

Stanley By-Law No. 20-01

The Village of Stanley Rural Plan

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**Village of Stanley Rural Plan By-Law
By-Law No. 20-01**

Part A: Rural Plan – Title and Area Designation

The Council of the Village of Stanley, under authority vested in it by section 35 of the *Community Planning Act*, adopts the following Rural Plan By-Law:

1. This By-law may be cited as the Village of Stanley Rural Plan.
2. The area of land as shown on the map placed in Schedule A, describing the municipal boundaries of the Village of Stanley in York County, is designated for the purpose of the adoption of the Rural Plan and is the area to which this by-law applies.
3. The Village of Stanley Rural Plan contained in this by-law us hereby adopted for the aera described in Schedule A.
4. By-law No. 16 Municipal Plan By-law and By-law No. 25 Zoning By-Law and any amendments thereto are hereby repealed.

READ FIRST TIME _____

READ SECOND TIME _____

READ THIRD TIME AND ENACTED _____

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Part A: General

1.0.0 Introduction

A Municipal Plan and Zoning By-law for the Village of Stanley (hereby referred to as the Village of Stanley) was first adopted in 1978. The 40 years that have elapsed since the enactment of the 1978 Municipal Plan provides an opportunity to review the plan with the intention of making needed changes to reflect the Village of Stanley and the New Brunswick Community Planning Act. The review provides an opportunity for community engagement to see if there is anything to be added or revised in the Plan to reflect the interest of the community of Stanley. A new Plan will also ensure that the change from a Municipal Plan to a Rural Plan is reflective of the Community Planning Act and Stanley's status as a village.

This plan has been prepared by staff of the Regional Service Commission 11 Planning and Development Division and is the product of consultations with members of Council and members of the general public who attended Open Houses. This Rural Plan repeals and replaces the existing Municipal Plan for the Village of Stanley.

1.1.0 Purpose of a Rural Plan

Land use planning helps guide future development, define and enhance community character, protect the environment, and minimize conflicting land uses. The Rural Plan for the Village of Stanley contains policies on land uses as required by the Community Planning Act, as well as matters deemed necessary by Council. Policies state what the Village wants to do, as well as guide government (like the Regional Service Commission) in the management of land use. Proposals back up a policy and offer insight into potential actions or projects which may make a policy a reality. General and zoning provisions are tools for implementation and enforcement which serve by way of a limitation, condition, or stipulation.

1.2.0 Title

This By-law may be cited as the "Village of Stanley Rural Plan".

1.3.0 Area Designation

The territorial limits of the Village of Stanley as shown on Schedule "A" titled "Village of Stanley Zoning Map" is designated as the area to which this By-law applies.

1.4.0 Repeal and Replacement

This By-law repeals and replaces By-law No. 16 Municipal Plan By-law and By-law No. 25 Zoning By-law, and any amendments made to them are hereby repealed.

Part B: Objectives, Policies, and Proposals

2.0.0 General Objectives

The objectives of Village of Stanley's Rural Plan reflect the community's aspirations for the future development of the area. Objectives provide a reference for those who administer and enforce the Rural Plan to use when making land use decisions. The objectives of the Rural Plan are as follows:

- 2.1.0 To minimize the impact of development on the natural environment, predominantly the Nashwaak River;
- 2.2.0 To direct the development of community infrastructure, services, and facilities to meet the current and future needs of the population; and
- 2.3.0 To promote orderly development that fosters the local economy while ensuring appropriate land uses.

3.0.0 Residential

3.1.0 Policies

- 3.1.1 It is a policy to designate an area within the Village along Main Street, for single family residential development.
- 3.1.2 It is a policy for an area within the Village to be developed for both single family and multiple family dwellings. The area so designated for this mixed use is located adjacent to the proposed central commercial area along Main Street and between Harrison Ave. and Pleasant Street and behind the commercial area on Centennial Street.
- 3.1.3 It is a policy to require land dedications for public purposes in the subdivision process.
- 3.1.4 It is a policy that an area along Main St. be recommended for development of a mini home park. This area is to be serviced with sewage and water.

3.2.0 Proposals

- 3.2.2 It is proposed to limit development to serviced areas and to reduce ribbon development.

4.0.0 Commercial and Industrial

4.1.0 Policies

- 4.1.1 It is a policy that the area designated as central commercial is located along a portion of Main Street and Bridge Street, and be mainly used for retail and wholesale outlets as well as for institutional uses.

- 4.1.2 It is a policy that an area located along Highway 107 has been designated for highway commercial uses.
- 4.1.3 It is a policy to permit home occupations and allow buildings to serve a dual use; i.e. residence and commercial, provided that the commercial establishment is located on the ground floor.
- 4.1.4 It is a policy that Cannabis Production Facilities be consolidated upon a single track of land lying in appropriate locations along Irishtown Road.
- 4.1.5 It is a policy to permit on-street parking where practical.

5.0.0 Institutional

5.1.0 Policy

- 5.1.1 It is a policy to encourage the provision of institutional land uses that serve the current and future needs of the local area, such as, but not limited to community meeting places, recreation facilities, health and dental clinics, fire department, R.C.M.P, ambulance station, schools, library, and other educational facilities.

6.0.0 Recreational, Leisure Facilities and Open Space

6.1.0 Policies

- 6.1.1 It is a policy to provide recreational facilities and public open spaces to serve village residents and visitors and to conserve the aesthetic value of the community and its waterways. Such areas include the fair grounds located at the end of Centennial St.
- 6.1.2 It is a policy that open space be retained along the Nashwaak River, and that passive recreation uses do not detract from the Nashwaak River.

6.2.0 Proposal

- 6.2.1 It is proposed that Village Council seek cooperation from the local school board to maximize the use of school facilities through organized activities.

7.0.0 Conservation of the Physical Environment

7.1.0 Policies

- 7.1.1 It is a policy to encourage development that preserve, where practical, natural features in order to create a harmonious relationship between the structures and the natural environment.
- 7.1.2 It is a policy to protect land and resources that are environmentally sensitive to development, including rivers, streams, wetlands, steep slopes, and groundwater recharge/discharge areas.

8.0.0 Agriculture and Resource Use

8.1.0 Policies

8.1.1 It is a policy that areas in the greatest portion of the Village, beyond the area serviced, is maintained for agricultural and resource uses.

8.1.2 It is a policy that areas dedicated for agricultural and resource uses permit single family residential dwellings, provided they have a minimum lot size and minimum lot frontage as described in this Plan.

9.0.0 Protection of Water Supplies

9.1.0 Policies

9.1.1 It is a policy to protect the quality and quantity of ground and surface waters through controlled land development.

9.1.2 It is a policy to discourage types of development that pose a significant risk to groundwater resources.

9.2.0 Proposals

9.2.1 It is proposed that the Water Supply Assessment Guidelines, as adopted by Regional Service Commission 11 Planning and Development, shall be applied throughout the Village of Stanley.

10.0.0 Heritage Buildings and Sites of Historical or Archaeological Interest

10.1.0 Policies

10.1.1 It is a policy to preserve those buildings located within the municipality which are of historical and architectural interest.

Part C: Zoning Provisions

11.0.0 Definition & Interpretation

11.1.0 The Zoning Map attached and identified as Schedule “A”, entitled “Village of Stanley Rural Plan Zoning Map” and dated 2021, is the zoning map designated for this By-law.

