

**VILLAGE OF SUSSEX CORNER**  
**BY-LAW # 125-14**  
**VILLAGE OF SUSSEX CORNER RURAL PLAN**

The Council of the Village of Sussex Corner, under authority vested in it by Section 27.2 of the Community Planning Act, enacts as follows:

1. a) A Rural Plan for the physical development and improvement of the Municipality hereby adopted.
- b) The document entitled “Village of Sussex Corner Rural Plan” including the part referred to as “Zoning Provisions”, dated January 20, 2015, attached as Schedule “A”, constitutes the Rural Plan mentioned in subsection a) above.
2. a) Upon enactment of this by-law, the following by-laws and any amendments thereto shall be repealed:

Bylaw #100-08	Rural Plan By-law
Bylaw #105-09	Amendment to Rural Plan By-law #100-08
Bylaw #107-09	Amendment to Rural Plan By-law #100-08
Bylaw #109-10	Amendment to Rural Plan By-law #100-08
Bylaw #114-11	Amendment to Rural Plan By-law #100-08
Bylaw #118-12	Amendment to Rural Plan By-law #100-08
Bylaw #121-12	Amendment to Rural Plan By-law #100-08

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CLERK

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MAYOR

**Village of Sussex Corner  
Rural Plan**

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## **PART A: TITLE AND AREA DESIGNATION**

### **1.0 TITLE AND AREA DESIGNATION**

#### **1.1 Title**

The Village of Sussex Corner (hereinto referred to as “Sussex Corner), under Section 27.2 of the *Community Planning Act*, hereby adopts as a bylaw the Village of Sussex Corner Rural Plan By-law 125-14. This bylaw hereby repeals Bylaw #100-08; Bylaw #105-09; Bylaw #107-09; Bylaw #109-10; Bylaw #114-11; Bylaw #118-12; and Bylaw #121-12.

#### **1.2 Area**

The area of land outlined on the map attached as Schedule A, entitled “Village of Sussex Corner Zoning”, lying within the territorial limits of Sussex Corner, is designated for the purposes of the adoption of this Rural Plan and is the area to which this Rural Plan applies. The territorial limits of Sussex Corner are described by section 111(2) of Regulation 85-6, consolidated to August 18, 2014, under the *Municipalities Act*.

#### **1.3 Date of Enforcement**

This Regulation comes into effect on the date it was registered by the Kings County Registry Office New Brunswick.

## Part B: POLICIES AND PROPOSALS

### 2.0 STATEMENTS OF POLICY AND PROPOSAL

A *policy* is a statement reflecting community objectives and outlining a means to achieve them. Policies are the foundation of the Rural Plan. All other components of the Rural Plan, including the zoning and development standards, as well as any amendments thereto, are to conform to the intent of these policies. *Proposals* are actions that are desirable, but not essential to meeting the objectives of the Rural Plan. While Sussex Corner is not required to undertake any stated Proposal, measures cannot be enacted that are contrary to a Proposal outlined in the Rural Plan.

The following section provides objectives for future development and the required policies and proposals to achieve these development objectives.

#### 2.1 Community Objectives

These policies form the basis for evaluating future development in the community and shall be referred to in order to determine the compliance of future development with the overall objectives of the community.

##### 2.1.1 General Community Objectives

It shall be the objective of Council:

- To encourage the development of safe, appealing, efficient and high quality residential neighbourhoods;
- To maintain an appropriate balance of land uses;
- To minimize land use conflicts;
- To encourage the efficient use of municipal infrastructure;
- To build upon Sussex Corner's physical, man-made and economic attributes;
- To ensure that Sussex Corner progresses as an urban entity and prospers economically, socially, and environmentally;
- To restrict future development in those areas within the 1 in 20 year flood risk zone; and,
- To protect the potable water supply by implementing appropriate wellfield protection measures.

##### 2.1.2 General Development Policies

***GDP-1 It is the policy of Council to require the developer to assume sole responsibility for providing infrastructure services to new development.***

***GDP-2 It is the policy of Council to restrict new development from occurring in those areas within the 1 in 20 year flood risk zone.***

***GDP-3 It is the policy of Council to implement appropriate regulatory measures to protect the potable water supply of Sussex Corner.***

#### 2.2 Residential Development

Sussex Corner contains a mixture of housing types varying from relatively new single-family units to older, large, Victorian style homes.

Typical of a smaller, rural-based community, Sussex Corner's housing is comprised primarily of single-family dwellings with a limited number of two or more family units within one dwelling. Future development of additional multi-family dwellings is possible and should be evaluated based on changing needs of the community.

While residential areas should be developed for predominantly residential purposes, other compatible uses that enhance and contribute to neighbourhoods should be permitted.



Within Sussex Corner there are essentially three areas identified for future residential development. Most of the new residential development that will take place will be low density in the form of single unit dwellings. Changes in population structure and personal choice may result in increased demand for alternative forms of housing, such as duplex, semi-detached, row house, cluster development and apartments. Council should consider such alternative forms of development provided the proposed site and location are appropriate.

Future residential development should be directed to those areas of Sussex Corner where municipal services, such as water and sewer, are available. The areas identified for future development contain more than enough space to accommodate the anticipated demand for new housing for years to come. The areas are as follows:

- (i) The interior areas bounded by Harding Avenue, Trout Creek, the village boundary, and Main Street. In keeping with the policies of this Rural Plan, no new residential development is permitted to locate in the 1 in 20 year flood risk zone.
- (ii) The interior area bounded by Post Road, Cogle Road and Trout Creek.
- (iii) The interior area bounded by Post Road, Trout Creek, and the village boundary.

