES

Any land, building, or structure may, subject to terms and conditions, be used for one of the following uses:

1. Bar, Lounge, or Nightclub Bar
2. Dwelling, Group, up to and including six dwelling units, subject to section 4.23
3. Dry Cleaning and Laundry Depot
4. Heavy Equipment Manufacturing, Sales, or Service Operation
5. Light Industrial Use
6. Topsoil Removal Operation.

#### 7.1.4 ZONE STANDARDS

Lot Component	Standards
Minimum Lot Area	4,000 square metres (1 acre)
Minimum Lot Frontage	54 metres (178 feet)
Minimum Lot Depth	38 metres (125 feet)
Minimum Front / Flankage Yard	Ⓐ
Local Road	7.5 metres (24.6 feet)
Collector Road / Provincial Highway	15 metres (49.2 feet)
Minimum Side Yard Ⓑ	3 metres (9.8 feet)
Minimum Rear Yard Ⓒ	3 metres (9.8 feet)
Other Requirements	In accordance with Section 4 of this By-law

### 7.1.5 ADDITIONAL STANDARDS FOR THE RURAL ZONE

Where a lot zoned Rural (RU) Zone is connected to a public sewer system and the proposed use is also a permitted use in the Mixed Use (MU) Zone, the lot may be developed in accordance with the zone standards of the MU Zone.

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CHAPTER 8

# INDUSTRIAL ZONES

## 8.1 LIGHT INDUSTRIAL (LI) ZONE

The Light Industrial (LI) Zone is intended for lower impact industrial uses that generate limited impacts beyond the development site. The LI Zone allows for reasonable separation between industrial and residential development to ensure the continuation of critical economic development activities.

### 8.1.1 PERMITTED USE

Any land, building or structure may be used for one or more of the following uses:

1. Abattoir
2. Car Wash
3. Clinic
4. Contractor's Yard
5. Convenience Store
6. Commercial Recreation
7. Dry Cleaning and Laundry Depot
8. Farmer's Market and Equipment Sales
9. Funeral Home
10. General Service Shop
11. Gravel Pit, subject to section 4.4
12. Heavy Equipment Manufacturing, Sales, or Service Operation
13. Kennel
14. Light Industrial Use
15. Microbrewery / Distillery
16. Office
17. Personal Service
18. Recreation Facility
19. Restaurant, including Drive-thru

20. Retail Use
21. Sawmill, subject to section 4.29
22. Self Storage, subject to 4.3
23. Service Station
24. Trucking Operation
25. Veterinary Clinic
26. Vehicle Repair Garage
27. Vehicle Body and Paint Shop
28. Vehicle Sales, Rental, and Service
29. Warehouse.

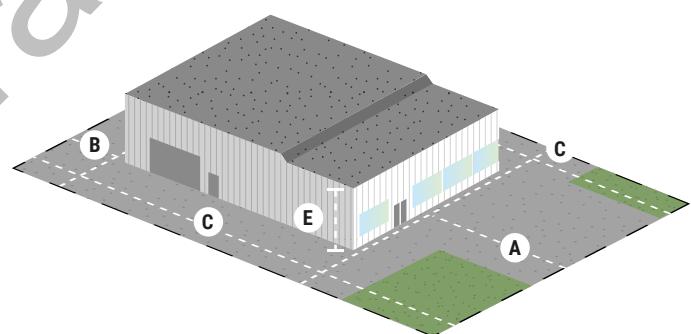
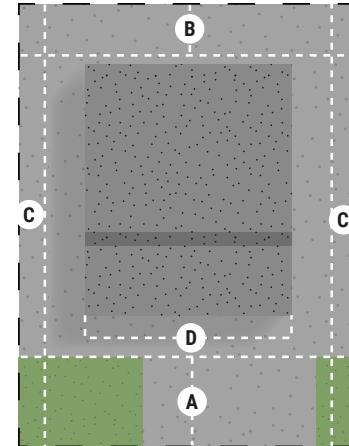
### 8.1.2 SECONDARY USES

