

**BASIC PLANNING STATEMENT**

for the

**VILLAGE OF BATH**

**FEBRUARY 1993**

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**PREPARED BY: KENTON E. KINNEY, COMMUNITY PLANNER  
LAND USE PLANNING BRANCH,  
DEPARTMENT OF MUNICIPALITIES, CULTURE AND HOUSING  
IN CONJUNCTION WITH THE VILLAGE OF BATH**

The Village of Bath under the provisions set out in Section 29 of the Community Planning Act, Chapter C-12; RSNB, makes the following by-law.

**Section 1 - Administration**

- 1.1 This by-law may be cited as the Village of Bath Basic Planning Statement By-law.
- 1.2 That area of land outlined in Schedule B, being the municipal boundaries of the Village of Bath in the Parish of Kent, County of Carleton, is designated for the purpose of the adoption of a Basic Planning Statement and is the area to which this By-law applies.
- 1.3 The Village of Bath Basic Planning Statement contained in Schedule A is adopted for the municipal boundaries of the Village of Bath outlined in Schedule B.

**Schedule A**

**Section 2 - General Objectives**

- 2.1 It is anticipated that the establishment of General Objectives will create a balance between development pressures, environmental integrity and community cohesion. Objectives to be accomplished by the Zoning By-law will also be articulated. It is the intent that the Village of Bath adopt the following General Objectives for future development.
  - To promote orderly and compact development,
  - To reduce conflicts between different types of land use,
  - To protect and enhance environmental resources by identifying areas in the Village of Bath which are inappropriate for development and imposing restrictions and/or conditions on development within these areas,
  - To protect against polluting and nuisance uses,
  - To promote the development of appropriate recreational and tourism activities, and
  - To promote sustainable development principles which maintain or enhance environmental integrity.
- 2.2 It is a General Objective that the following uses will be permitted in the Village of Bath,
  - Residential uses,
  - Commercial uses,
  - Institutional uses,
  - Mixed Uses
  - Recreation uses, and
  - Green Belt uses.

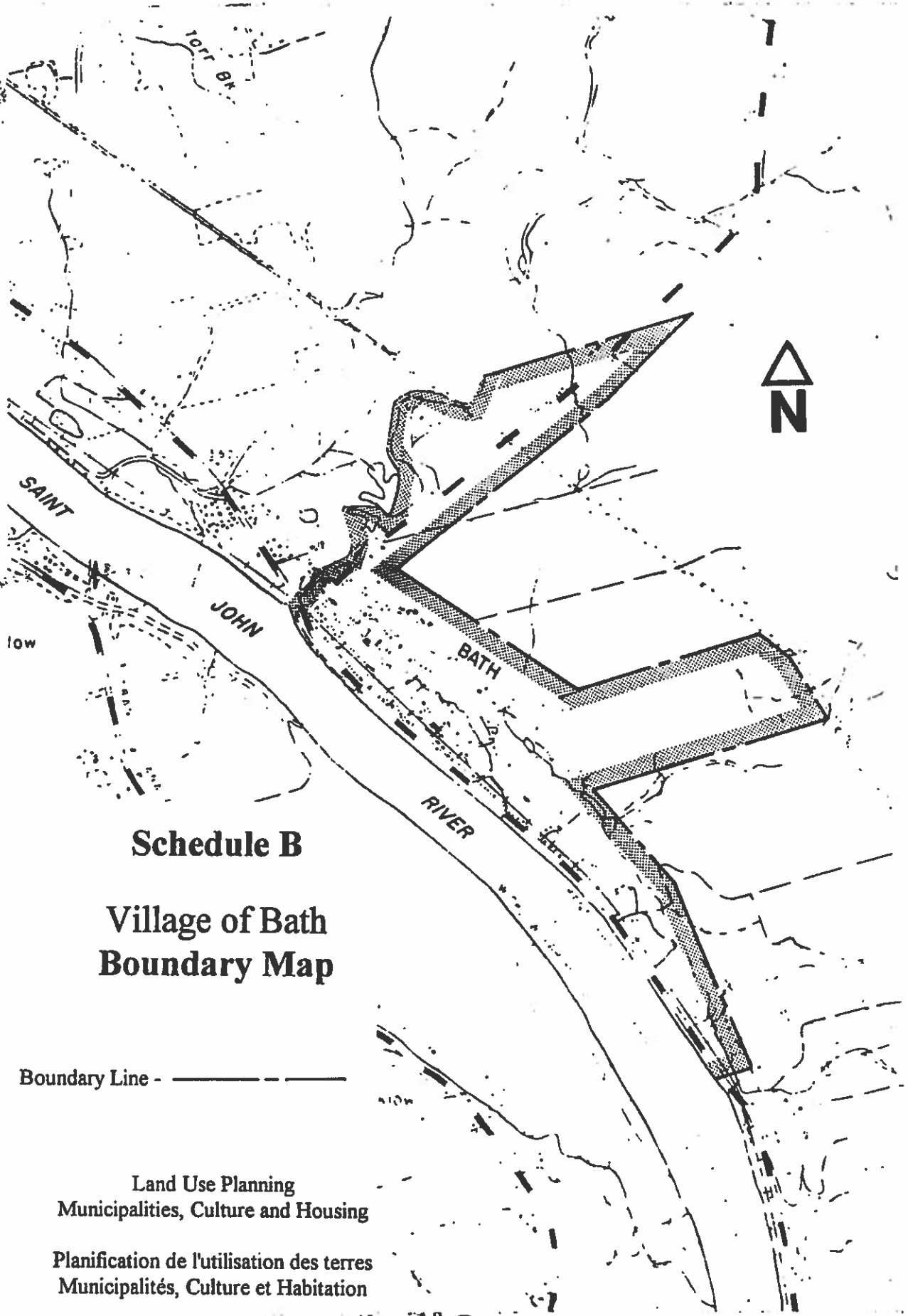
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- 2.3 It is a General Objective that the Village of Bath adopt a Zoning By-law.

**Section 3 - Objectives to be Accomplished by a Zoning By-law**

- 3.1 The Zoning By-law will be used to define the manner in which the General Objectives will be implemented.
- 3.2 The Zoning By-law will establish standards for the placement of use types and size of buildings and structures.

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**Schedule B**

**Village of Bath  
Boundary Map**

Boundary Line - 

Land Use Planning  
Municipalities, Culture and Housing

Planification de l'utilisation des terres  
Municipalités, Culture et Habitation

BY-LAW # 11

BASIC PLANNING STATEMENT BY-LAW

The Council of the Village of Bath, under the authority vested in it by Section 29 of the Community Planning Act, Chapter C-12, RSNB, enact as follows:

1. (1) A Basic Planning Statement for the physical development and improvement of the municipality is hereby adopted.

(2) The document entitled "Village of Bath Basic Planning Statement" and dated February 1, 1994. attached as Schedule A", constitutes the Basic Planning Statement mentioned in subsection (1).