### **2.2.1 Residential Development Objectives**

It shall be an objective of Council:

- To maintain the integrity of existing neighbourhoods and to protect them from encroachment of incompatible uses;
- To ensure the appropriate location of housing which projects an aesthetically pleasing image and is of consistent neighbourhood character;
- To minimize costs by limiting new residential development to areas that are serviced by trunk sewer and water lines;
- To minimize the risk of property damage due to catastrophic events such as floods by encouraging new residential development to take place outside areas such as flood plains and wetlands;
- To encourage, where appropriate, a diversity of housing types; and,
- To encourage the preservation of natural forest and vegetation where possible and to blend natural features with the built form of new developments.

### **2.2.2 Residential Development Policies / Proposals**

***RDP-1 It is the policy of Council to designate sufficient residential land to accommodate projected housing needs.***

***RDP-2 It is the policy of Council to permit low, medium, and high density housing.***

***RDP-3 It is the policy of Council to restrict future residential development to those areas which are serviced by the municipal water and sewer systems.***

***RDP-4 It is the policy of Council to prohibit further residential development in the 1 in 20 year flood risk zone by designating that area as Floodway.***

#### **Home Occupations**

Home occupations have become a reality, if not a necessity, in most municipalities. Municipalities must balance the needs of some residents to operate a business out of their homes with the rights of others to enjoy their homes and uphold property values. This is particularly true in Sussex Corner where many residents operate small businesses out of their homes. Permitting such operations, provided the impact on adjacent property owners is minimal, adds to the economic base of the community.

***RDP-5 It is the policy of Council to permit home occupations associated with mini-homes and single unit, two unit, and two unit freehold dwellings to occur in a way that minimizes impact to the neighbourhood.***

### **Accessory Apartments**

Single unit dwellings often contain an accessory apartment. This type of development should only be permitted in a single unit dwelling on a lot capable of accommodating additional demands for parking.

***RDP-6 It is the policy of Council to provide for accessory apartments in a single unit dwelling.***

### **Infill Development**

An effective way of achieving growth and increasing density without any significant cost to the municipality is to intensify development in areas that are serviced but have excess capacity or where municipal services are under-utilized. These types of developments are generally referred to as infill lots. The intention of this initiative is to accommodate development in areas where amenities such as community facilities, services, access to parks, and open space exist. The rural plan does not designate specific areas for this form of development, but it does provide the necessary policy guidance to encourage this form of efficient use of existing services throughout the municipality.

***RDP-7 It is the policy of Council that infill development will be encouraged in those areas of Sussex Corner where servicing capacity is available, amenities are available and the lot is of sufficient size to accommodate the proposed use.***

### **Conservation Subdivision Design**

Conservation subdivision design should be encouraged in order to reduce the size of the development footprint and increase the amount of open space, particularly in the Protected Wellfield Area. Smaller lot sizes would be permitted as a trade-off for an area of land being designated as open space. This open space would be in addition to the 10% of land to be set aside as land for public purposes required for any subdivision. The extra open space would help to protect the groundwater supply and would help to facilitate appropriate stormwater management.

***RDP-8 It is the policy of Council to encourage developers to consider applying conservation subdivision design.***

### **Variety of Housing**

Changes in population structure, income levels and living styles play an important role in the type of housing needed in a community. In order to satisfy these changing needs, a community must be flexible and open to alternative forms of housing.

***RDP-9 It is the policy of Council to encourage the provision of a variety of housing types and densities in order to meet the changing needs of the population.***

## **2.3 Commercial Development**

Existing commercial development in Sussex Corner is substantially less than the population level would normally support. This is likely due to the proximity of Sussex Corner to the Town of Sussex and the large amount of commercial development in Sussex. The existing commercial development in Sussex Corner is located along Main Street.

### **2.3.1 Commercial Development Objectives**

It shall be an objective of Council:

- To encourage the development of high quality, low scale commercial developments such as professional offices, retail shops, personal services, and cottage and craft type operations.
- To ensure that commercial development does not negatively impact on residential neighbourhoods; and
- To allow some low scale commercial developments to have a residential component.

### **2.3.2 Commercial Development Policies/Proposals**

***CDP-1 It is the policy of Council to provide for two commercial land use categories: Neighbourhood Commercial and Central Commercial.***

### **Neighbourhood Commercial**

Neighbourhood commercial activities are relatively small-scale businesses that serve the daily needs of local residents and do not generate large volumes of traffic. Neighbourhood commercial uses generally include activities such as convenience stores and personal service shops. A zoning amendment will be required to permit a neighbourhood commercial use. At such time, terms and conditions can be placed on the request to ensure that control is maintained over signage, parking and landscaping/buffering.

*CDP-2 It is the policy of Council that neighbourhood commercial uses would be considered in residential areas.*

*CDP-3 It is the policy of Council to allow a secondary residential use in a neighbourhood commercial building.*

### **Central Commercial**

Low scale, high quality, diversified and compatible development should be promoted in the area fronting on Main Street. The Village should co-operate with the business community to improve the central area of Sussex Corner in order to make it the focal point of the village and the dominant commercial area.

*CDP-4 It is the policy of Council to direct low scale commercial development to the central area of Sussex Corner on those lots fronting on Main Street*

*CDP-5 It is the policy of Council to allow a secondary residential use in a central commercial building.*

### **Commercial Signage, Landscaping and Buffering**

Buffer planting which includes provisions for grass strips and appropriate trees and shrubs should be provided between a commercial use and adjacent residential and institutional uses. The purpose of such buffering is to reduce any negative impacts on the abutting residential and institutional uses.

