

District of Carleton North

ZONING BY-LAW

REVIEW COPY

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1. Title & Scope

The Council of the District of Carleton North, under the authority vest in it by the Community Planning Act, enacts as follows:

1.1 Title

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

1.2 Purpose

- a) Divide the District into zones;
- b) Prescribe the purposes for which land, buildings, and structures in any zone may be used and regulates the standards to which land use and the placement, erection, alteration, and use of buildings and structures shall conform; and
- c) 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

- a) 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.
- b) 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.
- c) 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

- a) 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Plan (11-SCC-045-00) and amendments thereto that fall within the administrative boundaries of the District are hereby repealed;
- b) The Bath Rural Plan No. 20 is hereby repealed;
- c) The Centreville Rural Plan By-law No. 16-2022 is hereby repealed; and
- d) The Florenceville-Bristol Zoning By-law No. 13B is hereby repealed
- e) Notwithstanding the repeal of the By-law in section (d)
 - i) 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;
 - ii) Nothing in this By-law shall prohibit a development for which a permit was issued by the Development Officer prior to the coming into force of this By-law, but any time limits established by such permit shall continue to apply.

2 Administration

2.1 Administrative Area

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

2.2 Zones

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

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

- Where a zone boundary follows a lot line, that lot line is the zone boundary;
- Where a zone boundary follows the sideline of a highway, road, lane or street, such sideline is the zone boundary;
- 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;
- Where a zone boundary follows the municipal boundary, the municipal boundary is the zone boundary;
- Should any feature described in this section cease to exist, the centre of the former feature is the zone boundary; and

- f) 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 is situated within 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 as to 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, 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:

- a) Subject to terms and conditions imposed by the Planning Advisory Committee; and
- b) Subject to all other provisions of this By-law.

2.6.3 Secondary Uses

- a) Secondary uses are:
 - i. Subordinate to the main use; and
 - ii. Located on the same lot as the main use, unless otherwise provided by this By-law.
- b) 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 Part 4 of this By-law.

2.6.4 Accessory Uses

- a) An accessory use is:

- i. Subordinate to the main use or secondary use;
 - ii. Located on the same lot as the main use unless otherwise provided by this By-law; and
 - iii. Complementary to the main use, as the discretion of the Development Officer.
- b) 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 Part 4 of this By-law.

2.7 Measurements and Calculations

- a) Numerical requirements in this By-law are provided in metric units of measurement.
- b) 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.
- c) Where the calculation of a numerical requirement results in a fraction:
 - i. A fraction of less than one-half shall not be taken into consideration; and
 - ii. 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

- a) Pursuant to subsection 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.
- b) Pursuant to subsection 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

No building may be erected within the District if, 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.

2.9 Powers of the Planning Review and Adjustment Committee and Regional Service Commission

- a) 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.
- b) PRAC may, subject to the terms and conditions it considers fit:
 - i. authorize for a temporary period, in accordance with the Community Planning Act, a development otherwise prohibited by this By-law;
 - ii. require the termination or removal of a development authorized under (i) at the end of the period authorized under the Community Planning Act.
 - iii. Under section 53(2)(j) of the Community Planning Act, PRAC may:
 - a. delegate its authority under paragraph (i) of Section 53(2) to the Development Officer, and
 - b. authorize a delegate to further delegate their authority under paragraph (i) of Section 53(2) to a person.
- c) 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 PRAC, and no building or development permit shall be issued unless an application and supporting information for such use has been submitted to PRAC; 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 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.
- d) PRAC may permit, subject to the terms and conditions it considers fit:
 - i. 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
 - ii. 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 the terms and conditions they consider fit, the Development Officer may permit a reasonable variance from the requirements referred to in subsections 53(2)(a)(i), (iii), (iv), (v), (vi), (vii), (viii), (ix), and (xiii), and paragraph 53(2)(f) of the Community Planning Act and referenced in the list below, if the Development Officer is of the opinion that the variance is desirable for the development of a parcel of land or a building or structure and is in keeping with the general intent of this By-law and the District's Municipal Plan.

- a) 53(2)(a)(i) 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;
- b) 53(2)(a)(iii) the height, number of storeys, ground area, floor area and bulk of buildings and structures;
- c) 53(2)(a)(iv) the percentage of land that may be built on, and the depth, size or area of yards, courts, parking areas and open spaces;
- d) 53(2)(a)(v) 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;
- e) 53(2)(a)(vi) the design, character and appearance of buildings and structures,
- f) 53(2)(a)(vii) the placement, height, and maintenance of fences, walls, hedges, shrubs, trees, and other objects;
- g) 53(2)(a)(viii) the types, dimensions and locations of means of access of lots to streets,
- h) 53(2)(a)(ix) the facilities to be provided and maintained for off-street parking and loading of vehicles;
- i) 53(2)(a)(xiii) the location, dimensions, standards of construction and purposes of advertising signs and billboards; and
- j) (53(2)(f). 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.

2.11 Applications to Amend the Zoning By-law

- a) Anyone who seeks to have this By-law amended shall:
 - i. submit a complete application as prescribed by the Development Officer, signed by the property owner or authorized agent; and
 - ii. shall pay the fee prescribed by the District.
- b) Council may, if it deems fit, return all or any part of the fee mentioned in (a)(ii).
- c) An application under this section shall include such information as may be required for the purposes of adequately assessing the desirability of the proposal.
- d) Before giving its views to Council with respect to an application under this section, PRAC may request such information it deems necessary.
- e) 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 Council is of the opinion that there is valid new evidence or a change in conditions.

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3 Definitions

In this By-law, words have their ordinary meaning except 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 of New Brunswick.

“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:

- a) the clearing, draining, irrigating or cultivation of land;
- b) the raising of livestock, including poultry;
- c) the raising of fur-bearing animals;
- d) the raising of bees;
- e) the production of agricultural field crops;
- f) the production of fruit and vegetables and other specialty horticultural crops, including a greenhouse or nursery;
- g) the productions of eggs and milk;
- h) the production of maple syrup or similar products;
- i) the operation of agricultural machinery and equipment, including irrigation pumps;

- j) the preparation of a farm product distributed from the farm gate, including cleaning, grading, and packaging;
- k) the on-farm processing of farm products for the purpose of preparing farm products for wholesale or retail consumption;
- l) the storage, use or disposal of organic wastes for farm purposes;
- m) the operation of pick-your-own farms, roadside stands, farm gate sales and farm tourist operations;
- n) the application of fertilizers, conditioners, insecticides, pesticides, fungicides and herbicides, including ground and aerial spraying, for agricultural purposes;
- o) the keeping or boarding of horses including a stable;
- p) an agritourism use including the incidental sale or manufacturing of farm products, including a restaurant; and
- q) 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 spirit, 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.

“animal unit” means the number of livestock or poultry that produce one animal unit as follows:

- a) one horse, cow, steer, donkey, buffalo, bull, or mule, including offspring until weaning;
- b) two llama, pig, or alpaca, including offspring until weaning;
- c) five sheep, goats or emu, including offspring until weaning;
- d) eight turkeys or geese; and
- e) twenty-five chickens, ducks or furbearing animals, excluding fox or mink.

“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.

“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 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, which may include live entertainment 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 which 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 may include the provision of meals 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 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 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 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, mortuaries and associated building 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.

“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 which 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 purposes of the cremation of 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:

- a) 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;
- b) Any change in the purpose for which any land, building, or structure is used;
- c) Any excavation of sand, gravel, clay, shale, limestone, or other deposit for a development mentioned in (a) or for purposes of the sale or other commercial use of the material excavated; or
- d) The making of land by cutting or filling to a depth in excess of one metre 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 and 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 4 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 unit having a width of 6 m 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 one other 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 remuneration 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 another dwelling unit that 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 carpenter 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 for sale or off tract use without the use of explosives, 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 leased.

“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 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 a business is conducted by the occupant of the dwelling unit.

“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 2 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 which is mostly developed, or new construction between existing structures.

“institutional use” means the use of land, building or structure 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.

“interior lot” means a lot other than a corner lot.

“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 which has a power generation capacity of greater than 100kW.

“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 frontage” 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 for the placement of ten or more mini homes.

“motel” means an establishment that:

- a) consists of one or more buildings containing one or more attached accommodation units;
- b) may possess facilities for serving meals; and
- c) 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, or observation activities, and 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 foregoing, barber shops, beauty shops, tailor shops, laundromat, shoe repair, 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 furthest 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 which is used for the deposit, collection and handling of waste paper, rags, tires, bottles or other materials which 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 external to 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. These roads are classified by the Minister of Transportation & Infrastructure under the appropriate provincial legislation and include all roads assigned a route number from 1 to 99. They also may include 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. These roads are classified by the Minister of Transportation & Infrastructure under the appropriate provincial legislation and include all named roads assigned a route number from 100-199. They also may include municipally owned roads that function in a similar capacity.

“road, local” means a road intended to provide property access. All local roads are classified by the Minister of Transportation & Infrastructure under the appropriate provincial legislation and include all named roads assigned a route number greater than 199. They also may include municipally owned roads that function in a similar capacity.

“rotor’s arc”, means the largest circumferential path traveled by the wind turbine’s rotor blade.

“salvage yard”, means a lot or premises for the storage, handling or processing of and sale of scrap material, and without limiting the generality of the foregoing, shall include waste paper, 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 separate access through a common hallway.