READ FIRST TIME: *Jan 4th, 1994*

READ SECOND TIME: *Jan 4th, 1994*

READ THIRD TIME  
AND ENACTED: *Feb 1st, 1994*

CLERK

*Christa Walton*

MAYOR

*W. S. Leary*

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*M. Meisner*

*February 25, 1994*

**ZONING BY-LAW**  
for the  
**VILLAGE OF BATH**

**February 1994**

**PREPARED BY: KENTON E. KINNEY, COMMUNITY PLANNER,  
LAND USE PLANNING BRANCH,  
DEPARTMENT OF MUNICIPALITIES, CULTURE AND HOUSING  
IN CONJUNCTION WITH THE VILLAGE OF BATH**

The Village of Bath under the provisions set out in Section 34 of the Community Planning Act, Chapter C-12; RSNB, enacts the following by-law.

## **Section 1 - Administration**

### **Scope**

- 1.1 This by-law may be cited as the Village of Bath Zoning By-law.
- 1.2 This Zoning By-law;
- a) divides the Municipality into zones as described in Schedule B, Village of Bath Zoning Map,
  - b) prescribes the purposes for which land, buildings and other structures within any zone may be used,
  - c) establishes standards for the placement of use types, size, erection, and alteration of buildings and structures;
  - d) prohibits the use, placement, erection or alteration of land, buildings or structures other than in conformity with the purposes and standards mentioned in clause b).

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### **Powers of Council**

- 1.3 No building may be erected in the Municipality in respect of which, in the opinion of Council, satisfactory arrangements have been made for the supply of electric power, water, sewerage, streets or other services or facilities deemed necessary to the development by Council,
- 1.4 Subject to Section 1.5 of this By-law, The Council, within any zone, may;
- a) designate land to be used for the location or erection of any installation for the supply of electricity, water, sanitary or storm sewers or for the treatment, storage or disposal of water or sewerage wastes and,
  - b) use land designated under clause a) for a purpose therein mentioned.
- 1.5 No land may be designated or used for the purposes of Section 1.4 unless in the opinion of the Council;
- a) such land is essential to the operation of the services concerned and,
  - b) any development thereon in a Residential Zone is screened and buffered from public view through natural or man made means.
- 1.6 Notwithstanding any other provision of this By-law the Council may, in its discretion, allow a developer of a building or structure to pay to the Municipality the sum of \$500.00 (five hundred dollars) per space in lieu of providing off-street parking required hereunder.
- 1.7 All money received by the Council under Section 1.6 shall be subject to the provisions of Section 37 of the Community Planning Act, Chapter C-12, RSNB.

- 1.8 When, in its opinion, a building or structure is dilapidated, dangerous or unsightly, the Council may;
- a) require the improvement, removal or demolition of such building or structure at the expense of the owner thereof or,
  - b) acquire the parcel of land on which such building or structure is located

### Special Powers of the Planning Advisory Committee

- 1.9 No building or structure may be erected on any site where it would otherwise be permitted under this By-law when, in the opinion of the Planning Advisory Committee, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.
- 1.10 The Planning Advisory Committee may, subject to such terms and conditions as it considers fit;
- a) authorize, for a temporary period not exceeding one year, a development otherwise prohibited by this By-law and,
  - b) require the termination or removal of a development authorized under clause a) at the end of the authorized period.

### Interpretation

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- 1.11 In this By-law;
- a) advisory committee or planning advisory committee, means the Planning Advisory Committee established by the Council,
  - b) agricultural use, means any use of land for the purpose of producing crops and livestock,
  - c) alter, means to make any change structurally or otherwise, in a building or structure which is not for the purposes of maintenance only,
  - d) bachelor apartment, means a dwelling unit in a multiple dwelling, consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities,
  - e) building, means a roofed erection with solid exterior walls which is used or intended as a shelter for persons, animals or chattels,
  - f) building; accessory, means a detached subordinate building, not used for human habitation, located on the same lot as the main building or structure of use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure,
  - g) building; main, means a building in which is conducted the main or principle use of the lot on which the building is located,
  - h) duplex building, means a building containing two family units, one above the other,
  - i) dwelling, means a main building or a portion thereof, containing one or more dwelling units,
  - j) dwelling multiple, means a dwelling containing more than two dwelling units,
  - k) dwelling single-family, means a dwelling containing only one dwelling unit,



- l) dwelling two-family, means a dwelling containing two dwelling units,
- m) dwelling unit, means a room or suite of two or more rooms designated or intended for use by an individual or family, in which culinary facilities and sanitary conveniences are provided for the exclusive use of such individual or family,
- n) erect, means to construct, build, assemble or relocate a building or structure, and any physical operations preparatory thereto,
- o) family, means one or more persons not necessarily related, occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel or boarding or rooming house,
- p) garage public, means any building, space or enclosure in which motor vehicles or power boats are stored for use or repaired, as opposed to being stored for sale, but not including a body shop,
- q) garden suite, means a secondary residential dwelling on an otherwise occupied lot used for residential purposes, and intended for the sole occupancy of one or two adults persons who are 60 years of age or over,
- r) grade, means the finished level of the ground at the exterior walls of a building or structure,
- s) height, means, in relation to a building or structure, the vertical distance as measured from mean grade to the highest point on such building or structure,
- t) home occupation, means a secondary use conducted for gain, in a dwelling by the resident or residents,
- u) house boarding, means a dwelling or part thereof in which rooms and meals are provided for lodgers for compensation,
- v) house rooming, means a dwelling or part thereof in which rooms are provided to lodgers for compensation,
- w) lot, means a parcel of land or two or more adjoining parcels held by the same owner and used or intended to be used as the site for a building, structure or an appurtenance thereto,
- x) lot corner, means a lot having two or more adjacent sides fronting two or more intersecting or intercepting streets,
- y) lot line, means a common line between a lot and an abutting lot, lane or street,
- z) lot line rear, means a lot line extending along the rear of a lot,
- aa) lot line side, means a lot line extending from the street line to the rear of the lot,
- ab) semi-detached, means a building containing two dwelling units, one beside the other separated by a common fire wall,
- ac) mobile home, means a dwelling as defined by the Municipalities Act,
- ad) service station, means a building or space where items are stored and sold pertaining to the maintenance of motor vehicles and accessories for motor vehicles are kept, stored or for sale, and where minor repairs of motor vehicles are performed,
- ae) shopping center, means a building or structure as defined by the Community Planning Act,
- af) sign, means any display of advertisement, placard, boarding, bill board or other form or means or device whatsoever of public notice or announcement, whether erected, posted, painted or pasted and any such form or means or device intended, suitable or adaptable for such purpose whether or not it is at the time used for such purposes,
- ag) storey, means that part of a building between the surface of the floor next, above it or, if there is no floor above it, then the space between such floor and the ceiling next above it be it above or below grade,
- ah) street line, means the common line between a street and a lot,