*CDP-6 It is the policy of Council that commercial buildings and lighting or signs be of high quality in order to create an attractive appearance and minimize distractions to adjoining residential and institutional areas.*

*CDP-7 It is the policy of Council that buffer planting, such as grass strips and/or appropriate trees and shrubs, between a commercial use and adjacent residential and commercial uses shall be provided.*

## **2.4 Community Recreation and Leisure Development**

Future facilities and amenities must be flexible enough to accommodate a variety of activities. There is a need for relatively large open spaces which are clearly defined (such as parks and playing fields) as well as green space corridors which link together to form a recreational/open space network. Changes in the population structure will result in demands for new recreational facilities and programs.

A continuous green space system that incorporates the flood plain and other sensitive areas into its design would provide an additional advantage by affording a measure of environmental protection to such areas.

The community should strive to have two types of parks: community parks and neighbourhood parks

Community parks consist of green spaces that are designed to serve the entire population. Community parks are a combination of active areas and passive areas. The active elements of a community park can include athletic fields, arenas, etc. The passive elements can include picnic areas, walking or hiking trails. Community parks are often associated with unique physical characteristics or an area of historical significance upon which a theme may be developed. These parks require good access and good exposure. In Sussex Corner, the park located adjacent to the elementary school serves as a community park.

Neighbourhood parks are parklands that are designed to service areas within a 0.8 kilometre radius. Neighbourhood parks are normally located close to or within residential areas and include landscaped areas, play

areas, play equipment, and occasionally hard surfaces. The parks located in Cunningham Subdivision and Skyline Subdivision are examples of neighbourhood parks.

#### **2.4.1 Community Recreation and Leisure Development Objectives**

It shall be an objective of Council:

- To ensure the provision, improvement and expansion of recreation and community areas, facilities and services, for residents of all ages that are considered appropriate to the maintenance and preservation of healthy neighbourhoods; and
- To provide linked recreation and leisure green space along watercourses at the neighbourhood and community scale of development, and to ensure that the array of amenities, size of development and distance between recreation sites reflects this hierarchal structure.

#### **2.4.2 Recreation and Leisure Development Policies / Proposals**

*RLDP-1 It is the policy of Council to ensure that existing community facilities owned by the Village are maintained and upgraded, where appropriate.*

*RLDP-2 It is the policy of Council to facilitate the development of recreational activities and public open space (both active and passive) for the enjoyment of the people living in the community.*

*RLDP-3 It is the policy of Council to continue to co-operate with Province in order to provide recreational opportunities on land owned by the Province.*

*RLDP-4 It is proposed that Council will continue to co-operate with local service organizations, volunteer groups, churches, and individuals to maintain and upgrade recreational facilities.*

*RLDP-5 It is the policy of Council to develop and maintain, in conjunction with the various stakeholders, a trail system which will incorporate the flood plain and other sensitive areas, and will connect recreation and community facilities with residential areas.*

*RLDP-6 It is proposed that Council will cooperate with organizations in the surrounding areas to promote recreation activities and programs.*

*RLDP-7 It is proposed that Council will encourage that all portions of the municipality are adequately served by quality park and recreational facilities.*

*RLDP-8 It is proposed that Council will encourage opportunities for active reaction and healthy living.*

#### **2.5 Environment and Conservation**

Residents and visitors to Sussex Corner benefit from the rural character and physical environment of the village. Generous amounts of open space and agricultural land add to the quality of life. Sussex Corner currently obtains its entire water supply from three wells. As well, a portion of Sussex Corner is susceptible to flooding and large areas of residential development are located within the 1 in 20 year flood risk zone. There are several watercourses such as Trout Creek and Parsons Brook, which serve as important components of the natural drainage pattern. These watercourses require a level of protection from inappropriate forms of development.

##### **2.5.1 Environment and Conservation Objectives**

It shall be an objective of Council:

- To protect the quality and quantity of both the surface and ground water supply;
- To enhance and protect the quality and quantity of Sussex Corner's natural features such as watercourses, wetlands, steep slopes, wildlife habitat, wooded areas and the local heritage;
- To protect flood prone areas from inappropriate forms of development;

- To protect buildings and sites of heritage significance and of archaeological interest; and
- To enhance the environmental and aesthetic qualities of the community.

## 2.5.2 Environment and Conservation Policies / Proposals

According to Section 34(3) (a) (v) of the *Community Planning Act*, a municipality may establish setbacks for the placement, location and arrangement of buildings and structures from rivers, streams or other bodies of water.

***ECDP-1 It is a policy that all development within 30 metres (100 ft) of a wetland or watercourse recognized under the Clean Water Act must acquire a Watercourse and Wetland Alteration Permit.***

Residents of Sussex Corner rely on groundwater for their source of potable water. It is imperative for the future wellbeing of the municipality that this resource be protected from uses that may result in contamination.

***ECDP-2 It is a proposal of Council to encourage development to conform to the requirements of the Wellfield Protected Designation Order, under the Clean Water Act.***

Large portions of Sussex Corner remain in their natural state, either in the form of wooded areas or open fields. Some of these areas are used for various forms of agricultural activities.

***ECDP-3 It is the policy of Council to protect the natural areas of Sussex Corner from inappropriate forms of development and the encroachment of incompatible uses.***

Steep slopes are susceptible to erosion and excessive runoff which can be detrimental to the environment as well as a threat to human safety. It is important to keep these slopes vegetated and free of development to minimize detrimental consequences.

***ECDP-4 It is the policy of Council to protect areas that are environmentally sensitive or hazardous for development due to steep slopes.***

Portions of Sussex Corner are subject to localized flooding. This can pose a serious constraint to future development. Structural development shall not be permitted in the 1 in 20 year flood risk zone.

***ECDP-5 It is the policy of Council to restrict further development in the 1 in 20 year flood risk zone.***

There are areas within Sussex Corner with underlying limestone/gypsum/anhydrite geology. These geologic formations are potentially susceptible to instability caused by the erosive effects of underground water flow.