11.2.0 In this By-law:

“abattoir” means abattoir as defined by the *Public Health Act Regulation*;

“accessory building” means a detached subordinate building, not used for human habitation, located on the same lot as the main building, structure, or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building, or structure;

“accessory structure” means a structure located on the same lot as the main building, structure, or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure;

“accessory use” means a use, other than human habitation, of land or a building or structure which is not the main or secondary use of the land, building, or structure on a lot, and which is naturally or customarily incidental and complementary to the main use of the land or to the main use being conducted in the main building or structure on the lot;

“agricultural use” means an agricultural operation that is carried out for gain or reward or in the hope or expectation of gain or reward, and includes

- (a) the cleaning, draining, irrigating, or cultivation of land,
- (b) the raising of livestock, including poultry,
- (c) the raising of furbearing 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,
- (g) the production of eggs and milk,
- (h) the operation of agricultural machinery and equipment, including irrigation pumps,
- (i) the application of fertilizers, conditioners, insecticides, pesticides, fungicides and herbicides for agricultural purposes,
- (j) the storage, use or disposal of organic wastes for farm purposes,
- (k) the operation of an agricultural produce sales outlet and farm tourist operations as part of a farm operation,
- (l) the processing of a farm product for the purpose of preparing farm products for wholesale or retail consumption,
- (m) the preparation of an agricultural product distributed from the farm gate, including cleaning, grading, and packaging,

- (n) abattoir subject to appropriate legislation; and
- (o) any other agricultural activity or process prescribed by regulation;

“alter” means to make any change, structurally or otherwise, in a building or structure which is not for the purpose of maintenance only;

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

- (a) 1 horse, cow, steer, bull, mule, donkey, bison, buffalo, pig, fox, or mink including offspring until weaning,
- (b) 3 llama, alpaca, or deer including offspring until weaning
- (c) 6 sheep or goats including offspring until weaning
- (d) 10 ostriches, emus, turkeys, ducks, or geese
- (e) 10 chickens or rabbits;

“arterial highway” means a highway classified by the Minister as an arterial highway;

“automobile repair establishment” means the general repair, rebuilding, or reconditioning of engines, motor vehicles, recreational vehicles, or trailers such as, body repair and frame straightening; painting and upholstering, vehicle steam cleaning, and undercoating, but does not include a salvage yard;

“automobile sales or rental establishment” means a building, structure, or premises where motor vehicles or recreational vehicles are stored or displayed for the purpose of sale or lease and where such vehicles may be picked up and dropped off;

“buffer” means a landscaped or fenced area intended to visibly separate one use from another or to shield or block noise, lights, or other nuisances;

“building” means any structure used or intended to be used for supporting or sheltering any use or occupancy;

“bunkhouse” means an accessory building that is a dormitory only, and provides no kitchen or bathroom, not exceeding 45 square metres in size;

“business office” means any building or part of a building used for the management or direction of an agency, business, organization, but excludes such uses as a retail sale, manufacture, assembly or storage of goods, places of assembly and amusement;

“camping facility” means an area of land, managed as a unit, used or maintained for people to provide their own sleeping facilities for short-term or seasonal accommodations for three or more of any combination of tents, recreational vehicles, camps, cottages, or bunkhouses, and where the accessory uses could include an administrative office, a clubhouse, a snack bar, a laundry, a convenience store, a swimming pool, washrooms, showers, and recreational facilities;

“cannabis” means cannabis as defined by the Government of Canada, pursuant to the *Cannabis Act*;

“cannabis production facility” means a facility and premises authorized by a license issued by the Government of Canada, pursuant to the *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;

“cemetery” means land that is used for the burial of human and/or animal remains;

“clinic” means a building or structure, or part thereof, used exclusively by physicians, dentists or other health professionals, and their staff or patients, for the purpose of consultation, diagnosis, and office treatment of humans and, without limiting the generality of the foregoing, may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms;

“commercial recreation establishment” means a recreation facility operated as a business and open to the public for a fee and, without limiting the generality of the foregoing, may include a golf course, amusement centre, and sports facility;

“Commission” means the Regional Service Commission having jurisdiction and as established under the *Regional Service Delivery Act*;

“confined livestock area” means an outdoor non-grazing area where livestock is confined by fences, 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;

“convenience store” means a retail commercial establishment supplying groceries, sundries, and other daily household necessities to the immediate surrounding area, but does not include a gasoline bar;

“cottage” means a building or structure to accommodate one or more guests for temporary occupancy which contains at least two rooms, is at least partially furnished, provides facilities to permit the guest to prepare and cook food, and provides facilities for sanitary conveniences;

“depth” means, in relation to a lot, the length of the line segment lying between the front and rear lot lines along a line joining the mid-point between the two exterior front corners and the mid-point between the two exterior rear corners;

“development” means development as defined by the *Community Planning Act*;

“Director” means the Provincial Planning Director appointed under section 9 of the *Community Planning Act*;

“dwelling” means a main residential building or structure, or portion thereof, containing one or more dwelling units;

“dwelling unit” means a room or suite of two or more rooms designed or intended for use by an individual or family, in which culinary facilities and sanitary conveniences are provided for the exclusive use of such individual or family;

“early learning and childcare home” means an early learning and childcare home as defined by and in accordance with the *Licensing Regulation of the Early Childhood Services Act*;

“eating establishment” means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and without limiting the generality of the foregoing, may include such uses as a restaurant, café, cafeteria, take-out counter, ice-cream parlor, tea or lunch room, dairy bar, coffee shop, snack bar, food truck, or refreshment room or stand;

“erect” means to construct, build, assemble or relocate a building or structure as well as any physical operation preparatory thereto;

“excavation site” means a disturbance of the ground for the purpose of mining or extracting quarriable substances for sale or off-site use and includes a gravel pit and quarry;

“farmer’s market” means an establishment or premises where farm products of a local farming community are sold at retail from areas designated for individual retailers;

“forestry use” means the general growing and harvesting of trees and, without limiting the generality of the foregoing, may include silviculture activities, the raising and cutting of wood, pulpwood, saw logs 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 lot line” means a lot line dividing the lot from an abutting roadway;

“front yard” means, in relation to any buildings, structures, or part thereof on a lot, that part of the lot between such buildings, structures, or use and a front lot line;

“full-time early learning and childcare centre” means a full-time early learning and childcare centre as defined and in accordance with the *Licensing Regulation of the Early Childhood Services Act*;

“garden suite” means a portable or demountable one storey, one or two bedroom, self-contained dwelling placed on a slab or other surface foundation, intended to be occupied by an individual or a couple who, by reason of age, infirmity, or mental or physical disability, are not fully able to care for themselves, and where the main dwelling on the same lands is occupied by family members or relatives of the occupant of the garden suite;

“gasoline bar” means one or more pump islands, each consisting of one or more gasoline or diesel pumps and may include a shelter or canopy and may involve the sale or other liquids and small accessories required for the operation of motor vehicles;

“gravel pit” means an open area of land where quarriable substances are excavated for sale or off tract use without the use of explosives;

“ground floor area” means the space on the ground storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but does not include exits, carports, garages, balconies, porches, verandas, breezeways, approach halls, vertical service spaces, and their enclosing assemblies, or, except, for those completely contained in a dwelling unit, stairways;

“group home” means a residence, licensed or approved under provincial statute, for the accommodation of up to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social, behavioural, physical condition or legal status, require a group living arrangement for their well-being but does not include a “special care home” defined elsewhere within this regulation;

“heavy equipment sales and service establishment” means a building or part of a building or structure in which heavy equipment is maintained, repaired, or offered for sale, rent, or lease;

“hobby farm” means a small agricultural activity that is an accessory use to the principle residential use, and is not carried out for financial gain or reward;

“home occupation” means a secondary use conducted in a dwelling or an accessory building for gain or support, and is conducted by at least one member of the family residing in that dwelling;

“hotel” means an establishment designed to accommodate the travelling public, for gain or reward, that consists of one or more buildings containing three or more attached accommodation units accessible from the interior and that may or may not have facilities for serving meals, meeting rooms, and recreational facilities;

“house, boarding” means a dwelling or part thereof in which rooms and meals are provided to lodgers for compensation;

“house, rooming” means a dwelling or part thereof in which rooms are provided to lodgers for compensation;

“hunting camp or recreation camp” means accommodations for seasonal use for hunting, fishing, snowmobiling, or similar recreational pursuits, and which is not used for gain or reward;

“industrial use” means the use of land, buildings, or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses;