Any land, building or structure may be used for one or more of the following secondary uses:

1. Workers Housing.

### 8.1.3 ZONE STANDARDS

Lot Component	Serviced Lots	Unserviced Lots
Minimum Lot Area	1,400 square metres (15,070 ft <sup>2</sup> )	4,000 square metres (1 acre)
Minimum Lot Frontage	30 metres (98.4 feet)	54 metres (178 feet)
Minimum Lot Depth	30 metres (98.4 feet)	38 metres (125 feet)
Minimum Front / Flankage Yard <sup>A</sup>	9 metres (30 feet)	15 metres (49.2 feet)
Minimum Side Yard <sup>C</sup>	6 metres (19.7 feet)	6 metres (19.7 feet)
Minimum Rear Yard <sup>B</sup>	9 metres (30 feet)	10 metres (33 feet)
Maximum Lot Coverage	50%	50%
Other Requirements	In accordance with Section 4 of this By-law	



## 8.2 HEAVY INDUSTRIAL (HI) ZONE

The Heavy Industrial (HI) Zone is intended to accommodate intensive industrial uses that may have impacts beyond the development site and require additional lands to limit those impacts. The HI Zone may also accommodate uses that require lands for outdoor storage of materials. Light and Medium Industrial Uses are also accommodated within the HI Zone to ensure continuation of the District's employment areas.

### 8.2.1 PERMITTED USE

Any land, building or structure may be used for one or more of the following uses:

1. Abattoir
2. Asphalt Plant, subject to section 4.29
3. Cannabis Manufacturing
4. Construction and Demolition Disposal Site
5. Contractors Yard
6. Crematorium
7. General Service Shop
8. Gravel Pit, subject to section 4.4
9. Heavy Equipment Manufacturing, Sales, or Service Operation
10. Kennel
11. Light Industrial Use
12. Manufacturing or Processing Facility
13. Microbrewery/Distillery
14. Recycling Depot
15. Salvage Yard, subject to sections 4.18 and 4.29
16. Sawmill, subject to section 4.29

17. Service Station
18. Self Storage, subject to 4.3
19. Topsoil Removal Operation
20. Trucking Operation
21. Veterinary Clinic
22. Vehicle Repair Garage
23. Vehicle Body and Paint Shop
24. Vehicle Sales, Rental, and Service
25. Warehouse.

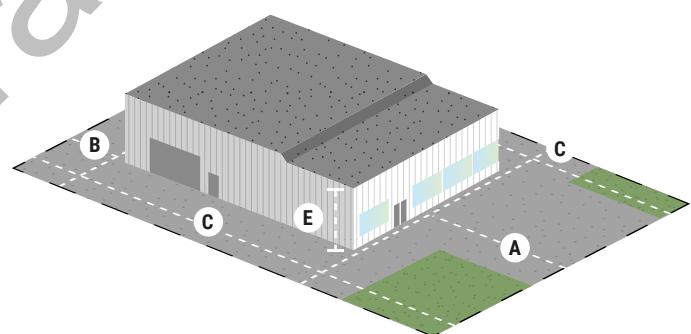
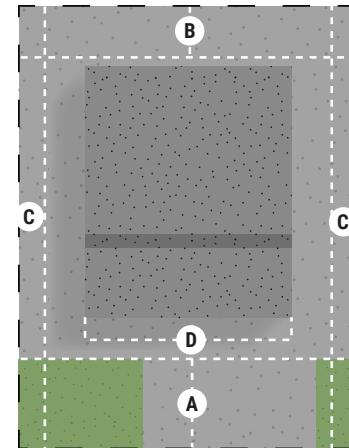
### 8.2.2 SECONDARY USES

Any land, building or structure may be used for one or more of the following secondary uses:

1. Workers Housing.

### 8.2.3 ZONE STANDARDS

Lot Component	Serviced Lots	Unserviced Lots
Minimum Lot Area	3,000 square metres (32,292 ft <sup>2</sup> )	8,000 square metres (2 acres)
Minimum Lot Frontage	30 metres (98.4 feet)	54 metres (178 feet)
Minimum Lot Depth	30 metres (98.4 feet)	38 metres (125 feet)
Minimum Front / Flankage Yard <span style="color: green;">A</span>	9 metres (30 feet)	15 metres (49.2 feet)
Minimum Side Yard <span style="color: green;">C</span>	7.5 metres (24.6 feet)	15 metres (49.2 feet)
Minimum Rear Yard <span style="color: green;">B</span>	9 metres (30 feet)	15 metres (49.2 feet)
Maximum Lot Coverage	60%	50%
Other Requirements	In accordance with Section 4 of this By-law	



## 8.3 AGGREGATE EXTRACTION (AE) ZONE

The Aggregate Extraction (AE) Zone is used for more intensive quarrying and mining that may include blasting or other techniques that may impact neighbouring properties or the environment. Generally, development within the AE Zone will be permitted through Provincial regulatory process and may also be subject to environmental assessment.

### 8.3.1 PERMITTED USE

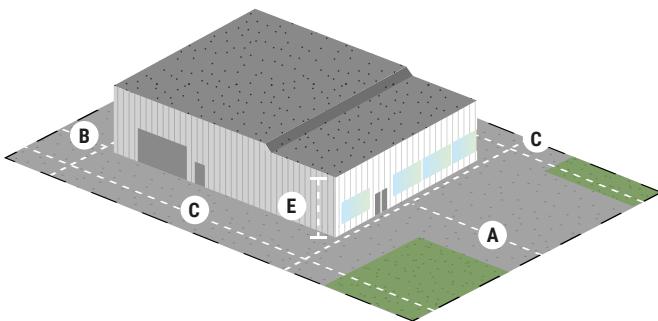
Any land, building or structure may be used for one or more of the following uses:

1. Quarry, subject to section 4.4
2. Gravel Pit, subject to section 4.4
3. Asphalt Plant, subject to section 4.29

### 8.3.2 SECONDARY USES

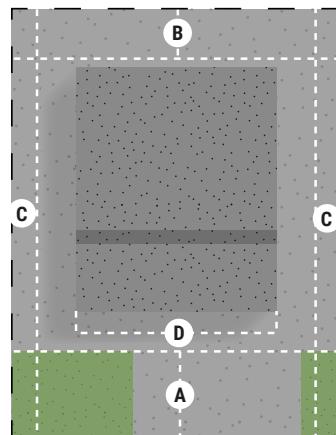
Any land, building or structure may be used for one or more of the following secondary uses:

1. Workers Housing.



### 8.3.3 ZONE STANDARDS

Lot Component	Standards
Minimum Lot Area	8,000 square metres (2 acres)
Minimum Lot Frontage	54 metres (178 feet)
Minimum Lot Depth	38 metres (125 feet)
Minimum Front / Flankage Yard <span style="color: #800000;">A</span>	15 metres (49.2 feet)
Minimum Side Yard <span style="color: #800000;">C</span>	15 metres (49.2 feet)
Minimum Rear Yard <span style="color: #800000;">B</span>	15 metres (49.2 feet)
Other Requirements	In accordance with Section 4 of this By-law



CHAPTER 9

# INSTITUTIONAL ZONES

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## 9.1 INSTITUTIONAL (INS) ZONE

The Institutional (INS) Zone is intended for schools, government buildings, and buildings providing a necessary community service. The INS Zone may accommodate other community-centred uses like medical centres or facilities, recreation facilities, arenas, and other amenities that support the quality of life and livability of the District.