***ECDP-6 It is a proposal of Council to undertake a study to determine areas within the Village that may be susceptible to geological instability.***

## 2.6 Institutional Development

Further institutional development in Sussex Corner is acceptable if future locations are selected with care. For example, institutional uses should not be situated on streets not designated for high traffic volumes.

Many government departments and agencies become involved in the location decisions regarding public institutions. Thus, it is difficult to pre-determine specific sites that would meet the many criteria used for location and funding considerations. As a matter of principle, these facilities are normally best located close to the majority of the population or near other institutional uses where there is a functional or operational relationship.

### 2.6.1 Institutional Development Objectives

It shall be an objective of Council:

- To encourage the further development of institutional uses in areas which are capable of supporting the activity with as little disruption as possible to adjacent land uses, the street network and municipal services; and
- To facilitate the development of additional institutional development and ancillary uses in locations close to existing institutions, and on major arterial streets.

### 2.6.2 Institutional Development Policies / Proposals

*IDP-1 It is a policy to recognize the importance of institutional land uses for community services, heritage preservation, sense of community, and quality of life.*

*IDP-2 It is the policy of Council that institutional buildings and lighting or signs be of high quality in order to create an attractive appearance and minimize distraction to adjoining residential areas.*

*IDP-3 It is proposed that all institutional development incorporate adequate off-street parking facilities and that access/egress points to such parking be limited in number and designed in a manner that minimizes danger to both vehicular and pedestrian traffic.*

## 2.7 Industrial Development

Mining and agriculture are very important industries in the Sussex Corner area. Further development of these industries may trigger the growth of related service industries. To capture some of the spin-off benefits from the growth of these activities, Sussex Corner should encourage industrial growth in designated areas.

### 2.7.1 Industrial Development Objectives

It shall be an objective of Council:

- To permit those industries which are environmentally friendly to the greatest extent possible; and
- To encourage and promote new industrial development activities to locate in designated areas.

### 2.7.2 Industrial Development Policies / Proposals

*INDP-1 It is the policy of Council to designate industrial land and identify lands in the village which may be considered for future industrial use.*

*INDP-2 It is the policy of Council that buffer plantings, such as grass strips and/or appropriate trees and shrubs shall be required between properties.*

*INDP-3 It is the policy of Council that industrial buildings and lighting or signs be of high quality, in order to create an attractive appearance and minimize distraction to adjoining areas.*

*INDP-4 It is proposed that industrial activities have adequate off-street parking facilities. Access/egress points to such parking shall be limited in number and designed in a manner that minimizes danger to both vehicular and pedestrian traffic. Adequate off-street loading and unloading facilities, sufficient in area to accommodate delivery vehicle/trucks within the perimeter of industrial properties should be provided.*

## 2.8 Transportation

Sussex Corner is ideally located adjacent to Route 1 and within 100 kilometres of Saint John and Moncton. Arterial and collector streets through Sussex Corner adequately distribute traffic.

### 2.8.1 Transportation Objectives

It shall be an objective of Council:

- To adequately connect Sussex Corner to other major centres via the Provincial Highway system;

- To ensure the provision of a transportation network which emphasizes safe, convenient and efficient pedestrian and vehicular circulation;
- To maximize accessibility between residential, commercial and community amenities and facilities;
- To minimize through-traffic in residential neighbourhoods;
- To ensure adequate provision of off-street parking facilities; and
- To facilitate solutions to the special transportation needs of seniors and the disabled.

## **2.8.2 Transportation Policies / Proposals**

*TP-1 It is the policy of Council to provide a safe and efficient road network.*

*TP-2 It is the policy of Council that all municipal streets within Sussex Corner are constructed to conform to Village standards.*

*TP-3 It is the policy of Council to co-operate with the Province and the Town of Sussex on transportation issues of regional significance.*

## **2.9 Rural Resources Development**

There are some areas within the village limits that are not expected to be developed within the near future and may be used for rural uses for some time to come. Unserviced development should be limited in these areas.

### **2.9.1 Rural Resources Development Objectives**

It shall be an objective of Council:

- To foster resource industries by recognizing the economic importance of rural resources, including forestry and agriculture, and support the sustainable use and management of these resources.

### **2.9.2 Rural Resources Development Policies/Proposals**

*RRDP-1 It is a policy to recognize the economic importance of resource industries, including forestry, agriculture, outdoor recreation and to promote and support the sustainable use and management of these resources.*

*RRDP-2 It is the policy of Council to facilitate existing agricultural and forestry activities that contribute to the local economy and the integrity of the environment.*

*RRDP-3 It is proposed to encourage landowners to preserve forested areas on their properties.*

## **2.10 Municipal Services**

### **2.10.1 Municipal Services Objectives**

It shall be an objective of Council:

- To ensure the provision and maintenance of a high standard of municipal services and infrastructure; and
- To encourage the expansion of services and extension of infrastructure that Sussex Corner can afford to construct, operate and maintain.

### **2.10.2 Municipal Services Policies / Proposals**

*MSP-1 It is the policy of Council to maintain the existing level of municipal services and upgrade these services as demand warrants and resources permit.*

*MSP-2 It is the policy of Council to prohibit unserviced development within those areas of Sussex Corner which are readily serviceable from the municipal water and sewer systems.*

## **2.11 Heritage Buildings and Sites of Historical or Archeological Interest**

Increasingly, communities are becoming more interested and concerned about the protection of historical and cultural resources within their community. In many instances, communities are not aware of or do not appreciate the historical and cultural significance of areas or buildings until various forces threaten them. An inventory of these resources is usually required if the community is to be proactive in the protection and enhancement of its cultural, archaeological and historical assets. Part of the charm of Sussex Corner is the presence of beautiful older homes that provide a glimpse into the past of the village and its people.