- ai) structure, means an erection other than a building or a power or telephone pole or lines,
- aj) swimming pool, means a tank or other structure artificially created at least in part, located outdoors year round although used seasonally, intended to contain water for the purposes of swimming or diving,
- ak) use, means the purpose for which land, building or structure, or any combination thereof, is designated, arranged, erected, intended, occupied or maintained,
- al) use accessory, means a use other than human habitation, of land or a building or structure, which is naturally or customarily incidental and complementary to the main use of the land, building or structure, which is located on the same lot as the main use and is not a secondary use,
- am) width, means, in relation to a lot, where the side lot lines are parallel, the distance between them measured at right angles or, in the case of non parallel side lot lines, the distance measured across the lot along a line parallel to a line adjoining the points at which the side lot lines intersect the street line, such parallel line being drawn through the point at which line of minimum set-back intersects a line from the mid-point of and perpendicular to the line to which it is parallel,
- an) yard, means in relation to any building, structure, or use on a lot, that part of the lot between such building or structure or use and a lot line,
- ao) yard front, means in relation to a main building, structure or use on a lot, that part of the lot between such building, structure or use and the street line at the front of the lot,
- ap) yard rear, means in relation to a main building, structure or use on a lot, that part of the lot between such building, structure or use and the lot line at the rear of the lot,
- aq) yard side, 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 side lot line,
- ar) lot interior, means a lot other than a corner lot,

## Section 2 - Zones

### Classification

- 2.1 For the purposes of this By-law, the Municipality is divided into Zones delineated on the plan attached hereto and identified as Schedule B, entitled Village of Bath Zoning By-law Map.
- 2.2 The Zones mentioned in Section 2.1 are classified and referred to as follows:
  - a) R Zones - R1. single family residential  
R2. multiple family residential
  - b) HC Zones - Highway Commercial
  - c) M Zones - Mixed
  - d) Inst Zones - Institutional
  - e) PR Zones - Parks and Recreation
  - f) GB Zones - Greenbelt
- 2.3 R1, and R2, Zones collectively are referred to as R Zones.

## Conformity

- 2.4 In any Zone, all land shall be used and all buildings or structures or parts thereof, shall be placed, erected, altered or used only in conformity with the requirements of, except as otherwise provided, the part of this By-law pertaining to such zone.

## Section 3 - Residential R1 - Single Family Permitted Uses

- 3.0 Any land, building or structure may be used for the purpose of, and no other purpose;
- a) one of the following main uses;
    - i) a single family dwelling,
    - ii) mini or mobile home site,
    - iii) mini or mobile home park, or
  - b) any accessory building, structure or use incidental to the main use of the land, building or structure, if such main use is permitted by this section.
  - c) subject to Section 10, regarding home occupations, of this By-law, the following secondary use;
    - i) a home occupation.
  - d) subject to Section 10, regarding Garden Suites, of this By-law, the following secondary use;
    - i) a Garden Suite dwelling unit, subject to Section 10, parking provisions, of this by-law.
    - i) a Bed and Breakfast operation, subject to Section 39 of the Community Planning Act.
  - e) the use of land for the purposes of a mini or mobile home site or park, or of the extensions or additions to a mini or mobile home located on a site or park, is subject to the provisions of any applicable By-law or provision under Section 188 of the Municipalities Act,
  - f) subject to Section 5 of this by-law, a park or playground, and
  - g) subject to Section 7 of this by-law, an institutional use.

## Lot Sizes

- 3.1 No building or structure may be placed, erected or altered to become a two-family dwelling.
- 3.2 The lot shall be serviced by Municipal Water and Sewer and the lot shall have and contain;
- a) a width of at least 30 meters,
  - b) a depth of at least 30 meters,
  - c) an area of at least 900 square meters.

- 3.3 For a lot not serviced by Municipal Sewer, the lot shall have and contain;
- a) a width of at least 55 meters,
  - b) a depth of at least 38 meters,
  - c) an area of at least 4,000 square meters.
- 3.4 A person shall not use any land for the purpose of a mini or mobile home site or park unless such land is serviced by Municipal Water and Sewer.
- 3.5 No mini or mobile home park may be located on a lot unless such land has and contains;
- a) a width of at least 15 meters,
  - b) a depth of at least 27.5 meters, and
  - c) an area of at least 560 square meters.
- 3.6 No lot may be used for the purposes of a park or playground unless it has and contains an area of at least 1120 square meters.

#### Size of Dwelling Units

- 3.7 No one-family dwelling may be placed, erected or altered so that the ground floor area is less than;
- a) 93 square meters, in the case of a one storey dwelling,
  - b) 65 square meters, in the case of a one and one-half storey dwelling,
  - c) 55 square meters, in the case of a two storey dwelling,
  - d) every house shall have a minimum width throughout its length of at least 6 meters.
- 3.8 No mini or mobile home may be placed, erected or altered, on any site or in any park for such, as to have a gross floor area of less than 45 square meters.
- 3.9 For the purposes of this section, ground floor area or floor area does not include garages, carports, porches, verandahs, breezeways, approach halls or except for those completely contained in a dwelling unit, stairways.

#### Yards for Main Building or Structure

- 3.10 Subject to Section 10.25, no main building or structure may be placed, erected or altered so that it is;
- a) within 7.5 meters of a street line,
  - b) within 3.5 meters of a side lot line,
  - c) within 7.5 meters of a rear lot line.
  - d) in the case of a mini or mobile home;
    - i) 7.5 meters of the boundary of the street, or
    - ii) 1.5 meters of a property line other than a street boundary.

### Height of Main Building or Structure

- 3.11 No main building or structure may exceed 9 meters in height.
- 3.12 In the case of a mini or mobile home, no main building or structure may exceed 5 meters in height.

### Accessory Buildings and Structures

- 3.13 No accessory building or structure may;
- a) exceed one storey or 4.5 meters in height,
  - b) be placed, erected or altered so that it is within,
    - i) the front yard of the main building or structure,
    - ii) 1.5 meters of a side or rear lot line,
  - c) in the case of an accessory building, exceed 60 square meters in area or have any side greater than 10 meters,
  - d) be used for
    - i) agricultural purposes,
    - ii) for the keeping of animals other than household pets such as dogs, cats or small birds.
  - e) Accessory buildings and structures may not occupy more than 10 percent of the area of a lot.
  - f) in the case of an accessory building used on a mini or mobile home site or in a mini or mobile home park, be not larger than 33 square meters.

### Lot Occupancy

- 3.14 Buildings and structures on a lot shall not occupy a greater portion of the area of a lot than;
- a) 40 percent, in the case of an interior lot,
  - b) 35 percent, in the case of a corner lot.

### Landscaping

- 3.15 Subject to this section, the owner of a lot developed for residential purposes shall landscape;
- a) the front yard of the main building, and
  - b) that part of the lot within 1.5 meters of any building thereon.

- 3.16 For the purposes of this section, landscaping shall include;
- a) all grading necessary to divert surface water from the dwelling and in so far as is reasonably possible, to contour the front yard to the surrounding terrain, together with the installation of a lawn having a minimum of 7.5 centimeters of topsoil, and
  - b) may include the placement of such paths, patios, walkways, trees, shrubs, vines and flowers as are not prohibited by this or any other By-law, rule or regulation.
- 3.17 Notwithstanding Section 3.15, the front yard mentioned therein may be used to a reasonable degree for the purposes of walks and driveways for access to the main building or other use on the lot.
- 3.18 The landscaping referred to in this section shall be completed within 24 months from the date of issuance of the building permit.