“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, which 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, which 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 which 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, which can wholly enclose all of the letters, numbers or insignia.

“small scale wind turbine or SWT” means a wind turbine which has a power generation capacity of no greater than 100kW.

“solar collector” means a device or collection of devices that collect and/or concentrates solar radiation from the sun 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 which forms 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.

“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.

“temporary garage” means a collapsible structure covered with plastic or fabric, used for the purpose of temporarily storing vehicles and/or the covering of and must be located behind the building line.

“through lot” means a lot other than a corner lot which 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 units 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, storage 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 utilized, occupied, maintained or leased.

“utility” means any agency, which 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 upon 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, and recreational vehicles or 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 feature in which the primary function is the conveyance or containment of water, which includes: the bed, banks and sides of any incised channel greater than 0.5 metres in width that displays a rock or soil bed; water/flow does not have to be continuous and may be absent during any time of year; or a natural or man-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

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4 General Provisions

4.1 Uses Permitted in All Zones

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

- a) Community Garden
- b) Land for Public Purposes
- c) Lane, Street, or Highway
- d) Municipal Recreation Use
- e) Park or Playground
- f) Pipeline
- g) Public Display Boards or Installation
- h) Stormwater Management System
- i) Telecommunications tower
- j) Temporary parking lot to facilitate snow clearing
- k) Utility Service Building or Structure
- l) Walking trail
- m) 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

- a) No more than two (2) driveways shall be permitted per lot.
- b) A Non-Residential Driveway, when facilitating two-way traffic, shall have a minimum width of 6 metres.
- c) 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 m from their point of intersection.

4.2.4 Drive-Thru Queuing Spaces

- a) 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:

- i) 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;
- ii) 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.
- b) Drive-through overflow shall be accommodated on site and shall not encroach on a public sidewalk or street.
- c) All queuing spaces shall be a minimum of 6.5 metres long and 3 metres wide.
- d) All queuing lanes shall provide sufficient space for turning and maneuvering.

4.3 Accessory Buildings and Structures

4.3.1 General Standards - Accessory Buildings and Structures

- a) 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.
- b) An accessory building or structure shall be located on the same lot as the main use.
- c) Except as otherwise provided by this By-law, an accessory building or structure shall not be placed, erected or altered so that it:
 - i. Is wholly or partially within the front yard of a lot;
 - ii. 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 shall be retained along a side yard to allow for vehicle access;
 - iii. Notwithstanding subsection (i), an accessory building may be placed in the front yard of a lot in the Rural, Light Industrial, Heavy Industrial, and Institutional zone; and
 - iv. Notwithstanding subsection (i), 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
- d) The total lot coverage off all accessory building or structures, shall not exceed:

Zone	Accessory Building Size / Lot Coverage
Residential Zones	8% of lot area
Commercial and Mixed Use Zones	6% of lot area
All other zones	Limited by the lot occupancy standards for that zone.

- f) The percentages prescribes in the table above shall not exceed the lot occupancy requirements prescribed in any zone.

- g) The setbacks and height of an accessory buildings shall not exceed the setback and height requirements prescribed in the zone.
- h) 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:

- a) A fence in any residential zone shall not exceed a maximum height of 1.0 metre in the front yard.
- b) A fence in any residential zone shall not exceed a maximum height of 1.0 metre in front of the building line.
- c) A fence in any residential zone may be a maximum of 2.0 metres in the side yard, behind the building line, and in the rear yard.
- d) Except within the Heavy Industrial (HI) Zone, a fence in any non-residential zone shall not exceed a maximum height of 2.5 metres in any yard.
- e) The standards prescribed in this section do not apply to an active agricultural use registered or permitted by the appropriate Provincial agency.
- f) Fences shall not be constructed or contain barbed wire or other pointed object or be electrified, except for a fence used in conjunction with an agricultural or industrial use
- g) No fence or wall shall be located in such a way that obstructs the line of sight at an intersection.

4.3.3 Temporary Garages

Notwithstanding section 4.3.1, a temporary garage (also referred to as a temporary car shelter) may be erected in any Residential or Commercial zone subject to the following:

- a) Two temporary garage are permitted per lot; and
- b) A temporary garage shall be setback a minimum of 1 metre from any property line.

4.3.4 Shipping Containers and Vehicle Bodies

- a) 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 as a dwelling unit within the Community Node land use designation in Schedule A, Future Land Use Map of the District's Municipal Plan.
- b) Notwithstanding section (a), 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.
- c) Notwithstanding section (a) and (b), 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:
 - i) the shipping container shall be in the rear or side yard;

- ii) A shipping container may require screening to the satisfaction of the Development Officer;
- iii) Shipping containers shall not be stacked one upon another, and
- iv) The use of shipping containers are subject to the provisions of that zone in addition to the standards provided in this section.
- d) In a Residential zone or lot used for a residential dwelling, any recreational equipment or unoccupied non-commercial trailer shall be stored in the rear or side yard of a main building or accessory building.
- e) Notwithstanding subsection (d), a recreational vehicle may be parked in a driveway located within a front or flankage yard, provided it is wholly within the lot, between May 1st and October 31st.

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:

- a) No land may be used for purposes of a swimming pool capable of containing a depth in excess of 0.6 m 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 m in height.
- b) Where a portion of a wall of a building forms part of an enclosure:
 - i. no main or service entrance to the building may be located therein, and
 - ii. 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 above the ground.
- c) Where a fence forms an enclosure or part thereof, the fence shall:
 - i. 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;
 - ii. be located:
 - a. a minimum of 1.2 metres from the edge of the swimming pool;
 - b. a minimum of 1.2 metres from any condition, structure or ground elevation that would facilitate being climbed from the outside, and
 - c. so that the bottom of the fence is elevated by no more than 10.28 centimetres above grade;
 - iii. In the case of a chain link construction:
 - a. No greater than 50 millimetres diamond mesh;
 - b. 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
 - c. at least 38 millimetres diameter steel posts set below frost in an envelope of concrete and spaced not more than 2.4 metres apart, with a top horizontal rail of at least 32 millimetres diameter steel.

- iv. In the case of wood construction:
 - a. vertical boarding, not less than 2.5 centimetres by 10.28 centimetres finished dimensions, spaced not more than 3.9 centimetres apart, attached to supporting members and arranged in such a manner as not to facilitate climbing on the outside, and
 - b. supporting posts at least 10.3 centimetres square or round with a diameter of 10.3 centimetres, set below frost and spaced not more than 2.4 metres 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 finished dimensions;
- v. In the case of construction with materials, and in a manner other than described in subsection iii) and iv) hereof, the material used and construction shall be of a rigidity and design equal to the specifications set forth herein;
- vi. Gates forming part of the enclosure shall:
 - a. Be equivalent to the fence in content, manner of construction, and height;
 - b. Be supported on substantial hinges;
 - c. Be self-closing and equipped with a self latching device at least 1.1 metres above the grade, and
 - d. Be located so that the bottom of the gate be elevated by no more than 10.28 centimetres above grade;
- vii. Enclosures shall:
 - a. Not exceed 2.4 metres in height; and
 - b. Not be located in the required front and / or flankage yards;
- d) The walls of an above ground swimming pool may form part of the enclosure if:
 - i. the vertical walls of an above ground pool are at least 1.5 metres in height and do not possess any horizontal members that may facilitate climbing, and
 - ii. the ladder area, or deck, which provides access to the above ground pool, is enclosed by a gated enclosure which complies with the requirements for enclosures set out in this section.

4.4 Aggregate Extraction Uses

4.4.1 Application for Aggregate Extraction Uses

The following information is to be submitted with a development permit application for an aggregate use:

- a) a copy of the Approval to Operate issued by the appropriate Provincial agency, if required;
- b) a site plan of the extraction site
- c) a site rehabilitation plan;
- d) a final perimeter of the extraction area; and
- e) a location and design of the entrance to the site.

4.4.2 Standards for Aggregate Extraction Uses

- a) 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	30 metres
Foundation of a full-time residential, industrial, institutional or commercial building located on an adjacent property	100 metres	60 metres
Other zones	30 metres	30 metres
Public Road	30 metres	30 metres
Watercourse or Wetland*	60 metres	30 metres
Other requirements	In accordance with the Provincial approval process	

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

- b) The operating perimeter of a quarry shall be located 600 metres 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.
- c) An undisturbed buffer strip of 30 metres in width, or as prescribed by a provincial Approval to Operate, will be maintained between the operating perimeter of a gravel pit or quarry and any lot.
- d) Any site used for an aggregate extraction use will be kept clean of construction residue, domestic refuse, abandoned vehicles and equipment, and all other scrap and waste materials.
- e) A barricade such as a fence or berm shall be put in place around any gravel pit or quarry that has a vertical face slope steeper than 60 degrees from horizontal and in excess of 4 metres in height.
- f) Signage will be posted around the perimeter 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, moving vehicles etc.
- g) With the exception of quarries and gravel pits located on crown land, gates shall be required at all entrances and exits

4.5 Agricultural Operation

The following lot and development standards apply to livestock facilities in the Rural and Rural Residential zone:

- a) Agricultural operations are permitted subject to the approval or exemption of the Livestock Operations Act and the following conditions:

- i) the area of the lot where the activity is planned must be over 8,000 square meters;
- ii) a minimum distance of 50 meters must be maintained between a building used for housing animals and a main residential building of an adjacent property;
- iii) waste produced by animals must be stored more than 30 meters from a main residential building on an adjacent property, 30 meters from a property line and 30 meters from any watercourse; and
- iv) The number of animals permitted on the lot are subject to the approval or exemption of the Livestock Operations Act.