“inn” means an owner-occupied residential dwelling in which there are rooms for rent as overnight sleeping accommodation, and includes the provision of served breakfast and evening meals to those persons residing temporarily at the establishment, and at least fifty percent of the rooms for rent must have access from inside the dwelling;

“institutional use” means the use of land, buildings, or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such buildings as schools, places of worship, recreational facilities, community centres, public hospitals, public libraries, community meeting rooms and government buildings such as fire department, post office, and village office;

“livestock” means cow, steer, bull, mule, donkey, bison, buffalo, pig, fox, mink, llama, alpaca, deer, sheep, goat, ostrich, emu, chicken, rabbit, duck, geese, horse, or turkey;

“livestock facility” means a building used or intended to be used to confine or house livestock or a confined livestock area and includes a structure or area used or intended to be used to store manure;

“local highway” means a highway so classified under the *Highway Act*;

“lot” means a parcel of land or two or more adjoining parcels held by the same owner and used or intended to be used as the site for a building or structure or an appurtenance to the building or structure;

“lot line” means a common boundary between a lot and an abutting lot or roadway;

“machine and welding shop” means a building designed and equipped for carrying on the trades of welding, metal working and machine work and includes contracting in these trades;

“main use” means the primary purpose for which a building, other structure, and/or lot is designed, arranged, or intended, or for which it may be used, occupied, or maintained under this Regulation;

“meat cutting and sales outlet” means a building or structure used for the butchering, processing, and packaging of livestock or game animals and may include the sales of such meat products;

“mini-home” means a building unit that is designed to be used with or without a permanent foundation as a dwelling, that has a width of less than six metres throughout its entire length exclusive of steps or porches, that is not fitted with facilities for towing or to which a towing apparatus can be attached, and that is capable of being transported by means of a flat-bed float trailer from the site of its construction without significant alteration;

“mini-home park” means a parcel of land, not in a Provincial Park, intended as the location, for residential purposes, of ten or more mobile homes or mini-homes, upon which at least two mobile homes or mini-homes are located for residential purposes;

“Minister” means the Minister of Environment and Local Government;

“mobile home” means a factory built, detached structural unit designed to be and capable of being transported, after fabrication, on its own chassis and wheel system to a lot and which is suitable for year round occupancy in similar fashion as a dwelling unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures;

“motel” 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 exterior only and that may or may not have facilities for serving meals;

“multiple-family dwelling” means a dwelling containing four or more dwelling units;

“nursing home” means a residential facility operated, whether for profit or not, for the purpose of supervisory, personal, or nursing care for seven or more persons who are not related by blood or marriage to the owner of the home and who, by reason of age, infirmity or mental or physical disability are not fully able to care for themselves, but does not include an institution operated under the *Mental Health Act*, the *Hospital Service Act*, the *Hospital Act* or the *Family Services Act*;

“open space” means space that is open to the sky and suitable for passive recreational use or gardens; this space shall be free of automotive traffic, parking, and undue hazard, and readily accessible by all those whom it is intended;

“part-time early learning and childhood centre” means a part-time early learning and childhood centre as defined and in accordance with the *Licensing Regulation of the Early Childhood Services Act*;

“park” means an area of land set aside for recreational purposes and may include, but not limited to, playgrounds, baseball fields, tennis courts, soccer and other athletic fields, outdoor rinks, swimming pools, areas designed for passive recreational use and similar uses, and includes the buildings and structures in connection therewith;

“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, snowmobiling or the use of all terrain vehicles, cross-country skiing, bicycling, or horseback riding; nature interpretation or observation activities; gardening; canoeing; and hunting and fishing, in accordance with all applicable regulations, but does not include a golf course or a site for organized competitions involving the operation of motorized vehicles;

“pasture” means a fenced enclosure or confined area used for the grazing of livestock which contains sufficient vegetation to serve as the principle food source for the livestock confined therein;

“personal service establishment” means a store or shop providing personal, professional, financial, technical or repair services, assistance or advice to consumers, and without limiting the generality of the foregoing, may include: appliance repair shops, barber and beauty shops, bicycle repair shops, dressmakers and tailors, financial institutions, massage therapy clinic, pawnshops, printing and photocopy services, shoe repair shops, legal, architecture and engineering offices, and professional photographers’ studios;

“playground” means an area of landscaped space equipped with children’s play equipment such as slides, swings, or wading pools;

“quarriable substance” means sand, gravel, clay, soil, ordinary stone, building or construction stone, and rock other than metallic ores;

“quarry” means a disturbance of the ground or an excavation for the purpose of removing a quarriable substance by the use of explosives;

“rear lot line” means a lot line extending along the rear of the lot;

“rear yard” 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;

“recreational facility” means a building or place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities but does not include a camping facility, or recreational vehicles;

“recreational vehicle” means a vehicular unit designed for travel, camping, or recreational use, such as a travel trailer, pick-up camper, motorized camper, or tent trailer;

“resource-based industry” means an industry based on the management, development, and cultivation of forestry, agriculture, and mineral resources;

“retail commercial establishment” means the sale of commodities or goods to individual consumers for personal use rather than for resale and, without limiting the generality of the foregoing, may include stores engaged in the sale of antique and second-hand articles, furniture, appliances and tools, recreation or sporting goods, bakeries, drug stores, florists, and video rental stores, but does not include any use separately listed in a zone;

“salvage” means second-hand, used, discarded or surplus goods, unserviceable, discarded or junked motor vehicles, bodies, engines or other component parts of a motor vehicle, but does not include bottles, furniture or books;

“salvage yard” means a licensed 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 wastepaper, rags, used bicycles, vehicles, tires, metal, or other scrap material or salvage;

“sawmill” means a building or structure used to process wood from saw logs 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 use” means a use, other than a main or accessory use;

“self-service storage facility” means one, or more than one, building or structure containing separate spaces of varying sizes that are offered by lease or rent for the storage of chattels;

“side lot line” means a lot line extending from a roadway to the rear of the lot;

“side yard” 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;

“sign” means a name, identification, description, device, display, or illustration which is affixed to or represented directly or indirectly upon a building, structure, or lot, which directs attention to an object, product, place, activity, person, institute, organization, or business;

“single-family dwelling” means a dwelling containing only one dwelling unit;

“special care home” means an owner-occupied single-family dwelling used for the purposes of providing special and individualized care to persons, who by reason of age, infirmity, mental or physical disability are not fully able to care for themselves, provided the number within the intended user group does not exceed ten and the facility complies with the applicable legislation;

“street line” means the common line between a street and a lot;

“structure” means anything constructed or erected on or below the ground, or attached to something on the ground, and includes all buildings;

“temporary farm labourer accommodation” means a portable or demountable self-contained dwelling to be used by seasonal agricultural workers as an accessory use to an agricultural use;

“three-family dwelling” means a dwelling containing three dwelling units;

“tourism use” means the use of land, buildings, or structures for the purpose of leisure, recreation, or hospitality services for, and in accommodation of, the travelling public and, without limiting the generality of the forgoing, may include an inn, bed and breakfast, mini-golf, and artisan shops, but does not include a camping facility, hotel or motel;

“townhouse dwelling” means a multiple-family dwelling divided vertically by a common wall extending from the foundation to the roof into four or more attached dwelling units, each having a separate entrance from an outside yard area;

“two-family dwelling” means a dwelling containing two dwelling units;

“use” means the purpose for which land or a building or structure, or a combination thereof, is designed, arranged, erected, intended, occupied, or maintained;

“veterinary service” means the provision of services by veterinarians for the purpose of consultation, diagnosis, and treatment of animals and the necessary boarding thereof, and may also include the retailing of pet supplies;

“warehouse” means any use concerned with storage, distribution, or transportation of goods and services or related activities, but does not include a salvage yard;

“watercourse” means the full width and length, including the bed, banks, sides, and shoreline, or any part of a river, creek, stream, spring, brook, lake, pond, reservoir, canal, ditch, or other natural or

artificial channel open to the atmosphere, the primary function of which is the conveyance or containment of water whether the flow be continuous or not;

“wayside pit or quarry” means a temporary pit or quarry developed for use by the Department of Transportation and Infrastructure, directly or under contract, solely for the purpose of highway construction, not including private roads, and is not located within a highway as defined within the *Highway Act*;

“wetland” means land that

- (a) either periodically or permanently, has a water table at, near, or above the land surface or that is saturated with water, and
- (b) sustains aquatic processes as indicated by the presence of hydric soils, hydrophytic vegetation, and biological activities adapted to wet conditions;

“width” means, in relation to a lot

- (a) where the side lot lines are parallel, the distance measured across the lot at right angles to such lines, or
- (b) where the side lot line are not parallel, the distance measured across the lot along a line parallel to a line joining the points at which the side lot lines intersects the street line, such parallel line being drawn through the point at which the line of minimum setback intersects a line of midpoint of and perpendicular to the line to which it is parallel.

