

I Certify this to be a true copy of By-law Number 149, Village of Minto Rural Plan By-law and declare that Sections 66 and 68 of the Community Planning Act have been complied with.

Trila McKenelley, Clerk Administrator

VILLAGE OF MINTO
RURAL PLAN
BY-LAW NO. 149

TABLE OF CONTENTS

PART A: GENERAL

		PAGE
SECTION	1.0.0	GENERAL..... 6
	1.1.0	Title 6
	1.2.0	Area Designation 6
	1.3.0	Contents 6
	1.4.0	Planning Goals 6

PART B: STATEMENTS OF POLICY AND PROPOSALS

SECTION	2.0.0	RESIDENTIAL USES 7
	2.1.0	Policies 7
	2.2.0	Proposals 7
SECTION	3.0.0	COMMERCIAL USES..... 8
	3.1.0	Policies 8
	3.2.0	Proposals 8
SECTION	4.0.0	INSTITUTIONAL USES..... 9
	4.1.0	Policies 9
	4.2.0	Proposals 9
SECTION	5.0.0	RECREATIONAL FACILITIES AND PUBLIC OPEN SPACES 10
	5.1.0	Policies 10
	5.2.0	Proposals 10
SECTION	6.0.0	RESOURCE USES..... 11
	6.1.0	Policies 11
	6.2.0	Proposals 11
SECTION	7.0.0	PROTECTION OF WATER SUPPLIES 12
	7.1.0	Policies 12
	7.2.0	Proposals 12
SECTION	8.0.0	HERITAGE BUILDINGS AND SITES OF HISTORICAL OR ARCHAEOLOGICAL INTEREST 13
	8.1.0	Policies 13
	8.2.0	Proposals 13
SECTION	9.0.0	CONSERVATION OF THE PHYSICAL ENVIRONMENT 14
	9.1.0	Policies 14
	9.2.0	Proposals 14
SECTION	10.0.0	INDUSTRIAL USES..... 15
	10.1.0	Policies 15
	10.2.0	Proposals 15

PART C: ZONING PROVISIONS

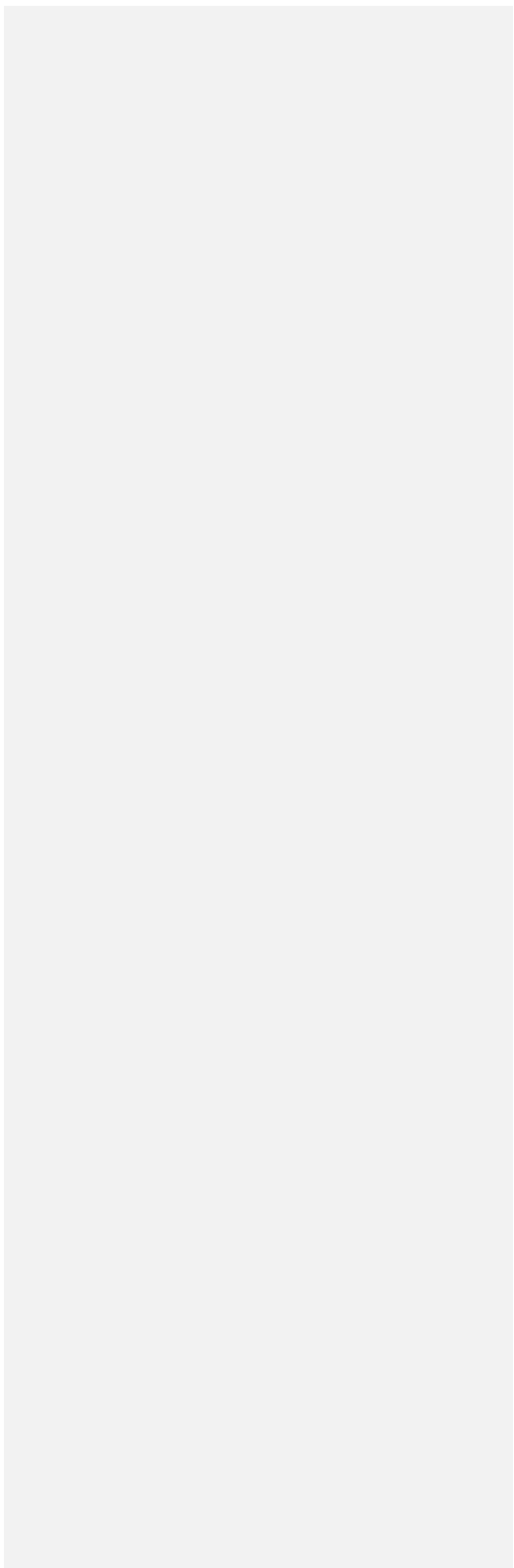
SECTION	11. 0. 0	ZONING MAP AND DEFINITIONS	16
	11. 1. 0	Zoning Map	16
	11. 2. 0	Definitions	16
SECTION	12. 0. 0	PURPOSE, ADMINISTRATION, CLASSIFICATION AND CONFORMITY	27
	12. 1. 0	Purpose	27
	12. 2. 0	General	27
	12. 3. 0	Administration: Specific Powers of the Planning Advisory Committee.....	27
	12. 4. 0	Administration: Specific Powers of Council	28
	12. 5. 0	Classification.....	28
	12. 6. 0	Conforming and Non-conforming Uses	29
	12. 7. 0	Unauthorized Development	29
	12. 8. 0	Existing Undersized Lot	29
	12. 9. 0	Existing Building or Structure on an Undersized Lot	29
	12.10.0	Enforcement and Appeal	29
	12.11.0	Interpretation	30
SECTION	13. 0. 0	GENERAL PROVISIONS	31
	13. 1. 0	Permits.....	31
	13. 2. 0	Bed and Breakfast Establishment, Boarding House and Rooming House	32
	13. 3. 0	Building and Structure Projections.....	33
	13. 4. 0	Day Care Facilities.....	33
	13. 5. 0	Commercial and Industrial Development Abutting a Residential Zone	34
	13. 6. 0	Development Adjacent to Surface Waters	34
	13. 7. 0	Excavation Permit	34
	13. 8. 0	Excavation Site	35
	13. 9. 0	Garden Suite	36
	13.10.0	Group Homes, Special Care Homes	37
	13.11.0	Heritage and Archaeological Sites	37
	13.12.0	Home Occupation	37
	13.13.0	Landfill.....	38
	13.14.0	Off-street Loading Spaces	39
	13.15.0	Number of Main Buildings or Structures on a Lot & the Subdivision of a Lot	39
	13.16.0	Outside Storage	39
	13.17.0	Parking	40
	13.18.0	Roadways and Public Utilities	42
	13.19.0	Secondary Dwelling Unit.....	42
	13.20.0	Signs	43
	13.21.0	Steep Slopes	45
	13.22.0	Storm Sewers	45
	13.23.0	Stripping of Topsoil	45
	13.24.0	Line of Vision on Corners and Intersections	45
	13.25.0	Fences and Walls	46
	13.26.0	Water Well and Sewerage Disposal Systems	46
	13.27.0	Residential Development Near a Lagoon or Treatment Plant	46
	13.28.0	Buffer Strip, Fence or Tree Line	46
	13.29.0	Infill Development	47
	13.30.0	Portable Shelters	47

	13.31.0	Home Industry.....	47
	13.32.0	Home-Based Business	48
	13.33.0	Storage of Heavy Equipment	49
SECTION	14. 0. 0	RESIDENTIAL ZONE (R1 ZONE)	50
	14. 1. 0	Permitted Uses	50
	14. 2. 0	Lot Sizes	51
	14. 3. 0	Size of Dwellings.....	52
	14. 4. 0	Yards for Main Buildings or Structures	52
	14. 5. 0	Height of a Main Building or Structure	52
	14. 6. 0	Accessory Buildings or Structures	52
	14. 7. 0	Lot Occupancy	53
	14. 8. 0	Landscaping	53
	14. 9. 0	Additional Provisions.....	53
SECTION	15. 0. 0	COMMUNITY CENTRE ZONE (CC ZONE)	54
	15. 1. 0	Permitted Uses	54
	15. 2. 0	Lot Sizes	56
	15. 3. 0	Size of Dwellings Units.....	58
	15. 4. 0	Location of Main Buildings or Structures	58
	15. 5. 0	Height of a Main Building or Structure	58
	15. 6. 0	Accessory Buildings or Structures	58
	15. 7. 0	Lot Occupancy	58
	15. 8. 0	Landscaping	58
	15. 9. 0	Additional Provisions.....	58
SECTION	16. 0. 0	HIGHWAY COMMERCIAL ZONE (HC ZONE)	59
	16. 1. 0	Permitted Uses	59
	16. 2. 0	Lot Sizes	60
	16. 3. 0	Location of Main Buildings or Structures	60
	16. 4. 0	Accessory Buildings or Structures	60
	16. 5. 0	Landscaping	60
SECTION	17. 0. 0	INDUSTRIAL ZONE (I ZONE)	61
	17. 1. 0	Permitted Uses	61
	17. 2. 0	Lot Sizes	61
	17. 3. 0	Size of Main Building	62
	17. 4. 0	Location of Main Buildings or Structures	62
	17. 5. 0	Accessory Buildings or Structures	62
	17. 6. 0	Landscaping	62
SECTION	18. 0. 0	RESOURCE USE (RU ZONE)	
	18. 1. 0	Permitted Uses	63
	18. 2. 0	Lot Sizes	64
	18. 3. 0	Size of Dwellings and Dwelling Units.....	64
	18. 4. 0	Location of Main Buildings or Structures	64
	18. 5. 0	Height of a Main Building or Structure	64
	18. 6. 0	Accessory Buildings or Structures	64
	18. 7. 0	Agricultural Buildings or Structures	64
	18. 8. 0	Lot Occupancy	65
	18. 9. 0	Landscaping	65
	18.10. 0	Additional Provisions.....	65
SECTION	19. 0. 0	ENVIRONMENTAL CONSTRAINT ZONE (EC ZONE).....	66
	19. 1. 0	Permitted Uses	66
	19. 2. 0	Provisions	66
SECTION	20. 0. 0	INSTITUTIONAL ZONE (INST ZONE)	67
	20. 1. 0	Permitted Uses	67
	20. 2. 0	Lot Sizes	67

	20. 3. 0	Yards for a Main Building or Structure	68
	20. 4. 0	Accessory Buildings or Structures	68
	20. 5. 0	Landscaping	68
SECTION	21.0. 0	BY-LAWS	69
	21.1. 0	By-laws Repealed	69
	21.2. 0	By-laws Retained	69
SECTION	22. 0. 0	EFFECTIVE DATE	71
	22. 1. 0	Village of Minto - County of Queens	71
	22. 2. 0	Village of Minto - County of Sunbury	71

SCHEDULE

SCHEDULE A Zoning Map - Village of Minto



BY-LAW NO. 137

Under section 27 of the **Community Planning Act**, the Council of the Village of Minto enacts the following By-law:

PART A: GENERAL

SECTION 1.0.0 - GENERAL

1.1.0 TITLE

1.1.1 This By-law may be cited as the Village of Minto Rural Plan.

1.2.0 AREA DESIGNATION

1.2.1 The area of land as shown on the map attached as Schedule A, titled "Zoning Map - Village of Minto" dated November 2012 and lying within the municipal boundaries of the Village of Minto is designated for the purpose of the adoption of a rural plan and is the area over which this By-law applies.

1.3.0 CONTENTS

1.3.1 In general, the Village of Minto Rural Plan contains

- (a) title and area designation within Part A;
- (b) statements of policies and proposals for the implementation of these policies within Part B; and
- (c) zoning provisions within Part C.

1.4.0 PLANNING GOALS

1.4.1 The planning goals of the Village of Minto are to:

- (a) promote the safe, efficient and effective use of land;
- (b) resolve competing interests in land;
- (c) encourage and facilitate environmentally sound economic development; and
- (d) protect lands, resources and features of special value.

1.4.2 The following represents the Village's vision over the next 5 to 10 years for its land use development:

An actively proud and beautiful family-oriented village, which caters to tourism and seniors, and has plenty of employment opportunities.

This vision will be realized by the implementation of this Rural Plan.

PART B: STATEMENTS OF POLICIES AND PROPOSALS

A policy is a general statement of intent. A proposal is a statement outlining specific and tangible

measures to satisfy or implement a policy. Several proposals may relate to a single policy.

SECTION 2.0.0 - RESIDENTIAL USES

2.1.0 Polices

2.1.1 It is the policy of the Village to control residential development so as to:

- (a) minimize the costs of road and utility servicing and fire and police protection;
- (b) conserve the visual appeal of the residential areas; and
- (c) minimize the threats to natural resources and the physical environment.

2.2.0 Proposals

2.2.1 It is proposed to encourage residential development along roads presently serviced by the current sewage collection system through:

- (a) single lot infills between existing residential uses; and
- (b) multiple lot subdivisions, including mini home parks, on suitably located and serviced lands.

No public water supply system currently exists except within the Industrial Park.

It is proposed that residential development be discouraged within environmentally hazardous or sensitive areas, such as steep slopes, flood plains and wetlands.

It is proposed that the subdivision approval process, subject to the provisions of the Subdivision By-law, consider the reservation of lands for public usage, such as buffer strips, walkways or open spaces, upon the lot to be subdivided and in accordance with current and anticipated developments on adjacent or nearby lots.

It is proposed that residential needs be met through the use of orderly, compact and diverse housing developments for single-detached, two-unit or multiple-unit dwellings.

It is proposed that the residential needs of disabled persons, seniors and those of low-income be met through the approved use of special care homes, special care facilities, garden suites and other forms of appropriate dwellings.

It is proposed that home occupations be permitted within single-detached dwellings, and home-based businesses be permitted on residential properties or in an accessory building on residential properties provided that any negative impacts upon surrounding dwellings are minimal.

It is proposed that home industries may be considered on residential properties or in an accessory building on residential properties subject to rezoning according to section 39 of the ***Community Planning Act***.

SECTION 3.0.0 - COMMERCIAL USES

3.1.0 Policies

- 3.1.1 It is the policy of the Village to
- (a) encourage commercial operations so as to
 - (i) provide local services, and
 - (ii) expand employment;
 - (b) minimize negative impacts on adjacent land uses, resource lands and the environment; and
 - (c) control the type and location of commercial development.

3.2.0 Proposals

- 3.2.1 It is proposed to encourage the location of commercial uses, including shopping centres, within the Village's central core.
- 3.2.2 It is proposed that commercial development be located upon lands within the Community Center or within designated areas outside the Community Center.
- 3.2.3 It is proposed to encourage the landscaping of commercial lands so as to minimize odour, smoke, dust, noise, water contamination or traffic nuisance impacts on surrounding land uses.
- 3.2.4 It is proposed that uses including adult entertainment, a lounge, or a beverage room, may be considered subject to rezoning according to Section 39 of the **Community Planning Act**.
- 3.2.5 It is proposed that commercial development be discouraged within environmentally hazardous or sensitive areas, such as steep slopes, flood plains and wetlands.