#### **Section 4 - Residential R2 - Multiple-Family Permitted Uses**

- 4.0 Any land, building or structure may be used for the purpose of, and no other purpose;
- a) one of the following main uses;
    - i) a single family dwelling,
    - ii) multiple family dwelling, or
  - b) any accessory building, structure or use incidental to the main use of the land, building or structure, if such main use is permitted by this section,
  - c) any secondary use provided for under Section 3.0 of this By-law,
  - d) the following secondary uses are permitted;
    - i) a park or playground, subject to Section 5 of this by-law,
    - ii) an institutional use, subject to Section 7 of this by-law,
  - e) a home occupation as provided for under the provisions of Sections 10.21 and 10.22 of this By-law,
  - f) a Bed and Breakfast operation, subject to Section 39 of the Community Planning Act,
  - g) multiple dwellings with no greater than 6 units.

#### **Lot Sizes**

- 4.1 In the case of a two family dwelling duplex and semi-detached dwellings, unless otherwise indicated herein, the provisions of Sections 4.0 through 4.8 apply, excluding Section 4.3.
- 4.2 In the case of a duplex and semi-detached dwellings on a lot serviced by Municipal Water and Sewer, the lot shall have and contain;
- a) a width of at least 50 meters,
  - b) a depth of at least 30 meters, and
  - c) an area of at least 1,500 square meters.

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- 4.3 In the case of a multiple family dwelling on a lot serviced by Municipal Water and Sewer, the lot shall have and contain;
- a) a width of at least 37 meters plus 1.5 meters for each dwelling unit in excess of four,
  - b) a depth of at least 38 meters, and
  - c) an area of at least 1,580 square meters plus 105 square meters for each dwelling unit in excess of four.

#### **Size of Dwelling Units**

- 4.4 No duplex dwelling unit may be placed, erected or altered so that it contains a dwelling unit with a floor area less than 64 square meters.
- 4.5 No semi-detached dwelling unit may be placed, erected or altered so that it contains a dwelling unit with a floor area less than;
- a) 68 square meters in the case of a one storey dwelling,
  - b) 59 square meters in the case of a one and one half storey dwelling,
  - c) 50 square meters in the case of a two storey dwelling.
- 4.6 No multiple dwelling may be placed, erected or altered so that it contains a dwelling unit with a floor area of less than;
- a) in the case of a bachelor apartment, 32 square meters,
  - b) in the case of a one bedroom dwelling unit, 41 square meters,
  - c) in the case of a two bedroom dwelling unit, 55 square meters,
  - d) in the case of a three bedroom, or more, dwelling unit 66 square meters.
- 4.7 For the purposes of this section, ground floor area or floor area does not include garages, carports, porches, verandahs, breezeways, approach halls or, except for those completely contained in a dwelling unit, stairways.
- 4.8 Unless otherwise indicated, the provisions of Sections 3.0 through 3.18 apply to two and multiple family dwellings described in this section.

### **Section 5 - Parks and Recreational - PR Zones**

#### **Permitted Uses**

- 5.0 Any land, building or structure may be used for the purposes of, and no other purpose;
- a) one or more of the following main uses;
    - i) public open space for the aesthetic or other use of the general public, including sports fields or
    - ii) a facility, building or structure for the purposes of public entertainment,
    - iii) a park or playground, or swimming pools
  - b) subject to Section 5.1, any accessory building, structure or use incidental to the main use of the land, building or structure if such main use is permitted by this section.

- c) institutional uses are permitted as secondary uses to this zone designation, subject to Section 7 of this by-law.

## **Section 6 - Green Belt - GB Zones**

### **Permitted Uses**

- 6.0 Any land, building or structure may be used for the following purposes and no other purposes;
- a) public open space for the aesthetic or other related use,
  - b) public park for passive recreational uses,
  - c) an agricultural use,
  - d) a forestry use, provided that;
    - i) forestry operations shall conform to the New Brunswick Department of Natural Resources and Energy Crown Lands Forestry Management Guidelines,
    - ii) measures are taken to confine sediment and erosion within the subject property.
  - e) a single family dwelling, provided that;
    - i) the development site has a topographic slope of no greater than 10%,
    - ii) the development complies with any other applicable provisions of this or any other Municipal By-law or Provincial Regulation.
- 6.1 any accessory building, structure or use incidental to the main use of the land building or structure if such main use is permitted by this section.

### **Lot Sizes**

- 6.2 No main building or structure may be placed, erected or altered, and no building or structure may be altered to become a one family dwelling unless the lot has and contains;
- a) a width of at least 150 meters, and
  - b) an area of at least 0.8 hectares.

### **Size of Dwellings**

- 6.3 The provisions of Section 3.7 through 3.9, with respect to size of dwellings, shall apply.

### **Yards for a Main Building or Structure**

- 6.4 Subject to Section 10, regarding off-street parking, no main building or structure may be placed, erected or altered so that it is;



- a) within 7.5 meters of a street line,
- b) within 5 meters of a side lot line, or
- c) within 15 meters of a rear lot line.

**Height of a Main Building or Structure**

- 6.5 No accessory building or structure may;
- a) exceed 11 meters in height, or
  - b) be placed, erected or altered so that it is;
    - i) except in the case of an agricultural or forestry use, within the front yard of the main building or structure,
    - ii) in the case of an agricultural or forestry use, within 7.5 meters of a street line,
    - iii) within a distance of a side or rear lot line, of the greater of 3 meters or one half the height of the building or structure.

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**Section 7 - Inst Zones - Institutional Permitted Uses**

- 7.0 Any land, building or structure may be used for the purposes of , and no other purpose; one or more of the following main uses;
- a)
    - i) an educational use,
    - ii) a hospital, clinic or other health building,
    - iii) a municipal building, structure or related facility,
    - iv) a building intended for public assembly for social, cultural or recreational activities,
    - v) a religious or secular institution,
    - vi) a cemetery.
  - b) one or more of the following secondary uses;
    - i) park or playground,
    - ii) subject to Sections 10 regarding liquor licensed establishments.
- 7.1 Subject to Section 7.2, any necessary secondary building, structure or use, is permitted, if it is incidental to any such main use as permitted in Section 7.0.
- 7.2 Any use permitted under permitted under Section 7.1 is permitted only if approved by the Planning Advisory Committee and only on compliance with such terms and conditions as may be imposed by such committee.

### **Lot Sizes**

- 7.3 No main building may be placed, erected or altered on a lot unless it has and contains;
- a) a width of at least 37 meters,
  - b) a depth of at least 46 meters, and
  - c) an area of at least 1,702 square meters.

### **Yards for a Main Building or Structure**

- 7.4 No building or structure may be placed, erected or altered so that it is within 9 meters of a property line.

### **Height of a Main Building or Structure**

- 7.5 Subject to Section 7.6, no building may exceed 11 meters in height.
- 7.6 A religious institution building shall not exceed in height;
- a) for the main portion, 15 meters, and
  - b) for spires, belfries or other subsidiary features, a distance equal to twice the height of the main building or structure.