12.0.0 Purpose, Administration, Classification & Conformity

12.1.0 Purpose

12.1.1 The purpose of Part C is

- (a) to divide the Village of Stanley into zones;
- (b) to describe, subject to powers reserved to the Commission
 - (i) the purpose for which land, buildings, and structures in any zone may be used, and
 - (ii) standards to which land use and the placement, erection, alteration, and use of buildings and structures must conform; and
- (c) to prohibit
 - (i) land use, and
 - (ii) use, placement, erection, or alteration of buildings or structures; other than in conformity with the purposes and standards mentioned in subparagraph (b).

12.2.0 General

12.2.1 Council may amend this rural plan under subsection 117(1) of the *Community Planning Act* or re-zone a lot, subject to terms and conditions, in accordance with section 59 of the said Act.

12.2.2 The powers of Council, the Commission, the Development Officer, and the Building Inspector are as contained within the *Community Planning Act*, the *Local Governance Act* and other Village By-laws and are not restricted, in any way, to those of this By-law.

12.3.0 Power of the Commission

12.3.1 No building or structure may be erected on any site where it would otherwise be permitted under this By-law when, in the opinion of the Commission, the site is marshy, subject to flooding, excessively steep, or otherwise unsuitable by virtue of its soil or topography.

12.3.2 As provided for in Section 55 of the *Community Planning Act*, the Commission may permit, subject to terms and conditions as it considers fit,

- (a) a proposed use of land or a building that is otherwise not permitted under the zoning provisions if, in the opinion of the Commission, the proposed use is sufficiently similar to or compatible with a use permitted in the provisions for the zone in which the land or building is situated; or
- (b) such reasonable variance from the requirements of this By-law's zoning provisions falling within paragraph 53(2)(a) of said Act as, in its opinion, is desirable for the development of a parcel of land or a building or structure and is in accordance with the general intent of this By-law and any statement hereunder affecting such development.

12.3.3 In all zones created by this by-law, the use of land for the purposes of the supply of

- (a) electric power;

- (b) natural gas;
- (c) water supply and storage;
- (d) sanitary sewage disposal and treatment of sewage generated within the planning area;
- (e) drainage, including storm sewers;
- (f) streets; and
- (g) all other public or private utilities

including the location or erection of any structure or installation for the supply of any of the above-mentioned services, shall be a particular purpose in respect of which the Commission may impose terms and conditions or prohibit where compliance with the terms and conditions imposed cannot reasonably be expected.

12.4.0 Temporary Use

12.4.1 The Commission is hereby empowered, subject to such terms and conditions as it considers fit,

- (a) to authorize, for a temporary period not exceeding 12 months, a development otherwise prohibited by this by-law; and
- (b) to require the termination or removal of a development authorized under subsection 12.4.1 (a) at the end of the authorized period.

12.4.2 The Commission may authorize, subject to terms and conditions, the extension of a temporary use for an additional period not exceeding one year, if:

- (a) the applicant holds an authorization under subsection 12.4.1(a) that is to expire or has expired;
- (b) an application with respect to the land has been made to amend the Rural Plan; and
- (c) the Commission has received a resolution from the Village Council confirming that the Council will consider the application referred to in subsection (b).

12.4.3 The Commission may:

- (a) delegate its authority under subsection 12.4.1 (a) to the development officer; and,
- (b) authorize a delegate under subsection 12.4.3 (a) to further delegate their authority under Section 4.4.3 (a) to any person.

12.5.0 Specific Powers of Council

12.5.1 No building may be erected in the municipality in respect of which, in the opinion of the Council, satisfactory arrangements have not been made for the supply of electric power, water, sewerage, streets, or other services or facilities.

12.7.0 Classification

12.7.1 For the purposes of this By-law, the Village is divided into zones as delineated on Schedule A, entitled "Village of Stanley Zoning Map".

12.7.2 The zones mentioned in section 12.7.1 are classified and referred to as follows:

<u>Zone</u>	<u>Symbol</u>
Rural	RU
Single Residential	R-1
Multiple Residential	R-2
Central Commercial	CC
Commercial	C
Highway Commercial	HC
Industrial	I
Institutional	Inst
Mini-home Park	MP
Recreational	Rec
Open Space	OS

12.8.0 Conforming and Non-Conforming Uses

12.8.1 In any zone, all land on a lot shall be used, and all buildings and structures, or parts of the buildings or structures, shall be placed, erected, altered or used, only in conformity with the requirements of, except as otherwise approved by the Commission, the part of this By-law pertaining to such zone.

12.8.2 A non-conforming use is as addressed within section 60 of the *Community Planning Act*.

12.9.0 Unauthorized Development

12.9.1 Nothing contained within this By-law shall be deemed to sanction any development not having obtained the appropriate permits prior to its date of enactment, whereby any such development becomes subject to the applicable provisions contained herein.

12.10.0 Existing Undersized Lot

12.10.1 A lot, vacant on the effective date of this By-law, having less than the minimum frontage, depth, or area herein required, may be used for a single-family dwelling where permitted in the zone, and where the property is either connected to the sewage system or has been approved by the Department of Public Safety for the installation of a septic tank and disposal field.

12.11.0 Existing Building or Structure upon an Undersized Lot

12.11.1 A building or structure, its development having commenced or been completed on or before the effective date of this By-law, upon a lot having less than the minimum frontage, depth, or area required by this By-law may be enlarged, reconstructed, repaired, or renovated provided that:

- (a) the zone-applicable minimum distances between the main building or structure and the lot lines are satisfied; and
- (b) all other applicable provisions have been met.

12.12.0 Enforcement and Appeal

12.12.1 The processing of suspected violations of the provisions of this By-law are specified under Sections 132 to 140 of the *Community Planning Act*.

12.12.2 Appeals on the decisions related to a development proposal may be directed to the Assessment and Planning Appeal Board under Section 120 of the *Community Planning Act*.

12.13.0 Interpretation

12.13.1 Zoning Map

The policies and proposals contained within this by-law affect future land use and development and are carried out through the zoning provisions.

All zones referred to in this by-law are shown for the Village of Stanley upon Schedule A, titled "Village of Stanley Zoning Map".

Most zone boundaries follow the lot lines as shown on Schedule A. Some boundaries, however, divide a lot into two or more zones.

The ground location of a lot line shall prevail should:

- (a) any discrepancy exist between the location according to Schedule A and as determined on-site; or
- (b) a Service New Brunswick property map, more recent than those used to prepare Schedule A, indicate that a lot line has been repositioned due to the discovery of a cartographic error or the settlement of a boundary dispute or uncertainty.

However, the ground location of a lot line shall not prevail should, for any reason, a lot as shown on Schedule A become:

- (a) subdivided, and a subdivided portion becomes part of the adjacent lot or becomes the property of the owner of the adjacent lot; or
- (b) amalgamated with an adjacent lot.

12.14.0 Amendments

12.14.1 A person who seeks to have this Rural Plan amended shall:

- (a) address a written and signed application in duplicate to the Council; and,
- (b) pay a fee of \$1,500 to the Village of Stanley.