SECTION 4.0.0 - INSTITUTIONAL USES

4.1.0 Policies

4.1.1 It is the policy of the Village to

- (a) encourage the development of public facilities and services; and
- (b) control the type and location of institutional land uses.

4.1.2 It is the policy of the Village to review proposed institutional uses and developments relative to on-site and off-site impacts.

4.2.0 Proposals

4.2.1 It is proposed that institutional developments consider the location and space requirements relevant to the following:

- (a) on-site service volume; and
- (b) off-site land use impacts, roadway and sidewalk situations, potential water contamination and extent of the district to be served.

Generally, institutional uses are of two types: human development (educational, recreational and religious and social) and public service (health, protection, public utilities and parks).

4.2.2 It is proposed that facilities and services for the elderly and for those with mobility disabilities be encouraged.

4.2.3 It is proposed that institutional development be located upon lands in or near the Community Center.

4.2.4 It is proposed that any negative impacts of an institutional development upon surrounding land uses be minimized.

4.2.5 It is proposed that institutional development be discouraged within environmentally hazardous or sensitive areas, such as steep slopes, flood plains and wetlands.

SECTION 5.0.0 - RECREATIONAL FACILITIES AND PUBLIC OPEN SPACES

5.1.0 Policies

- 5.1.1 It is the policy of the Village to provide an integrated parks and recreation land use system so as to
- (a) serve Village residents and visitors;
 - (b) protect property owners from flood damage;
 - (c) minimize disruption of the natural drainage system; and
 - (d) conserve the aesthetic value of the waterways.

5.2.0 Proposals

- 5.2.1 It is proposed to develop trail systems, preferably upon lands located within the Environmental Constraint Zone, so as to link municipal parks and extend public access along Newcastle Creek by purchase, leasing or agreement of lands or uses for public easement.
- 5.2.2 It is proposed that recreational vehicle parks, campgrounds, lodges, cottage clusters and similar uses be considered outside the Community Centre.
- 5.2.3 It is proposed to promote a recreational and tourism development strategy in coordination with Enterprise Central N.B.
- 5.2.4 It is proposed to inventory and map Village-owned lands.

SECTION 6.0.0 - RESOURCE USES

6.1.0 Policies

- 6.1.1 It is the policy of the Village to minimize the impact of location, development and operation of pits and quarries and related processing on adjacent land uses and environments.
- Sand, gravel and rock are considered to be the main extractions from pit and quarry operations.
- 6.1.2 It is the policy of the Village to encourage natural resource land uses that allow for economic development and maintain the integrity of the environment.
- 6.1.3 It is the policy of the Village that the existing agricultural use of land be encouraged to continue in ways that are compatible with environmental conservation or protection, and nearby residential areas.
- 6.1.4 It is the policy of the Village that new pit and quarry operations will not be permitted anywhere in the Village, given the limited land base in Minto, the sensitivity of sloping lands that may contain aggregate resources, the potential impact on groundwater resources, and the negative visual effect that could result.

6.2.0 Proposals

- 6.2.1 It is proposed to consider noise, dust, vibration and visual impacts, as well as, hours of operation and safety features, so as to minimize the conflicts of proposed pit and quarry operations on neighbouring residential areas.
- 6.2.2 It is proposed to consider the effects of proposed pit and quarry operations on ground and surface waters, fishery and wildlife habitats, and vegetation so as to minimize environmental impacts.
- 6.2.3 It is proposed to encourage the reclamation of post-mining surface lands for public recreational uses and for open space uses that are compatible with surrounding lands.
- 6.2.4 It is proposed that the agricultural use of lands, outside the Community Center, be continued by compatibly zoning those lots registered under the Farm Land Identification Program (*Regulation 84-75 - Real Property Tax Act*) and the *Agricultural Land Protection and Development Act*.
- 6.2.5 It is proposed, with respect to a re-zoning application upon lands designated for an agricultural or forestry use, that Council, may consider such rezoning under section 39 of the Community Planning Act, or otherwise approve the location of such development
- (a) within areas suitable for farming and aggregate extraction; and
- (b) at an adequate distance from existing livestock or manure storage facilities and present agricultural operations.

SECTION 7.0.0 - PROTECTION OF WATER SUPPLIES

As a community's water supply normally originates outside municipal boundaries, ~~its~~ a village's concern ought to extend over the surrounding watershed area. Problems with underground water are generally caused by land use activities at the surface level. Underground water can be polluted by industrial and mining wastes, leaking septic tanks and sewage lines, poorly managed sanitary landfills and sewage treatment plants, as well as chemical contamination from residential, commercial, and institutional operations. A critical issue within many villages is the reliance of concentrated residential development on private wells and septic systems. How a village handles its waste disposal can affect surrounding areas within the same watershed.

7.1.0 Policies

7.1.1 It is the policy of the Village to protect surface and underground waters by managing land uses.

7.2.0 Proposals

7.2.1 It is proposed to recognize the applicable water protection measures developed by the Province under the ***Water Well Protection Regulation*** and ***Potable Water Regulation*** of the ***Clean Water Act*** and the ***Water Quality Regulation*** of the ***Clean Environment Act***.

7.2.2 It is proposed to encourage the establishment of a public water supply system over the extent serviced by the current sewage collection system.

7.2.3 It is proposed that the following activities be carried out:

- (a) the identification of potential public water supply sources;
- (b) the protection of those sites so identified;
- (c) the development of a public water supply system servicing the entire Community Centre and other areas with water supply or quality issues ; and
- (d) the expansion of the existing public sewage collection system to service the entire Village.

7.2.4 It is proposed that development be discouraged upon lands that may cause any negative impact to surrounding water supplies or to the public water supply areas referred to within section 8.2.1.

7.2.5 It is proposed that a by-law be prepared to regulate on-going ground water use in order to properly manage its consumption.

SECTION 8.0.0 - HERITAGE BUILDINGS AND SITES OF HISTORICAL OR ARCHAEOLOGICAL INTEREST

For over 100 years the Village of Minto has had its name on maps, but its history goes back to the early days of European settlement when coal was discovered in the area and mined first in a small way, then with increasing mechanization, on a much grander scale. The mining attracted people from many countries and backgrounds who settled in Minto raising their families and contributing to the community.

In the early 1900's the NB Coal and Railway Company (later to become CPR) completed the rail link from Minto to Fredericton. This established a secure delivery route for Minto coal to other areas. It also offered passenger service for residents to and from Fredericton.

Coal mining bred supporting industries and an industrious work ethic. Schools and churches were built. A hospital and nursing home served the needs of the Village. An industrial park was created to allow for the establishment of larger industries. And parks, playing fields and Grand Lake offered, and continue to offer, recreational opportunities for residents.

Part of Minto's history was intertwined with the World War II Internment Camp at Ripples. In recent years, greater interest has been given to this part of the Village's history and a museum has been opened in the Municipal Building to explain the camp.

8.1.0 Policies

8.1.1 It is the policy of the Village to conserve and enhance those buildings and sites having special historic or architectural merit so as to compatibly serve Village residents and visitors.

8.2.0 Proposals

8.2.1 It is proposed to maintain those buildings and sites best depicting the Village's long coal mining and railway service history.

8.2.2 It is proposed that those buildings and sites exhibiting the following be identified:

(a) an historically relevant architectural, cultural, social, political, economic or military feature; or

(b) an association with an historically significant individual, event or institution.

8.2.3 It is proposed that the buildings and sites identified under section 8.2.2 be placed on a municipal register of historic places and be nominated to the Canadian Register of Historic Places.

SECTION 9.0.0 - CONSERVATION OF THE PHYSICAL ENVIRONMENT

9.1.0 Policies

- 9.1.1 It is the policy of the Village to protect environmentally significant areas within the municipality in recognition that unique and sensitive areas are an important component of rural life.

9.2.0 Proposals

- 9.2.1 It is proposed to create the Environmental Constraint Zone so as to provide water quality and flood protection.
- 9.2.2 It is proposed to coordinate land development subject to the ***Watercourse and Wetland Alteration Regulation*** of the ***Clean Water Act*** and the ***Environmental Impact Assessment Regulation*** of the ***Clean Environment Act***.
- 9.2.3 It is proposed to map the location of lands unique to the Village, including those with sensitive flora and fauna and with recreational value.
- 9.2.4 It is proposed that no main buildings or structures be permitted within designated constraint areas including the flood plain of watercourses and their tributaries.
- 9.2.5 It is proposed that accessory buildings or structures be permitted upon the flood plain of watercourses and its tributaries, subject to terms and conditions as imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the ***Community Planning Act***.

SECTION 10.0.0 - INDUSTRIAL USES

10.1.0 Policies

10.1.1 It is the policy of the Village to encourage industrial operations to locate within the Industrial Park so as to supply products, create employment and minimize potential negative impacts on adjacent land uses and the environment.

10.2.0 Proposals

10.2.1 It is proposed to encourage development within the Industrial Park subject to the location, spacing, municipal servicing, operation and aesthetic guidelines referred to within the 1996 Minto Industrial Park Development Plan and to an assessment of environmental impacts.

10.2.2 It is proposed to minimize conflict between junkyard or salvage operations and surrounding land uses by considering noise, dust, vibration, traffic, visual and land value impacts.

10.2.3 It is proposed that industrial development be discouraged within environmentally hazardous or sensitive areas, such as steep slopes, flood plains and wetlands.

10.2.4 It is proposed that abandoned industrial sites, outside of the industrial park, be converted to other uses.

PART C: ZONING PROVISIONS

SECTION 11.0.0 - ZONING MAP AND DEFINITIONS

11.1.0 ZONING MAP

11.1.1 The zoning map for the Village of Minto is attached as Schedule A and titled "Zoning Map - Village of Minto".

11.2.0 DEFINITIONS

"**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 building or structure of a lot 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 of the lot and which is not a secondary use.

"**ACTIVE RECREATION**" means a leisure activity, usually of an organized nature, often performed with others and sometimes requiring equipment, taking place at a prescribed place, site, or field.

"**ADULT ENTERTAINMENT USE**" means any premises or part thereof in which is provided services of which a principle feature or characteristic is the nudity or partial nudity of any person and shall include such uses as cabarets, peep shows, uses involving exotic dancers, massage parlours, escort services, adult arcades and adult movie theatres.

"**ADVISORY COMMITTEE**" means the Planning Advisory Committee for the Village of Minto as established under section 12 of the *Community Planning Act*.

"**AGRICULTURAL PURPOSE**" means any use of an accessory building or structure for the production of crops or livestock, including piggeries, henneries and abattoirs.

"**ALTER**" means to make any change, structurally or otherwise, in a building or structure that is not for purposes of maintenance only.

"**AMUSEMENT PLACE**" means a building, room or area which is devoted to the offering of facilities for the play of any game of chance or any game of mixed chance and skill for the amusement of the public, but does not include billiard or pool tables, gambling machines, bowling alleys and bingo halls nor adult entertainment uses.

"**ARTISAN SHOP**" means a shop in which arts or crafts are produced and may be offered for sale, but does not include a manufacturing or light manufacturing use.

"**AUTOMOTIVE BODY SHOP**" means a building or structure used for the painting or repairing of vehicle bodies or fenders, but shall not include a salvage yard.

"**AUTOMOTIVE COMMERCIAL GARAGE**" means a building where all functions of an automobile service station may be carried out and where major repairs of vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the salvage of motor vehicles

awaiting scrapping.

“AUTOMOTIVE GASOLINE BAR” means one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres (108 square feet), excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.

“AUTOMOTIVE SERVICE STATION” means a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.

“AUTOMOTIVE SCRAPYARD” means a building, warehouse, yard or other place or premise in or on which are stored or kept automobiles, automobile parts or any other salvage object intended for resale or delivery to another person.

“AUTOMOTIVE STORE” means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools and may include facilities for the repair or maintenance of such vehicles.

“AUTOMOTIVE VEHICLE SALES OR RENTAL ESTABLISHMENT” means an establishment primarily engaged in the storage of vehicles for sale or the storage of vehicles for rent or lease and may include facilities for the repair or maintenance of such vehicles.

“BACHELOR APARTMENT” means a dwelling unit in a multiple-unit dwelling, consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

“BED AND BREAKFAST ESTABLISHMENT” means a dwelling in which the resident owner or resident manager provides short-term overnight accommodation and meals, usually breakfast, to the public.

“BEVERAGE ROOM” means licensed premise where liquor of all kinds is offered for retail sale to patrons, for consumption only in the beverage room as approved by the Compliance and Enforcement Branch of the Department of Public Safety.

“BOARDING HOUSE” means a dwelling in which the resident owner or resident manager provides accommodation or accommodation and meals, on a long-term and continuous basis, to the public.

“BOARDING STABLE” means a building, structure or premises used for the feeding, housing and exercising of horses for gain or profit.

“BUFFER STRIP” means an area to be used only for the purpose of screening land, buildings or other structures by the planting and maintenance of trees or shrubs or the construction and maintenance of an earth embankment.

“BUILDING” means a roofed erection, with solid exterior walls which is permanently affixed to the site and which is used or intended to be used as a shelter for persons, animals or chattels.

“BUILDING, ACCESSORY” 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 customarily incidental and complementary to the main use of the land, building or structure.

“BUILDING, MAIN” means a building in which is conducted the main or principle use of the lot on which the building is located.

“CAMPGROUND or RECREATIONAL VEHICLE PARK” means an area of land intended for the use by persons who provide their own sleeping accommodations, such as tents or recreational vehicles, for a

short-term of stay, and where accessory uses would include an administrative office, clubhouse, snack bar, laundry, convenience store, swimming pool, washrooms, showers, or recreational facilities.

“**CHURCH**” means a building commonly used for the public worship by any religious organization, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with, or accessory thereto.

“**CLUB**” means a non-profit, incorporated organization associating for the purposes of mutual entertainment and convenience and includes the licensed premises occupied or used for any such purpose. Examples of a “club” includes but is not limited to: Royal Canadian Legion, Lions Club, Kinsmen Club, Community Centre, Air Force Veterans Club etc.

“**CLUB LICENSE**” means a club license issued under the Licensing and Registration Branch of the Department of Public Safety, and requires that the club premises has a minimum seating capacity of 25 persons.

“**COMMUNITY CENTRE**” means a building intended for public assembly or social and cultural activities.

“**COMPOSTING OPERATION**” means any composting activity upon real or personal property that releases or might release a contaminant into or upon the environment or any part of the environment and includes a danger of pollution.

“**CONVENIENCE STORE**” means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.

“**COTTAGE ESTABLISHMENT**” means a tourist establishment composed of one or more building units for the temporary accommodation of guests.