### **Accessory Buildings and Structures**

- 7.7 In approving a secondary or accessory use under Sections 7.0 and 7.1 the Planning Advisory Committee shall not approve such use if it;
- a) encroaches on yards required for the main building or structure to which it is accessory, or
  - b) exceeds in height the lesser of;
    - i) two storeys or 9 meters,
    - ii) the height of the main building or structure to which it is accessory.

### **Landscaping**

- 7.8 The provisions of Section 3 of this by-law, with respect to landscaping of lots, apply to all lots developed under this section.

## **Section 8 - M Zones - Mixed Permitted Uses**

- 8.0 Subject to this section, any land, building or structure may be used for the purposes of , and no other purpose, one of the following main uses;
- a) residential uses as defined in this by-law,
  - b) park and recreation uses as defined in this by-law,
  - c) institutional uses as defined in this by-law,
  - d) green belt uses as defined in this by-law,
  - e) commercial uses as defined by the following;
    - i) a bank or other financial institution,
    - ii) a motel, hotel or bed and breakfast operation,
    - iii) a governmental use,
    - iv) an office or office building,
    - v) a restaurant or other food service establishment including a bakery or dairy,
    - vi) a retail store or service shop engaged in the buying and selling of commodities or supplying of services,
    - vii) a service station or public garage, and
  - f) one of the following secondary uses;
    - i) indoor storage or articles for sale in connection with a use permitted by this section,
    - ii) subject to Section 10, liquor licensed establishments,
    - iii) facilities and land for parking of motorized vehicles.
  - g) any main use deemed to be similar in character to the above mentioned uses.
- 8.1 Subject to Section 8.0, any accessory building, structure or use incidental to the main or secondary use of the land, building or structure, if such main or secondary use is permitted under that section.
- 8.2 The following main or secondary uses of land, buildings or structures are permitted only if approved by the Planning Advisory Committee and only on compliance with such terms and conditions as may be imposed by such committee;
- a) a bus or other public transportation terminal,
  - b) a laundry, printing establishment or a cleaning or dry cleaning establishment,
  - c) a place of entertainment or amusement,
  - d) a building, structure or use customarily incidental and accessory to a use mentioned in this section.
- 8.3 Except for gasoline pumps at a service station or public garage, or for a parking lot, no main or secondary use, permitted under this section, may be established or conducted other than in a completely enclosed building, except otherwise provided for under Section 8.0 Subsection (f)(iv).

## **Lot Sizes**

- 8.4 No main building or structure may be placed, erected or altered on a lot less than 30 meters in width and serviced by municipal water and sewer.

### Size of Dwelling Units

- 8.5 The provisions of Section 3, with respect to the size of single family dwelling units, apply.
- 8.9 The provisions of Section 4, with respect to the size of two and multiple family dwelling units, apply.

### Yards for a Main Building

- 8.10 No main building may be placed, erected or altered so that a wall thereof containing a window to a habitable room is closer to a side or rear lot line than 1.5 meters; and all new buildings shall be set back a minimum of 15 meters from any designated highway or 7.5 meters from a street right-of-way.

### Height of a Main Building or Structure

- 8.11 No main building or structure may exceed 11 meters in height.

### Accessory Buildings and Structures

- 8.12 No accessory building or structure may;
- a) exceed 4.5 meters in height,
  - b) be placed, erected or altered so that it is;
    - i) closer to the street at the front of the lot than the rear of the main building or structure,
    - ii) within 1.5 meters of a side or rear lot line, or
  - c) be used for agricultural purposes or for the keeping of animals other than household pets.

### Landscaping

- 8.13 The provisions of Section 3 of this by-law, with respect to landscaping of lots, apply to all lots developed under this section.

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## **Section 9 - Highway Commercial - HC Zones**

### **Permitted Uses**

- 9.0 Any land, building or structure may be used for the purpose of , and for no other purpose;
- a) one or more of the following main uses;
    - i) any use concerned with storage, distribution or transportation of goods and services or related activities, subject to Section 9.1.
    - ii) a service station or public garage including a automotive sales establishment,
    - iii) a technical public service or utility or civic or governmental building or installation,
    - iv) a warehouse or wholesaling establishment,
    - v) any use of land , buildings or structures for the purpose of buying and selling commodities and supplying of services to the general motoring public.
  - b) one or more of the following secondary uses;
    - i) a mixed use as defined by this by-law in Section 8.0, with the exception of uses outlined in Section 8.0 subsections (b) and (d),
  - c) any accessory building, structure or use incidental to the main use of the land, building or structure if such main use is permitted by this section.
- 9.1 A use mentioned in Section 9.0, subsection (a), clause (i), is permitted only if approved by the Planning Advisory Committee and only on compliance with such terms and conditions as may be imposed by such committee.

### **Lot Sizes**

- 9.2 No main building may be placed, erected or altered on a lot unless a lot has and contains;
- a) a width of at least 37 meters,
  - b) a depth of at least 46 meters, and
  - c) an area of at least 1,702 square meters.

### **Yards for Main Building or Structure**

- 9.3 Subject to Section 10, regarding off-street parking, no main building or structure may be placed, erected or altered so that it is;
- a) within 7.5 meters of a street line, or
  - b) within a distance of a side or rear lot line than the greater of 3 meters or one-half the height thereof.

### **Accessory Buildings and Structures**

- 9.4 Except for a gate-keeper or security office not exceeding 9 square meters in size, no accessory building or structure may be placed, erected or altered so that it is;
- a) closer to the street than the front of the main building or structure,
  - b) within a distance of a side or rear lot line than the greater of 3 meters or on-half the height thereof, or
  - c) be used for agricultural purposes or for the keeping of animals other than household pets.

### **Landscaping**

- 9.5 The provisions of Section 3 of this by-law, with respect to landscaping of lots, apply to all lots developed under this section.

### **Size of a Main Building**

- 9.6 No main building may be placed, erected or altered so that it has a ground floor area less than 68 square meters.

## **Section 10 - General Provisions**

### **Excavation of Sand, Gravel and Rock**

- 10.0 No person shall undertake or continue the excavation of sand, gravel or rock unless an excavation permit has been issued therefor by the Development Officer pursuant to this section.
- 10.1 A person seeking to obtain an excavation permit under this section shall make application in writing to the Development Officer in a form prescribed by that officer.
- 10.2 An application mentioned in Section 10.1 shall;
- a) state the name and address of the applicant and the location of the proposed excavation,
  - b) be accompanied by a plan drawn to scale being not less than 1 to 1000 indicating the boundaries of that part proposed to be excavated,
  - c) indicate the proposed base or lowest level of the proposed excavation,
  - d) set out the means to be employed by the person in the proposed permit to maintain accesses to the excavation and public street over which excavated material is to be transported, in a dust free condition as by paving, sweeping, oiling or the use of calcium chloride,