***HIST-1 It is the policy of the Village to encourage the conservation and enhancement of those buildings and sites having historic or archaeological merit.***

***HIST-1 It is a policy to encourage the preservation of historic sites and buildings.***

***HIST-1 It is a policy to encourage the preservation of the Village's valuable heritage resources through cooperation with the Provincial and Federal governments, as well as non-governmental heritage organizations.***

***HIST-2 It is proposed that the Village undertake a registry of sites or areas of archaeological or historic interest and buildings/structures of architectural or historic interest.***

***HIST-3 It is proposed that adequate measures of protection be put in place for sites, buildings, or structures of historical or archaeological interest.***



## Part C: ZONING PROVISIONS

### 3.0 DEFINITIONS

- (1) In this Rural Plan the word “shall” is mandatory and not permissive. Words used in the present tense shall include the future; words used in the singular number include the plural and words used in the plural number shall include the singular. The word “used” shall include “intended to be used”, “arranged,” and “designed”. All other words shall carry their customary meaning except for those defined hereinafter.

**ACCESSORY APARTMENT** means a separate dwelling unit in an existing single unit dwelling, secondary to the main use, which is a completely self-contained facility with provision within the accessory apartment for cooking, sleeping, and bathing.

**ACCESSORY BUILDING** means a subordinate building on the same lot as the main building and devoted exclusively to an accessory use, but does not include a building attached in any way to the main building.

**ACCESSORY USE** means a use that is normally incidental, subordinate or exclusively devoted to a main use located on the same lot therewith.

**ACT** means the *Community Planning Act*, Chapter C-12, R.S.N.B. 1973 and amendments thereto.

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

- (a) the clearing, draining, irrigating or cultivation of land,
- (b) the raising of livestock, including poultry,
- (c) the raising of fur-bearing animals,
- (d) the raising of bees,
- (e) the production of agricultural field crops,
- (f) the production of fruits, vegetables, and other specialty horticultural crops,
- (g) the production of eggs and milk,
- (h) the production of berry crops,
- (i) the production of maple syrup and similar products,
- (j) the operation of agricultural machinery and equipment, including irrigation pumps,
- (k) the preparation of a farm product for distribution from the farm gate, including cleaning, grading, and packaging,
- (l) the on-farm processing of farm products for the purpose of preparing farm products for wholesale or retail consumption,
- (m) the storage, use or disposal of organic wastes for farm purposes,
- (n) the operation of pick-your-own farms, roadside stands, farm produce stands, and farm tourist operations as part of a farm operation, or,
- (o) any other agricultural activity or process prescribed by Provincial authorities, which is carried on for gain or reward or in the hope or expectation of gain or reward;

**AGRI-TOURISM USE** means a tourist activity, service or facility that is secondary to an active “agricultural use, as defined by this section, which may include, but is not limited to farm tours and demonstrations, horse riding, picnicking, farm related educational activities including cooking classes using farm products from the farm, seasonal promotional events (e.g. harvest and Christmas fairs, etc), special promotional events for the promotion of farm products, but not a service requiring the use of a permanent commercial kitchen.

**ADULT ENTERTAINMENT ESTABLISHMENT** means an establishment or part thereof which provides goods or services, including activities, facilities, performances, exhibitions, viewing, and encounters, the principle characteristic of which is the nudity or partial nudity of any person.

**ALTER** means to make any change, structurally or otherwise, in a building or structure which is not for the purpose of maintenance only.

**ASSEMBLY HALL** means a building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes.

**ATTACHED BUILDING** means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

**AUTOMOBILE SALES ESTABLISHMENT** means an establishment having as its main use the storage of vehicles for sale or lease, but does not include the dispensing of bulk fuel or bulk petroleum products.

**AUTOMOTIVE BODY SHOP** means a building or a clearly defined space on a lot used for the storage, repair, and servicing of motor vehicles including body repair, painting, and engine rebuilding, but does not include the dispensing of bulk fuel or bulk petroleum products.

**AUTOMOTIVE REPAIR OUTLET** means a building or part of a building or a clearly defined space on a lot used for minor or major repair of motor vehicles and may include muffler, brake, tire, and glass replacement, transmission repair and replacement, wheel alignment, and other customizing activities directly related to the repair or alteration of motor vehicles, but shall not include the manufacturing or fabrication of motor vehicle parts for the purpose of sale nor the dispensing of bulk fuel or bulk petroleum products.

**BASEMENT** means that portion of a building between two floors which is partially underground and which has at least one-half of its height from the finished ceiling above grade.

**BED & BREAKFAST** means an owner-occupied single-unit dwelling in which there are rooms for rent as short-term accommodation, and may include the provision of meals for persons staying temporarily at the establishment.

**BOARDING OR ROOMING HOUSE** means a dwelling in which the proprietor supplies either room or room and board, for monetary gain, to three or more persons, exclusive of the owner of the building or members of his family.

**BUILDING** means any structure used or intended for supporting or sheltering any use or occupancy.

**BUILDING SUPPLY YARD** means a building or land on which building or construction and home improvement materials are kept for sale.

**BULK STORAGE** means a storage tank or a number of storage tanks for fuel or petroleum installed at a site.

**BUS TERMINAL** means a building or premises where buses pick up and discharge fare-paying passengers. Accessory uses may include ticket offices, luggage checking facilities, and similar uses.

**CALL CENTRE** means an office where the primary function of the business is incoming or outgoing communications occurring for the sale of goods or provision of services to clients off site.

**CARPORT** means a building or structure that is not wholly enclosed and is used for the parking or storage of private passenger vehicles.

**CEMETERY** means land primarily used for interment of human or animal remains and where chapels, churches, crematoria, and related facilities may be incorporated as accessory uses.

**CHURCH** means a building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship.

**CHURCH HALL** means a building, or part of a building, in which facilities are provided for meetings for religious purposes.