“**DAY CARE CENTRE**” means a facility in which day care services are provided for

- (a) four or more infants,
- (b) six or more children of the ages two to five,
- (b) ten or more children of the age six and over, or
- (c) seven or more children where the children are of the age of five and under and six and over, including those of the operator, as prescribed by Regulation according to the Family Services Act.

“**DAY CARE FACILITY**” means a day care centre, or a family day care home as prescribed by Regulation according to the Family Services Act.

“**DAY CARE HOME, FAMILY**” means a home in which day care services are provided for a maximum of:

- (a) two infants,
- (b) four children of the age of two to five,
- (c) five children of the age six and over, or
- (d) four children where the children are of the age five and under and six and over, including those of the operator, as prescribed by Regulation under the **Family Services Act**.

Act.

“**DAY CARE SERVICES**” means the care and supervision of a child for a period of less than twenty-four hours in a day care facility in either a day care centre or a day care operated in a family home.

“**DEMOLITION SITE**” means a construction and demolition debris disposal site used for the permanent disposal of construction and demolition debris. (Guidelines and permits are issued by the the New Brunswick Department of the Environment.)

“**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 within the **Community Planning Act**.

“DINING ROOM” means a licensed premises with a minimum seating capacity of 25 persons, where food and beverages including alcoholic beverages are prepared and offered for retail sale to patrons for consumption on the premises, and where a Dining Room Liquor License is permitted with the approval of the Compliance and Enforcement Branch of the Department of Public Safety, wherein the purveyance of food in the dining room is the chief business and source of revenue for the licensee.

“DINING ROOM/LOUNGE” means a licensed premises as defined under “DINING ROOM” and may also include a separate area(s) of the premises of the licensee, as approved by the Compliance and Enforcement Branch of the Department of Public Safety, which may offer food and /or entertainment in addition to beverages.

“DISTANCE” means the shortest separation, measured on a horizontal plane, between a lot line or street line and the nearest part of a building or structure.

“DORMITORY” means a building or part of a building operated by an institution and containing a room or rooms forming one or more habitable units which are used or intended to be used for living and sleeping, but not for cooking or eating purposes.

“DRAINAGE” means the removal of surface or subsurface water by a channel, open ditch, tile drain, grassed waterway or conservation structure.

“DRIVING RANGE” means a public or private area operated for the purpose of developing golfing techniques, excluding golf courses and miniature golf courses.

“DUPLEX” means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.

“DWELLING” means a main building or a portion of it, containing one or more dwelling units and includes a mobile home and a mini-home.

“DWELLING, ROW ” means a dwelling containing at least three and no more than six dwelling units, such units being constructed adjointly with common walls, and not one above the other, with individual entrances directly from street level.

“DWELLING, MULTIPLE-UNIT” means a dwelling containing more than two dwelling units, such units being constructed adjointly with common walls on the same level or split by the floor on separated levels served by a common entrance or by individual entrances directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and appurtenant thereto.

“DWELLING, SINGLE-FAMILY” means a dwelling containing only one dwelling unit or a dwelling containing a second dwelling unit which occupies the basement of the dwelling.

“DWELLING, TWO-FAMILY” means a dwelling containing two dwelling units, neither of which is contained in the basement of the dwelling.

“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.

“DWELLING, SINGLE DETACHED” means a single dwelling unit which is freestanding, separate and detached from other main buildings or main structures and includes a prefabricated or manufactured single dwelling unit, including a mobile home.

“DWELLING, SEMI DETACHED” means two dwelling units side-by-side as one cohesive unit in terms of architectural design, appearance and construction material, with a common party wall which separates, without opening, the two dwelling units throughout the entire structure, each of which has an independent

entrance either directly or through a common vestibule.

“EATING ESTABLISHMENT” means an establishment where for compensation, either directly or indirectly, food is cooked, prepared or served for consumption on the premises or elsewhere, but does not include a mobile canteen, institutional food-service establishment, catering kitchen, bakery, vending machine, seasonal food-service establishment or a household in which boarders are kept under a private arrangement.

“EATING ESTABLISHMENT, DRIVE-IN” means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure.

“EATING ESTABLISHMENT, FULL-SERVICE” means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises.

“EATING ESTABLISHMENT, TAKE-OUT” means a building or structure used for the sale of food to the public and from which food is made available to the customer from within the building and for which no provision is made for consumption within the customer’s car, within the building or elsewhere on the site.

“ENTERTAINMENT PLACE” means a motion picture or other theatre, arena, auditorium, hall, billiard or pool-room, bowling alley, ice or roller rink, bingo hall and all other similar places open to the public, but does not include adult entertainment uses.

“ERECT” means to construct, build, assemble or relocate a building or structure and any physical operations preparatory to the construction, building, assembly or relocation of the building or structure.

“EXCAVATION SITE” means a place where unconsolidated gravel, stone, sand, earth, clay, fill or other material or consolidated rock is being or has been removed by means of an open extraction to supply materials for construction, industrial or manufacturing purposes.

“FACTORY OUTLET” means a building or part of a building, as a secondary use to a permitted industrial use, where the products manufactured by that industry are kept for wholesale or retail sale.

“FAMILY” means one or more persons, not necessarily related, occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel or boarding or rooming house.

“FLOOR AREA” means the total usable floor space contained within a building but not including garages, carports, porches, verandas, breezeways, approach halls, or except for those completely contained in a dwelling unit, stairways.

“FORESTRY OPERATION” means the general growing and harvesting of trees and, without limiting the generality of the foregoing, shall include the raising and cutting of fuel wood, pulp, wood, lumber, Christmas trees and other products as well as the portable milling and sawing of wood.

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

“GARDEN SUITE” means a portable, or demountable one-storey, one- or two-bedroom, self contained dwelling, intended to be occupied by an individual or couple, who by reason of age, infirmity or mental or physical disability are not fully able to care for themselves, and where the house on the same property is occupied by family members or relatives of the occupant of the garden suite.

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

“GROSS FLOOR AREA” means the sum of the horizontal areas of the several floors of all buildings on a lot, measured from the exterior faces of the walls, and shall include such areas as basements and attics provided such areas are used for the main use.

“GROUND FLOOR AREA means the maximum ground floor area of a building measured by the outside walls, excluding in the case of a dwelling house, any private garage, carport, porch, verandah, or sunroom, (unless the sunroom is habitable at all seasons of the year).

“GROUP HOME” or special care home, means a residence for the accommodation of four or more persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. A group home does not include a day care centre, a halfway house, a nursing home or a facility for the temporary care of transient and homeless persons.

“HALFWAY HOUSE” means a center for helping former drug addicts, prisoners, psychiatric patients, or others to adjust to life in general society.

“HEIGHT” means, in relation to a building or structure, the vertical distance as measured from mean grade to the highest point on such building or structure.

“HOBBY FARM” means a farm use conducted on the property which is clearly secondary to the main use, does not change the character or use of the main use, does not significantly alter the appearance of the main use and, does not create or become a public nuisance, particularly in respect to smell, noise, traffic or parking.

“HOME-BASED BUSINESS” means the use of a building accessory to a dwelling for business pursuits compatible with a domestic household, which is carried on by at least one member of the family residing in the dwelling house and, without limiting the generality of the foregoing, would include a home day care, the production of arts and crafts, a shop for carpentry, caterer’s establishment, woodworking, window framing, plumbing, small equipment electric repair.

“HOME INDUSTRY” means a gainful occupation, trade, or service carried on by at least one member of the family residing in the dwelling house for which purpose an accessory building or structure may be used and, without limiting the generality of the foregoing, would include a home day care, the production of arts and crafts, a shop for carpentry, caterer’s establishment, electric equipment repair, woodworking, window framing, welding, plumbing, machine or auto repair, auto body repair, tire shop, a service shop, salvage yard, a blacksmithy, and a storage building for vehicles, equipment, and commodities.

“HOME OCCUPATION” means a secondary use conducted in a dwelling unit for gain or support which is compatible with a household, and which is carried on by at least one member of the household residing in that dwelling unit and, without limiting the generality of the foregoing, would include a home day care, the production of arts and crafts, a shop for carpentry, caterer’s establishment, woodworking, window framing, plumbing, small equipment electric repair.

“HOTEL” means a tourist establishment that consists of a building containing three or more attached units grouped under one roof and accessible from the interior or partially from the exterior, designed to accommodate the travelling public and may have facilities for serving meals.

“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.

“HOUSEHOLD PET” means a domestic animal customarily kept within a dwelling or accessory building for the sole purpose of pleasure rather than utility and includes: dogs, rabbits, small birds, and rodents, but excludes: cattle, sheep, pigs, poultry, foxes, and birds and mammals customarily kept as farm animals, and exotic animals such as deer, llamas, or other animals customarily kept in zoos.

“INFILL DEVELOPMENT” means a development or redevelopment occurring on a lot devoid of building, structure or use adjacent to lots that are occupied by a building, structure or use.

“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 uses as schools, places of worship, indoor recreation facilities, community centres, public hospitals, and government buildings.

“KENNEL” means any premises on which animals are boarded, bred, trained or cared for in return for remuneration or are kept for the purpose of sale, and does not include a veterinary clinic.

“LAND” means a tract of land or **LOT**, as defined elsewhere within this by-law.

“LANDSCAPING” means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) “soft landscaping” consisting of vegetation such as trees, shrubs, hedges and grass;
- (b) “hard landscaping” consisting of non-vegetative materials such as brick, stone, concrete, tile, wood, or asphalt;
- (c) “architectural elements” consisting of walls, fences, sculpture and the like.

“LAUNDROMAT” means a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning, including a self-service laundry cleaning machine.

“LOGGING HAULER” means an area of land or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging contractor.

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

“LOT, INTERIOR” means a lot other than a corner lot.

“LOT LINE” means a common boundary between a lot and an abutting lot, lane or street.

“LOT LINE, FRONT” means a lot line dividing the lot from an abutting street.

“LOT LINE, REAR” means a lot line extending along the rear of the lot.

“LOT LINE, SIDE” means a lot line extending from the street line to the rear of the lot.

“LOUNGE” means a bar in a hotel or restaurant where alcoholic drinks are served.

“MANUFACTURING PLANT” means a building or structure in which a product is fabricated and from which such product is shipped to a wholesale or retail outlet.

“MANUFACTURING PLANT, LIGHT” means a building or structure in which component parts are manufactured, assembled or processed to produce finished products suitable for the retail trade but does not include an industry involving stamping presses, furnaces or other machinery that emits dirt, dust or noxious fumes into the air or that results in noise or vibration beyond the property.

“MEDICAL CLINIC” means a building or part thereof, used exclusively by physicians, dentists or other health professionals, their staffs and their patients for the purpose of consultation, diagnosis and office treatment of humans. Without limiting the generality of the foregoing, a medical clinic 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.

“MERCHANDISE SERVICE SHOP” means a building or part of a building used for the sale or repair of household articles and shall include the repair or servicing of communication parts and accessories,

electronic devices, television sets, radios, home security systems, satellite systems, computers, furniture, appliance repair shops and other similar uses, but shall not include manufacturing, industrial assembly or motor vehicles repair shops, and shall not include vehicles designed and intended to serve as industrial vehicles, heavy equipment or tractor trailers;

"MINI HOME" means a building unit that is designed to be used with or without a permanent foundation as a dwelling for humans, 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 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.

"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 and placement on defined supporting structures.

"MOBILE /MINI HOME PARK" means a parcel of land, not in a provincial park, upon which two or more mobile homes or mini-homes are located for residential purposes.

"MODULAR HOME" means a home that is built in a factory in two or more sections for completion on site on a foundation. Modular homes are designed to CSA A277 approved standards (and provincial standards where applicable) and are not designed to be transported on their own wheels or undercarriage. Modular homes are included in the definition "manufactured homes".

"MOTEL" means a tourist establishment that consists of one or more buildings containing one or more dwelling units accessible from the exterior, designed to accommodate only the travelling public and may have facilities for serving meals.

"NURSING HOME" means a residential establishment operated for the purpose of providing supervisory, personal or nursing care for four or more persons who are not related by blood or marriage to the operator of the home; and who by reason of age, infirmity, mental disability or physical disability, are not fully able to care for themselves.

"OPEN SPACE" means an area of land not occupied by buildings, structures, driveways, roadways, parking spaces, loading or unloading spaces, swimming pools, or similarly constructed units, and including fences.

"OUTDOOR AMUSEMENT ACTIVITY" means an outdoor activity requiring a significantly large amount of land, such as, a drive-in movie theatre, go-cart track, paint ball field or course, rifle range or moto-cross racetrack.

"OUTDOOR RECREATIONAL USE" means an outdoor activity, including the use of trails for hiking, snowmobiling, cross-country skiing, bicycling, horseback riding; sleigh rides; nature interpretation activities, canoeing, and hunting and fishing, and excluding activities associated with a recreation facility or a commercial recreation establishment.

"PARK" OR "PLAYGROUND" means any park or playground requiring only a minimum of equipment and includes a conservation park or nature trail, a rest spot or any other development that disturbs the natural environment as little as possible.

"PLACE OF ENTERTAINMENT" means an athletic, recreation, or social club, operated for financial gain, profit, or reward, including an auditorium, billiard or pool hall, bowling alley, ice or roller skating rink, curling rink, or dance hall, and excluding any other form of entertainment or recreation otherwise identified by this by-law.

"PUBLIC GARAGE" means any building, space or enclosure in which motor vehicles or power boats are stored for use (as opposed to being stored for sale) or repaired, whether for the public, for business purposes or for hire, but not including body shops. A public garage is not an accessory building or

structure nor part of a main building used primarily for the storage of non-commercial motor vehicles.

"PUBLIC UTILITY" means any public work or utility, including any service or commodity supplied that earns revenue for a public service agency, company or corporation.

"REDEMPTION WASTE DISPOSAL SITE" means a lot and premises where scrap or used materials are handled, dismantled, refurbished or temporarily stored for resale or further disposal, subject to the applicable Act or Regulation; scrap or used materials include waste paper, rags, wood, bottles, glass and metal.

"RESORT" means a tourist establishment catering to the public, designed as a destination-oriented operation, normally, a vacation destination, and providing meals and sleeping accommodations, such as, a lodge house, guest rooms, or cottages.

"RESTAURANT" means an establishment where food and beverage are prepared and offered for sale to the public for consumption within the building or structure, or to be taken off the premises, and where a Dining Room Liquor License would be permitted with the approval of the Licensing and Registration Branch of the Department of Public Safety.

"RETAIL STORE" means a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store;

"ROADWAY" means a road, street or highway as defined within the *Highway Act* and includes a privately owned road or street.