12.14.2 The Commission may, if it deems fit, return all or any part of the fee mentioned in subsection 4.14.1 (b).

12.14.3 An application under this section shall include such information as may be required by the Council or the Commission for the purpose of adequately assessing the desirability of the proposal.

- 12.14.4 Before giving its views to the Council with respect to an application under this section, the Commission shall carry out an investigation, as it deems necessary.
- 12.14.5 Unless, upon the advice of the Commission, the Council is of the opinion there is valid new evidence or change in conditions, where an application under this section has been refused by the Council, no further application may be considered by the Council for one year if such application is:
- (a) in the case of a zoning amendment application, in respect of the same area of land with which the original application was concerned; or
 - (b) not being in relation to zoning, similar to the original application.

12.15.0 Rural Plan Review

- 12.15.1 Council shall undertake a review of the Rural Plan in accordance with the *Community Planning Act* no later than 10 years from its commencement or the last review.

13.0.0 General Provisions

13.1.0 Permits

- 13.1.1 No person shall undertake a development without acquiring a development permit issued by the Development Officer, subject to review by said officer relative to this by-law.
- 13.1.2 No person shall undertake or continue the building, locating or relocating, demolishing, altering, or replacing of main or accessory buildings or structures without acquiring a building permit issued by the Building Inspector, subject to review by said inspector relative to the Building By-law.
- 13.1.3 A building permit shall be posted, in a prominent place on the property in respect of which the approval is given or the permit issued, by the person who obtained the approval or is named in the permit.
- 13.1.4 The Development Officer's approval of a development is required before the Building Inspector can issue a building permit.
- 13.1.5 Notwithstanding sections 13.1.1 to 13.1.4, no permit will be required for the following:
- (a) a fence or other form of restriction or lot line demarcation;
 - (b) a power or telephone pole or line;
 - (c) any landscaping or planting activity, including the excavation of sand, gravel or rock for a landowner's on-site use;
 - (d) non-structural repairs;
 - (e) the replacement of landing or stairs where such replacement is of the same configuration as the item being replaced provided that the original item conforms to the current building code;
 - (f) the installation of eavestroughing, down spouts, storm windows or storm doors;

- (g) the installation, including the paving or bricking, of walkways or driveways; or
- (h) the installation of cosmetic decorations including, but not limited to, shutters, paneling, paint, brick, tile, and floor finishing to the exterior of a building or structure.

13.1.6 Any issued development or building permit shall remain in force for a period of 12 months from the date of issue and any permit may be re-issued upon request, subject to review by the Development Officer or Building Inspector.

13.2.0 Sewage Disposal and Water Systems

13.2.1 Where municipal sewage and/or water services are available, no development shall be permitted except where the development is connected to such services.

13.3.0 Location of Buildings and Structures on a Lot

13.3.1 No building or structure may be placed, erected, or altered in any zone unless such building or structure conforms to the following setback requirements:

- (a) arterial or collector highway – 15 metres from the highway limit;
- (b) local highway – 7.5 metres from the highway limit;
- (c) local road – 7.5 metres from the road limit;
- (d) side or rear yard – 3 metres from each yard limit; and
- (e) sewage lagoon – 150 metres from the lagoon;

13.3.2 No mini-home may be located so that it is within:

- (a) 8 metres of the boundary of a street, or
- (b) 3 metres from a lot line.

13.3.3 No accessory buildings or structures shall be placed, erected or altered so that it is closer than 3 metres to any lot line.

13.3.4 In all zones, excluding the rural zone, no accessory buildings or structures may:

- (a) be placed, erected, or altered so that it is within the front yard of the main building or structure; or
- (b) is so located as to block that which otherwise would be the only vehicular access to the rear of the lot.

13.4.0 Buffer Strip, Fence, or Tree Line

13.4.1 Where a commercial use, light industrial use, or a mini-home park abuts a residential dwelling or a residential zone, the following conditions shall apply:

- (a) that a buffer is provided with a setback of at least 7.5 metres from the building or activity from each of the side or rear lot lines that abut the residential dwelling; and
- (b) that any outdoor lighting be located, arranged, or shielded as to mitigate impacts on adjacent properties.

13.4.2 Notwithstanding any other provisions of this By-law, a fence, a wall, or a hedge may be placed or located in any yard; however:

- (a) except for a security fence of chain link construction in any Highway commercial or Institutional zone, no fence located within a required front or flankage yard shall exceed 1 metre in height; and
- (b) no fence shall exceed in height:
 - (i) 2 metres in any residential zone; or
 - (ii) 2.5 metres in any other zone.

13.5.0 Development Adjacent to Surface Waters

13.5.1 Any alteration, including the erection of a building or structure, within 30 metres of a watercourse or wetland is subject to the *Watercourse and Wetland Alteration Regulation-Clean Water Act*.

13.6.0 Building and Structure Projections

13.6.1 The requirements of this By-law, with respect to placing, erecting, or altering a building or structure in relation to a lot line or street line, applying to all parts of the building or structure except for projections which do not protrude into the required yard in excess of:

- (a) 15 centimetres for sills, leaders, belt courses, or similar ornamental features;
- (b) 60 centimetres for chimneys, smoke stacks, or flues;
- (c) 60 centimetres for cornices or eaves;
- (d) 1 metre for window or door awnings, open or lattice enclosed fire balconies, or fire escapes; or
- (e) subject to section 13.6.2,
 - (i) 1.25 metres for steps or unenclosed porches; or
 - (ii) 2 metres for balconies of upper storeys of multiple dwellings which are not enclosed above a normal height.

13.6.2 Projections mentioned in section 13.6.1(e) may not protrude into a yard to a greater extent than one-half the applicable distance as specified within section 13.3.0.

13.7.0 Infill Development

13.7.1 Notwithstanding the appropriate sections of this By-law, where a main building or structure is to be erected in any zone as an infill development, such building or structure may be erected closer to the street line than required by the applicable zone, but not exceeding the average setback of at least three existing buildings on any one side of the lot to be infilled.

13.8.0 Dwellings per Lot

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

- (a) a garden suite, where permitted;
- (b) a mini-home park;

- (c) temporary farm labourer accommodation, where permitted, subject to terms and conditions; and
- (d) a lot wherein dwellings are so located that they would be in conformity with the provisions of this by-law if the lot was divided into separate lots, each abutting a publicly-owned street and containing one dwelling.

13.9.0 Lot Occupancy

13.24.1 Buildings and structures on an interior lot shall not occupy more than 50% of the lot area.

13.24.2 Buildings and structures on a corner lot shall not occupy more than 45% of the lot area.

13.24.3 Accessory buildings or structure on a lot shall not occupy more than 7% of the lot area.

13.10.0 Signage

13.10.1 A non-illuminated sign may be placed, erected, or displayed on any land, building or structure if such sign:

- (a) advertises the sale, rental, or lease of the land, building, or structure;
- (b) identifies a residential property or the residents of that property;
- (c) denotes a home occupation or retail sale; or
- (d) prohibits trespassing, shooting, hunting, or trapping.

13.10.2 A sign referred to in section 13.10.1 shall not:

- (a) exceed in number, one for each purpose mentioned;
- (b) exceed in size,
 - (i) 1.5 square metres, for a sign mentioned in paragraph (a), or
 - (ii) 0.75 square metres, for a sign mentioned in paragraph (b), (c) or (d); nor
- (c) on a corner lot, be positioned within the triangular space included between street lines of a distance of 6 metres from their point of intersection so as to obstruct the view of a driver of a vehicle approaching the intersection.

13.10.3 For a Commercial or Industrial use a sign may be:

- (a) placed flat against the front of the main building if the area of the sign does not exceed the product of the length of the front lot line on which the building is located multiplied by 0.25 metres;
- (b) a fixed and permanent free-standing sign situated at least 2 metres from the street line which does not exceed 5 square metres in area, 2 metres in width, or 3 metres in length; or
- (c) a mobile sign subject to the condition of paragraph (b).