COMMERCIAL GREENHOUSE means a building for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouses, but are sold directly from such lot at wholesale or retail.

CONSERVATION USE means a use of land that serves to protect, maintain, or improve an environmental resource or feature.

CONSTRUCTION YARD means an area used for the storage of construction materials, supplies, equipment, tools, stock pile of useable construction materials, and other items as permitted including temporary storage containers, construction trailers, and temporary office trailers.

CONVENIENCE STORE means a retail store which serves the daily or occasional needs of residents of the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, hardware, magazines, videos, and newspapers.

COUNCIL means the Council of the Village of Sussex Corner.

CRAFT RETAIL/MANUFACTURING OUTLET means a building or part thereof where craft articles such as leatherwork, pottery, woodwork, hand woven goods, and similar articles are manufactured, assembled, made, prepared, inspected, finished, treated, altered, or repaired, and/or offered for sale.

CREMATORIUM means a building which houses a furnace where a corpse can be burned and reduced to ashes.

CULTURAL CENTRE means a building or land used for the purposes of educational entertainment including museums, art galleries, and theatres for the performing arts.

DAYCARE CENTRE means a facility approved under the *Family Services Act* for the provision of daycare services.

DEVELOPER means a person or corporation who is responsible for any undertaking that requires a building or development permit.

DEVELOPMENT means development defined as in the *Community Planning Act*.

DEVELOPMENT OFFICER means the officer of Regional Service Commission 8 charged by the Village with the duty of administering the provisions of this Rural Plan.

DWELLING means a building or part of a building, occupied or capable of being occupied as a home or residence by one or more persons, and containing one or more dwelling units but shall not include a hotel, motel, or hostel.

DWELLING, FOUR UNIT FREEHOLD means a residential use of a building containing only one dwelling unit, on its own lot, which is part of a series of four attached dwelling units, each with a separate exterior entrance having direct access to grade, and each separated vertically from the other by a wall located on the property line, and each possessing private outdoor space in the rear yard.

DWELLING, MULTIPLE UNIT means a building, on one lot, containing three or more dwelling units, and which is not a townhouse dwelling.

DWELLING, SINGLE UNIT means a building, on one lot, which is a completely detached dwelling unit and having a minimum width of any main wall of not less than 7 m.

DWELLING, THREE UNIT FREEHOLD means a residential use of a building containing only one dwelling unit, on its own lot, which is part of a series of three attached dwelling units, each with a separate exterior entrance having direct access to grade, and each separated vertically from the other by a wall located on the property line, and each possessing private outdoor space in the rear yard.

DWELLING, TOWNHOUSE means a dwelling unit, on its own lot, which is connected by one or more walls to a series of similar units, and not one above the other, with individual entrances from the street level directly.

DWELLING, TWO UNIT means a building, on one lot, containing two dwelling units.

DWELLING, TWO UNIT FREEHOLD means a residential use of a building containing only one dwelling unit, on its own lot, which is part of a series of two attached dwelling units, each with a separate exterior entrance having direct access to grade, and each separated vertically from the other by a wall located on the property line, and each possessing private outdoor space in the rear yard.

EDUCATIONAL AGENCY means an entity that administers a school or schools to which it is directly linked.

EDUCATIONAL ESTABLISHMENT means an establishment providing academic and/or technical instruction and may include supplementary school cafeterias, book stores, amusement activities from the outside, recreation facilities, instruction function, and community assembly use. This term refers to uses such as public and private schools, colleges and universities.

ENTERTAINMENT USE means any building or part of a building which is used for commercial entertainment, amusement or relaxation and, without limiting the generality of the foregoing includes a tavern, nightclub or other beverage room, an arcade, amusement centre, or a pool or billiard hall, but specifically limiting the generality of the foregoing, does not include an adult entertainment establishment.

ERECT means to construct, build, assemble, or re-locate a building or structure, as well as any physical operations preparatory thereto.

EXISTING means in existence on the effective date of this Rural Plan.

FINANCIAL INSTITUTION means the premises of a bank, trust company, mortgage company, insurance company or investment company.

FIRE STATION means a building or other area set aside for storage of firefighting apparatus (i.e., fire engines and related vehicles), personal protective equipment, firehoses, fire extinguishers, and other firefighting equipment.

FLOODWAY means an area usually consisting of lowlands, adjoining the channel of a river, stream or watercourse, which may be covered by floodwater during a flood.

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

FUNERAL HOME means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

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

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 m<sup>2</sup>, 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;

GENERAL INDUSTRIAL USE means the use of land, buildings or structures for the purpose of storing, assembling, altering, repairing, manufacturing, fabricating, packing, canning, preparing, breaking up, demolishing, or treating any article, commodity or substance, but does not include hazardous industrial uses as defined in this section.

**GOLF COURSE** means a public or private area operated for the purpose of playing golf and related activities including a club house and administration buildings.

**GOVERNMENT BUILDING AND USES** means a municipal office, court house, registry office, health and welfare centre, employment office, post office, or other office uses for purpose of local or other government administration.

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

**HAZARDOUS INDUSTRIAL USE** means the industrial use of land, buildings, or structures involving highly combustible and/or hazardous substances and processes such as chemical plants, paint and rubber factories, and bulk storage of hazardous liquids.

**HEAVY EQUIPMENT SALES ESTABLISHMENT** means a building or part of a building or structures in which heavy machinery and equipment are offered for sale, rent, lease or hire under agreement for compensation.

**HEIGHT** means the vertical distance of a building between the established grade and highest point of the roof surface for float, hip, or gable roofs and to the deckline for mansard and gambrel roofs.

**HOME OCCUPATION** means an accessory use conducted in a dwelling unit, for gain or support which is compatible with a domestic household, and which is carried on by at least one (1) member of the family residing in that dwelling unit.