- e) identify the estimated date of commencement of the work involved in the excavation,
  - f) include a proposal for rehabilitation of the site of the excavation as provided for herein and the proposed time limit therefor.
- 10.3 Subject to Section 10.4 and Section 10.5, where;
- a) an application under Section 10.1 has been received,
  - b) the proposed excavation and the proposal for rehabilitation of the site meet the requirements thereof,
  - c) the fee set out in Section 10.8 has been paid,
  - d) where the application has been approved by the Planning Advisory Committee, the Development Officer shall issue the excavation permit requested.
- 10.4 No permit shall be issued under this section if, in the opinion of the Development Officer,
- a) the proposed work would be apt to
    - i) create a hazard to human life,
    - ii) create injury to a person,
    - iii) damage adjoining property,
    - iv) adversely affect a public water main, sewer or a water course or street.
  - b) the land of the site is or would be subject to geological instability or flood hazard to the extent that no reasonable amount of corrective work could eliminate or sufficiently reduce the instability or hazard or,
  - c) the Development Officer and the applicant thereof do not agree on,
    - i) the base mentioned in clause c) of Section 10.2 or,
    - ii) a time limit mentioned in clause f) of Section 10.2
- 10.5 No permit may be issued under this section until the applicant has deposited a sum of money, or a surety bond in lieu thereof, issued by an insurance company licensed to carry on business in the Province of New Brunswick, in an amount determined by Council to be adequate to insure the excavation project will be completed and adequate to cover the estimated cost of rehabilitation required by Section 10.6.
- 10.6 Where an owner and /or permit holder mentioned in Section 10.7 fails to meet the requirements of that section, the Council may cause the required rehabilitation to be done and may recover all cost connected therewith from the owner.
- 10.7 The land of the site of the excavation for which a permit has been issued hereunder shall be rehabilitated by the owner and or permit holder thereof within a time limit mentioned in the permit, upon;
- a) depletion of the sand, gravel or rock from the site to the extent that further operation would be no longer viable,
  - b) failure to seek renewal of an elapsed or canceled permit or,
  - c) cessation of operation for a period of at least one year.
- 10.8 An excavation permit is valid until December 31 in the year of issue, and therefor such permit or renewal thereof is \$500.00 (five hundred dollars); \$25.00 (twenty-five dollars) non-commercial.
- 10.9 An excavation permit shall;

- a) be in a form prescribed by the Development Officer,
- b) set out information pursuant to Section 10.2 contained in the application therefor,
- c) be signed by both the Development Officer and the applicant.

- 10.10 Rehabilitation mentioned in clause f) of Section 10.2 shall include the following;
- a) where an excavation is over 6 meters deep, a terrace shall be provided not less than 6 meters in width at each 6 meter interval of the depth,
  - b) except for terraces provided pursuant to clause a), slopes of the excavation shall be not steeper than 1 -1/2 horizontal to the 1 vertical,
  - c) all plant, equipment, buildings or structures, placed or erected on the site for the purposes of excavation shall be removed,
  - d) All stockpiles, earth, rubble or other excavated material shall be removed from the site, backfilled into the excavation where feasible or brought to a common grade within the rest of the land,
  - e) The site shall be cleared of debris and, except for areas under water or on rock faces, covered with a layer of soil capable of supporting vegetation, to a depth of at least 15 centimeters and seeded with grass or other ground cover to prevent erosion.

- 10.11 A permit under this section is subject to the following term and conditions;
- a) that no excavation take place below the base agreed to pursuant to clause c) Section 10.2,
  - b) that accesses to the excavation and public streets over which excavated material is transported are maintained by the person named in the permit in a dust -free condition, as by paving, sweeping or oiling or the use of calcium chloride,
  - c) that the excavation and any work related thereto is carried on only between the hours of 7:00 am and 8:00 pm and only n days other than Sundays and holidays as defined by the Interpretation Act,
  - d) that no operation in relation to the excavation is conducted in a manner as,
    - i) to be apt to create a hazard to human life, to cause injury to a person or to damage adjoining property,
    - ii) to permit ponding of water in excess of 0.5 meters in depth,
    - iii) to lower the water tables of neighbouring properties,
    - iv) to prejudice proposed or required rehabilitation of the land.
  - e) that adequate measures are taken to prevent surface water from damaging the face of the excavation,
  - f) that neither the top or toe of the slope of the excavation or any building or structure or storage or repair in connection therewith, is within 15 meters of an abutting property line,
  - g) that annually, at the end of the operation for the summer, the slope of the excavation is not steeper than 1-1/2 horizontal to 1 vertical for the full depth thereof,
  - h) that the land of the site be rehabilitated as provided herein.

- 10.12 Where a person violates any of the terms and conditions mentioned in Section 10.11, or any provision of this section, the Development Officer may suspend or revoke the excavation permit and may, if the violation is rectified, reinstate a suspended permit.

- 10.13 No permit is required for the excavation of sand, gravel or rock for use on a person's own property, except if excavated material is hauled off the site.



### **Excavation and Stripping of Materials**

- 10.14 The excavation of sand, gravel, clay, shale, limestone or other deposit for the purposes of sale or other commercial use of the material excavated is prohibited, unless the provisions of Sections 10.0 through 10.13 have been complied with.
- 10.15 The provisions of Section 10.0 do not apply if the material is surplus to the requirements of an approved development.
- 10.16 No person may strip, excavate or otherwise remove top soil for sale or for use from a lot or other parcel of land.
- 10.17 Where in connection with the construction of a building or structure, there is an excess of top soil other than required for grading and landscaping on the lot, such excess may be removed for sale or use.
- 10.18 Notwithstanding Section 10.16, the farming of sod may be carried on where the owner of the land has entered into an agreement, with the council, making arrangements satisfactory to the council for the rehabilitation of lands subject to the activity.

### **Amendments**

- 10.19 A person who seeks to have this By-law amended shall;
- a) address a written and signed application in duplicate thereof to the Council of the Village of Bath,
  - b) pay a fee of \$200.00 (two hundred dollars) payable to the Municipality.
- 10.20 The Council may, if it deems fit, return all or part of the fee mentioned in Section 10.19.
- 10.21 An application under this section shall include such information as may be required by the Council or Planning Advisory Committee for the purpose of adequately assessing the desirability of the proposal.
- 10.22 The Council may refuse to consider an application under this section if such application
- a) seeks to re-zone an area of land from one type of zoning to another, or
  - b) has not been assigned by one or more owners of each property in the area mentioned in clause a).
- 10.23 Before giving its views to Council with respect to applications under this section, the Planning Advisory Committee may carry out such investigation as it deems necessary.

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- 10.24 Unless, upon the advice of the Planning Advisory Committee, the Council is of the opinion there is valid new evidence or change in conditions, where an application under this section has been refused by the Council, no further application may be considered by the Council for one year of such application;
- a) in the case of re-zoning, is in respect of the same area of land with which the original application was concerned, or
  - b) not being in relation to re-zoning is similar to the original application.

#### Number of Main Buildings or Structures on a Lot

- 10.25 Except as herein provided, no more than one main building or structure may be placed or erected, and no building or structure may be altered to become a second main building or structure, on a lot.