13.10.4 A sign referred to in section 13.10.3:

- (a) may be illuminated, but such illumination shall not be intermittent;
- (b) shall only be erected on the lot on which the business is conducted;

- (c) shall not project more than 1.5 metres above the top of any main wall or parapet to which it is affixed; and
- (d) shall not protrude out from the face of the building a distance exceeding 1.5 metres.

13.10.5 No sign may:

- (a) be an imitation of traffic control device or contain the words “stop”, “go”, “go slow”, “caution”, “danger”, “warning”, or similar words;
- (b) have a size, location, movement, content, colouring or manner of illumination which may be confused with, construed as, or tend to hide from view any traffic control device; or
- (c) advertise an activity, business, product, or service no longer conducted on the premises on which the sign is located.

13.11.0 Height Regulation

13.11.1 The height restrictions of this by-law shall not apply to a silo, chimney, church tower, drying elevator, communication antennae, water storage facility, feed, or bedding storage use.

13.12.0 Lines of Vision at Intersections

13.12.1 On a corner lot, no fence, sign, hedge, shrub, bush, or tree or any other structure or vegetation shall be erected or permitted to grow to a height more than 0.6 metres above the grade of the streets that abut the lot within the triangular area included within the street lines for a distance of 5 metres from their point of intersection.

13.13.0 Outdoor Lighting

13.13.1 Outdoor lighting be located, arranged, or shielded as not to interfere with traffic proceeding along the public street or with nearby landowners in the reasonable enjoyment of their properties.

13.14.0 Loading Standards

13.14.1 Off-street spaces not less than nine metres long, three and one-half metres wide and four metres high, shall be provided for loading for every building or structure used for any purpose involving the use of vehicles for the receipt or distribution of materials, in accordance with the following requirements:

- (a) one space for a building or structure with a total floor area more than 301 square metres up to and including 1,727 square metres;
- (b) two spaces for a building or structure with a total floor area over 1,727 square metres and up to and including 4,545 square metres;
- (c) an additional space for each 4,545 square metres, or fraction thereof, of total floor area thereof in excess of the first 4,545 square metres.

13.15.0 Off-Street Vehicular Parking

13.15.1 No building or structure shall be placed, erected or used unless off-street vehicular parking spaces are provided in accordance with the requirements of this section.

13.15.2 Off-street vehicular parking spaces shall be provided as follows:

Type of Use	Minimum Parking Requirements
Bank or Trust Company	6 spaces per 100 square metres of total floor area
Bed and Breakfast	1 space per dwelling unit and 1 space per rented room
Hotel or Motel	1 space per dwelling unit plus 1 space per 10 square metres of public use area
Business, Professional Office, Medical or Dental Clinic	1 space per 37 square metres of gross floor area
Clinic or Veterinary Service	6 spaces per practitioner for the first 5 practitioners, 4 spaces per additional practitioner
Church, Lodge, Club, or Place of Assembly	1 space per 8 persons normal attendance
Single-Family Dwelling	1 space per dwelling unit
Two-, Three-, Multiple-Family Dwelling or Townhouse	1.5 spaces per dwelling unit
Place of Learning	1 space per classroom
Eating Establishment	1 space per 4 patrons for whom accommodation is provided
Retail Store	1 space per 18 square metres of floor area used for selling
Service Shop or Repair Shop	1 space per 27 square metres of floor area used for providing services
Group Home or Special Care Home	1 space per 2 persons plus 1 space per staff member
Home Occupation	2 spaces in addition to the dwelling parking requirements
Other Uses	1 space per 30 square metres of total floor area

13.15.3 A parking lot shall:

- (a) consist of off-street parking spaces having an area of not less than 5.5 metres in length and not less than 2.75 meters in width, except for barrier-free parking as specified under section 13.15.6;
- (b) be surfaced with concrete, asphalt, crushed stone, gravel, or a combination thereof over a stable base; and
- (c) be readily accessible from the nearest street.

- 13.15.4 Provided the area is not less than the minimum area required for all buildings which the spaces are to serve, collective provisions for off-street parking spaces may be made for two or more buildings on the same parking lot.
- 13.15.5 Where a parking lot for more than four vehicles is required, a parking lot shall:
- (a) not be used for ongoing automotive repair work or servicing;
 - (b) if uncovered, notwithstanding the setback provisions of this By-law, be permitted in the area of a lot between the street line and the required setback for a main building or structure, provided no part of it is located closer than 1 metre to any street line;
 - (c) if illuminated, have light sources arranged as to divert the light away from the streets, adjacent lots, and buildings;
 - (d) have driveways located no closer than 15 metres from the right-of-way limits of a street intersection;
 - (e) be graded and drained in such a manner as to ensure that the surface water will not escape onto neighbouring lots; and
 - (f) be designed so that parked vehicles do not block others from exiting.
- 13.15.6 Barrier-free parking spaces shall:
- (a) consist of at least one of the 5 to 10 parking spaces required for all uses under section 13.15.2 plus one additional space for additional 25 parking spaces that are required thereunder;
 - (b) be of a minimum length of 5.5 metres and a minimum width of 4.5 metres;
 - (c) be designated as such by a sign or other marking; and
 - (d) be located to provide the most convenient access to the use.
- 13.15.7 If the calculation of the required parking spaces results in a fraction, the required parking spaces shall round up to the next whole number.
- 13.15.8 As provided by the paragraph 53(2)(k) of the *Community Planning Act*, Council may, in its discretion, allow a developer to pay to the Village a sum of money in lieu of providing the off-street parking as required in section 13.15.0, the amount to be \$200 per parking space, and payable on such terms and conditions as Council determines.

13.16.0 On-street Parking

- 13.16.1 On-street parking must comply with the *Motor Vehicle Act* and the Village By-law No. T-1.

13.17.0 Home Occupations

- 13.17.1 Where permitted, a home occupation may be conducted as a secondary use within a single-family dwelling or accessory building or structure or upon associated lands, subject to the following conditions:

- (a) that the home occupation shall not consist of a convenience store, eating establishment, or automotive sales, repair, or rental establishment, salvage yard, machine and weld shop, or any industrial use;
- (b) that the residential character of the land, building or structure be maintained;
- (c) that any sign be placed in accordance with the applicable standards contained within section 13.10.0;
- (d) that the home occupation not generate sewage in excess of what can be accommodated by an existing sewage disposal system;
- (e) that the home occupation not produce inordinate amounts of water or create excessive noise, fumes, dust, vibration, glare, electronic interference, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood or surrounding area;
- (f) not more than two persons are engaged in the home occupation in addition to members of the family residing in the dwelling unit;
- (g) the off-street parking be in accordance with section 13.15.0;
- (h) that the outdoor storage of supplies, materials, or products be screened from view from the street and neighbouring properties;
- (i) that the home occupation does not consist of the raising or keeping of livestock.

13.18.0 Garden Suites

13.18.1 Where permitted, a garden suite may be located on a lot containing a single-family dwelling provided:

- (a) it is for the sole occupancy of an individual or couple related to the family of the primary dwelling;
- (b) it is a secondary use to a single-detached dwelling;
- (c) that the lot has an area of at least 4,000 square metres or on a lot satisfying the minimum lot size specified in this By-law;
- (d) the garden suite shall only be located in the rear or side yard;
- (e) the garden suite must be constructed, erected or placed in such a manner as to be easily removed from the lot;
- (f) the garden suite must have a total floor area less than 100 square metres;
- (g) the garden suite is provided with adequate water and sewer systems, as acceptable to the Department of Health, or other agency having jurisdiction;
- (h) the garden suite shall be removed from the property within six months should it cease to be occupied by the person or persons intended;
- (i) the garden suite shall be reasonably consistent with the character and aesthetics of the neighbourhood in which it is located; and
- (j) the garden suite may be subject to additional terms and conditions.