"SALVAGE YARD" means a building, warehouse, yard or other premises in which salvage is stored or kept pending resale or delivery to another location. Salvage includes second-hand, used, discarded or surplus metals, bottles or goods, unserviceable, discarded or junked motor vehicles, bodies, engines or other component parts of a motor vehicle, and articles of every description.

"SECONDARY USE" means a use, other than a main or accessory use, occupying less floor area than the main use.

"SELF-STORAGE UNITS" are units in which storage space is rented to tenants, usually on a monthly basis. A self-storage business provides rooms, lockers, containers, and/or outdoor space in which tenants can store and access their goods.

"SERVICE SHOP, GENERAL" means a building or part thereof used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television, computers and appliance repair shops, but does not include any automobile uses.

"SERVICE SHOP, HEAVY" means a building or part thereof used for the servicing or repairing of tires, batteries, brakes, radiators, ignitions, exhaust or electrical systems, snowmobiles, outboard motors, furnaces, oil burners, water or air coolers, domestic water heaters, fixtures or equipment pertaining to any of the aforementioned items or any other similar items.

"SERVICE SHOP, PERSONAL" means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments and workrooms for shoe repair and shoe shining, bakery shops and photographic studies.

"SERVICE STATION" means a building or space where gasoline, oil, grease, anti-freeze, tires and accessories for motor vehicles are stored or kept for sale and where minor repairs of motor vehicles are performed.

"SHOPPING CENTRE" means an area of at least 5,430 square metres of land, planned and controlled as a unit, containing such retail stores, service shops and other establishments as permitted by the By-law, in

a unitary type building or buildings at least 1,450 square metres in size, together with at least 2,900 square metres of customer parking area, and at least 1,100 square metres for circulation, service and planting.

"SIGN" means any display of public advertisement in the form of a placard, boarding, bill board or other form or means or device whatsoever of public advertisement whether erected, pasted or painted, and includes any form, means or device intended, suitable or adaptable for such purpose whether or not it is at the time used for such purpose.

"SLOPE" means a relationship between vertical and horizontal distances as a measurement of the inclination of a flat plane approximating the actual terrain about and reasonably surrounding a building or structure and not necessarily inclusive of the entire lot.

"SPECIAL CARE FACILITY" means a building used for the purposes of providing special and individualized care to children or to elderly or disabled persons, subject to the *Community Placement Residential Facilities Regulation – Family Services Act*.

"SPECIAL CARE HOME" means a dwelling used for the purposes of providing special and individualized care to children or to elderly or disabled persons, subject to the *Community Placement Residential Facilities Regulation – Family Services Act*, but does not include dwelling units providing special and individualized care to individuals with chronic medical conditions.

"STORAGE DEPOT, MINI" means one or more buildings containing separate spaces of varying sizes that are offered by lease or rent for the storage of chattels.

"STORAGE DEPOT, VEHICLE" means one or more buildings containing separate spaces of varying sizes that are offered by lease or rent for the storage of motor vehicles, recreational vehicles or agricultural or forestry operation vehicles.

"STOREY" means that portion of a building between the surface of any floor and surface of the floor next above it or, if there is no floor above it, then the space between such floor and the ceiling next above it.

"STREET LINE" means the limit of a road, street or highway and is the dividing boundary line between a lot and an abutting road, street or highway.

"STRUCTURE" means an erection other than

- (a) a building;
- (b) a power or telephone pole or lines;
- (c) a sign; or
- (d) a fence or other form of restriction or lot line demarcation.

"STRUCTURE, MAIN" means a structure in which is conducted the main use of the lot on which the structure is located.

"SWIMMING POOL" means any accessory structure, construction, basin or tank above or below grade which is designed to hold water intended for swimming and having the capacity to contain water to a depth of 61cm (24") or more at any point but does not include a natural, dug, or dammed pond primarily intended for aesthetic or agricultural purposes. The present definition includes the portable or inflatable temporary swimming pools installed in a seasonal way and having the capacity to contain water to a depth of 61cm (24") according to the manufacturer's standards;

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

"TOPSOIL REMOVAL" means the removal of topsoil for the purposes of the sale or commercial use of the material excavated.

"TOURIST ESTABLISHMENT" means a hotel, motel, or similar operation providing sleeping accommodation to the public, normally touring, travelling, or vacating in the local area, along with related services and facilities, and excluding campgrounds and recreational vehicle parks.

“**TRAIL SYSTEM**” means a pathway or series of interconnected pathways used for walking, hiking, biking, cross country skiing or other similar forms of non-motorized recreational use.

“**TRAILER, [TRAVEL OR TENT]**” means any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment permanently attached and a current license and is not permanently affixed to the ground.

“**TRAILER, TRANSPORT**” means any vehicle so constructed that it is suitable for being attached to a motor vehicle and capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

“**USE**” means the purpose for which land or a building or structure or any combination of land, building or structure is designed, arranged, erected, intended, occupied or maintained.

“**USE, SECONDARY**” means a use, in addition and secondary to the main use of the land, building or structure.

“**VETERINARY CLINIC**” means an establishment used by veterinarians, or practitioners in related specialties, for the purpose of practicing veterinary medicine and where animals are admitted for examination or treatment, and fewer than twenty animals are lodged or kept overnight. Limited laboratory and other diagnostic services may be offered on an outpatient basis.

“**WATER, GROUND**” means any flowing or standing water below the surface of the earth.

“**WATER, SURFACE**” means any flowing or standing water on the surface of the earth.

“**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.

“**WATERSHED**” means the surface area contained within a divide above a specific point on a river, stream, creek or other flowing body of water.

“**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.

“**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 lines 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 intersect the street line, such parallel line being drawn through the point at which the line of minimum set-back intersects a line from the mid-point of perpendicular to the line to which it is parallel.

“**X-RATED STORE**” means any store that offers for purchase or rental sexual paraphernalia or merchandise including sexually oriented films, videotapes or videodiscs, or other electronic means or format, and by storefront or internal signage excludes persons under 18 years of age from the store;

“**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 lot line.

“**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.

SECTION 12.0.0 - PURPOSE, ADMINISTRATION, CLASSIFICATION AND CONFORMITY

12.1.0 Purpose

12.1.1 The purpose of Part C is

- (a) to divide the Village into zones;
- (b) to prescribe
 - (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 paragraph (b).

12.2.0 General

12.2.1 "Planning Advisory Committee" herein applies to the term "Advisory Committee" as used within the **Community Planning Act**.

12.2.2 Council may, by by-law, amend this Rural Plan under section 74(1) of the **Community Planning Act** or re-zone a lot, subject to terms and conditions, in accordance with section 39 of the **Act**.

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

12.3.0 Administration: Specific Powers of the Planning Advisory Committee

12.3.1 The Planning Advisory Committee may prohibit the erection of any building or structure on any site where it would otherwise be permitted under this By-law where the site is marshy, subject to flooding, excessively steep or otherwise unsuitable for a proposed purpose by virtue of its soil or topography.

12.3.2 The Planning Advisory Committee is hereby empowered, subject to such terms and conditions as it considers necessary,

- (a) to authorize, for a temporary period not exceeding 12 months, a development otherwise prohibited by this By-law;
- (b) to authorize, for an additional temporary period not exceeding one year, a development otherwise prohibited by the by-law if
 - (A) the applicant holds an authorization under subparagraph 34(3)(h)(i) of the **Community Planning Act** that is to expire or has expired,
 - (B) an application with respect to the land has been made to amend the applicable zoning by-law, basic planning statement or rural plan, and

(C) the advisory committee has received a resolution from Council confirming that Council will consider the application referred to in clause (B); and

(c) to require the termination or removal of a development authorized under paragraph (a) or (b) at the end of the authorized period.

12.3.3 The following duties of the Advisory Committee accrue under

- (a) paragraph 40(2)(a) and subsections 40(3) and 40(4) of the **Community Planning Act** in the review of a non-conforming use;
- (b) paragraph 42(3)(c), (f) or (l), with respect to approval of an access, the location of land for public purposes and street names, respectively, and pursuant to paragraph 42(3)(k) of the **Community Planning Act** in the review of a proposed subdivision; and
- (c) Section 56(2) of the **Community Planning Act**, with respect to the location of streets or land for public purposes, in the review of a proposed subdivision.

12.4.0 Administration: Specific Powers of Council

12.4.1 A person who requests a re-zoning or other amendment to this By-law shall

- (a) address a written and signed application to Council; and
- (b) enclose a fee of \$600.00 payable to the Village of Minto.

12.4.2 Council may, if it deems fit, return all or any part of the fee mentioned in section 12.4.1.

12.4.3 An application shall include such information as may be required by Council or the Planning Advisory Committee.

12.4.4 The following items, with respect to Council, are covered by the appropriate sections of the **Community Planning Act**:

- (a) methods for handling the application;
- (b) involvement of the Planning Advisory Committee; and
- (c) involvement of the public.

12.4.5 The provisions of subsections 34(3)(d) and 34(3)(e) of the **Community Planning Act**, apply herein to the powers of Council.

12.4.6 Council shall review the Rural Plan By-Law not later than seven (7) years from its commencement.

12.5.0 Classification

12.5.1 For the purposes of this By-law, the Village is divided into zones as delineated on the map attached as Schedule A and titled "Zoning Map – Village of Minto".

12.5.2 The zones mentioned in section 12.5.1 are classified and referred to as follows:

<u>Zone</u>	<u>Symbol</u>
Residential	R zone

Community Centre	CC zone
Highway Commercial	HC zone
Industrial	I zone
Resource Use	RU zone
Environmental Constraint	EC zone
Institutional	INST zone

12.6.0 Conforming and Non-conforming Uses

12.6.1 In any zone, all land 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 provided, the part of this By-law pertaining to such zone.

12.6.2 A non-conforming use is as addressed within sections 40 and 41 of the **Community Planning Act**.

12.7.0 Unauthorized Development

12.7.1 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.

12.8.0 Existing Undersized Lot

12.8.1 A lot, vacant on the effective date of this By-law, having less than the minimum frontage, depth or area herein required and having satisfied the appropriate provisions preceding this By-law, may be used for any purpose permitted by the zone in which the lot is located and a building or structure may be erected on the said lot, provided that all other applicable provisions of this By-law, and other Acts and Regulations, including the **Health Act**, are satisfied.

12.9.0 Existing Building or Structure on an Undersized Lot

12.9.1 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.

12.10.0 Enforcement and Appeal

12.10.1 The processing of suspected violations to the provisions of this By-law are as specified under sections 91 to 98 of the **Community Planning Act**.

12.10.2 Appeals to the decisions related to a development proposal may be directed to the Assessment and Planning Appeal Board for the Province of New Brunswick under section 86 of the **Community Planning Act**.

12.11.0 Interpretation

12.11.1 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 Minto in Schedule A entitled "Zoning Map."

Most zone boundaries follow the lot lines as shown in Schedule A. Some boundaries may 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 in Schedule A becomes

- (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.

SECTION 13.0 – 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 re-locating, demolishing, altering or replacing of main or accessory buildings or structures for a development without acquiring a development permit, as specified in section 13.1.1, and the conditions under which it may be issued, suspended, reinstated or revoked.

13.1.3 Notwithstanding sections 13.1.1 and 13.1.2, 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 existing decks, landings, stairs or verandahs, where such replacement is of the same configuration as the item being replaced;
- (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.

13.1.4 Conditions of a Development Permit

- (a) A development permit, as mentioned in 13.1.1 to 13.1.3, is issued upon the provision that
 - (i) construction shall be carried out in compliance with the specifications or scale drawings accepted in the application process for the said permit; and
 - (ii) construction is subject to such terms and conditions as may have been issued by Council or the Planning Advisory Committee.
- (b) A development permit shall remain in force for a period of 12 months from the date of issue and may be re-issued upon request, subject to review by the Development Officer.

13.1.5 Application Fee

- (a) No development permit shall be issued under section 13.1.0 until the fee as set out within subsection 13.1.5 has been paid to the Village of Minto.
- (b) Schedule

Current value of project	Fee
Less than \$5,000	\$20.00
\$5,000 to \$10,000	\$40.00
More than \$10,000 and up to \$100,000 – a fee of \$40.00 plus \$4.00/thousand or part thereof over the \$10,000.	
More than \$100,000 – a fee of \$400.00 plus \$1.00/thousand or part thereof over the \$100,000.	

(c) Schedule of fees when a development permit is obtained **after** the start of the work;

Current value of project	Fee
Less than \$5,000	\$40.00
\$5,000 to \$10,000	\$80.00
More than \$10,000 and up to \$100,000 – a fee of \$40.00 plus \$4.00/thousand or part thereof over the \$10,000 PLUS a \$100.00 flat fee.	
More than \$100,000 – a fee of \$400.00 plus \$1.00/thousand or part thereof over the \$100,000. PLUS a \$100.00 flat fee.	

13.1.6 Prescribed Fees for Basic Planning Services

(Time required for each task to be determined by Village Staff based on individual requests)

Zoning confirmation letter	\$25.00/half hour
Letter confirming that a use of land, a building or structure is in compliance with the Rural Plan By-law, Amendments thereto and any community planning and development by-laws. This may include sewer account status and information on any known agreements, encroachments, comfort letters or Municipal Easements or Agreements	\$25.00/half hour
Processing and considering applications for an authorization pursuant to a by-law under section 34(3)(h) of the Community Planning Act (temporary permits)	\$25.00/half hour
Processing and considering requests under section 35 of the Community Planning Act (variances, similar or compatible uses)	\$25.00/half hour
Examining an instrument under paragraph 44(1)(l) of the Community Planning Act (Tentative and Subdivision Plans – type 1 and type 2)	\$25.00/half hour

13.2.0 **Bed and Breakfast Establishment, Boarding House and Rooming House**

13.2.1 A bed and breakfast establishment, boarding house, or rooming house may be conducted within a single-detached dwelling as a secondary use provided that

- (a) no more than 10 rooms are available for rent to overnight guests;

- (b) it concurs with the appropriate provisions elsewhere within section 13.0.0;
- (c) it satisfies the terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with subsection 34(4)(c) of the **Community Planning Act**, and is licensed under the appropriate Act.

13.3.0 Building and Structure Projections

13.3.1 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, apply to all parts of the building or structure except for projections which do not protrude into required yards in excess of

- (a) 15 centimetres (0'6") for sills, leaders, belt courses or similar ornamental features
- (b) 45 centimetres (1'6") for chimneys, smoke stacks or flues;
- (c) 60 centimetres (2'0") for cornices or eaves;
- (d) 1 metre (3'3") for window or door awnings, or open or lattice enclosed fire balconies or fire escapes; or
- (e) subject to section 13.3.2,
 - (i) 1.25 metres (4'1") for steps or unenclosed porches, or
 - (ii) 2 metres (6'7") for balconies of upper storeys of multiple dwellings which are not enclosed above a normal height.