**HOSPITAL OR HEALTH SERVICES BUILDING** means an institution, building or other premises or place established for the maintenance, observation, medical and dental care, and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescent or chronically ill persons.

**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 traveling public and may have facilities for serving meals.

**INDOOR RECREATIONAL USE** means a building or part of a building used solely for recreation, sport or entertainment purposes and without limiting the generality of the foregoing, may include such establishments as dance halls, bowling alleys, bingo halls, and roller skating rinks.

**IN-LAW SUITE** means an apartment contained within a principal single detached dwelling designed to be a temporary living unit and internally accessible from the main dwelling unit.

**INN** means a facility offering transient lodging accommodations to the general public and may include a restaurant and associated facilities.

**INTERPRETIVE USE** means the use of land and buildings for the understanding and appreciation of the site through the use of guided tours, outings, illustrated talks, period settings and displays, audio-visual programs, self-interpreting trails, exhibits, and publications.

**KENNEL** means any premise where dogs and other domestic animals excluding livestock are boarded, bred, trained or cared for, and does not include a veterinary clinic.

**LAND-EXTENSIVE RECREATIONAL FACILITY** means a recreational facility that requires a large land base to operate, and may include a golf course, a ski operation, a rifle range/game club, a moto-cross track, an automotive racetrack, go-cart track, paint ball field/course, or similar facility.

LANDSCAPED AREA means a portion of a lot area which is not used for buildings, structures, parking spaces and driveways and which consists of grass, flower beds, shrubbery, other forms of natural landscaping, or a combination thereof.

LAUNDRY means a building or structure where laundry machines, using only water, detergents, and additives, are made available to the public for the purpose of laundry cleaning.

LIBRARY means a building containing printed and pictorial material for public use for purposes of study, reference and recreation.

LIGHT INDUSTRIAL USE means the use of buildings, land, or structures for the purpose of storing, assembling, altering, repairing, manufacturing, fabricating, packing, preparing, breaking up, demolishing, or treating any article, commodity or substance, that can be undertaken without hazard or intrusion and without detriment to the amenity of the surrounding area by reason of scale, noise, vibration, smell, fumes, smoke, grit, soot, ash, dust, glare or appearance, and does not use process waters, nor produce process waste waters.

LIVESTOCK includes cattle, horses, mules, donkeys, llamas, alpacas, deer, elk, bison, buffalo, pigs, sheep, goats, ostriches, emus, animals raised for fur or meat, and fowl.

LIVESTOCK FACILITY means a building used or intended to be used to confine or house livestock or a confined livestock area and includes a structure or area used or intended to be used to store manure.

LOADING SPACE means an area of land provided and maintained upon the same lot or lots upon which the main use is located and which has adequate access to permit ingress and egress by means of driveways, aisles or manoeuvring areas and which is used for the temporary parking of a commercial motor vehicle while merchandise or materials are being loaded or unloaded from the vehicles.

LOT means a parcel of land that is contained as a separate lot description in a deed of land, or is shown as an approved lot on an approved plan of subdivision filed in the registry of deeds and if such lot is divided by a highway, each division thereof shall be deemed to be a separate lot.

LOT AREA means the total horizontal area within the lot lines of a lot.

LOT, CORNER means a lot having two or more adjacent sides fronting on two or more intersecting roadways.

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

LOT FRONTAGE means the horizontal distance between the side lot lines as measured along the front lot line. In the case of a corner lot with a daylighting triangle, the front and flankage lot lines shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage.

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

LOT LINE means a common boundary between a lot and an abutting lot or roadway.

LOT LINE, FRONT means a lot line dividing the lot from an abutting roadway; and

- (a) in the case of a corner lot, the shorter boundary line abutting the street shall be deemed to be the front lot line and the longer boundary line abutting the street shall be deemed to be the flankage lot line; and where such lot lines are of equal length, the front lot line shall be either of the lot lines and the other lot line shall be the flankage lot line; and
- (b) in the case of a lot which has as one of its boundaries the shore line of a lake or the bank of a river, the lot line facing the access road shall be deemed to be the front lot line.

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

**LOT LINE, SIDE** means a lot line extending from a roadway to the rear of the lot.

**LOT, THROUGH** means a lot bounded on two opposite sides by streets or highways provided, however, that if any lot qualifies as being both a corner lot and a through lot as herein before defined, such lot shall be deemed to be a corner lot for the purpose of this Rural Plan.

**LOT, WIDTH** means

- (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 intersect a line from the midpoint of and perpendicular to the line to which it is parallel.

**MAIN BUILDING** means the building in which is carried on the principal purpose or purposes for which the building lot is used.

**MAXIMUM LOT COVERAGE** means that percentage of the lot area covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition, the maximum lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

**MEDICAL CLINIC** means a building or part thereof, used exclusively by physicians, dentists or other health professionals, their staff 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, operating rooms or veterinary services.

**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 from the site of its construction without significant alteration.

**MINI HOME PARK** means a parcel of land intended as the location for residential purposes of six or more mini homes, or upon which two or more mini homes are located for residential purposes.

**MINI HOME PLOT** means a plot of land within a mini home park designated to accommodate, or accommodating, one mini home.

**MOTEL** means a tourist establishment that (a) consists of one or more buildings containing four or more attached accommodation units, (b) may or may not have facilities for serving meals, and/or (c) is designed to accommodate the traveling public for whom the automobile is the principal means of transportation.

**MUNICIPALITY** means the Village of Sussex Corner.

**MUSEUM** means an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling, and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

**NEIGHBOURHOOD DAYCARE CENTRE** means an establishment for the provision of care and supervision of up to 15 children at a time, operating in a residential area.