4.6 Bed & Breakfast

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

- a) 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.
- b) Parking shall be provided in accordance with section 4.25.
- c) A bed and breakfast shall be limited to a maximum of 6 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:

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

4.8 Day Cares & Day Homes

4.8.1 Day Home

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:

- a) A day home shall comply with the Province's day care regulations;
- b) Any fenced, outdoor play area shall be in the rear or side yard;
- c) 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
- d) No bed and breakfast, garden suite, secondary suite, or supportive housing is permitted in any building on the lot.

4.8.2 Day Care Centre

A day care centre shall be subject to the following:

- a) A Day Care Centre shall comply with the Province's day care regulations;
- b) Any fenced or outdoor play area shall be in the rear or side yard;
- c) Notwithstanding (b), 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;
- d) One on-site parking space shall be provided for every ten children;
- e) 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 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

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

- a) In the Rural and Rural Residential zone, two main dwelling units shall be permitted per lot;
- b) In a mini home park; or
- c) Subject to section (a), dwellings shall be located so that they would be in conformity with the provisions of the Subdivision By-law if the lot were to be subdivided.

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:

- a) the enlargement, reconstructions, repair or renovation does not further reduce the front, side, or rear yards, and
- b) 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:

- a) the use of such lot is permitted in the zone in which said lot is located; and

- b) 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:

- a) 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
- b) if the activity satisfies the requirements of provincial regulations.

4.13 Garden Suites

Where permitted, a garden suite shall:

- a) Be secondary to the main dwelling;
- b) Be located in the side or rear yard and behind the building line of the main dwelling;
- c) Have a maximum ground floor area of 72 square metres;
- d) Have a maximum height of 9 metres but not be taller than the main dwelling;
- e) Have a similar or complementary design as the main dwelling;
- f) A mini home may be used as a garden suite in the Rural Residential and Rural zones;
- g) Where municipal water and/or sanitary systems exists, a Garden Suite shall be connected to the main dwelling and shall not be connected to independent laterals at the street;
- h) Where municipal water and/or sanitary systems do not exist, be connected to a private septic system approved by the Department of Public Safety;
- i) No vehicle bodies, recreational vehicles, or shipping containers may be used as a garden suite; and
- j) Notwithstanding subsection (i), 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:

- a) The minimum size of lot used for a hobby farm shall be 8000 square metres;
- b) A maximum of 1 Animal Unit shall be permitted per 4000 square metres;
- c) Waste produced by animals must be stored more than 15 meters from a residence on an adjacent property and 30 meters from any watercourse;
- d) The hobby farm shall be clearly accessory to the main use and not change the residential character of the premises; and
- e) No goods, wares or merchandise shall be offered for sale or rent on the premises unless such goods, wares and merchandise are either:
 - i) incidental to the Hobby Farm (farm gate sales) or
 - ii) arts and crafts produced on the premises.

4.16 Home Industry

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

- a) A home industry may be considered a second main use on a lot which contains a one-unit dwelling or mini home.
- b) 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.
- c) A home industry shall be located within a separate building from the main dwelling.
- d) A home industry shall conform to the rules of the zone to which it is proposed.
- e) Outdoor storage shall be in accordance with section 4.24.
- f) A sign shall be permitted in accordance with Section 4.31.
- g) Parking shall be provided in accordance with section 4.25.
- h) A Home Industry shall be the principal residence of the operator;
- i) No more than four vehicles with an image, logo, graphic, or sign associated with the home industry are permitted on the lot. This does not include vehicles stored and fully enclosed within an accessory building (garage).

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:

- a) that there are no additional employees beyond those that reside within the subject dwelling unit;
- b) 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;

- c) that the residential character of the land, building or structure be maintained;
- d) that the service not generate sewage in excess of what can be accommodated by the existing sewage disposal system;
- e) that the service not produce inordinate amounts of water or create excessive noise, fumes, dust, vibration, glare, electronic interference, or odor;
- f) that a sign be placed in accordance with section 4.31;
- g) that off-street parking be in accordance with section 4.25;
- h) 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;
- i) that no more than 60 square metres of the floor area of the accessory building or structure, shall be devoted to the Home Occupation; and
- j) That the Home Occupation only supply or sell goods and services that are directly related to the home occupations.

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:

- a) that not more than two people are engaged therein in addition to those residing in the subject dwelling;
- b) that the Home Occupation may include, but without limiting the generality of the foregoing: a Class 1 Home Occupation, a workshop, a trades business (carpenter, electrician, plumber, etc), small engine repair, furniture repair, pet grooming, or similar uses
- c) that the residential character of the land, building or structure be maintained;
- d) that a sign be placed in accordance with section 4.31;
- e) 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 in area;
- f) that the service not generate sewage in excess of what can be accommodated by the existing sewage disposal system;
- g) that off-street parking be in accordance with section 4.25;
- h) 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
- i) that no more than 120 square metres 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

- a) Where a permitted use in the Light Industrial zone abuts a Residential, Commercial, Mixed Use, or Institutional Zone:
 - i. the lot line butting a Residential, Commercial, Mixed Use or Institutional Zone shall consist of a landscaped buffer of at least:
 - a. 5 metres for any industrial or manufacturing use;
 - b. 3 metres for any other use permitted in the Light Industrial zone
 - ii. 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:
 - a. with opaque fencing no less than 2 metres in height, or
 - b. with opaque natural vegetation no less than 2 metres in height, or
 - c. a combination of (1) and (2).
- b) Where a permitted use in the Heavy Industrial Zone abuts a Residential, Commercial, Mixed Use, or Institutional Zone:
 - i. the lot line abutting a Residential, Commercial, Mixed Use or Institutional Zone shall consist of a landscaped buffer of at least:
 - a. 25 metres for any industrial or manufacturing use, agricultural use, fabrication and processing facility, recycling depot, or a salvage yard;
 - b. 10 metres for any other use permitted in the Heavy Industrial Zone.
 - ii. 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:
 - a. with opaque fencing no less than 2 metres in height, or
 - b. with opaque natural vegetation no less than 2 metres in height, or
 - c. a combination of (1) and (2).
- c) Landscaping described in (a) and (b) shall:
 - i. consist of existing trees and other natural vegetation where possible;
 - ii. consist of additional vegetation, structures, or facilities designed to mitigated any noise, odours, dust of other negative impacts on adjacent Residential zones or uses; and
 - iii. not have any portion of any parking lot, parking space, outdoor storage, or waste storage visible from abutting Residential zone or use.
- d) Where a permitted use in the Heavy Industrial Zone abuts a Residential, Commercial, Mixed Use, or Institutional zone, is shall only be permitted if obnoxious odours, noxious gases, noises, vibrations, dust, smoke, or fumes are buffered or mitigated in a manner that prevents negative impacts on adjacent land uses.

4.18.2 Outdoor Storage and Display

- a) Outdoor storage of goods and materials in any Industrial Zone shall be subject to the following requirements:
 - i. outdoor storage shall not be permitted in any required landscaped buffer, front yard, flankage yard, side yard or rear yard;
 - ii. a yard used for outdoor storage that abuts a public right-of-way shall be buffered along the abutting property line corresponding to the extent of the outdoor storage area with an opaque fence a minimum of 2 metres or an evergreen hedge a minimum of 2 metres in height, sufficient to screen the storage area from public view; and
 - iii. no portion of any lot in an Industrial Zone shall be used as a garbage storage area unless the garbage storage container is either screened by an opaque wooden fence a minimum of 1.5 metres in height or located between the main or accessory building and the rear lot line.
- b) Notwithstanding (a)), outdoor display of goods and materials shall be permitted provided that any yard used for outdoor display that abuts a public right-of-way is buffered with an opaque fence a minimum of 2 metres in height or solid evergreen hedge a minimum of 2 metres in height.

4.18.3 Salvage Yard or Recycling Depot

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

- a) the whole of the area used for outdoor storage shall be surrounded by an opaque fence, not less than 3 metres and not greater than 5 metres in height;
 - b) the fence must be located at least 6 metres from the front lot line and 1.5 metres 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 m², subject to the following:

- a) An application for the keeping of hens shall include a site plan depicting the proposed location of the coop and run, the location of potable wells and other structures on the property, and the distance to neighbouring properties.
- b) The keeping of hens includes compliance with the following:
 - i) No more than 6 hens are kept at any given time;

- ii) Male fowl are not to be kept at any time;
 - iii) Chickens may not run at large;
 - iv) 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;
 - v) Coops and associated runs must be a minimum of 3 metres from any potable water well and 4.5 metres from adjacent property lines;
 - vi) Coops and associated runs may not be located within the front yard of the property and shall be visually screened from a public street;
 - vii) Coops shall be maintained so as not to cause a nuisance to neighbouring properties;
 - viii) The sale of eggs is not permitted; and
 - ix) Slaughter or disposal of chickens on site is prohibited.
- c) Sections (a) and (b) do not apply to the Rural Residential or Rural zones.