13.3.2 Projections mentioned in section 13.3.1(e) may not extend into a required side yard to a greater extent than one-half the required width of the yard.

13.4.0 Day Care Facilities

13.4.1 A day care facility, group home or special care home is a permitted main or secondary use within a single-detached dwelling, subject to licensing or other provisions under the applicable Act or Regulation.

13.4.2 Where permitted, a Family Day Care Home shall

- (a) be a permitted secondary use limited to a single detached dwelling, semi-detached dwelling, duplex, row dwelling, mini home and mobile home;
- (b) be restricted to a maximum of 15 children;
- (c) require that the owner/operator of the Family Day Care Home reside on the subject property;
- (d) be located on a local street that permits on-street parking;
- (e) require that signage comply with the residential sign regulations of this Regulation;
- (f) require that on-site parking provide:
 - (i) 1 parking space per dwelling unit;
 - (ii) 1 parking space per employee;
 - (iii) 1 parking space per 10 children;
- (g) comply with all provincial regulations pursuant to the **Family Services Act** and any other applicable Acts or Regulations;
- (h) notwithstanding any other provision in this by-law, be permitted to permanently install

outdoor play equipment on the property for the use of the children within the day care facility, and

- (i) comply with terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**.

13.4.3 Where permitted, a Day Care Centre shall be a main or secondary use within a main building, subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**, and to licensing or other provisions under the **Family Services Act** or any other applicable Acts or Regulations.

13.5.0 Commercial and Industrial Development Abutting a Residential Zone

13.5.1 Notwithstanding any other provision of this By-law, in the case of a lot in a CC (Community Centre) or I (Industrial) zone and abutting an R (Residential) zone, no main building or structure may be placed or erected thereon unless the yard adjoining the R (Residential) zone has a depth or width equal to twice the height of the main building or structure.

13.6.0 Development Adjacent to Surface Waters

13.6.1 The appropriate provisions of section 12.3.1 apply herein.

13.6.2 Any alteration, including the erection of a building or structure, within 30 metres (98'5") of the ordinary high water mark of a watercourse is subject to the **Watercourse and Wetland Alteration Regulation - Clean Water Act** and to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**.

13.6.3 No main building or structure is permitted upon lands lying within an Environmental Constraint Zone (EC Zone) as shown on Schedule A, entitled "Zoning Map."

13.6.4 An accessory structure or building is permitted upon lands lying within an Environmental Constraint Zone (EC Zone) as shown on Schedule A, entitled "Zoning Map," subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**.

13.6.5 Any development listed within Schedule A of the **Environmental Impact Assessment Regulation - Clean Environment Act** is subject to the provisions of the said Act.

13.7.0 Excavation Permit

13.7.1 A person seeking to obtain an excavation permit under section 13.7.0 shall make application in writing to the Development Officer.

13.7.2 An excavation permit is valid for one year from the date of issue.

13.7.3 An excavation permit shall stipulate

(a) the hours of operation for which the excavation and any related work may be carried out;

(b) the days of the week, excluding Sundays and holidays as defined by the **Interpretation Act**, that the excavation and any related work may be carried out;

(c) the method of rehabilitation of the site and a prescribed time limit.

- 13.7.4 No permit may be issued under section 13.7.0 until the applicant has deposited a sum of money, or a surety bond in lieu thereof, issued by an insurance company licensed to carry on business in the Province of New Brunswick, in an amount determined by Council, and payable to Council, to be adequate to insure the excavation project will be completed and to cover the estimated cost of rehabilitation required under section 13.8.0.
- 13.7.5 If an owner of an excavation site fails to meet the requirements of subsection 13.8.3 (j), Council may cause the required rehabilitation to be done and may recover from the owner all costs connected with the rehabilitation.
- 13.7.6 The fee for the issue or renewal of an excavation permit is \$50.00.
- 13.7.7 A permit is required for the excavation of 50 cubic metres (538 square feet) or more, of sand, gravel, rock, clay, limestone and other deposits.

13.8.0 Excavation Site

- 13.8.1 No person shall undertake or continue the excavation of sand, gravel, rock, clay, shale, limestone or other deposits, by the use of a pit or quarry, for the purpose of sale or any other commercial use except in accordance with the provisions of section 13.8.0.
- 13.8.2 The excavation site
- (a) shall not be likely to create a hazard to human life, cause injury to a person, or damage any adjacent property;
 - (b) shall not serve as a storage place or dump site for toxic materials, scrap iron, domestic wastes, construction residues or any other material likely to be harmful to the environment; and
 - (c) maybe used as a storage place or dump site for construction residues of material not harmful to the environment, subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**, and any applicable Act.
- 13.8.3 All excavation sites shall be subject to the following conditions:
- (a) no extraction may be done within 300 metres (approximately 985') of the ordinary high water mark of any stream, river, lake or other body of water;
 - (b) access routes over which materials are transported, and which are located within 450 metres (approximately 1,475') of all main buildings, shall be maintained by the exploiter of the excavation site in a dust-free condition;
 - (c) access routes shall be located at least 30 metres (approximately 100') from any main building
 - (d) be located at a minimum distance of
 - (i) 450 metres (approximately 1,475') of all public roads, if there was, when this By-law was adopted, a dwelling located inside a radius of 450 metres (approximately 1,475') of the excavation site; and
 - (ii) 350 metres (approximately 1,150') of all public roads, in all other cases;

- (e) be secure and have a setback of 20 metres (65'7") of an adjoining lot line;
- (f) have a sign every 30 metres (approximately 100') all around the extraction site bearing the word "danger" in letters at least 14 centimetres (0'6") high;
- (g) where an excavation site is over 6 metres (19'8") deep, have a maximum slope of 30%;
- (h) maximum depth of extraction of material must not be deeper than the level where there would be continuous accumulation of more than 5 centimetres (0'2") of water over a 12 month period;
- (i) where an excavation activity results in a continuous accumulation of more than 5 centimetres (0'2") of water over a 12 month period, the owner will be responsible for having the pond of water completely covered with material similar to the one extracted from the site until there is no more accumulation of water; and
- (j) where the extraction operations have ceased for more than 24 months, the land shall be restored as follows:
 - (i) the plant, equipment, buildings or structures installed on the site for excavation purposes shall be removed;
 - (ii) all stockpiles, earth, sand, gravel or other material may be placed back in the excavation, spread out on the site or removed from the site when the slope of the excavation has been established as not exceeding 30%;
 - (iii) the site must be levelled or sloped in such a manner that at any time there is less than 60 centimetres (2'0") of accumulation of water at any time, except during the thawing period;
 - (iv) all debris shall be removed from the site and, except for areas under water or on exposed rock, covered with a layer of soil capable of supporting vegetation, to a depth of at least 15 centimetres (0'6"), seeded with grass or other ground cover to prevent erosion and replanted with sod, trees and shrubs.

13.9.0 Garden Suite

13.9.1 Where permitted, a Garden Suite shall

- (a) be for the sole occupancy of an individual or couple related to the family of the primary dwelling;
- (b) be a secondary use to a single detached dwelling;
- (c) be located on a lot satisfying the minimum lot size as specified within section 14.2.0;
- (d) have a gross floor area less than 75 square metres (807 square feet);
- (e) be no closer to the street line than the main dwelling;
- (f) comply with all setback requirements of section 14.4.0;
- (g) share access to the water supply and sewage collection systems of the

main dwelling;

(h) be constructed, erected or placed in such a manner as to be easily removed from the lot;

(i) be removed from the lot within 6 months of being vacated; and

(j) be subject to terms and conditions, as imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**, so as to be compatible in appearance, size and location with surrounding land uses.

13.10.0 Group Homes, Special Care Homes

13.10.1 Where permitted, a Group Home or Special Care Home shall

(a) be a permitted main or secondary use limited to a single-detached dwelling;

(b) require 1 (one) on-site parking space per four (4) beds, plus one (1) on-site parking space per two employees on a maximum shift;

(c) comply to all applicable Building and Fire Code Regulations;

(d) be subject to terms and conditions as imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**, and to licensing or other provisions under the Family Services Act, and any other applicable Act or Regulation.

13.11.0 Heritage and Archaeological Sites

13.11.1 For any development, construction, or demolition that will foreseeably impact a building or site designated under the **Historic Sites Protection Act**, the developer must contact the Manager, Heritage Branch, Department of Culture, Tourism and Healthy Living.

13.12.0 Home Occupation

13.12.1 Subject to section 13.12.2 where a home occupation is permitted under this By-law, one of the following occupations may be conducted in a single-detached or semi-detached dwelling

(a) a doctor, dentist, architect, artist, designer, accountant, insurance salesperson, lawyer, professional engineer or other similar professions as may be approved by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**;

(b) the teaching of music or dancing, a family day care home, a television repair service, a small appliance repair service, the operation of a beauty shop or barber shop or other similar professions as may be approved by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**; or

(c) a retail sales as may be approved by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**.

13.12.2 A home occupation may be conducted in a single-detached or semi-detached

dwelling provided that

- (a) the use is secondary to the residential use;
- (b) not more than two persons are engaged in the home occupation in addition to members of the family resident in the dwelling unit in which the home occupation is carried out'
- (c) except for a family day care home, the floor area of the home dwelling unit which is devoted to the home occupation does not exceed the lesser of
 - (i) 50% of the floor area of the dwelling unit, or
 - (ii) 72 square metres (775 square feet);
- (d) no change that will modify the residential characteristics of the dwelling unit, except for a sign permitted under section 13.20.0 is to be made:
- (e) no visible or audible nuisances, nor unsuitably treated effluents, wastes or emissions result from operations;
- (f) the use does not generate significant additional vehicular traffic beyond that normal to the neighbourhood in which it is located;
- (g) there is no external storage goods, materials, equipment or supplies associated with the home occupation other than those permitted under paragraph (h);
- (h) no goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are
 - (i) incidental to the home occupation;
 - (ii) arts and crafts produced on the premises; or
 - (iii) sample articles not for direct purchase;
- (i) two off-street parking spaces are provided in excess of those required under section 13.17.0; and
- (j) it satisfies the terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**.

13.13.0 Landfill

13.13.1 No person shall use any of the following materials as landfill:

- (a) toxic or radioactive materials;
- (b) industrial or domestic waste;
- (c) scrap iron;
- (d) construction residues, except in accordance with section 13.8.2; or
- (e) material likely to damage a watercourse or the water table.

13.13.2 No landfill shall be placed within 30 metres (approximately 100 feet) of the banks or shores of any watercourse, lake or marsh unless in compliance with the **Watercourse and Wetland Alteration Regulation – Clean Water Act**, or any other applicable Act or Regulation.

13.14.0 Off-street Loading Spaces

- 13.14.1 No person shall, in any zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, convenience store, retail store, building supply store, furniture showroom, hotel or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained on the same lot off-street space for standing, loading and unloading.
- 13.14.2 Every required loading space shall have minimum rectangular dimensions of 3.5 metres (11'6") by 9 metres (29'6") with a minimum height clearance of 4 metres (13'1").
- 13.14.3 The provisions of this section shall not apply to buildings having a total floor area less than 300 square metres (3,229 square feet). For all other buildings there shall be one loading space for each 1,500 square metres (16,146 square feet) of total floor area or part thereof, above the 300 square metres (3,229 square feet) threshold.
- 13.14.4 The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone, crushed gravel, or a combination thereof over a stable base.

13.15.0 Number of Main Buildings or Structures on a Lot and the Subdivision of a Lot

- 13.15.1 No more than one building containing one or more dwelling units shall be erected on any lot except for the following where permitted:
- (a) one garden suite; and
 - (b) cottage establishments.
- 13.15.2 Any development involving the placement or erection of a second main building or structure on a lot already occupied by a main building or structure shall require the subdivision of the said lot, in accordance with the Subdivision By-law, prior to construction and operation.
- 13.15.3 The subdivision of lands and the design and naming of streets, so resulting, are subject to the Subdivision By-law.

13.16.0 Outside Storage

- 13.16.1 With the exception of outside storage in a lot zoned for industrial use, no equipment, vehicle, miscellaneous parts or aggregates or scrap of any kind may be stored outside buildings or structures unless
- (a) it is not visible from the street;
 - (b) it is located in the back yard or side yards of the main building or, where there is no main building, at least 30 metres (98'5") from the street line; and
 - (c) the back or side yards are enclosed by a fence at least 2.0 metres (6'7") and no higher than 2.5 metres (8'2") in height.
- 13.16.2 Notwithstanding section 13.16.1, the following may be stored on a lot :
- (a) recreational vehicles and boats, and
 - (b) up to three pieces of heavy equipment or construction vehicles or logging equipment, for lots

of 4000 square metres (one acre) or less, plus one piece of heavy equipment for each additional 4000 square metres (one acre) of lot area.

13.16.3 No storage of sand, gravel, rock or similar material is permitted outside an enclosed structure, except in instances where the storage is necessary and incidental to an approved use of land, buildings or structure.

13.17.0 Parking

13.17.1 In all zones, off-street vehicular parking spaces shall be provided as follows

Type of Use	Minimum Parking Requirements
Apartment Building, Multiple-unit dwelling	1.5 spaces/ dwelling unit
Bank, Business or Professional Office	1 space /36 sq. m. (1 space/388 sq. ft.) of gross floor area]
Bed and Breakfast Establishment	1 space / dwelling unit & 1 space / rented room
Beverage Room	1 space / 18 sq. m. (1 space / 194 sq. ft.) of floor area used for selling
Church, Club, Lodge or place of public assembly	1 space / 8 persons normal attendance
Clinic, medical, dental veterinary	1 space / 36 sq. m. (1 space / 388 sq. ft.) of gross floor area
Daycare Centre	1 space / 10 attendees in addition to those specified for a single-detached dwelling plus 1 space / staff member
Dwelling: Single detached or Semi-detached	1 space / dwelling unit, plus 1 additional space / 4 dwelling units
Entertainment Place: theatre, billiard or pool room, dance hall, bowling alley	1 space / 8 persons normal attendance
Factory	1 space / 36 sq. m. (1 space / 388 sq. ft.) of floor space used for industry except storage
Funeral home, Undertaking establishment	1 space / 8 seats with a minimum of 4 spaces
Garden Suite	1 space in addition to that required of a single-detached dwelling
Group Home, Special	1 space / 2 persons plus 1 space per

Care Facility, Special Care Home	staff member
Home Occupation, Home Based Business or Home Industry	2 spaces in addition to that required of a single or semi-detached dwelling
Hotel, Motel	1 space / dwelling unit plus 1 space / 10 sq. m. (108 sq. ft.) of public use area
Industrial Use	1 space / 50 sq. m. (538 sq.ft.) of total floor area
Personal service shop, repair shop	1 space / 27 sq. m. (1 space / 291 sq. ft.) of floor area used for selling
Retail including Convenience store	1 space / 18 sq. m. (1 space / 194 sq. ft.) of floor area used for selling
Restaurant, dining room	1 space / 18 sq. m. (1 space / 194 sq. ft.) of public floor area
School, private or public	1 space / classroom
Shopping Centre	3 times the ground floor area of the building
Warehouse, storage yard or transportation yard	1 space / 36 sq.m. (1 space / 388 sq. ft.) of storage space
Other uses	1 space / 30 sq. m. (1 space / 323 sq. ft.) of total floor area

13.17.2 If the calculation of the required parking spaces results in a fraction, the required parking spaces shall round up to the next whole number.