#### Home Occupations

- 10.26 Subject to Section 10.27, where a home occupation is permitted under this By-law, one of the following occupations may be conducted as a home occupation in the main dwelling;
- a) an occupation as a doctor, denturist, dentist, architect, artist, designer, accountant, lawyer or professional engineer in an office or studio therein,
  - b) an insurance salesroom,
  - c) dressmaking,
  - d) a day nursery or kindergarten as defined by the Family Services Act,
  - e) the teaching of dancing or music to not more than four students at a time,
  - f) a barber shop or beauty parlor,
  - e) a woodworker, potter, craftsperson or other such occupation related to carpentry, or
  - f) any such occupation deemed to be similar in character to the above mentioned occupations.
- 10.27 A home occupation is subject to the requirements that;
- a) not more than one person is engaged therein in addition to members of the family resident in the dwelling unit in which it is located,
  - b) it is confined to the dwelling unit mentioned in clause a) and no part of it is located in an accessory building or structure,
  - c) the floor area of the dwelling unit which is devoted the home occupation does not exceed the lesser of,
    - i) 20 percent of the floor area of the dwelling unit, or
    - ii) 27 square meters (300 square feet).
  - d) no change, except for a sign permitted under Sections 10.55 through 10.59, is made in the outside appearance of the building or structure which would indicate that a home occupation is being conducted therein,
  - e) no goods or services other than those directly pertaining to the home occupation are supplied therein to therefrom,

- f) no equipment or material used therein is stored other than in the dwelling unit as mentioned in clause a),
- g) no commercial vehicle used in connection therein and may not be stored on the lot on which the dwelling containing it is located except in a wholly-enclosed building, and
- h) two off-street parking spaces are provided in excess of those required under Section 10.44 and Section 10.45.
- i) in the case of a day care or kindergarten, a certificate of approval issued from the Department of Health and Community Services.
- j) other home occupations not being simular or expressly stated in this by-law may be considered subject to approval of the Planning Advisory Committee and an amendment to this by-law.

### **Lots to Abut Streets**

10.28 Every lot used for a purpose permitted by this By-law shall abut a public street.

### **Residential Development Near a Lagoon**

10.29 Notwithstanding with any other provision of this By-law no dwelling permitted in this By-law, may be located within 100 meters of a sewage lagoon.

### **Development Near a WaterCourse or Wetland**

10.30 Notwithstanding the provisions of this By-law the Watercourse Alteration Regulation - (Clean Water Act; O.C. 90-532) applies throughout the Village of Bath.

### **Lighting Facilities or Illumination Devices**

10.31 No lighting facility or illumination device for any purpose may be arranged in such a manner as to cause a general nuisance or endanger the motoring public.

### **Line of Vision at an Intersection**

10.32 No building or structure, fence, shrub, tree or other foliage may obstruct the line of vision at a street intersection between the heights of one meter and three meters above the grade of the streets within the area bounded by the center line 24 meters from their intersection.

## Enclosures for Swimming Pools

- 10.33 No land may be used for the purposes of a swimming pool unless the pool is enclosed by a fence or by a wall or by a building or structure, or by a combination of fences and walls, at least 1.5 meters in height and meeting the requirements of this section.
- 10.34 Where a portion of a wall of a building forms part of an enclosure mentioned in Section 10.33;
- 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 rooming unit, shall be self-closing and equipped with a self-latching device at least 1.5 meters above the bottom of the door.
- 10.35 An enclosure mentioned in Section 10.33 shall not have rails, bracing or other attachments on the outside thereof that would facilitate climbing.
- 10.36 A fence mentioned in Section 10.33 shall;
- a) be made of chain link construction with galvanized, vinyl or other CSA approved coating or of wood or other materials, in the manner described in Section 10.37,
  - b) not be electrified or incorporate barbed wire or other dangerous material,
  - c) be located,
    - i) at least 1.25 meters from the edge of the swimming pool,
    - ii) at least 1.25 meters from any condition that would facilitate its being climbed from the outside.
- 10.37 The design and construction of a fence under this section shall provide;
- a) in the case of chain link construction,
    - i) no greater than 4 centimeters diamond mesh,
    - ii) steel wire not less than No. 12 gauge, or minimum of No. 14 gauge wire with a coating forming a total thickness equivalent to No. 12 gauge wire,
    - iii) at least 4 centimeters diameter steel posts, set below frost in an envelop of concrete and spaced out not more than 3 meters apart, with a top horizontal rail at least 4 centimeters diameter steel.
  - b) in the case of wood construction;
    - i) vertical boarding, not less than 2.5x10 centimeters nominal dimensions spaced not more than 4 centimeters apart, attached to supporting members and arranged in such a manner as not to facilitate climbing on the outside,
    - ii) supporting cedar posts at least 10 centimeters square or round with 10 centimeters diameters, set below frost and spaced out not more than 2.5 meters apart, with the portion below grade treated with a wood preservative, and with a top horizontal rail of at least 5x15 centimeters nominal dimensions.
    - iii) in the case of construction with materials and in a manner other than described in this section, rigidity equal to that provided thereby.
- 10.38 Gates forming part of an enclosure mentioned in Section 10.33 shall;
- a) be equivalent to the fence in content, manner of construction and height,
  - b) shall be supported on hinges equal in rigidity to the fence, and

- c) shall be self-closing and equipped with a self-latching device at least 1.5 meters above the bottom of the gate.

### **Commercial Development Abutting a Residential Zone**

- 10.39 Notwithstanding any other provision of this By-law, in the Case of a Lot in a Commercial Zone and abutting a Residential Zone, no main building or structure may be placed or erected thereon unless the yard abutting the adjoining Residential Zone has a depth or width equal to twice the height of the main building or structure, and,
- a) has been screened or buffered from adjoining property to the satisfaction of the Planning Advisory Committee.

### **Elevation of New Residential Structures**

- 10.40 All new residential structures shall be placed or erected on a foundation which is at least 750 millimeters above the final center line grade of the street unless a variance is granted by the Planning Advisory Committee.

### **Garden Suite**

- 10.41 The floor area of a Garden Suite dwelling unit shall not exceed 30 percent of the existing living area of the primary residence or 75 square meters in floor area on a lot zoned for residential use, whichever is lesser.
- 10.42 Only one Garden Suite dwelling unit shall occupy a lot and only as a secondary use, to an otherwise occupied lot, which is used as a primary residential unit on the same lot.
- 10.43 The erection or placement of a Garden Suite dwelling unit may be permitted where stipulated pursuant to this by-law, under such terms and conditions as stipulated by the Planning Advisory Committee, and;
- a) pursuant to the provisions of Section 34 of the Community Planning Act; Chapter C-12, RSNB, and
  - b) shall consider the following when addressing an application for such use,
    - i) a garden suite shall only be located in the rear yard of a dwelling used primarily for residential purposes,
    - ii) a garden suite shall maintain a minimum setback of 3 meters from a rear lot line and 1.8 meters from a side lot line,
    - iii) full municipal services must be available to the garden suite,
    - iv) a garden suite is not permitted where the host property already has and contains an apartment or is a multiple dwelling as defined by this by-law,

- v) an additional off-street parking space is required for the garden suite over the parking requirements of the primary dwelling,
- vi) a garden suite shall be constructed, erected or placed in such a manner as to be easily removable,
- vii) fencing and buffering shall be to the Planning Advisory Committee's satisfaction,
- viii) no garden suite may be occupied until such time as the building inspector certifies that the garden suite conforms with the National Building and Fire Codes.