4.20 Landscaping, Lighting, and Amenity Space

4.20.1 Landscaping

- a) 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
- b) Landscaping shall consist of a lawn and may include paths, patios, walkways, a driveway, trees, and ornamental features.

4.20.2 Lighting

- a) 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
- b) 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. Glare guards, lower wattage lights and other measures may be required by the Development Officer to rectify any light pollution infraction

4.21 Location of Buildings and Structures on a Lot

- a) No building or structure may be placed, erected or altered so that any part of it is within:
 - i. 15 meters from the boundary of an arterial or collector highway or
 - ii. 7.5 meters from the boundary of a street or highway other than an arterial or collector highway; unless otherwise stated in the zone.
- b) Notwithstanding (a), a building or structure may be placed, erected or altered so that it is:
 - i. 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
 - ii. the nearest side of each existing building or structure, immediately adjacent thereto, will be within 30 meters of the nearest side of the building or structure to be placed, erected or altered.

4.22 Multiple Uses

- a) 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.
- b) 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

- a) For residential developments containing six (6) or more dwelling units, the applicant shall, unless otherwise approved by the Development Officer, submit a site plan that includes:
 - i. Building footprints and proposed setbacks;
 - ii. Internal circulation, including driveways, parking areas;
 - iii. Garbage storage locations;
 - iv. Snow storage areas;
 - v. Preliminary lot grading and drainage concept.
- b) For residential developments containing more than ten (10) dwelling units, the developer shall, unless otherwise approved by the Development Officer, provide:
 - i. A site plan including those requirements listed in a);
 - ii. A stormwater management plan stamped by a professional engineer;
 - iii. 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
 - iv. For developments proposed in municipally serviced areas, written confirmation from the municipality that sufficient water and wastewater capacity exists to service the proposed development.

4.24 Outdoor Storage

Where any portion of any lot in any District Centre, Local Centre, Mixed Use, and General Commercial zone is to be used for outdoor storage, the following shall apply:

- a) Any area devoted to open storage shall not exceed 50% of the lot area;
- b) No outdoor storage shall be permitted within any required front yard; and
- c) 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

- a) 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 Sweet	1 per unit
Shared Dwelling or Bed & Breakfast	1.5 per two bedrooms
Retail, Service, Personal Service greater than 1000 m ² of gross floor area	1 for each 40 m ² of gross floor area
Retail, Service, Personal Service less than 1000 m ² of gross floor area	1 for each 35 m ² of gross floor area
Office Use	1 for each 50 m ² of gross floor area
Restaurant	1 per 10 m ² 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 m ² 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 m ² of gross floor area
Day Care Centre	1 per 25 m ² 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 m ² of gross floor area
A use or development not specified in this section	1 per 30 m ² of gross floor area

- b) A parking area within the District Centre zone consisting of more than 10 parking stalls is required to be paved and all parking stalls delineated with painted lines;
- c) Notwithstanding subsection (b), a parking area within any other zone consisting of more than 30 parking stalls may be required to be paved and all parking stall delineated;
- d) A parking area shall have unobstructed access to a public street;
- e) A parking area shall be located on the same lot as or within 150 metres of the use for which the parking is associated;
- f) 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;
- g) 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
- h) A minimum of one additional barrier free parking space shall be provided where 10 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 meters long, 3.5 meters wide and 4 meters 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:

- a) 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 m into a front or side yard setback and 2 m into the required rear yard setback. This also includes fire escapes, exterior staircase, porches, verandahs and decks;
- b) Window bays may be permitted to project a maximum of 1 m into a required yard setback; and
- c) Uncovered patios or steps shall not project further than 0.8 m 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, and townhouse dwelling may also contain a Secondary Suite subject to the following:

- a) It shall not exceed 40% of the gross floor area of the main dwelling unit or 75 square metres, whichever is less;
- b) The presence of the Secondary Suite shall not change the exterior appearance of the main building; and
- c) 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:

- a) livestock operation – in accordance with the Livestock Operations Act;
- b) asphalt plant – 500 metres;
- c) salvage yard – 200 metres;
- d) sawmill – 200 metres;
- e) waste composting operation – 500 metres.

4.30 Shared Dwellings

A shared dwelling is subject to the following requirements:

- a) accommodations for compensation are provided for no more than six persons;
- b) no Supportive Housing, Home Occupation or Day Home use be permitted on the same lot;
- c) 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;
- d) parking is provided at the rear or the side of the building;
- e) 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
- f) 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

- a) 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.
- b) With the exception of a sign placed pursuant to section 4.31.2, 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.
- c) The use of land or a 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.
- d) Other than a traffic control device as defined by the Motor Vehicle Act, no sign shall be illuminated intermittently or incorporate flashing in any way.
- e) The Development Officer may require the removal of any sign or parts thereof, which in their opinion, is unsightly, not in good state of repair or may constitute a hazard.
- f) A Home Occupation or Home Industry sign is limited to a maximum of one 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:

- a) A real estate sign with an area not exceeding 2 square metres in a Residential Zone or 3 square metres in any other zone. A real estate sign shall be placed on the property in which it is advertising sale;
- b) A sign associated with a special event or public election shall not exceed 3 square metres in total sign face area and shall be removed within seven days after the event or election;
- c) A directional sign subject to the following:
 - i. A maximum of one directional sign for each entrance, exit, and drive through lane is permitted;
 - ii. With the exception of a logo, a directional sign is limited to the purpose of directing vehicle and pedestrian traffic to an access or driveway on the same lot;
 - iii. A directional sign shall not exceed a maximum sign face area of .5 square metres;
 - iv. A directional sign shall not exceed 1.5 metres in height;
 - v. A directional sign shall have a minimum setback of 1.5 metres from a front, flankage, or side lot line and a minimum setback of 1 metre from the edge of a paved or painted lane of access or driveway.
- d) A point-of-purchase sign;
- e) An entrance identification sign;

- f) 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;
- g) A sign identifying a hazard of danger on a lot;
- h) A memorial or foundation sign on a building;
- i) 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 in total sign face area;
- j) A flag, banner, or emblem representing a country, province, municipality, or non-commercial organization;
- k) A sign affixed to a licensed taxi cab 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:

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

4.31.4 Billboard Signs

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

- a) A Billboard Sign shall be permitted, subject to terms and conditions, only in the Industrial and Rural Zones;
- b) A Billboard Sign's sign face shall not exceed a length greater than 10 metres or a height greater than 4 metres;
- c) A Billboard Sign shall not be located in any required yard;
- d) A Billboard Sign shall not be within 250 metres of another Billboard Sign;
- e) Notwithstanding subsection (d) two Billboard Signs may be located together as a unit if the total sign face length does not exceed 15 metres;
- f) 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:

- a) An awning sign shall be attached below the level of the second floor windows of a building;
- b) An awning sign shall have a minimum clearance of 2.5 metres above a sidewalk or walkway; and
- c) An awning sign shall not exceed a maximum projection of 1 m over a sidewalk or walkway.

4.31.6 Ground Signs

4.31.6.1 General Provisions for Ground Signs

- a) All Ground Signs shall be located no closer to a street line than the lesser of:
 - i. 3 metres;
 - ii. The required front yard of the zone;
 - iii. No closer to a side or rear lot line than 1.5 metres
- b) The height of a Ground Sign shall not exceed the maximum height permitted in the zone in which the sign is located.
- c) 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:

a)	Day Home, Home Occupation, or Supportive Housing	0.5 square metres for each face
		1 square metre total all faces
b)	Shared Dwelling	1 square metre for each face
		2 square metres total of all faces
c)	Bed and Breakfast	1.5 square metres for each face
		3 square metres total of all faces
d)	Other	0.25 square metres for each face
		0.5 square metres 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:

a)	In the District Centre or Local Centre Zone	3 square metres for each face
		6 square metre total all faces
b)	In the Mixed Use Zone	7.5 square metre for each face
		15 square metres total of all faces
c)	In the General Commercial Zone	5 square metres for each face
		10 square metres total of all faces
d)	Other	2.5 square metres for each face
		5 square metres total of all faces

4.31.6.4 Ground Signs in Other Zones

a)	In an Industrial Zone	9 square metres for each face
		18 square metre total all faces
b)	In the Institutional Zone	5 square metre for each face
		10 square metres total of all faces
c)	In the Parks and Recreation Zone	5 square metres for each face
		10 square metres total of all faces
d)	In the Environmental Conservation Zone	2.5 square metres for each face
		5 square metres total of all faces
e)	In the Rural Zone	3 square metres for each face
		6 square metres 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:

- The Projecting Wall Sign shall be no larger than 2 square metres in size;
- The sign shall not exceed a projection of 1.5 metres from the building; and
- The sign shall be no less than 2.5 metres high at its lowest point.