13.19.0 Excavation Sites

13.19.1 The final perimeter of all excavation sites shall not be located within:

- (a) 30 metres of a public road, street, highway, or easement of right-of-way;
- (b) 100 metres of the foundation of any building;
- (c) 100 metres of a private water supply well;
- (d) 75 metres of the bank of a watercourse;
- (e) 50 metres of a residential property boundary; and
- (f) 15 metres of an abutting property boundary.

- 13.19.2 All excavation sites shall have adequate signage posted around the perimeter and visible from any access, warning people of any dangerous situation associated with the operation, such as, but not limited to, blasting, steep slopes, or open holes.
- 13.19.3 The excavation sites shall not serve as storage or a dump for toxic materials, scrap iron, domestic wastes, construction residue, or any other material likely to be harmful to the environment.
- 13.19.4 No excavation sites shall take place to a depth below the groundwater table.
- 13.19.5 An undisturbed buffer strip that is not less than 3 metres high shall be maintained at least 15 metres wide between the final perimeter of all gravel pits and a street, road, highway, or any abutting lot line.
- 13.19.6 Excavation sites shall use an appropriately designated road as access.
- 13.19.7 Excavation sites shall be subject to terms and conditions deemed appropriate by Council or the Commission, such as, but not limited to, hours of operation, safety concerns, and preventative measures.

13.20.0 Camping Facility

- 13.20.1 Where permitted, a camping facility shall be subject to the following provisions:
- (a) the lot has an area of at least 4,000 square metres;
 - (b) all tents, recreational vehicles, camps, bunkhouses, and their accessory uses shall be located at least 5 metres from any property line;
 - (c) a camping facility with a total combination of 3 to 20 tents, recreational vehicles, camps, and/or bunkhouses, shall have at least one access point to accommodate emergency vehicles;
 - (d) a camping facility with a total combination of 21 or more tents, recreational vehicles, camps, and/or bunkhouses, shall have at least two access points to accommodate emergency vehicles;
 - (e) entrances and exits for vehicles shall be designed in such a way as to minimize any conflict between vehicles and pedestrians and to not interfere with traffic flow on roadways or pathways; and
 - (f) when abutting a residential use, a 2 metre tall opaque fence shall be required, unless an adequate treed buffer is maintained to reasonably shield the use from view.

13.21.0 Livestock

13.21.1 The following lot and development standards apply to livestock facilities and keeping of livestock:

- (a) manure shall be stored under cover, on an impervious pad. Liquid manure shall be stored in a covered tank. Manure storage shall not be located closer than 20 metres from any lot line or closer than 100 metres from any watercourse or well other than that of the owner;
- (b) fences and walls shall be well maintained and kept in proper repair to keep all livestock on the property where the livestock facility and/or grazing field is located;
- (c)

Animal Units	Minimum Lot Size	Separation* (see below)	Minimum Side Yard
Up to and including 1 AU of chickens or rabbits	4,000 m ²	90 metres	20 metres
Up to 2 AU of chicken or rabbit	8,000 m ²	90 metres	20 metres
Up to 4 AU of all species	12,000 m ²	90 metres	20 metres
Up to 6 AU of all species	16,000 m ²	90 metres	20 metres
Up to 8 AU of all species	20,000 m ²	300 metres	20 metres
Up to 10 AU of all species	30,000 m ²	300 metres	20 metres
Up to 20 AU of all species	40,000 m ²	300 metres	20 metres
30 AU plus of all species	Livestock act		

*Separation distances are measured between the livestock facility and an occupied dwelling or well, other than the residential dwelling or well located on the same lot as the livestock facility.

13.22.0 Keeping of Livestock

13.25.1 With the exception of the RU and Rec Zone, neither land nor any portion of land may be used for the keeping or breeding of livestock.

13.24.0 Lot Sizes

13.24.1 No building or structure may be built, located or relocated, altered or replaced on a lot unless the lot meets the following requirements unless stated elsewhere in this by-law:

13.24.2 Where a lot is serviced by both a sewer system for public use, and not by a water system for public use, the lot shall have and contain:

- (a) for a one-family dwelling or a building or structure not used for residential purpose,
 - (i) a width of at least twenty-three metres,
 - (ii) a depth of at least thirty metres, and
 - (iii) an area of at least six hundred and ninety square metres;
- (b) for a two-family dwelling,
 - (i) a width of at least thirty-seven metres,
 - (ii) a depth of at least thirty metres, and
 - (iii) and area of at least one thousand and twenty-two square metres;
- (c) for a three-family dwelling,
 - (i) a width of at least thirty-two metres,
 - (ii) a depth of at least thirty metres, and
 - (iii) an area of at least one thousand three hundred and sixty-three square metres;
and
- (d) for a multiple-family dwelling,
 - (i) a width of at least thirty-six metres, plus one and one-half metres for each dwelling unit in excess of four,
 - (ii) a depth of at least thirty metres, and
 - (iii) an area of at least one thousand five hundred and forty-five square metres, plus one hundred and two square metres for each dwelling unit in the excess of four.

13.24.3 Where a lot is not serviced by a sewer system for public use, the lot

- (a) shall have and contain
 - (i) a width of at least fifty-four metres,
 - (ii) a depth of at least thirty-eight metres, and
 - (iii) an area of at least four thousand square metres; and
- (b) shall not be used as the location for a two-family dwelling, three-family dwelling, or multiple-family dwelling.

13.24.4 Notwithstanding subsection 13.24.3, where a lot is to be serviced by a private sewage disposal system and has been approved by a medical officer of health, the lot may be used as the location for

- (a) a two-family dwelling, where the lot has and contains
 - (i) a width of at least fifty-nine metres abutting a public street, and
 - (ii) an area of at least five thousand three hundred and fifty square metres;
- (b) a three-family dwelling, where the lot has and contains
 - (i) a width of at least sixty-three metres abutting a public street, and
 - (ii) an area of at least six thousand seven hundred square metres;

- (c) a four-family dwelling, where the lot has and contains
 - (i) a width of at least sixty-eight metres abutting a public street, and
 - (ii) an area of at least eight thousand fifty square metres.

14.0.0 Rural Zone (RU Zone)

14.1.0 Permitted Uses

14.1.1 In a RU Zone, any land, building, or structure may be used for the purpose of, and for no other purpose than:

- (a) one or more of the following main uses:
 - (i) a single-family dwelling;
 - (ii) an agricultural use subject to section 13.21.0;
 - (iii) a pasture;
 - (iv) a forestry use;
 - (v) a hunting camp or recreation camp;
 - (vi) a tourism use;
 - (vii) a veterinary service;
 - (viii) a confined livestock area; and
 - (ix) a meat cutting and sales outlet;

- (b) one or more of the following main use subject to terms and conditions as may be set by the Commission:
 - (i) a sawmill;
 - (ii) an excavation site, subject to section 13.19.0;

- (c) the following secondary use in conjunction with an agricultural use:
 - (i) a temporary farm labourer accommodation, subject to terms and conditions as may be imposed by the Commission; and

- (d) one or more of the following secondary use in conjunction with a single-family dwelling:
 - (i) a home occupation, subject to section 13.17.0;
 - (ii) a hobby farm, subject to section 13.21.0; and
 - (iii) a garden suite, subject to section 13.18.0; and

- (e) any accessory building, structure or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

14.2.0 RU Zone Requirements

14.2.1 Within any RU Zone, no development shall be permitted, and no main building or structure may be used, and no building or structure may be altered to become a dwelling, on a lot unless the lot complies with the following:

- (a) a width of at least 55 metres,
- (b) a depth of at least 76 metres, and
- (c) an area of at least 8,000 square metres.