13.17.3 A parking space shall

- (a) be readily accessible from the nearest roadway;
- (b) have an area of not less than 5.5 metres (18'1") in length and not less than 2.75 metres (9'0") in width;
- (c) except for parking spaces for motel patrons, be no closer than 2 metres (6'7") from a wall containing windows to habitable rooms;
- (d) be located in the same lot as the main use; and
- (e) be surfaced with concrete, asphalt, crushed stone, gravel or combination thereof over a stable base.

13.17.4 A required parking area for 4 or more vehicles shall

- (a) be screened from public view if practical;

- (b) be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof over a stable base;
- (c) have driveways located no closer than 15 metres (49'3") from the right-of-way limits of a street intersection;
- (d) not be used for automotive repair work or servicing except in the case of an emergency;
- (e) if illuminated, have light sources so arranged as to divert the light away from streets, adjacent lots and buildings;
- (f) be graded and drained in such a manner as to ensure that the surface water will not drain onto neighbouring lots;
- (g) have no more than 2 access driveways, each with a maximum width of 7.5 metres (24'7") at the street line; and
- (h) have an internal circulation aisle with a minimum width of 6 metres (19'8").

13.18.0 Roadways and Public Utilities

13.18.1 Land for use as a roadway or public utility shall be permitted throughout the Village, although subject, where applicable to the provisions of the **Community Planning Act**, and the **Highway Act**, and any other applicable Act and Regulation.

13.18.2 Land may be used for the following uses, subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**

- (a) drainage, including storm sewers;
- (b) electric power;
- (c) roadways;
- (d) sewage collection, including sewage lift stations and sewage treatment;
- (e) water supply, including distribution, storage and treatment; or
- (f) any other public utility; and
- (g) a building or structure for any of the above mentioned uses.

13.19.0 Secondary Dwelling Unit

13.19.1 A secondary dwelling unit is a permitted secondary use to a main use and shall

- (a) have a separate washroom or bathroom and kitchen facilities from those of the main use;
- (b) have off-street parking in accordance with section 13.17.0;

- (c) have a separate entrance from that of the main use;
- (d) be located within the main building; and
- (e) be subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**.

13.20.0 Signs

13.20.1 General Requirements

Signs shall

- (a) not be placed in such a manner so as to inhibit the safe movement of traffic nor pedestrians;
- (b) not 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;
- (c) not be an imitation of a traffic control device or contain the words "stop," "go," "look," "danger," "yield," or any similar words, phrases, symbols, lights or characters used in a manner which may mislead, confuse or otherwise interfere with traffic along a public road;
- (d) not obstruct free ingress to, or egress from, a fire escape door, window or other required exit;
- (e) not incorporate a searchlight, stringlight, spinner or streamer except for occasions such as grand openings, fairs, public festivals or holidays for a period exceeding 45 days;
- (f) if illuminated whether intermittent or not, may be restricted as to hours of operation;
- (g) not advertise an activity, business, product or service no longer conducted on the premises and, in such a case, shall be removed by the owner or occupant of the property upon which it is erected within 60 days of the date of discontinuance of the business or product sold;
- (h) be maintained so as to not threaten the safety of pedestrians or motorists and to retain a reasonable level of appearance;
- (i) with the exemption of billboards, relate only to the use of the lot upon which it is located;
- (j) not be placed upon any portion of a roadway, public utility, or public lot without the consent of the appropriate agency ; and
- (k) not be placed upon any portion of a privately owned building, structure or lot without the consent of the owner.

13.20.2 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, a home-based business, a home industry, or retail sales;
or
- (d) prohibits trespassing, shooting, hunting or trapping.

13.20.3 A sign referred to in section 13.20.2 shall

- a) not exceed in number, one for each purpose mentioned;
- b) not exceed in size,
 - (i) 1.2 sq metres (13 square feet), for a sign mentioned in paragraph (a) thereof; or
 - (ii) 0.37 square metres (4 square feet), for a sign mentioned in paragraph (b), (c), or (d) thereof; nor
- c) on a corner lot, not be positioned within the triangular space included between street lines for a distance of 7 metres (23 feet) from their point of intersection so as to obstruct the view of a driver of a vehicle approaching the intersection.

13.20.4 The ownership or nature of a commercial, industrial or institutional use may be indicated by

- (a) a sign placed flat against the front of the main building if the area of the sign does not exceed the product of the of the front lot line on which the building is located, multiplied by 0.25 metres (0'10");
- (b) a fixed and permanent free-standing sign situated at least 2 metres (6'7") from the street line and which does not exceed 3 square metres (32 square feet) in area, 1.5 metres (4'11") in width or 2.5 metres (8'2") in length; or
- (c) a mobile sign subject to the conditions of paragraph (b).

13.20.5 A sign referred to in section 13.20.4

- (a) may be illuminated, but such illumination shall not be intermittent;
- (b) shall be erected on the lot on which the business is conducted;
- (c) may be placed upon any portion of a building, structure or lot on which the business is not conducted in accordance with subsection 13.20.1(j) and (k);
- (d) shall not project more than 1.5 metres (4'11") above the top of any main wall or parapet to which it is affixed; and
- (e) shall not protrude out from the face of the building a distance exceeding 15 metres (4'11").

13.20.6 In an RU (Resource Use) zone, one sign may be placed, erected or displayed indicating the name of the farm or the sale or rental of the property on which it is placed and may not exceed 2 square metres (22 square feet) surface area.

13.20.7 Exemptions

A sign shall be exempt from this section if it is

- (a) permitted in accordance with the **Posting of Signs on Land Regulation – Fish and Wildlife Act** and any other applicable Act;
- (b) temporary in nature, including but not limited to, signs that advertise the sale or rent of a property, advertise a dated event, provide public notice of an event or announce a candidate for public office in a municipal, provincial or federal election;
- (c) a traffic control device in accordance with the **Motor Vehicle Act**; or
- (d) a flag representing a charitable, religious or fraternal organization or a municipal, provincial or federal level of government.

13.21.0 Steep Slopes

13.21.1 Buildings are prohibited on slopes greater than 30%.

13.21.2 Buildings are prohibited on slopes greater than 20% and less than or equal to 30% unless demonstrated by a professional engineer or architect that the land can safely accommodate the proposed buildings, and approval, if necessary, is obtained from the appropriate Government Department for sewage disposal.

13.21.3 Studies undertaken pursuant to section 13.21.2 shall address the following matters, where applicable

- (a) sewage disposal facilities, soil composition and depth;
- (b) landscaping;
- (c) water supply;
- (d) minimum distances of main buildings and structures from lot lines;
- (e) erosion control;
- (f) surface drainage; and
- (g) a plan identifying elevation contours, depth of overburden, drainage course characteristics, forested areas, proposed construction area and on-site services.

13.21.4 Buildings near the upper edge of slopes greater than 20% are to be set back a minimum distance of 5 metres (16'5") from the top of the slope bank.

13.22.0 Storm Sewers

13.22.1 Any development upon a lot occupied by a storm sewer requiring an alteration to such storm sewer shall be subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the **Community Planning Act**.

13.23.0 Stripping of Topsoil

13.23.1 Where in connection with the construction of a building or structure, there is an excess of

topsoil other than that required for grading and landscaping on the lot, such excesses may be removed for sale or use.

13.23.2 Topsoil removal is subject to the **Topsoil Reservation Act** and any other applicable Act.

13.24.0 Line of Vision on Corner Lots and Intersections

13.24.1 On any corner lots, no obstruction to motor vehicle driver views shall be placed within the triangular area bounded by the street lines and a line joining points on the street lines measured at a distance of 7 metres (23'0") from the point of intersection.

13.25.0 Fences and Walls

13.25.1 A wall or fence in a front yard shall:

- (a) not impede or interfere with line of vision to permit safe pedestrian and vehicular entrance or egress to or from this or adjoining properties;
- (b) not be made from material likely to harm people, such as barbed wires;
- (c) be well maintained.

13.26.0 Water Well and Sewage Disposal Systems

13.26.1 The construction, modification and operation of a lot-specific water well system is subject to the **Water Well Regulation** and **Potable Water Regulation** of the **Clean Water Act** and any other applicable Act or Regulation.

13.26.2 A waterworks using 50 cubic metres (approximately 11,000 gallons) or more of water per day is subject to the **Water Quality Regulation** and the **Environmental Impact Assessment – Clean Environment Act**, and any other applicable Act or Regulation.

13.26.3 Where public sewage collection services are available, no building or structure requiring a sewage disposal system shall be permitted unless such development links to the public sewage collection system.

13.26.4 No building or structure may be placed, erected or altered, so as to accommodate one or more dwelling units, on a lot requiring the installation of a septic tank and disposal field unless the lot and the plans for installation of the septic tank and disposal field meet the requirements of Regulations issued under the **Health Act** and any other applicable Act or Regulation.

13.27.0 Residential Development Near a Lagoon or Treatment Plant

13.27.1 Notwithstanding any other provision of the By-law, no dwelling or mobile or mini home may be located within 100 meters (approximately 330 feet) of a sewage lagoon or treatment plant.

13.28.0 Buffer Strip, Fence or Tree Line

- 13.28.1 A buffer strip shall be either a hedge row or an earth embankment.
- 13.28.2 A hedgerow consists of a continuous line of deciduous or coniferous trees or shrubs having a minimum height and width of 1 metre (3'3") and being adjacent to or upon a lot line.
- 13.28.3 An earth embankment shall
- (a) be located upon the lot and adjacent to a lot line;
 - (b) have a maximum height of 2 metres (6'7") above the terrain;
 - (c) have a maximum side slope gradient with a height to width ratio of 1:3;
 - (d) have a vegetated cover; and
 - (e) not contribute to drainage problems either on the lot occupied or on an adjoining lot.
- 13.28.4 A fence shall be constructed and maintained in accordance with section 13.25.0.
- 13.28.5 A tree-line or hedgerow shall be located in a similar manner as for fences and walls as described in section 13.25.3.
- 13.28.6 A buffer strip, fence, tree-line or hedgerow shall be maintained by the owner or owners of the lot or lots upon which they are located.
- 13.29.0 Infill Development**
- 13.29.1 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.
- 13.30.0 Portable Shelters**
- 13.30.1 Subject to subsection (2), up to two portable shelters are permitted per lot.
- 13.30.2 A portable shelter is subject to the following conditions:
- a) it shall have a minimum setback of 1.5 metres from the side lot line and the rear lot line;
 - b) it shall have a setback of 2 metres from the street line;
 - c) it shall not contain a heating unit;
 - d) the only materials permitted for the construction of a portable shelter are canvas made of synthetic fibre installed on a metal frame;
 - e) the maximum height for a portable shelter shall be 3 metres and the maximum width shall be 6 metres; and,
 - f) the metal structure shall be firmly fixed to the ground.

13.31.0 Home Industry

13.31.1 A Home Industry may be conducted on a lot with an existing dwelling on it, subject to an amendment of this bylaw under section 39 of the **Community Planning Act**, and provided that:

- a) at least one member of the family residing in the dwelling on the lot is involved in the operation of the Home Industry.
- b) the minimum lot size used for a Home Industry shall be 8000 square metres (2 acres);
- c) the scale of the Home Industry shall not exceed the capabilities of the family residing on the premises plus three (3) additional people to operate it;
- d) the Home Industry shall be clearly accessory to the main use of the lot and shall not change the residential or agricultural character of the premises;
- e) no accessory building located within 7.5 metres (25 feet) of the front lot line shall be used for the Home Industry;
- f) the minimum side and rear yard set-backs for any accessory building used for the Home-Industry shall be 15 metres (50 feet);
- g) no goods, wares or merchandise shall be offered for sale or rent on the premises unless such goods and services are either
 - i) incidental to the Home Industry,
 - ii) arts and crafts produced on the premises, or
 - iii) sample articles not for direct purchase, but this shall not be construed to mean a model home or other building;
- h) no visible or audible nuisances, nor unsuitably treated effluents, wastes or emissions results from operations;
- i) the use does not generate significant additional vehicular traffic beyond that normal to the neighbourhood in which it is located; and
- j) the use complies with the fence or buffer provisions elsewhere in this section.

13.32.0 Home-Based Business

13.32.1 The use of a building accessory to a dwelling for use as a home-based business must be compatible with a domestic household and must be carried on by members of one family residing in the dwelling house provided that:

- (a) the use is clearly secondary to the use of the dwelling unit as a private residence;
- (b) it does not change the external character of the dwelling unit property as a private residence;
- (c) it does not create or become a public nuisance with respect to noise, traffic, or parking;

- (d) not more than two non-family members are employed in the business,
- (e) that any outside storage of items, other than vehicles, related to the home-based business takes place behind the dwelling unit or the accessory building or is screened from public view by fencing, hedges and/or other vegetation,
- (f) the accessory buildings and any related outside storage used in the business occupy no more than 25% of the total area of the lot, and
- (g) it satisfies the terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with section 34(4)(c) of the ***Community Planning Act***.

13.33.0 Storage of Heavy Equipment

13.33.1 The use of a lots for the stoage of heavey equipment, including, but not limited to, backhoes, front-end loaders, and construction trailers, may be permitted in certain zones subject to

- a) on a lot of up to 4000 square metres in area (one acre) not more than three pieces of heavy equipment may be stored on the property, and
- b) on lots of greater than 4000 square metres in area, (one acre) three pieces of heavy equipment plus one additional piece of heavy equipment for every additional 4000 square metres (one acre) of area over and above 4000 square metres (one acre) of lot area.