### 9.1.1 PERMITTED USES

Any land, building, or structure may be used for one of the following uses:

1. Assembly Hall
2. Cemetery
3. Clinic
4. Commercial Recreation Establishment
5. Cultural Establishment
6. Day Care Centre, Subject to Section 4.8
7. Educational Building
8. Farmers Market
9. Funeral Home
10. Government Or Municipal Building
11. Hospital
12. Institutional Use
13. Outdoor Recreational Use

14. Supportive Care Facility

15. Supportive Housing, subject to section 4.33

16. Recreational Facility

17. Restaurant.

### 9.1.2 SECONDARY USES

Any land, building, or structure may be used for one or more of the following secondary uses:

1. Dwelling Unit

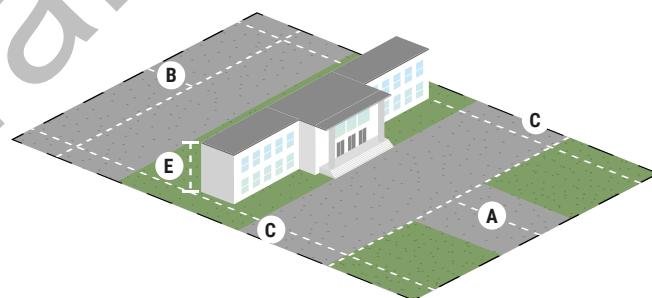
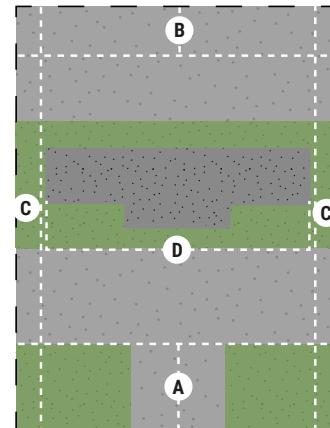
### 9.1.3 CONDITIONAL USES

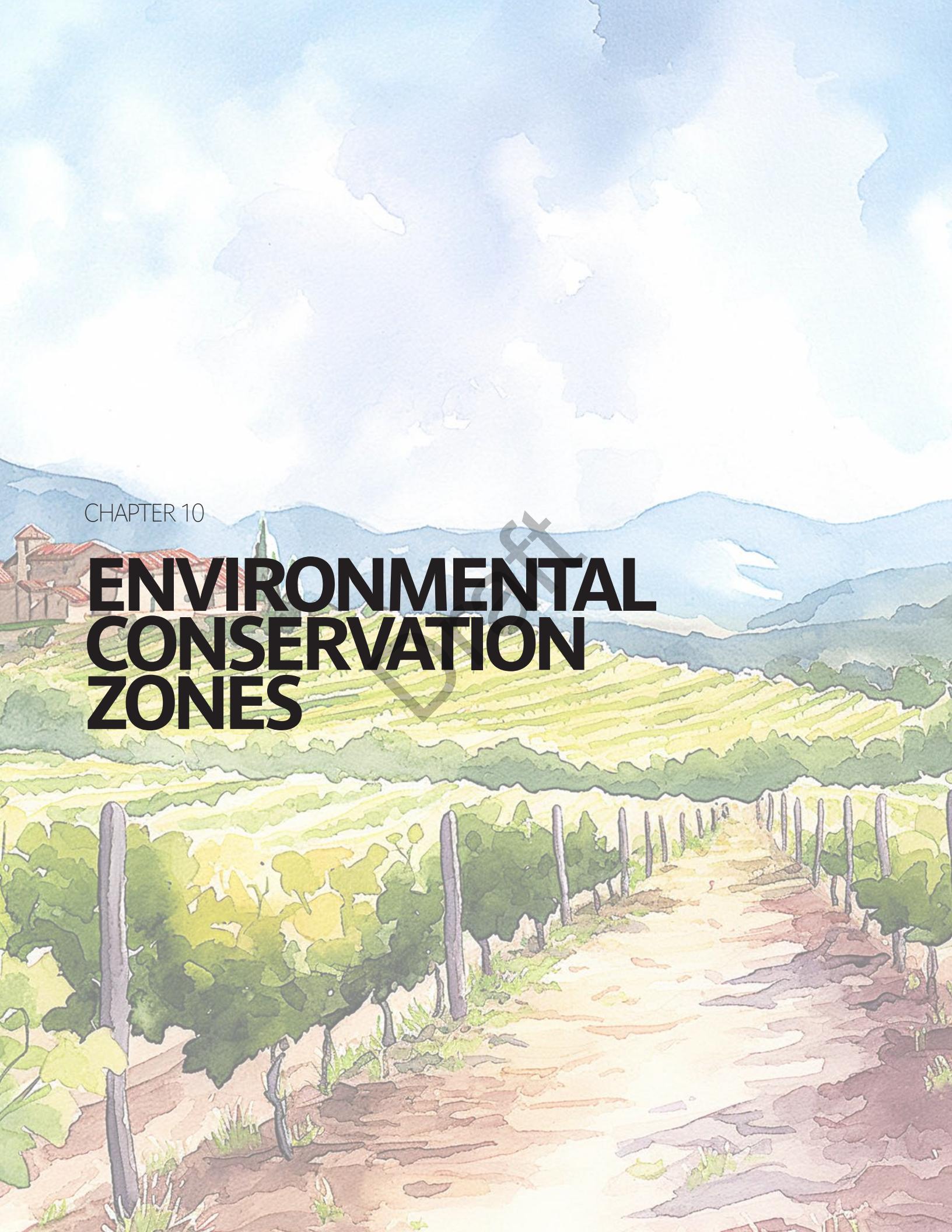
Any land, building or structure may, subject to terms and conditions, be used for one of the following uses:

1. Accommodation
2. Dwelling, Shared, subject to section 4.30
3. A main use permitted within the MU Zone, subject to 6.3.4.

### 9.1.4 ZONE STANDARDS

Lot Component	Service Lots	Unserviced Lots
Minimum Lot Area	500 square metres (5,380 ft <sup>2</sup> )	4,000 square metres (1 acre) or as approved by the appropriate Provincial agency
Minimum Lot Frontage	30 metres (98.4 feet)	54 metres (178 feet)
Minimum Lot Depth	30 metres (98.4 feet)	38 metres (125 feet)
Minimum Front / Flankage Yard <span style="color: black; font-size: 2em; position: absolute; left: 20px; top: 50px;">A</span>	5 metres (16.5 feet)	15 metres (49.2 feet) if located on an arterial or collector highway or 7.5 metres (24.6 feet)
Minimum Rear Yard <span style="color: black; font-size: 2em; position: absolute; left: 20px; top: 50px;">B</span>	6 metres (19.7 feet)	10 metres (33 feet)
Minimum Side Yard <span style="color: black; font-size: 2em; position: absolute; left: 20px; top: 50px;">C</span>	6 metres (19.7 feet)	10 metres (33 feet)
Maximum Building Height <span style="color: black; font-size: 2em; position: absolute; left: 20px; top: 50px;">E</span>	9 metres (30 feet)	9 metres (30 feet)
Maximum Lot Coverage	50%	50%
Other Requirements	In accordance with Section 4 of this By-law	





CHAPTER 10

# ENVIRONMENTAL CONSERVATION ZONES

## 10.1 ENVIRONMENTAL CONSERVATION (EC) ZONES

The Environmental Conservation (EC) Zone is intended to accommodate limited land use with the intent of preserving sensitive environments. Some passive land uses such as trails and parks are permitted in the EC Zone and existing agricultural uses are permitted to continue.

### 10.1.1 PERMITTED USES

Any land, building, or structure may be used for one of the following uses:

1. Agriculture, existing
2. Confined Livestock Area, existing
3. Passive recreation use
4. A building or structure in existence on the date of approval of this Zoning By-law
5. Interpretative centers and displays.

### 10.1.2 ZONE STANDARDS

Setbacks of new structures in this zone are subject to approval by the appropriate Provincial agency.



CHAPTER 11

# PARKS AND RECREATION ZONES

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## 11.1 PARKS AND RECREATION (PR) ZONE

The Parks and Recreation (PR) Zone is applied to public recreation amenities. The District has a variety of parks, sport fields, and community-centred facilities that are accommodated by the PR Zone. The zone also allows for uses that support public amenities like restaurants and retail shops.