15.0.0 Single Residential Zone (R-1 Zone)

15.1.0 Permitted Uses

15.1.1 In a R-1 Zone, any land, building or structure may be used for no other purpose than:

- (a) one or more of the following main uses:
 - (i) a single-family dwelling;
 - (ii) a playground or park or open space;
 - (iii) an institutional use;
- (b) one or more of the following secondary uses in conjunction with a single-family dwelling:
 - (i) a home occupation, subject to section 13.17.0;
 - (ii) a garden suite, subject to section 13.18.0; and
- (c) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

15.2.0 R-1 Zone Height Requirements

15.2.1 No main building or structure may exceed 9 metres in height.

15.2.2 No accessory building or structure may exceed 5 metres in height.

16.0.0 Multiple Residential Zone (R-2 Zone)

16.1.0 Permitted Uses

16.1.1 In a R-2 Zone, any land, building, or structure may be used for the purpose of and no other purpose than:

- (a) One or more of the following main uses:
 - (i) a single-family dwelling;
 - (ii) a two-family dwelling;
 - (iii) a three-family dwelling;
 - (iv) a multiple-family dwelling;
 - (v) a park or playground or open space;
- (b) one of the following secondary use in conjunction with a single-family dwelling:
 - (i) a home occupation, subject to section 13.17.0, or
 - (ii) a boarding or rooming house.
- (c) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

16.2.0 R-2 Zone Height Requirements

16.2.1 No main building or structure may exceed 11 metres in height,

16.2.2 No accessory buildings or structures may exceed 5 metres in height.

17.0.0 Commercial Zone (C Zone)

17.1.0 Permitted Uses

17.1.1 In a C Zone, any land, building or structure may be used for the purpose of, and for no other purpose than:

- (a) one or more of the following main uses:
 - (i) a single-family dwelling;
 - (ii) a two-family dwelling;
 - (iii) an eating establishment; and
 - (iv) a convenience store;

- (b) one or more of the following main use subject to terms and conditions:
 - (i) an automobile sales or rental establishment; and
 - (ii) a gasoline bar;

- (c) one or more of the following secondary uses in conjunction with a single-family dwelling:
 - (i) a home occupation subject to section 13.17.0; and
 - (ii) a garden suite subject to section 13.18.0; and

- (d) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

17.2.0 CC Zone Height Requirements

17.2.1 No main building or structure may exceed 11 metres in height,

17.2.2 No accessory buildings or structures may exceed 5 metres in height.

18.0.0 Central Commercial Zone (CC Zone)

18.1.0 Permitted Uses

18.1.1 In a CC Zone, any land, building or structure may be used for the purpose of, and for no other purpose than:

- (a) one or more of the following main uses:
 - (i) a single-family dwelling;
 - (ii) a two-family dwelling;

- (iii) a three-family dwelling;
 - (iv) a multiple-family dwelling;
 - (v) a park or playground or open space;
 - (vi) an institutional use;
 - (vii) an eating establishment;
 - (viii) a convenience store;
 - (ix) a tourism use;
 - (x) a retail commercial establishment;
 - (xi) a business office;
 - (xii) an inn or rooming or boarding house;
 - (xiii) a farmer's market;
 - (xiv) a hotel; and
 - (xv) a personal service establishment;
- (b) the following main use subject to terms and conditions:
- (i) a gasoline bar; and
- (c) one or more of the following secondary uses in conjunction with a single-family dwelling:
- (i) a home occupation subject to section 13.17.0; and
 - (ii) a garden suite subject to section 13.18.0; and
- (d) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

18.2.0 CC Zone Height Requirements

18.2.1 No main building or structure may exceed 11 metres in height,

18.2.2 No accessory buildings or structures may exceed 5 metres in height.

19.0.0 Highway Commercial Zone (HC Zone)

19.1.0 Permitted Uses

19.1.1 In a HC Zone, any land, building, or structure may be used for the purpose of and no other purpose than:

- (a) one or more of the following main uses:
 - (i) an eating establishment;
 - (ii) a convenience store;
 - (iii) a tourism use;
- (b) one or more of the following main uses subject to terms and conditions as may be set by the Commission:

- (i) a camping facility, subject to section 13.20.0;
 - (ii) a gasoline bar;
 - (iii) an automobile repair establishment;
 - (iv) an automobile sales or rental establishment;
- (c) one or more of the following secondary use:
- (i) single-family dwelling; and
- (d) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

19.2.0 HC Zone Height Requirements

19.2.1 No main building or structure may exceed 9 metres in height,

19.2.2 No accessory buildings or structures may exceed 5 metres in height.

20.0.0 Industrial Zone (I Zone)

20.1.0 Permitted Uses

20.1.1 In a I Zone, any land, building, or structure may be used for the purpose of and no other purpose than:

- (a) one or more of the following main uses:
 - (i) a business office;
 - (ii) a warehouse; and
 - (iii) a self-service storage facility;
- (b) one or more of the following main use subject to terms and conditions as may be set by the Commission:
 - (i) a camping facility, subject to section 13.20.0;
 - (ii) a gasoline bar;
 - (iii) a contractor's yard;
 - (iv) a salvage yard;
 - (v) an automobile repair establishment;
 - (vi) an automobile sales or rental establishment;
 - (vii) an industrial use; a machine and welding shop;
 - (viii) a heavy equipment sales and service establishment; and
 - (ix) a cannabis production facility; and
- (c) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

21.0.0 Institutional Zone (Inst Zone)

21.1.0 Permitted Uses

21.1.1 In an Inst Zone, any land, building, or structure may be used for the purpose of and no other purpose than:

- (a) one or more of the following main uses:
 - (i) a special care home;
 - (ii) a nursing home;
 - (iii) a group home;
 - (iv) a full-time early learning and childcare centre;
 - (v) a part-time early learning and childcare centre;
 - (vi) early learning and child care facility;
 - (vii) an institutional use;
 - (viii) a clinic;
 - (ix) a park or playground or open space;
 - (x) a cemetery; and

- (b) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

21.2.0 Inst Zone Height Requirements

21.2.1 No main building or structure may exceed 11 metres in height,

21.2.2 No accessory buildings or structures may exceed 5 metres in height or one storey.

22.0.0 Mini-home Park Zone (MP Zone)

22.1.0 Permitted Uses

22.1.1 In an MP Zone, any land, building or structure may be used for no other purpose than:

- (a) one or more of the following main uses:
 - (i) a mini-home park;
 - (ii) a mini-home; and
 - (iii) a mobile home;

- (b) the following secondary uses:
 - (i) a park, playground, or open space, and

- (c) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

22.2.0 MP Zone Lot Requirements

22.2.1 Within the MP Zone, no development shall be permitted, and no main building or structure may be used on a lot unless the lot is serviced by the municipal sewer system and the following standards are met:

- (a) a width of at least 23 metres,
- (b) a depth of at least 30 metres, and
- (c) an area of at least 2,000 square metres.

23.0.0 Recreational Zone (Rec Zone)

23.1.0 Permitted Uses

23.1.1 In a Rec Zone, any land, building, or structure may be used for the purpose of, and for no other purpose than:

- (a) one or more of the following main uses:
 - (i) a playground or park or open space;
 - (ii) an institutional use;
 - (iii) a tourism use;
 - (iv) a recreational facility;
 - (v) a livestock facility, subject to section 13.21.0;
 - (vi) an eating establishment;
 - (vii) a farmer's market; and
 - (viii) a commercial recreation establishment; and
- (b) any accessory building, structure, or use incidental to the main use of the land, building, or structure if such main use is permitted by this section.

23.2.0 Rec Zone Height Requirements

23.2.1 No main building or structure may exceed 11 metres in height,

23.2.2 No accessory buildings or structures may exceed 5 metres in height.

24.0.0 Open Space Zone (OS Zone)

24.1.0 Permitted Uses

24.1.1 In an OS Zone, any land, building or structure may be used for the purpose of, and for no other purpose than:

- (a) one or more of the following main uses:
 - (i) a park or playground, subject to terms and conditions as imposed by the commission; and
 - (ii) an open space; and

- (b) any accessory structure incidental to the main use of the land, if such main use is permitted by this section, subject to terms and conditions as may be imposed by the Commission.

24.2.0 OS Zone Requirements

- 24.2.1 No buildings shall be permitted in any OS Zone.