SECTION 14.0.0 RESIDENTIAL ZONE (R ZONE)

14.1.0 Permitted Uses

- 14.1.1 In a R zone, any land, building or structure may be used for the purpose of, and for no other purpose,
- (a) one or more of the following main uses:
 - (i) a single- or two-family dwelling,
 - (ii) a duplex dwelling,
 - (iii) a semi-detached dwelling;
 - (iv) a mini home or mobile home,
 - (v) subject to section 13.4.0, a day care centre;
 - (vi) subject to section 13.10.0, a group home or special care home;
 - (vii) a park or playground, or
 - (viii) subject to section 13.18.0, a public utility;
 - (b) the following secondary uses:
 - (i) subject to section 13.2.0, a bed and breakfast establishment, a boarding house or rooming house;
 - (ii) subject to section 13.12.0, a home occupation;
 - (iii) subject to section 13.32.0, a home-based business;
 - (iv) subject to section 13.4.0, a family day care home;
 - (v) subject to section 13.9.0, a garden suite;
 - (vi) subject to section 13.10.0, a group home or special care home;
 - (vii) subject to section 13.33.0, the storage of heavy equipment , and
 - (c) any accessory building, structure or use to an authorized main or secondary use.
- 14.1.2 A public utility shall be located so that
- (a) no part of it is closer to the street line than the building line of neighbouring houses plus 7.5 metres (24'7"); and
 - (b) any development is adequately screened from public view.
- 14.1.3 The secondary uses, as specified within section 14.1.1(b), are subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the **Community Planning Act**.
- 14.1.4 In addition to those specified within subsection 14.1.1(a), a permitted main use within a single-detached dwelling is one of the following:

- (a) a day care facility, in accordance with section 13.4.0;
- (b) a group home, in accordance with section 13.10.0; or
- (c) a special care home, in accordance with section 13.10.0;

along with a secondary dwelling unit as a permitted secondary use.

14.1.5 In addition to those specified within subsection 14.1.1(b), a permitted secondary use to a single-detached dwelling is one of the following:

- (a) a bed and breakfast establishment or boarding house, in accordance with section 13.2.0;
- (b) a day care facility, in accordance with section 13.4.0; or
- (c) a garden suite, in accordance with section 13.9.0.

14.2.0 Lot Sizes

14.2.1 No single-family dwelling may be placed, erected or altered on a lot which is serviced by public sewer unless the lot has and contains

- (a) a width of at least 23 metres (75'6");
- (b) a depth of at least 30 metres (98'5"); and
- (c) an area of at least 690 square metres (0.17 acre).

14.2.2 No two-family dwelling may be placed, erected or altered on a lot which is serviced by public sewer unless the lot has and contains

- (a) a width of at least 27 metres (88'7");
- (b) a depth of at least 30 metres (98'5"); and
- (c) an area of at least 1,022 square metres (0.25 acre).

14.2.3 No single-family dwelling may be placed, erected or altered on a lot which is not serviced by public sewer unless the lot has and contains

- (a) a width of at least 54 metres (177'2");
- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 4,000 square metres (0.99 acre).

14.2.4 No two-family dwelling may be placed, erected or altered on a lot which is not serviced by public sewer unless the lot has and contains

- (a) a width of at least 59 metres (193'7");

- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 5,350 square metres (1.32 acres).

14.3.0 Size of Dwellings

14.3.1 No single-family dwelling may be placed, erected or altered so that it has a ground floor area less than

- (a) 45 square metres (484 square feet), in the case of a one storey dwelling;
- (b) 45 square metres (484 square feet), in the case of a one and one-half storey dwelling; or
- (c) 45 square metres (484 square feet), in the case of a two storey dwelling.

14.3.2 No two-family dwelling may be placed, erected or altered so that it contains a dwelling unit with a floor area less than

- (a) if one such unit is above the other, 55 square metres (592 square feet); or
- (b) if semi-detached,
 - (i) 45 square metres (484 square feet), in the case of a one storey dwelling,
 - (ii) 45 square metres (484 square feet), in the case of a one and one-half storey dwelling, or
 - (iii) 45 square metres (484 square feet), in the case of a two-storey dwelling.

14.3.3 For the purposes of this section, floor area does not include garages, carports, porches, verandas, breezeways, approach halls or, except for those completely contained in a dwelling unit, stairways.

14.4.0 Yards for a Main Building or Structure

14.4.1 Subject to section 13.3.0, no main building or structure may be placed, erected or altered so that it is

- (a) within 7.5 metres (24'7") of a street line;
- (b) within 1.5 metres (4'11") of a side lot line; or
- (c) within 3.0 metres (9'10") of the rear lot line.

14.5.0 Height of a Main Building or Structure

14.5.1 No main building or structure may exceed 9 metres (29'6") in height.

14.6.0 Accessory Buildings or Structures

14.6.1 No accessory building or structure shall

- (a) be placed, erected or altered so that it is
 - (i) in the front yard of the main building or structure, or
 - (ii) closer than 1.5 metres (4'11") to a side lot or rear lot line;
- (b) exceed 93 square metres (1,001 square feet) in area or have a width or depth greater than 10 metres (32'10"); or
- (c) be used for agricultural purposes or for the keeping of animals other than household pets.

14.7.0 Lot Occupancy

14.7.1 Buildings and structures on a lot shall not occupy more of the area of the lot than

- (a) 50 percent, in the case of an interior lot; or
- (b) 45 percent, in the case of a corner lot.

14.8.0 Landscaping

14.8.1 The owner of a lot shall landscape

- (a) the front yard of the main building; and
- (b) that part of the lot within 2 metres (6'7") of any building on it.

14.8.2 Landscaping required under section 14.8.1

- (a) shall include all grading necessary to divert surface water from the dwelling and, insofar as is reasonably possible, to contour the front yard to the surrounding terrain;
- (b) shall include at least 15 centimetres (0'6") of topsoil; and
- (c) may include paths, patios, walkways, trees, and ornamental shrubbery, vines and flowers.

14.8.3 Up to 35% of the front yard referred to in section 14.8.1(a) may be used for the purposes of driveways and parking for cars.

14.8.4 An owner of a lot shall complete the landscaping of the lot within two years after the substantial completion of the main building or structure.

14.9.0 Additional Provisions

14.9.1 Upon the enactment of this by-law, a lot occupied by a mobile home may continue to be occupied by a mobile home, even if the present one should be replaced by another.

14.9.2 Where a semi-detached dwelling is located on a lot meeting the appropriate requirements thereof, the requirements of a single-detached dwelling do not apply to lot sizes resulting from the subdividing of the original lot along a party wall of the dwelling.

14.9.3

For development within the 1:100 year flood plain, the applicable provisions of section 13.6.0 herein apply.

SECTION 15.0.0 – COMMUNITY CENTRE ZONE (CC Zone)

15.1.0 Permitted Uses

15.1.1 In a CC zone, any lot, building or structure may be used for the purposes of, and for no other purpose, than

- (a) one or more of the following main uses:
 - (i) an artisan shop,
 - (ii) a bank or financial office,
 - (iii) a business or professional office,
 - (iv) a convenience store,
 - (v) a general service shop,
 - (vi) a grocery, bakery or dairy product store,
 - (vii) a hotel or motel,
 - (viii) a laundromat,
 - (ix) a medical clinic,
 - (x) a parking lot,
 - (xi) a personal service shop,
 - (xii) a post office, liquor store or other government office,
 - (xiii) a printing operation,
 - (xiv) a rental agency for such items as tools or videos,
 - (xv) a retail store or merchandise service shop, but excluding an x-rated store,
 - (xvi) a warehouse or wholesaling operation;
 - (xvii) an active recreation area,
 - (xviii) a cemetery,
 - (xix) a church or religious institution,
 - (xx) a community centre,
 - (xxi) a fire station,
 - (xxii) a police detachment,
 - (xxiii) other emergency services,
 - (xxiv) a fraternal lodge,

- (xxv) a funeral home,
 - (xxvi) a government office, including municipal office,
 - (xxvii) a hospital,
 - (xxviii) a museum or historical site,
 - (xxix) a school,
 - (xxx) a sewage treatment facility,
 - (xxxi) a special care facility,
 - (xxxii) a water storage facility,
 - (xxxiii) a park or playground,
 - (xxxiv) a cycling or walking trail,
 - (xxxv) a winter activities trail, or
 - (xxxvi) a commercial recreation facility, such as a tennis court, lawn bowling area, sports arena or outdoor tourism operation; or
 - (xxxvii) the main use as a single family, two-family or multiple-unit dwelling;
 - (xxxviii) a mini home or mobile home ;
 - (xxxix) self storage units, and
- (b) the following secondary use:
- (i) in the case of a church or religious institution, a clerical residence, a dormitory or a cemetery,
 - (ii) a multi-residential dwelling occupying the basement level and/or upper stories
 - (iii) in the case of a school, an active recreation area,
 - (iv) subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the **Community Planning Act**, a home occupation, or a home-based business, in accordance with sections 13.12.0, 13.30.0, 13.31.0; and
 - (v) subject to section 13.33.0, the storage of heavy equipment , and
- (c) any accessory building, structure or use.

15.1.2

In addition to those specified within section 15.1.1(a), the following main uses are permitted, subject to terms and conditions as may be imposed by the Planning Advisory Committee in accordance with paragraph 34(4)(c) of the **Community Planning Act**.

- (a) an automotive body shop;
- (b) an automotive commercial garage;
- (c) an automotive gasoline bar;
- (d) an automotive service station;
- (e) an automotive store;
- (f) an automotive vehicle sales or rental establishment;
- (g) a dry cleaning operation;
- (h) an eating establishment, including drive-in, full-service or take-out;
- (i) a farm equipment sales and service dealership;
- (j) a garden centre or nursery;
- (k) a veterinary clinic; and
- (l) a recycling depot,

in accordance with paragraph 34(4)(c) of the *Community Planning Act*, in consideration of the following:

- (a) service volume, vehicle manoeuvring and hours of operation;
- (b) maintenance of public safety and transportation capabilities;
- (c) odour, smoke, dust, noise, vibration and visual disturbances and the use of features such as buffer strips, fences or tree lines; and
- (d) quality and quantity ground water impacts upon surrounding land uses.

15.1.3 In addition to the uses of section 15.1.1, one of the following may be a secondary use, subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the *Community Planning Act*:

- (a) an amusement place or an entertainment place, excluding an adult entertainment place; or
- (b) a public transportation terminal.

15.2.0 Lot Sizes

15.2.1 No main building or structure may be placed, erected or altered on a lot which is serviced by public water supply and sewage collection systems unless the lot has and contains

- (a) a width of at least 18 metres (59'1");
- (b) a depth of at least 30 metres (98'5"); and
- (c) an area of at least 540 square metres (0.13 acre).

15.2.2 No main building or structure may be placed, erected or altered on a lot which is serviced

by a public sewage collection system, and not by a public water supply system, unless the lot has and contains

- (a) a width of at least 23 metres (75'6");
- (b) a depth of at least 30 metres (98'5"); and
- (c) an area of at least 690 square metres (0.17 acre).

15.2.3 No main building or structure may be placed, erected or altered on a lot which is not serviced by public water supply and sewage collection systems unless the lot has and contains

- (a) a width of at least 54 metres (177'2");
- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 4,000 square metres (0.99 acre).

15.2.4 No multiple-unit dwelling may be placed, erected or altered on a lot which is serviced by public water supply and sewage collection systems unless the lot has and contains

- (a) for a three-unit dwelling,
 - (i) a width of at least 27 metres (88'7"),
 - (ii) a depth of at least 30 metres (98'5"), and
 - (iii) an area of at least 1,090 square metres (0.26 acre); and
- (b) for a more-than-three-unit dwelling,
 - (i) a width of at least 36 metres (118'1") ,plus 1.5 metres (4'11") for each dwelling unit in excess of 4,
 - (ii) a depth of at least 30 metres (98'5"), and
 - (iii) an area of at least 1,270 square metres (0.31 acre), plus 70 square metres (0.02 acre) for each dwelling unit in excess of 4.

15.2.5 No multiple-unit dwelling may be placed, erected or altered on a lot which is serviced by a public sewage collection system, and not by a public water supply system, unless the lot has and contains

- (a) for a three-unit dwelling,
 - (i) a width of at least 32 metres (105'0"),
 - (ii) a depth of at least 30 metres (98'5"), and
 - (iii) an area of at least 1,365 square metres (0.34 acre); and
- (b) for a more-than-three-unit dwelling,
 - (i) a width of at least 36 metres (118'1") ,plus 1.5 metres (4'11") for each dwelling unit in excess of 4,
 - (ii) a depth of at least 30 metres (98'5"), and

- (iii) an area of at least 1,545 square metres (0.38 acre), plus 100 square metres (0.02 acre) for each dwelling unit in excess of 4.

15.3.0 Size of Dwelling Units

15.3.1 The provisions of section 14.3.0 herein apply.

15.4.0 Location of Main Buildings and Structures

15.4.1 The provisions of section 14.4.0 herein apply, except that the minimum distance between a main building or structure and a rear lot line, other than that coinciding with the boundary of an arterial or collector highway, shall be 3 metres (9'10").

15.5.0 Height of a Main Building or Structure

15.5.1 No main building or structure may exceed 15 metres (49'3") in height.

15.6.0 Accessory Buildings or Structures

16.6.1 The provisions of section 14.6.0 herein apply.

15.7.0 Lot Occupancy

15.7.1 The provisions of section 14.7.0 herein apply.

15.8.0 Landscaping

15.8.1 The provisions of section 14.8.0 herein apply.

15.9.0 Additional Provisions

15.9.1 Where a row dwelling is located on a lot meeting the appropriate requirements thereof, the requirements of a single-detached dwelling do not apply to the lot sizes resulting from the subdividing of the original lot along a party wall of the dwelling.

15.9.2 For development within the 1:100 year flood plain, the applicable provisions of section 13.5.0 herein apply.

SECTION 16.0.0 – HIGHWAY COMMERCIAL ZONE (HC ZONE)

16.1.0 Permitted Uses

16.1.1 In a HC zone, any land, building or structure may be used for the purposes of, and for no other purpose,

- (a) one or more of the following main uses:
 - (i) an automobile or farm equipment dealership,
 - (ii) a bank or financial office,
 - (iii) a hotel or motel,
 - (iv) a business or professional office or clinic,
 - (v) a restaurant or take-out,
 - (vi) a retail store or merchandise service shop, but excluding an x-rated store,
 - (vii) a service station or public garage,
 - (viii) a post office, liquor store, municipal office, or other government office or service,
 - (ix) a grocery, bakery or dairy product store,
 - (x) a parking lot,
 - (xi) a police, fire detachment and/or other emergency services,
 - (xii) a bus or other public transportation terminal,
 - (xiii) a custom service and/or repair shop,
 - (xiv) a laundry or dry cleaning establishment,
 - (xv) a printing establishment,
 - (xvi) a warehouse or wholesaling establishment;
 - (xvii) a recreational sales outlet,
 - (xviii) a museum or historical site,
 - (xix) a campground and/or cottage establishment and/or recreational vehicle park,
 - (xx) a golf course and/or miniature golf course and/or driving range,
 - (xxi) self storage units,
 - (xxii) an institutional use, and as a secondary use
 - (xxiii) subject to section 13.33.0, the storage of heavy equipment , and
- (b) the following secondary uses, subject to terms and conditions as may be imposed

by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the **Community Planning Act**:

- (i) a dwelling or dwellings,
 - (ii) an amusement place operating no more than four games of chance or of mixed chance and skill;
 - (iii) an entertainment place, excluding an adult entertainment place;
 - (iv) a home occupation, or a home-based business, in accordance with sections 13.12.0, 13.32.0; and
- (c) any accessory building, structure or use to an authorized main or secondary use.