4.31.8 Wall Signs

4.31.8.1 General Provisions for Wall Signs

- a) A Wall Sign shall be parallel to the wall to which it is affixed;
- b) A Wall Sign shall not cover a fence or roof;
- c) Wall Signs in a Residential zone shall be placed on a wall oriented towards the street;
- d) 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.
- e) 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:

a)	Day Home, Home Occupation, Home Industry, Supportive Housing, Shared Dwelling	.5 square metres
b)	Other	.25 square metres

4.31.8.3 Wall Signs in Commercial Zones

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

a)	District Centre and Local Centre Zone	.5 square metres per metre of occupied building frontage for every business with an external public entrance
b)	Mixed Use Zone	.7 square metres per metre of lot frontage Or .7 square metres per metre of occupied building frontage for every business with an external public entrance
c)	General Commercial Zone	.5 square metres per metre of lot frontage Or .5 square metres 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

a)	Industrial Zones	.5 square metres per metre of lot frontage
b)	Institutional Zone	.7 square metres per metre of lot frontage
c)	Parks and Recreation Zone, Environmental Conservation Zone, Rural Zone	.25 square metres per metre of lot frontage

4.31.9 Construction Signs

- a) Notwithstanding section 4.31.3, nothing in this By-law shall prevent the placement of sign which identifies the architects, engineers, contractors, or other professional individuals or firms involved with the development occurring on the same lot, or an announcement concerning proposed development on the same lot.
- b) A construction sign shall not advertise any product.
- c) A construction sign shall be removed within 14 days of the beginning of the intended use of the construction.
- d) A construction sign:
 - i. shall not exceed 1.11 m² in area for each firm; and
 - ii. shall not, in total, exceed 5.57 m² 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:

- a) Electronic Signs are permitted subject to terms and conditions in all non-residential zones;
- b) Electronic Signs are prohibited in Residential zones;
- c) Only one electronic message board sign shall be permitted per lot;
- d) Messages shall be static images displayed for at least ten seconds;
- e) Message transitions shall not strobe, flash, or be animated;
- f) An electronic message board shall adjust in brightness between daytime and nighttime and shall be of a reduced brightness in the nighttime; and
- g) Where permitted, an electronic message board shall not exceed a maximum total sign face area of 4.25 square metres.

4.32 Standards for Mini-Homes

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

- a) the mini home must be placed, erected or altered in accordance with CSA standards and approved by the Building Inspector;
- b) 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;
- c) 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;
- d) 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:

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

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

- a) the area of the lot must not be less than 8000 square metres.
- b) all tents, tent trailers, bunkhouses, glamping domes, travel trailers, recreational vehicles and campers, and their accessory uses shall be located at least 5 metres from any property line.
- c) when abutting a Residential zone, a 2 metres 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.
- d) A sign may be permitted in association with section 4.31.

4.34.1 Campgrounds & RV Parks

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

- a) A Site Plan for a Campground shall be drawn to scale and illustrate the following information:
 - i. Delineation of the property to be developed on a legal survey;
 - ii. Location and size of campsites;
 - iii. Internal roads and accesses;
 - iv. Parking areas;

- v. Accessory uses (not limited to but including laundry facilities, storage areas, washrooms, showers, convenience store, and outdoor and indoor recreation facilities);
- vi. Pedestrian walkways and trails within the camping site;
- vii. Landscaping; and
- viii. Buffers and screening between the site and other nearby land uses.

b) Standards

- i. No campsites shall be located closer than 10 metres (33 feet) from any property boundary and:
 - i. existing vegetation at the perimeter of the site shall be retained and incorporated into the site's landscaping
 - ii. all areas disturbed by the development shall be landscaped.
- ii. Refuse collection shall be fully enclosed and screened from the adjacent property. Any containers used for refuse shall be locked or include mechanisms that prevent access from wildlife.

4.35 Undersized Lots

This By-law does not prevent the use of an existing lot that does not conform to minimum size requirements provided:

- a) that the proposed use of the lot is permitted in the zone; and
- b) that the setbacks, height, lot occupancy and all other relevant requirements of the zone are maintained.

4.36 Wind Turbines & Solar Collectors

4.36.1 Wind Turbines

- a) 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.
- b) As per section 4.1, commercial turbine development shall be considered a public utility and are therefore permitted in all zones subject to the provincial permitted process.

4.36.2 Solar Collectors

- a) Solar collectors are permitted as an accessory use in all zones subject to the following:
 - i. The height of the collector shall not exceed 2 metres from the highest peak of the roof structure upon which it is located; and
 - ii. Be located on the same property as the main use.
- b) As per section 4.1, commercial solar development shall be considered a public utility and are therefore permitted in all zones subject to the provincial permitted process.

5 Residential Zones

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 unit dwellings, duplexes, and semi-detached dwellings are common housing

types in this zone with the expectation being that these areas will evolve over time to include townhouse, rowhouses, garden homes, and small apartment buildings.

5.1.1 Permitted Uses

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

- i) Dwelling, One Unit
- ii) Dwelling, Mini Home, subject to section 4.32
- iii) Dwelling, Town or Rowhouse, up to and including 4 units
- iv) Dwelling, Two Unit
- v) Dwelling, Converted with a maximum of 4 units
- vi) 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:

- i) Day home, subject to section 4.8
- ii) Garden Suite, subject to section 4.13
- iii) Home Occupation, Class 1, subject to section 4.17
- iv) Home Occupation, Class 2, subject to section 4.17
- v) Keeping of Hens, subject to section 4.19
- vi) Secondary Suite, subject to section 4.28

5.1.3 Conditional Uses

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

- i) Bed and Breakfast, subject to section 4.6
- ii) Dwelling, Multiple up to and including 4 units
- iii) Dwelling, Shared, subject to section 4.30

5.1.4 Zone Standards

	Service Lots	Unserviced Lots
Minimum Lot Area		
One Unit	600 square metres	4000 square metres

	Service Lots	Unserviced Lots
Two Unit, Multi-Unit, Town or Rowhouse	250 square metres per dwelling unit	4000 square metres or as approved by the appropriate Provincial agency
Minimum Lot Frontage		
One Unit	23 metres	54 metres
Two Unit, Multi-Unit, Town or Rowhouse	7 metres per dwelling unit	54 metres total lot frontage for all units
Minimum Lot Depth	30 metres	38 metres
Minimum Front / Flankage Yard		
One Unit	7.5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
Two Unit, Multi-Unit, Town or Rowhouse	5 metres	15 metres if located on arterial or collector highway; or 7.5 metres
Minimum Rear Yard	5 metres	5 metres
Minimum Side Yard		
One Unit	3 metres	3 metres
Two Unit, Multi-Unit, Town or Rowhouse	3 metres; nil on common wall side	3 metres; nil on common wall side
Maximum Building Height	9 metres	9 metres
Maximum Lot Coverage	50%	50%
Other Requirements	In accordance with Section 4 of this By-law	

5.1.5 Additional Standards for Town and Rowhouses

- a) No series or group of town or rowhouses shall:
 - i. contain more than 6 dwelling units with the same or approximately the same front line and the front façade shall be articulated at regular intervals.
 - ii. Exceed 65 metres in continuous length.

- b) No side wall of a series of group of town or rowhouses shall be placed, erected or altered so that any part of such wall is closer to a sidewall of another town or rowhouse than 7 metres or the height of the building, whichever is greater.
- c) Easements to provide access to the rear yard of each town or rowhouse dwelling must be established unless the units are to be maintained on one lot and not subdivided by party wall.

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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 allows for increased density while maintaining the small-town look and feel that is important to residents of the District while allowing for a more flexible approach to housing. 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 the purposes of one of the following uses:

- i) Dwelling, Converted
- ii) Dwelling, Multiple, up to and including 24 units, subject to section 4.23
- iii) Dwelling, Town or Rowhouse, subject to section 5.1.5
- iv) Dwelling, Two Unit
- v) Supportive Housing, subject to section 4.33
- vi) 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:

- i) Day home, subject to section 4.8
- ii) Garden Suite, subject to section 4.12
- iii) Home Occupation, Class 1, subject to section 4.17
- iv) 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 the purposes of one of the following uses:

- i) Bed and Breakfast, subject to section 4.6
- ii) Dwelling, Group, up to and including 12 dwelling units
- iii) Dwelling, Multiple, exceeding 24 units, subject to section 4.23
- iv) Dwelling, Shared, subject to section 4.30
- v) Dwelling, One Unit
- vi) Home Occupation, Class 2, subject to section 4.17
- vii) Keeping of Hens, subject to section 4.19

5.2.4 Zone Standards

	Service Lots	Unserviced Lots
Minimum Lot Area		
One Unit	390 square metres	4000 square metres
Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	250 square metres per dwelling unit	4000 square metres or as approved by the appropriate Provincial agency
Multiple Dwelling, Supportive Care Facility	500 square metres	8000 square metres or as approved by the appropriate Provincial agency
Minimum Lot Frontage		
One Unit	23 metres	54 metres
Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	7 metres per dwelling unit	54 metres total lot frontage for all units
Multiple Dwelling, Supportive Care Facility	30 metres	54 metres
Minimum Lot Depth	30 metres	38 metres
Minimum Front / Flankage Yard		
One Unit	7.5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, Supportive Housing, Multiple Dwelling, Supportive Care Facility	5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
Minimum Rear Yard		
One Unit, Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	5 metres	5 metres

	Service Lots	Unserviced Lots
Multiple Dwelling, Supportive Care Facility	10 metres	10 metres
Minimum Side Yard		
One Unit, Group Dwelling, Shared Dwelling, Supportive Housing	3 metres	3 metres
Two Unit, Town or Rowhouse	3 metres; nil on common wall side	3 metres; nil on common wall side
Multiple Dwelling, Supportive Care Facility	5 metres	7.5 metres
Maximum Building Height	9 metres	9 metres
Maximum Lot Coverage	50%	50%
Other Requirements	In accordance with Section 4 of this By-law	

5.2.5 Additional Standards for Group Dwellings

- a) A group dwelling unit shall not exceed 92 square metres in gross floor area. Gross floor area calculations shall not include garages, carports, porches, verandas, breezeways or exterior stairways

5.2.6 Additional Standards for Multiple Dwellings

- a) Parking shall not be located in any required front yard;
- b) Multiple Dwellings with an excess of 6 dwelling units shall provide amenity space in accordance with the following:
 - i. Amenity space shall not be located in any required yard, access, or parking area;
 - ii. Amenity space shall have an area of not less than 55m², plus an additional 7 m² for an unit in excess of 12.
 - iii. Amenity space may be provided within a Multiple Dwelling building subject to terms and conditions.