### 11.1.1 PERMITTED USES

Any land, building or structure may be used for one or more of the following uses:

1. Assembly Hall
2. Agricultural Use, Existing
3. Boat Landing
4. Cultural Establishment
5. Educational Buildings
6. Interpretative Centres and Displays
7. Park
8. Passive Recreation Use
9. Tourism Centre
10. Tourist Establishment.

### 11.1.2 SECONDARY USE

Any land, building, or structure may be used for one or more of the following secondary uses:

1. Restaurant
2. Retail Use.

### 11.1.3 CONDITIONAL USE

Any land, building, or structure may, subject to terms and conditions, be used for one of the following uses:

1. Commercial Recreational Establishment.

### 11.1.4 ZONE STANDARDS

Lot Component	Standards
Minimum Lot Area	1,000 square metres (10,764 ft <sup>2</sup> )
Minimum Lot Frontage	15 metres (49.2 feet)
Minimum Lot Depth	30 metres (98.4 feet)
Minimum Front / Flankage Yard	15 metres (49.2 feet) if located on an arterial or collector highway or 7.5 metres (24.6 feet)
Minimum Side Yard	7.5 metres (24.6 feet)
Minimum Rear Yard	7.5 metres (24.6 feet)
Maximum Lot Coverage	50%
Other Requirements	In accordance with Section 4 of this By-law



CHAPTER 12

# **FLOOD RISK AREA OVERLAY ZONES**

## 12.1 FLOOD RISK AREA (FR) OVERLAY ZONE

Within the Flood Risk Area (FR) Overlay Zone, no person shall use any land or erect, alter, or use any building or part thereof for any purpose other than permitted uses in the underlying zone.

### 12.1.1 PERMITTED USES

No main building may be erected, constructed, or modified unless it meets the following minimum requirements, regardless of other policies contained in this Zoning By-law:

1. In the case of new main building:
  - a. A minimum floor elevation greater than the known minimum flood extent as depicted by a licensed surveyor.
  - b. A development or building permit application shall include:
    - i. A site plan and elevation drawings demonstrating the elevation of habitable space in the proposed building.
    - ii. A plan and drawings that demonstrate the flood proofing of all electrical, mechanical, and plumbing systems, by design, for the area below the required elevation.
    - iii. A drainage plan, if the adaptation measures result in more than 1 metre of fill (in elevation) for properties less than 4,000 square metres (1 acre).
    - iv. A site plan demonstrating that access to the property and dwelling unit is at an elevation that does not impact access to the property or dwelling unit during a flood event.
  - c. Other terms and conditions to mitigate the impact of flooding to life and structures as deemed appropriate by the Development Officer
2. In the case of an existing building, the building may be expanded or modified if:
  - a. It does not reduce the elevation of the existing building.
  - b. A non adapted expansion or modification is limited to one per main building.
  - c. The Development Officer may impose additional terms and conditions to mitigate the impact of flooding to life and structures as deemed appropriate by the Development Officer.
3. This section does not apply to accessory buildings or structures, open space uses, or temporary uses permitted by this bylaw. Accessory building and structures are subject to section 4.3.



CHAPTER 13

**WATERCOURSE  
AND WETLAND  
OVERLAY ZONE**

## 13.1 WATERCOURSE AND WETLAND (WW) OVERLAY ZONE

### 13.1.1 PERMITTED USES

Within the Watercourse and Wetland (WW) Overlay Zone, no person shall use any land or erect, alter, or use any building or part thereof for any purpose other than permitted uses in the underlying zone, regardless of other policies contained in the Zoning By-law.

### 13.1.2 WATERCOURSE AND WETLAND OVERLAY PROVISIONS

No development or building permit shall be issued unless the applicant has provided, to the satisfaction of the Development Officer, a copy of a Watercourse and Wetland Alteration (WAWA) permit or exemption as issued by the Provincial Department of Environment and Local Government.



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