16.2.0 Lot Sizes

16.2.1 The provisions of section 14.2.0 herein apply.

16.3.0 Location of Main Buildings or Structures

16.3.1 Subject to section 14.4.0, no main building or structure may be placed, erected or altered so that it is

- (a) within 7.5 metres (24'7") of a street line; or
- (b) within 3 metres (9'10") of a side or rear lot line.

16.4.0 Accessory Buildings or Structures

16.4.1 Except for a gatekeeper-security office not exceeding 9 square metres (97 square feet) in size, no accessory building or structure shall

- (a) be placed, erected or altered so that it is
 - (i) closer to the street than the front of the main building or structure;
 - (ii) within a distance of a side or rear lot line less than the greater of 3 metres (9'10") or one-half the height thereof; or
- (b) used for agricultural purposes or for the keeping of animals other than household pets.

16.5.0 Landscaping

16.5.1 The provisions of section 14.8.0 apply herein.

SECTION 17.0.0 - INDUSTRIAL ZONE (I ZONE)

17.1.0 Permitted Uses

17.1.1 In an I zone, any land, building or structure may be used for the purposes of, and for no other purpose,

- (a) one or more of the following main uses:
 - (i) a use concerned with manufacturing, storage, processing, transportation or related activities,
 - (ii) a restaurant,
 - (iii) a dining room lounge
 - (iv) a service station or public garage,
 - (v) a public utility, governmental building or civic building or installation,
 - (vi) a junk yard,
 - (vii) auto wrecking/salvage yard,
 - (viii) a non-auto salvage yard,
 - (ix) a redemption centre,
 - (x) a logging operation, including the storage of logging haulers,
 - (xi) subject to section 13.33.0, the storage of heavy equipment ,
 - (xii) self storage units, and
 - (xiii) redemption waste disposal site”
- (b) the following secondary use:
 - (i) a dwelling unit for a caretaker; and
- (c) any accessory building, structure or use to an authorized main or secondary use.

17.1.2 The secondary uses, as specified within section 20.1.1(b), are subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the **Community Planning Act**.

17.2.0 Lot Sizes

17.2.1 No main building or structure may be placed, erected or altered on a lot which is serviced by public sewer unless the lot has and contains

- (a) a width of at least 23 metres (75'6");
- (b) a depth of at least 42 metres (137'10"); and
- (d) an area of at least 966 square metres (0.24 acre).

17.2.2 No main building or structure may be placed, erected or altered on a lot which is not serviced by public water supply and sewage collection systems unless the lot has and contains

- (a) a width of at least 54 metres (177'2");
- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 4,000 square metres (0.99 acre).

17.3.0 Size of a Main Building

17.3.1 No main building may be placed, erected or altered so that it has a ground floor area less than 70 square metres (753 square feet).

17.4.0 Location of Main Buildings or Structures

17.4.1 Subject to section 14.4.0, no main building or structure may be placed, erected or altered so that it is

- (a) within 7.5 metres (24'7") of a street line; or
- (b) within a distance of a side or rear lot line less than the greater of 3 metres (9'10") or one-half the height thereof.

17.5.0 Accessory Buildings or Structures

17.5.1 The provisions of section 14.4.0 herein apply.

17.6.0 Landscaping

17.6.1 The provisions of section 14.8.0 apply herein.

SECTION 18.0.0 - RESOURCE USE ZONE (RU Zone)

18.1.0 Permitted Uses

18.1.1 In a RU zone, any lot, building or structure may be used for the purposes of, and for no other purpose, than

- (a) one or more of the following main uses:
 - (i) an agricultural operation,
 - (ii) an agricultural operation and a single-detached dwelling or mobile home,
 - (iii) a flora or fauna management operation,
 - (iv) a forestry operation, not involving a manufacturing process,
 - (v) a forestry operation, not involving a manufacturing process, and a single-detached dwelling or mobile home,
 - (vi) a logging hauler,
 - (vii) a single-detached dwelling or mobile home or mini-home,
 - (viii) a two-family dwelling,
 - (ix) a park or playground,
 - (x) a cycling or walking trail,
 - (xi) a winter activities trail, or
 - (xii) a commercial recreation facility, such as a tennis court, lawn bowling area, sports arena or outdoor tourism operation;
 - (xiii) a church or religious institution,
 - (xiv) a kennel or veterinary clinic, in accordance with section 18.2.2, and
- (b) the following secondary uses, relative to a single-detached dwelling:
 - (i) a bed and breakfast establishment or boarding house, in accordance with section 13.2.0,
 - (ii) a boarding stable or riding school, in accordance with section 18.2.2,
 - (iii) a day care facility, in accordance with section 13.4.0,
 - (iv) a garden suite, in accordance with section 13.9.0,
 - (v) a hobby farm, in accordance with section 18.2.2,
 - (vi) a home occupation, or a home-based business, in accordance with sections 13.12.0, 13.30.0, 13.31.0,
 - (vii) a kennel or veterinary clinic, in accordance with section 18.2.2,
 - (viii) a secondary dwelling unit, in accordance with section 13.19.0; or

(ix) subject to section 13.33.0, the storage of heavy equipment , and

(c) any accessory building, structure or use.

18.1.2 In addition to those specified within section 18.1.1, the following main uses are permitted as a commercial recreation facility, subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the *Community Planning Act*:

(a) a golf course and/or miniature golf course and/or driving range, and

(b) a campground and/or cottage establishment and/or recreational vehicle .park,

18.2.0 Lot Sizes

18.2.1 No single-detached dwelling may be placed, erected or altered on a lot which is not serviced by public water supply and sewage collection systems unless the lot has and contains

(a) a width of at least 54 metres (177'2");

(b) a depth of at least 38 metres (124'8"); and

(c) an area of at least 1 hectare (2.47 acres).

18.2.2 The following secondary uses may be placed, erected or altered on a lot satisfying the width and depth of section 18.2.1 and having an area of at least 4000 square metres (one acre):

(a) a boarding stable or riding school;

(b) a hobby farm; or

(c) a kennel or veterinary clinic.

18.2.3 The provisions of section 14.2.0 herein apply.

18.3.0 Size of Dwellings and Dwelling Units

18.3.1 The provisions of section 14.3.0 herein apply.

18.4.0 Location of Main Buildings and Structures

18.4.1 The provisions of section 14.4.0 herein apply.

18.5.0 Height of a Main Building or Structure

18.5.1 The provisions of section 14.5.0 herein apply.

18.6.0 Accessory Buildings or Structures

18.6.1 The provisions of section 14.6.0 herein apply.

18.7.0 Agricultural Buildings or Structures

18.7.1 No agricultural operation building, structure or manure storage area, nor any extension or enlargement to an existing building or structure, shall be placed, erected or altered so that it is

- (a) within 100 metres (328'1") of any dwelling other than that of the owner,
- (b) exceeding a height of 11 metres (36'1"),
- (c) on marshy ground, or
- (d) on land within the 1:100 year flood plain.

18.8.0 Lot Occupancy

18.8.1 The provisions of section 14.7.0 herein apply.

18.9.0 Landscaping

18.9.1 The provisions of section 14.8.0 herein apply.

18.10.0 Additional Provisions

18.10.1 Agricultural Produce Sales Outlet

An agricultural produce sales outlet may exist as an accessory building, structure or use, subject to the following provisions:

- (a) the building has a floor area no greater than 25 square metres (269 square feet);
- (b) the building and any structure are not located within a public right-of-way;
- (c) notwithstanding section 14.17.0, off-street parking of at least 4 spaces must be provided and be located on the same side of the roadway as the building; and
- (d) the outlet shall be maintained in a neat and tidy manner, including the removal of debris.

18.10.2 Subdivision within the Resource Use Zone

A lot shown on Schedule A, entitled "Zoning Map", as being zoned Resource Use may be subdivided so as to create a lot, upon which

- (a) a single-detached dwelling or mobile home may be placed, erected or altered, provided the said lot has and contains
 - (i) a width of at least 54 metres (177'2"),
 - (ii) a depth of at least 38 metres (124'8"), and
 - (iii) an area of at least 1 hectares (2.47 acres); and
- (b) no main building or structure is permitted upon the 1:100 year flood plain.

18.10.3 Forestry operations are subject to the applicable Acts and Regulations.

Formatted

SECTION 19.0.0 - ENVIRONMENTAL CONSTRAINT ZONE (EC Zone)

19.1.0 Permitted Uses

19.1.1 In an EC zone, any land may be used for the purpose of, and for no other purpose, than

- (a) one or more of the following main uses:
 - (i) an agricultural operation, in accordance with section 18.6.0,
 - (ii) a forestry operation, not involving a manufacturing process,
 - (iii) a park or playground,
 - (iv) a cycling or walking trail,
 - (v) a winter activities trail, or
 - (vi) a use permitted by the zone adjacent to the Environmental Constraint Zone, excluding a main building or structure; and
- (b) any accessory building or structure, subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the *Community Planning Act*, in consideration of the size of the intended structure relative to the natural conditions of the site.

19.2.0 Provisions

19.2.1 Any development within or in proximity any body of water is subject to the applicable Acts.

19.2.2 The appropriate provisions of section 13.6.0 herein apply.

SECTION 20.0.0 - INSTITUTIONAL ZONE (INST ZONE)

20.1.0 Permitted Uses

20.1.1 In an INST zone, any land, building or structure may be used for purposes of, and for no other purpose,

- (a) one or more of the following main uses:
 - (i) a building intended primarily for public assembly or for social and cultural activities,
 - (ii) a community or neighbourhood centre,
 - (iii) an educational building,
 - (iv) a fraternal lodge,
 - (v) a hospital, health clinic or office,
 - (vi) subject to section 13.10.0, a group home or special care home,
 - (vii) a nursing home,
 - (viii) a government building,
 - (ix) a religious or secular institution,
 - (x) a funeral home, or
 - (xi) a cemetery;
 - (xii) a single or two-family dwelling
 - (xiii) emergency services
 - (xiv) Municipal Building, Facility or use
- (b) any accessory building, structure or use to an authorized main or secondary use.

20.1.2 The main uses, as specified within section 19.1.1(a), are subject to terms and conditions as may be imposed by the Planning Advisory Committee, in accordance with paragraph 34(4)(c) of the **Community Planning Act**.

20.2.0 Lot Sizes

20.2.1 The provisions of section 16.2.0 herein apply.

20.2.2 The provisions of section 14.2.0 and 14.3.0 herein apply.

20.3.0 Yards for a Main Building or Structure

20.3.1 Subject to section 14.4.0, no main building or structure may be placed, erected or altered so that it is

- (a) within 7.5 metres (24'7") of a street line; or
- (b) within 4.5 metres (14'9") of a lot line other than a street line.

20.4.0 Accessory Buildings or Structures

20.4.1 The provisions of section 14.6.0 herein apply.

20.5.0 Landscaping

20.5.1 The provisions of section 14.8.0 herein apply.

21.0.0 By-laws

21.1.0 By-laws Repealed

The following by-laws are hereby repealed:

By-law No. 78
By-law No. 93
By-law No. 94, Building By-law
By-law No. 105
By-law No. 106
By-law No. 112
By-law No. 117
By-law No. 118
By-law No. 130
By-law No. 134
By-law No. 135
By-law No.137, Village of Minto Rural Plan
By-law No. 137C
By-law No. 137D
By-law No. 137G
By-law No. 137J
By-law No. 137K
By-law No. 137L
By-law No. 137O,
By-law No. 137P
By-law No. 137R
By-law No. 137T
By-law No. 137V
By-law No. 137Y
By-law No. 137Y-1
By-law No. 137AA
By-law No. 137DD
By-law No. 137EE, and
By-law No. 137FF

21.2.0 By-laws Retained

The following by-laws are hereby retained as they have been issued under section 39 of the **Community Planning Act** rezoning lands, subject to specified terms and conditions, prior to the enactment of this By-law:

By-law No. 74, rezoning for 1080 Northside Drive ; PID 60022670
By-law No. 81, rezoning for 34 Hill Street; PID 60021474 and 1 Patterson ; PID 45027653
By-law No. 104, rezoning for lot at 2 Brunswick Street; PID 45032117
By-law No. 107, rezoning for lot at 190 Upton Street; PID 45026226
By-law No. 108, amendment to By-law No. 93; for 1000 and 1 D, PID 45032737 and 10 Woodmount Lane; PID 60101490
By-law No. 113, rezoning for lot at 1125 Pleasant Drive; PID 45032547
By-law No. 119, rezoning for lot at 1038 Pleasant Drive; PID 45171014
By-law No. 125, rezoning for lot 1163 Pleasant Drive; 45026903
By-law No. 126, rezoning for lot 7 Theatre Street; PID 60165362
By-law No. 132 and 132A, rezoning for 865 Pleasant Drive; PID 45181401
By-law No. 133, rezoning for lot on Pleasant Drive, PID 45107367
By-law No. 136, rezoning for 80 Bridge Street; PIDs 45142122, 45028131

By-law No. 137B, rezoning for Logue Road; PIDs 45025731, 60018777
By-law No. 137H, rezoning for 42 Hemlock; PID 60026408
By-law No. 137I, rezoning for 45 Hemlock; 60162955
By-law No. 137M, rezoning for 1 Logue Road; PID 60019312
By-law No. 137N, rezoning for 776 Northside Drive; PID 60024551
By-law No. 137Q, rezoning for 15 Crescent Lane; PID 45125632
By-law No. 137S, rezoning for 11 Memorial Drive; PID 45176989
By-law No. 137Z, rezoning for 1050 Pleasant Drive; PID 45033073
By-law No. 137BB, rezoning for 58 Jubilee; PID 45180098. and
By-law No. 137CC, rezoning for 10 Coakley; PIDs 45028768, 45094091

SECTION 22.1.0 - EFFECTIVE DATE QUEENS

22.1.0 Village of Minto - County of Queens

22.1.1 For that section of the Village of Minto lying within the County of Queens:

This By-law comes into effect upon the date of its third reading.

READ A FIRST TIME December 11, 2012

READ A SECOND TIME December 11, 2012

READ A THIRD TIME AND ENACTED January 8, 2013

MAYOR

CLERK

SECTION 22.2.0 - EFFECTIVE DATE SUNBURY

22.2.0 Village of Minto - County of Sunbury

22.2.1 For that section of the Village of Minto lying within the County of Sunbury:

This By-law comes into effect upon the date of its third reading.

READ A FIRST TIME December 11, 2012

READ A SECOND TIME December 11, 2012

READ A THIRD TIME AND ENACTED January 8, 2013

MAYOR

CLERK