5.3 Rural Residential (RR) Zone

The Rural Residential (RR) zone is intended for the larger lot, unserviced residential development that fronts along the 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. Hobby farms, home industry, the keeping of livestock are accommodated.

5.3.1 Permitted Uses

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

- i) Day Care Centre, subject to section 4.8
- ii) Dwelling, One-unit
- iii) Dwelling, Mini Home, subject to section 4.32
- iv) Dwelling, Two-Unit
- v) Dwelling, Converted
- vi) Home Industry, subject to section 4.16
- vii) Supportive Housing, subject to section 4.33
- viii) Tourist Establishment, Bed and Breakfast, subject to section 4.34

5.3.2 Secondary Uses

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

- i) Home Occupation, class 1, subject to section 4.17
- ii) Home occupation, class 2, subject to section 4.17
- iii) Day Home, subject to section 4.8
- iv) Garden Suite, subject to section 4.13
- v) Horse Boarding Stable or Riding Operation; subject to section 5.3.5
- vi) Keeping of Hens, subject to 4.19
- vii) Secondary Suite, subject to section 4.28
- viii) Hobby Farm, subject to section 4.15
- ix) Bed and Breakfast, subject to section 4.6

5.3.3 Conditional Uses

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

- i) Tourist Establishment, subject to section 4.34
- ii) Dwelling, Group
- iii) Dwelling, Shared, subject to section 4.30

5.3.4 Zone Standards

	Standard
Minimum Lot Area	
One Unit, Mini Home	4000 square metres
Two Unit, Shared Dwelling, Group Dwelling	5320 square metres
Minimum Lot Frontage	54 metres
Minimum Lot Depth	38 metres
Minimum Front Yard Setback	
Fronting onto arterial or collector highway	15 metres
Fronting onto local road	7.5 metres
Minimum rear yard	3 metres
Minimum side yard	3 metres
Maximum Building Height	12 metres
Other Requirements	In accordance with Section 4 of this By-law

5.3.5 Additional Standards for Horse Boarding Stable

- a) A Horse Boarding Stable in the Rural Residential zone shall have a lot area of no less than 8000 square metres;
- b) A Horse Boarding Stable in the Rural Residential zone shall not have more than one horse, including offspring until weaning, per 4000 square metres.

5.4 Mini Home Park (MHP) Zone

The Mini Home Park (MHP) zone is intended for existing land leased developments containing 10 or more dwelling units or lots. 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 the purposes of one of the following uses:

- i) Mini home park
- ii) Mini home dwelling
- iii) Office associated with the management of the Mini Home Park
- iv) Retail convenience
- v) 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:

- i) Day Home, subject to section 4.8
- ii) Home Occupation, Class 1, subject to section 4.17

5.4.3 Zone Standards

	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	500 square metres
Minimum Lot Frontage	27 metres	15 metres
Minimum Lot Depth	15 metres	31 metres
Minimum Front Yard Setback	4.5 metres	6 metres
Minimum Rear Yard	4.5 metres	3 metres
Minimum Side Yard		
Interior Lot – Driveway side	3.5 metres	3.5 metres
Interior Lot – Non-driveway side	1.5 metres	1.5 metres
Corner Lot – Street side	4.5 metres	6 metres

Corner Lot – Non-street side	1.5 metres	1.5 metres
Maximum Building Height	9 metres	9 metres
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

- a) 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, landscaped area, etc
- b) 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 (a). The percentage is at the discretion of Council but shall not be prescribed in excess of 8%.
- c) The amenity space described in subsection (a) and (b) may be allocated as Lands for Public Purposes, through the Subdivision process.
- d) A 6 metre landscaped buffer shall be maintained between the Mini-Home Park development area and adjacent properties not intended to be or not currently used as Mini Home Park.
- e) Streets in a mini-home park shall have a minimum surface width of 7.3 metres 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.

6 Commercial and Mixed Use Zones

6.1 District Centre

The District Centre 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 Uses

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

- i) Accommodation
- ii) Amusement Place
- iii) Artist or Craft Person Studio
- iv) Assembly Use
- v) Bakery
- vi) Bar, Lounge or Nightclub, subject to section 6.1.5
- vii) Butcher or Meat shop
- viii) Cannabis Retail Sales
- ix) Cultural Establishment
- x) Clinic
- xi) Commercial Recreation Establishment
- xii) Day Care Centre, subject to section 4.8
- xiii) Dry Cleaning and Laundry Depot
- xiv) Dwelling Unit located above the Ground Floor, subject to section 6.1.5
- xv) Dwelling, Multiple, subject to 6.1.5 and 6.23
- xvi) Dwelling, Town or Rowhouse, subject to 5.1.5
- xvii) Dwelling, Converted, subject to section 4.7
- xviii) Farmers Market
- xix) Fitness Centre
- xx) Funeral Home
- xxi) General Service Shop
- xxii) Grocery store
- xxiii) Institutional Use
- xxiv) Microbrewery / Distillery
- xxv) Office
- xxvi) Personal Service

- xxvii) Place of Worship
- xxviii) Private Club
- xxix) Recreation Facility
- xxx) Recreational Use
- xxxi) Restaurant, excluding drive-thru
- xxxii) Retail Use
- xxxiii) Service Station
- xxxiv) Supportive Facility
- xxxv) Supportive Housing, subject to section 4.33
- xxxvi) Vehicle Repair Garage
- xxxvii) Vehicle Sales, Rental, And Service
- xxxviii) Veterinarian Clinic

6.1.2 Secondary Uses

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

- i) Day Home, Subject to section 4.8
- ii) Home Occupation, Class 1, subject to section 4.17
- iii) Garden Suite, subject to section 4.13
- iv) Secondary Suite, subject to section 4.28
- v) 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 use for the purposes of one of the following uses:

- i) Car Wash
- ii) Dwelling Unit located on the Ground Floor, subject to section 6.1.5
- iii) Dwelling, Shared, subject to section 4.30
- iv) Restaurant, Drive-thru
- v) Vehicle Body and Paint Shop

6.1.4 Zone Standards

	Standards
Minimum Lot Area	
Townhouse	200 square metres per unit
Multiple Dwelling	690 square metres

All other uses	500 square metres
Minimum Lot Frontage	12 metres
Minimum Front / Flankage Yard	0 metres
Minimum Rear Yard	1.5 metres
Minimum Side Yard	3 metres
Minimum Building Height	2 storeys
Maximum Building Height	20 metres
Maximum Lot Coverage	60%
Other Requirements	In accordance with Section 4 of this By-law

6.1.5 Additional Standards for the District Centre Zone

- a) Within the District Centre Zone, no development shall be permitted and no main building or structure may be used unless:
 - i. there is at least one public entrance to the building facing any public street;
 - ii. 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.
- b) A residential dwelling unit shall not be located below the second storey of a building except when:
 - i. The unit is part of an existing or proposed multiple dwelling
 - ii. When the unit is not visible from the front or flankage yards of the building and no residential-type activity can be seen from the active frontages of the building.
- c) Parking areas shall not be permitted in the front yard of a multiple dwelling in the District Centre zone.
- d) A lot containing a Bar, Lounge, or Nightclub permitted in subsection 6.1.1 shall not be located within 30 metres of a Residential zone.

6.2 Local Centre Zone

The Local Centre zone is applied to the downtowns 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 District is a place with a robust network of communities. The Local Centre zone ensures continued focus on these central community areas.