### Vehicular Off-Street Parking

10.44 Except as herein provided, no more than one main building or structure may be placed, erected or altered or used unless vehicular off-street parking spaces are provided in accordance with this section.

10.45 Off-street vehicular parking spaces mentioned Section 10.44 shall be provided on the following basis;

- |  |  |
|--|--|
| a) for dwelling units  | not less than one space for each dwelling unit   |
| b) for retail stores/service shops and similar establishments  | not less than one space for every 18 square meters of retail sales floor area  |
| c) for restaurants and taverns   | not less than one space for every 18 square meters of public floor area  |
| d) for offices   | not less than one space for every 30 square meters of gross floor area   |
| e) for recreational and entertainment buildings, including institutional uses                                  | not less than one space for every 8 fixed seats, or not less than one space for each 9 square meters of gross floor area whichever is greater  |
| f) for hotels and motels   | not less than one space for each habitable unit  |
| g) for schools and youth clubs   | not less than one space for every classroom or clubroom and where an auditorium or place of assembly is included therein, an additional space for every 9 square meters (100 square feet) of auditorium or assembly area |
| h) for industrial buildings, warehouses, storage yards or buildings and servicing and repairing establishments | not less than one space for every 5 employees, or not less than one space for every 90 square meters of gross floor area whichever is greater.   |

10.46 A parking space shall be;

- a) an area of not less than 6 meters in length and not less than 3 meters in width,
  - b) readily accessible from the nearest street, and
  - c) not more than 150 meters from the building which it serves.
- 10.47 Provided the area is not less than the minimum area required for all buildings which the spaces are to serve, collective provision for off-street parking spaces may be made for two or more buildings on the same lot.
- 10.48 Where collective provisions for off-street parking are made under Section 10.44 , the parking shall;
- a) be screened from public view, if practicable,
  - b) be surfaced with a durable and dustproof material,
  - c) have points of ingress and egress located, in the opinion of the Planning Advisory Committee with due regard to topography and general traffic conditions, and
  - d) not to be used for automotive repair work or servicing except in the case of an emergency.

### Vehicular Off-Street Loading and Unloading

- 10.49 The owner of every building, structure or premises used in whole or in part for commercial or business purposes involving the use of vehicles for the receipt or distribution of goods services or merchandise shall provide and maintain on land appurtenant to such building, structure or premises, off-street spaces for such vehicles to stand and for loading and unloading same, in accordance with the following requirements;
- a) for retail and wholesale stores, bulk storage plants, warehousing or similar uses,
    - i) not less than one space if the floor area thereof is 455 square meters or less,
    - ii) not less than two spaces if the gross floor area thereof is in excess of 455 square meters but less than 2,272 square meters, and
    - iii) an additional space for each 2,272 square meters.
  - b) for business or office buildings, places of public assembly, schools hotels or other similar buildings or premises,
    - i) not less than one space, and
    - ii) an additional space for each 2,272 square meters, or fraction thereof, of gross floor area in excess of 2,727 square meters.
- 10.50 A loading and unloading space mentioned in Section 10.46 shall;
- a) be not less than 9 meters in length and not less than 3 meters in width, with 4.5 meters in overhead clearance,
  - b) be located that merchandise or materials are loaded or unloaded on the premises being served,
  - c) be provided with adequate facilities for ingress and egress and unobstructed maneuvering aisles, and
  - d) be surfaced with a durable and dustproof material.

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## **Liquor Licensed Establishments**

- 10.51 Existing liquor licensed establishments will be permitted to continue.
- 10.52 Applications for a liquor licensed establishment which would be the main use of the building, land or structure will only be permitted after a Section 39 rezoning has been granted.
- 10.53 Applications for a liquor licensed establishment may be permitted as a secondary use in a Mixed or Highway Commercial Zone where the preparation, or sale, or consumption of food and/or food related items is conducted on such premises, or in an Institutional Zone; only on compliance with such terms and conditions as may be imposed by the Planning Advisory Committee pursuant to Section 34(4) of the Community Planning Act.
- 10.54 Applications for a liquor licensed establishment may be permitted for a temporary period not to exceed one year subject to Section 34 subsection (h) of the Community Planning Act.

## **Signs**

- 10.55 Other than a traffic control device as defined by the Motor Vehicle Act, a legal notice or a store window sign advertising goods for sale therein, the use of land or a building or structure for the placing, erecting or displaying of a sign not expressly permitted by this section is permitted only if approved by the Planning Advisory Committee and only on compliance with such terms and conditions as may be imposed by such committee.
- 10.56 Subject to Section 10.57, in any Zone, a non-illuminated sign may be placed, erected or displayed on any land, building or structure if such sign;
- a) advertises the sale, rental or lease of such land, building or structure,
  - b) identifies by the name of the property or the residents thereof,
  - c) indicates a home occupation permitted hereunder, or
  - d) warns against trespass.
- 10.57 Unless otherwise provided for by this section, a sign mentioned in Section 10.56 shall not exceed;
- a) in number, and for each purpose mentioned therein, or
  - b) in size;
    - i) 0.55 square meters (6 square feet), for a sign mentioned in Section 10.56 subsection (a), or
    - ii) 0.18 square meters (2 square feet), for a sign mentioned in Section 10.56 subsection (b), (c) or (d) thereof.



- 10.58** In a Mixed or Highway Commercial Zone, the following signs may be placed, erected or displayed;
- a) a sign placed flat against the front of a building indicating the ownership or nature of the business carried on therein, provided the gross surface area of such sign does not exceed;
    - i) 5.5 square meters, in the case of a non-illuminated sign, or
    - ii) 2.75 square meters, in the case of an illuminated sign,
  - b) a free standing sign not exceeding 4 square meters in gross surface area, in the case of a service station.
- 10.59** No sign may;
- a) be an imitation of a traffic control device or contain the words, "stop", "go", "go slow", "caution", "danger", "warning" or similar wording,
  - b) have a size, location, movement, colour, content or manner of illumination which may be confused with, construed as, or intend to hide from view any traffic control device,
  - c) advertise any activity, business, product or service no longer conducted on the premises on which the sign is located.

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BY-LAW # 19

VILLAGE OF BATH ZONING BY-LAW

The Council of the Village of Bath, under the authority vested in it by Section 34 of the Community Planning Act, Chapter C-12, RSNB, enact as follows:

1. (1) The Village of Bath Zoning By Law for the municipality is hereby adopted

(2) The document entitled "Village of Bath Zoning By-Law" and dated February 1, 1994. attached as Schedule A", constitutes the Village of Bath Zoning By-Law as mentioned in subsection (1).

READ FIRST TIME: January 4<sup>th</sup>, 1994

READ SECOND TIME: January 4<sup>th</sup>, 1994

READ THIRD TIME AND ENACTED: February 1<sup>st</sup>, 1994

CLERK Christa Walter

MAYOR Ed. J. Perry

*M. Newman*

February 24, 1994

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