6.2.1 Permitted Uses

Any land, building or structure may be used for the purposes of:

a) one or more of the following uses:

- i) Accommodation
- ii) Amusement Place
- iii) Artist or Craft Person Studio
- iv) Assembly Hall
- v) Bakery
- vi) Bar, Lounge or Nightclub, subject to section 6.2.5
- vii) Butcher or Meat shop
- viii) Cannabis Retail Sales
- ix) Clinic
- x) Commercial Recreation Facility
- xi) Cultural Establishment
- xii) Day Care Centre
- xiii) Dry Cleaning and Laundry Depot
- xiv) Dwelling, Multiple up to and including 32 units, subject to 6.1.5 and 4.23
- xv) Farmers Market
- xvi) Fitness Centre
- xvii) Funeral Home
- xviii) General Service Shop
- xix) Grocery Store
- xx) Institutional Use
- xxi) Office
- xxii) Personal Service
- xxiii) Private Club
- xxiv) Restaurant
- xxv) Retail Store
- xxvi) Veterinary Clinic
- xxvii) Microbrewery / Distillery
- xxviii) Vehicle Repair Garage
- xxix) Vehicle Sales, Rental, And Service
- xxx) Supportive Housing, subject to section 4.33

xxxi) Supportive Care Facility, or

b) one of the following uses:

- i) Dwelling, One Unit
- ii) Dwelling, Town or Rowhouse, subject to section 5.1.5
- iii) Dwelling, Two Unit
- iv) 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:

- i) Dwelling unit
- ii) Secondary Suite, subject to section 4.28
- iii) Garden Suite, subject to section 4.13
- iv) Home Occupation Class 1, subject to section 4.17
- v) 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 use for the purposes of one of the following uses:

- i) Car Wash
- ii) Dwelling, Shared subject to section 4.30
- iii) Pet day care and grooming
- iv) Restaurant, Drive-thru
- v) Service Station
- vi) Vehicle Paint and Body Shop

6.2.4 Zone Standards

	Standards
Minimum Lot Area	
Townhouse	200 square metres per unit
Multiple Dwelling	690 square metres
All other uses	500 square metres
Minimum Lot Frontage	12 metres

Minimum Front / Flankage Yard	3 metres
Minimum Rear Yard	
Abutting a Residential Zone	7 metres
Abutting Any Other Zone	3 metres
Minimum Side Yard	3 metres
Maximum Building Height	12 metres
Maximum Lot Coverage	70%
Other Requirements	In accordance with Section 4 of this By-law

6.2.5 Additional Standards for the Local Centre Zone

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

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 zone may be applied to the edges of the District Centre and Local Centre 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 Uses

Any land, building or structure may be used for the purposes of:

a) one or more of the following uses:

- i) Amusement Place
- ii) Assembly Hall
- iii) Bakery
- iv) Clinic
- v) Cultural Establishment;
- vi) Day Care Centre
- vii) Dwelling, Multiple Up to And Including 18 Units, subject to section 4.23
- viii) Fitness Centre;
- ix) Funeral Home
- x) General Service Shop
- xi) Institutional Use
- xii) Microbrewery / Distillery
- xiii) Office
- xiv) Personal Service;
- xv) Restaurant;
- xvi) Retail Use
- xvii) Recreation Use
- xviii) Supportive Housing; subject to section 4.33
- xix) Supportive Care Facility
- xx) Veterinary Clinic, or

b) one of the following uses:

- i) Dwelling, One Unit
- ii) Dwelling, Mini Home, subject to section 4.32
- iii) Dwelling, Town or Rowhouse, subject to section 5.1.5
- iv) Dwelling, Two Unit
- v) 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:

- i) Day Home, subject to section 4.8
- ii) Garden Suite, subject to section 4.13
- iii) Home Occupation Class 1, subject to section 4.17
- iv) Home Occupation Class 2, subject to section 4.17
- v) Secondary Suite, subject to section 4.28

6.3.3 Conditional Uses

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

- i) Hotel or Motel
- ii) Pet day care and grooming
- iii) Dwelling, Shared subject to section 4.30
- iv) Vehicle Repair Garage
- v) Vehicle Sales, Rental, and Service

6.3.4 Zone Standards

	Service Lots	Unserviced Lots
Minimum Lot Area		
One Unit	390 square metres	4000 square metres
Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	200 square metres per dwelling unit	4000 square metres or as approved by the appropriate Provincial agency
Multiple Dwelling, Supportive Care Facility	500 square metres	8000 square metres or as approved by the appropriate Provincial agency
All other uses	500 square metres	4000 square metres of as approved by the appropriate Provincial agency
Minimum Lot Frontage		

	Service Lots	Unserviced Lots
One Unit	23 metres	54 metres
Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	7 metres per dwelling unit	54 metres
Multiple Dwelling, Supportive Care Facility	30 metres	60 metres
All other uses	15 metres	54 metres
Minimum Lot Depth	20 metres	38 metres
Minimum Front / Flankage Yard		
One Unit	7.5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, Supportive Housing, Multiple Dwelling, Supportive Care Facility	5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
All other uses	5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
Minimum Rear Yard		
One Unit, Two Unit, Town or Rowhouse, Group Dwelling, Shared Dwelling, and Supportive Housing	5 metres	5 metres
Multiple Dwelling, Supportive Care Facility	10 metres	10 metres
All other uses, unless otherwise provided	5 metres	7.5 metres
Minimum Side Yard		

	Service Lots	Unserviced Lots
One Unit, Group Dwelling, Shared Dwelling, Supportive Housing	3 metres	3 metres
Two Unit, Town or Rowhouse	3 metres; nil on common wall side	3 metres; nil on common wall side
Multiple Dwelling, Supportive Care Facility	5 metres	7.5 metres
All Other Uses	5 metres	7.5 metres
Maximum Building Height	12 metres	12 metres
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 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 and Mixed Use zone.

6.4.1 Permitted Uses

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

- i) Accommodation
- ii) Amusement Place
- iii) Assembly Hall
- iv) Bakery
- v) Butcher or Meat Shop
- vi) Car Wash
- vii) Clinic
- viii) Commercial Recreation
- ix) Contractor's Yard
- x) Convenience Store;
- xi) Cultural Establishment;
- xii) Day Care Centre
- xiii) Dwelling, Converted
- xiv) Dwelling, Shared, subject to section 4.30
- xv) Dry-Cleaning & Laundry Depot;
- xvi) Fitness Centre;
- xvii) Funeral Home;
- xviii) Institutional Use;
- xix) Kennel
- xx) Microbrewery or Distillery
- xxi) Office
- xxii) Personal Service
- xxiii) Pet Day Care and Grooming
- xxiv) Private Club
- xxv) Recreation Use;
- xxvi) Restaurant, including drive thru
- xxvii) Retail Use
- xxviii) Self-storage
- xxix) Service Station
- xxx) Tourist Establishment

- xxxi) Veterinary Clinic;
- xxxii) Vehicle Paint and Body Shop
- xxxiii) Vehicle Repair Garage
- xxxiv) Vehicle Sales, Rental, and Service

6.4.2 Secondary Uses

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

- i) Dwelling unit, subject 6.4.5

6.4.3 Conditional Uses

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

- i) Dwelling, Multiple
- ii) Dwelling, Town or Rowhouse, subject to section 5.1.5

6.4.4 Zone Standards

	Service Lots	Unserviced Lots
Minimum Lot Area		
Shared Dwelling	500 square metres	4000 square metres
Town or Rowhouse,	250 square metres per dwelling unit	4000 square metres or as approved by the appropriate Provincial agency
Multiple Dwelling	500 square metres	8000 square metres or as approved by the appropriate Provincial agency
All other uses	1100 square metres	4000 square metres or as approved by the appropriate Provincial agency
Minimum Lot Frontage		
Shared Dwelling	15 metres	54 metres
Town or Rowhouse	7 metres per dwelling unit	54 metres
Multiple Dwelling	30 metres	54 metres

	Service Lots	Unserviced Lots
All other uses	30 metres	54 metres
Minimum Lot Depth	30 metres	38 metres
Minimum Front / Flankage Yard		
Shared Dwelling; Town or Rowhouse	5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
Multiple Dwelling	7.5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
All other uses	10 metres	15 metre if located on arterial or collector highway; or 10 metres
Minimum Rear Yard		
Shared Dwelling; Town or Rowhouse	3.5 metres	5 metres
Multiple Dwelling	7.5 metres	10 metres
All other uses	5 metres	
Side Yard	Main Building or Structure 7.5 metres Accessory Building or Structure 6 metres	7.5 metres
Maximum Building Height	9 metres	9 metres
Maximum Lot Coverage	60%	50%
Other Requirements	In accordance with Section 4 of this By-law	

6.4.5 Conditions of Use

- a) The portion of the building used for a residential use shall not be more than 50% of the total floor area of the building;
- b) the residential use is not located on the ground floor unless approved by the Planning Review and Adjustment Committee.

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7 Rural Zone

The Rural zone makes up the majority of the District's land use. The Rural 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 Permitted Use

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

- i) Accommodation
- ii) Agricultural Use
- iii) Airfield
- iv) Aquaculture Use
- v) Assembly Hall
- vi) Bed and Breakfast, subject to section 4.6
- vii) Cemetery
- viii) Commercial Recreation Establishment
- ix) Contractor's yard
- x) Convenience store
- xi) Confined Livestock Area
- xii) Cultural Establishment
- xiii) Day Care Centre, subject to section 4.8
- xiv) Dwelling, One-unit
- xv) Dwelling, Two-unit
- xvi) Dwelling, Converted subject to section 4.7
- xvii) Dwelling, Shared, subject to section 4.30
- xviii) Dwelling, Mini Home, subject to section 4.32
- xix) Dwelling, Multiple up to and including 4 units
- xx) Dwelling, Town or Rowhouse, subject to section 5.1.5
- xxi) Farmers Market
- xxii) Forestry use
- xxiii) Funeral Home
- xxiv) General Service Shop
- xxv) Gravel Pit, subject to section 4.4
- xxvi) Grocery store
- xxvii) Home Industry
- xxviii) Institutional use
- xxix) Kennel

- xxx) Office
- xxxi) Outfitter Operation
- xxxii) Personal service
- xxxiii) Pet daycare and grooming
- xxxiv) Recreation Use
- xxxv) Recreational Facility
- xxxvi) Restaurant, including drive thru
- xxxvii) Retail Use
- xxxviii) Sawmill, subject to section 4.29
- xxxix) Self Storage
- xl) Service Station
- xli) Supportive Housing, subject to section 4.33
- xl ii) Supportive Care Facility
- xl iii) Tourist Establishment, subject to section 4.34
- xl iv) Trucking Operation
- xl v) Vehicle Repair Garage
- xl vi) Vehicle Sales, Rental, and Service
- xl vii) Vehicle Paint and Body Shop
- xl viii) Veterinary Clinic
- xl ix) Warehouse
- l) Workers Housing

7.2 Secondary Uses

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

- i) Class 1 Home Occupation, subject to section 4.17
- ii) Class 2 Home Occupation, subject to section 4.17
- iii) Day Home, subject to section 4.8
- iv) Garden Suite, subject to section 4.13
- v) Hobby Farm, subject to section 4.15
- vi) Secondary Suite, subject to section 4.28

7.3 Conditional Uses

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

- i) Bar, Lounge or Nightclub Bar
- ii) Dry Cleaning and Laundry Depot
- iii) Heavy Equipment Manufacturing, Sales or Service Operation
- iv) Light Industrial Use
- v) Topsoil Removal Operation

7.4 Zone Standards

	Standards
Minimum Lot Area	4000 square metres
Minimum Lot Frontage	54 metres
Minimum Lot Depth	38 metres
Minimum Front / Flankage Yard	
Local Road	7.5 metres
Collector Road / Provincial Highway	15 metres
Minimum Side Yard	3 metres
Minimum Rear Yard	3 metres
Maximum Lot Coverage	50%
Other Requirements	In accordance with Section 4 of this By-law

8 Industrial Zones

8.1 Light Industrial Zone

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

8.1.1 Permitted Uses

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

- i) Abattoir
- ii) Car Wash
- iii) Clinic
- iv) Contractor's Yard
- v) Convenience Store
- vi) Commercial Recreation
- vii) Dry Cleaning and Laundry Depot
- viii) Farmer's Market and Equipment Sales
- ix) Funeral Home
- x) General Service Shop
- xi) Gravel Pit, subject to section 4.4
- xii) Heavy Equipment Manufacturing, Sales or Service Operation
- xiii) Kennel
- xiv) Light Industrial Use
- xv) Microbrewery / Distillery
- xvi) Office
- xvii) Personal Service
- xviii) Recreation Facility
- xix) Restaurant, including drive thru
- xx) Retail Use
- xxi) Sawmill, subject to section 4.29
- xxii) Self Storage
- xxiii) Service Station
- xxiv) Trucking Operation
- xxv) Veterinary Clinic
- xxvi) Vehicle Repair Garage

- xxvii) Vehicle Body and Paint Shop
- xxviii) Vehicle Sales, Rental, and Service
- xxix) Warehouse

8.1.2 Secondary Uses

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

- i) Dwelling Unit
- ii) Workers Housing

8.1.3 Zone Standards

	Serviced Lots	Unserviced Lots
Minimum Lot Area	1400 square metres	4000 square metres
Minimum Lot Frontage	30 metres	54 metres
Minimum Lot Depth	30 metres	38 metres
Minimum Front / Flankage Yard	9 metres	15 metres
Minimum Side Yard	Main Building or Structure: 9 metres Accessory Building or Structure: 6 metres	7.5 metres
Minimum Rear Yard	9 metres	10 metres
Maximum Lot Coverage	50%	50%
Other Requirements	In accordance with Section 4 of this By-law	

8.2 Heavy Industrial Zone

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

8.2.1 Permitted Uses

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

- i) Abattoir
- ii) Asphalt Plant, subject to section 4.29
- iii) Cannabis Manufacturing
- iv) Construction and Demolition Disposal Site
- v) Contractors Yard
- vi) Crematorium
- vii) General Service Shop
- viii) Gravel Pit, subject to section 4.4
- ix) Heavy Equipment Manufacturing, Sales or Service Operation
- x) Kennel
- xi) Light Industrial Use
- xii) Manufacturing or Processing Facility
- xiii) Microbrewery/Distillery
- xiv) Recycling Depot
- xv) Salvage Yard, subject to section 4.29
- xvi) Sawmill, subject to section 4.29
- xvii) Scrap or Salvage Yard
- xviii) Service Station
- xix) Self Storage
- xx) Topsoil Removal Operation
- xxi) Trucking Operation
- xxii) Veterinary Clinic
- xxiii) Vehicle Repair Garage
- xxiv) Vehicle Body and Paint Shop
- xxv) Vehicle Sales, Rental, and Service
- xxvi) Warehouse

8.2.2 Secondary Uses

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

i) Workers Housing

8.2.3 Zone Standards

	Serviced Lots	Unserviced Lots
Minimum Lot Area	3000 square metres	8000 square metres
Minimum Lot Frontage	30 metres	54 metres
Minimum Lot Depth	30 metres	38 metres
Minimum Front / Flankage Yard	9 metres	15 metres
Minimum Side Yard	Main Building or Structure: 9 metres Accessory Building or Structure: 6 metres	15 metres
Minimum Rear Yard	9 metres	15 metres
Maximum Lot Coverage	60%	50%
Other Requirements	In accordance with Section 4 of this By-law	

8.3 Aggregate Extraction Zone

The Aggregate Extraction 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 Aggregate Extraction zone would be permitted through provincial regulatory process and may also be subject to environmental assessment.

8.3.1 Permitted Uses

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

- i) Quarry, subject to section 4.4
- ii) Gravel Pit, subject to section 4.4

8.3.2 Secondary Uses

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

- i) Workers Housing

8.3.3 Zone Standards

	Standards
Minimum Lot Area	8000 square metres
Minimum Lot Frontage	54 metres
Minimum Lot Depth	38 metres
Minimum Front / Flankage Yard	15 metres
Minimum Side Yard	15 metres
Minimum Rear Yard	15 metres
Other Requirements	In accordance with Section 4 of this By-law

9 Institutional Zone

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

9.1 Permitted Uses

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

- i) Assembly Hall
- ii) Cemetery
- iii) Clinic
- iv) Commercial Recreation Establishment;
- v) Cultural Establishment
- vi) Day Care Centre, Subject to Section 4.8
- vii) Educational Building
- viii) Farmers Market
- ix) Funeral Home
- x) Government Or Municipal Building
- xi) Hospital;
- xii) Institutional Use
- xiii) Outdoor Recreational Use
- xiv) Supportive Care Facility
- xv) Supportive Housing, subject to section 4.33
- xvi) Recreational Facility
- xvii) Restaurant

9.2 Secondary Uses

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

- i) Dwelling Unit

9.3 Conditional Uses

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

- i) Accommodation
- ii) Dwelling, Shared, subject to section 4.30
- iii) A main use permitted within the MU zone, subject to 6.3.4

9.4 Zone Standards

	Service Lots	Unserviced Lots
Minimum Lot Area	500 square metres	4000 square metres or as approved by the appropriate Provincial agency
Minimum Lot Frontage	30 metres	54 metres
Minimum Lot Depth	30 metres	38 metres
Minimum Front / Flankage Yard	5 metres	15 metre if located on arterial or collector highway; or 7.5 metres
Minimum Rear Yard	Main Building or Structure: 7.5 metres Accessory Building or Structure: 6 metres	10 metres
Minimum Side Yard	Main Building or Structure: 7.5 metres Accessory Building or Structure: 6 metres	10 metres
Maximum Building Height	9 metres	9 metres
Maximum Lot Coverage	50%	50%
Other Requirements	In accordance with Section 4 of this By-law	

10 Environmental Conservation Zone

The Environmental Conservation 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 this zone. Existing agricultural uses are permitted to continue.

10.1.1 Permitted Uses

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

- i) Agriculture, existing
- ii) Confined Livestock Area, existing
- iii) Passive recreation use;
- iv) A building or structure in existence on the date of approval of this Zoning By-law
- v) Interpretative centers and displays

10.1.2 Zone Standards

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

11 Parks and Recreation Zone

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

11.1 Permitted Uses

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

- i) Assembly Hall
- ii) Agricultural Use, Existing
- iii) Boat Landing
- iv) Cultural Establishment
- v) Educational Buildings
- vi) Interpretative Centres and Displays
- vii) Park
- viii) Passive Recreation Use
- ix) Tourism Centre
- x) Tourist Establishment

11.2 Secondary Use

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

- i) Restaurant
- ii) Retail Use

11.3 Conditional Use

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

- i) Commercial Recreational Establishment

11.4 Zone Standards

	Standards
Minimum Lot Area	1000 square metres
Minimum Lot Frontage	15 metres
Minimum Lot Depth	30 metres
Minimum Front / Flankage Yard	15 metre if located on arterial or collector highway; or 7.5 metres
Minimum Side Yard	7.5 metres
Minimum Rear Yard	7.5 metres
Maximum Lot Coverage	50%
Other Requirements	In accordance with Section 4 of this By-law

12 Flood Risk Area Overlay Zone

12.1 Permitted Uses

Within the Flood Risk Area 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.

12.2 Floodplain Overlay Provisions

No main building may be erected, constructed or modified unless it meets the following minimum requirements:

- a) 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 4000 square metres.
 - 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
- b) 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
- c) 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.

13 Watercourse and Wetland (WW) Overlay Zone

13.1 Permitted Uses

Within the 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.

13.2 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.