**NURSERY** means a building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold from such building or lot.

**NURSING HOME** means a building where nursing care and room and board are provided to individuals incapacitated in some manner for medical or health reasons.

**OFFICE** means a room or rooms where business may be transacted, a service performed or consultation given, but shall not include the manufacturing of any product or the selling of goods.

**OPEN SPACE TRAIL** means a pedestrian path or trail mainly used for walking, cycling, and cross-country skiing.

**OUTDOOR STORAGE** means the storage of merchandise, goods, inventory, materials, equipment or other items which are not intended for immediate sale, by locating them on a lot exterior to a building.

**PARKING LOT** means an open area containing parking spaces, other than a street or residential driveway, for two or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has adjacent access to permit ingress or egress of motor vehicles to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted.

**PARKING SPACE** means an area of not less than 18.5 m<sup>2</sup> measuring 3 m by 6 m, for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas.

**PASSIVE RECREATIONAL USE** means recreational activities that generally do not require a developed site, and includes such activities as hiking, walking, and cross country ski trails, as well as interpretation centres.

**PERSONAL SERVICE SHOP** means a building or part of a building in which persons are employed in furnishing direct services and otherwise directly administering to the individual and personal needs of persons, and without limiting the generality of the foregoing, may include such establishments as barber shops, beauty parlours, hairdressing shops, shoe repair shops, tailoring shops, and laundromats, but excludes the manufacturing or fabrication of goods for retail or wholesale distribution.

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

**PLOT** means an area of land within a mini home park designated to accommodate, or accommodating, one mini home;

**POLICE STATION** means a building housing the headquarters of a police force or unit which serves a specific district, containing offices for the personnel and their vehicles, and usually also containing a temporary jail facility.

**PORTABLE GARAGE** means a collapsible structure covered with plastic or fabric, use for the storage.

**PUBLIC PARK** means a park owned or controlled by a public authority or by any board, commission or other authority established under any statute of the Province of New Brunswick.

**PUBLIC WORKS** means structures constructed at government expense for the public good.

**RECREATIONAL USE** means the use of land, buildings and structures for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, picnic areas, swimming pools, and similar uses to the foregoing, together with necessary accessory buildings and structures.

**RESEARCH ESTABLISHMENT/LABORATORY** means a building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation.



**RESTAURANT** means a place where food and beverages are offered for sale to the public for consumption at tables or counters either inside or outside the building on the lot. As an accessory use, take-out services of food and beverages for off-site consumption may be provided.

**RETAIL OPERATION** means a building or part of a building in which goods, wares, merchandise, substances, or articles are offered for sale directly to the public.

**RIDING SCHOOL OR BOARDING STABLE/ARENA** means an area of land which is used as an educational centre for rider training or horse training, handling, care, or the lodging of horses, mules or ponies.

**SAWMILL** means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediate step.

**SCREENING** means the use of landscaping, fences or berms to visually and/or audibly separate areas or uses.

**SETBACK** means the minimum horizontal distance between the site boundary and the nearest point of the foundation or exterior wall of the building, whichever is the lesser, or another part of the building if specified elsewhere in this Rural Plan.

**SIGN** means any structure, device, light, painting or other representation or natural object which is used to identify, advertise or attract to any object, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which display or include any letter, work, model, banner, flag, pennant, insignia, device or representation, used as an announcement, direction or advertisement, and which is intended to be seen from the premises or from a parking lot, except any "signs" which are affixed to the inside of a window or door.

**SIGN, BILLBOARD** means a large free-standing sign or fascia wall sign which is not related to any business or use located on the lot.

**SIGN, CANOPY** means a sign attached to or forming part of a permanent building projection, projecting or fixed structural framework which extends outward from the exterior wall of a building; canopy signs include marquees.

**SIGN, FASCIA** means a sign placed flat against the face of a building and projecting from the building no more than 0.5 metres.

**SIGN, FREE-STANDING** means a sign, other than a mobile or portable sign or sandwich sign, supported independently of a building and permanently fixed to the ground.

**SIGN, ILLUMINATED** means a sign that provides artificial light directly, or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focused, upon or chiefly directed at the surface of the sign.

**SIGN, MOBILE AND/OR PORTABLE** means a structure which is located on the ground but not permanently mounted on a foundation, which is capable of being easily relocated, contains or holds a sign, and may have one or more faces.

**SIGN, PROJECTING** means a sign attached to a building projecting more than 0.5 metres but less than 2.0 metres.

**SIGN, SANDWICH** means a two-sided A-frame style self-supporting sign which is not permanently affixed to the ground and designed to be moveable.

**SOCIAL SERVICES CENTRE** means a building or lot used by a non-profit society to provide information, referral, counselling, advocacy or health care services, dispense aid in the nature of food or clothing and/or provide drop-in or activity space.

**SPECIAL CARE HOME** means a residence used for the purpose of providing special and individualized care, for consideration, to one (1) or two (2) elderly persons, children or disabled persons, which complies with applicable legislation.

**SPECIAL CARE RESIDENCE** means a residence used for the purpose of providing special and individualized care, for consideration, to between three (3) and nine (9) elderly persons, children or disabled persons, which complies with applicable legislation.

**SPECIAL CARE RESIDENTIAL CENTRE** means a residence used for the purpose of providing special and individualized care, for consideration, to ten (10) or more elderly persons, children or disabled persons, which complies with applicable legislation.

**STOREY** means that portion of a building which is situated between the top of any floor and the top of the next about it, and if there is no floor above it, the portion between the top of such floor and the ceiling above it.

**STREET LINE** means the boundary line of a street.

**STRUCTURE** means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other buildings or structure.

**SWIMMING POOL** means any accessory structure, including an inflatable container, construction, basin or tank above or below grade, which is designed to hold water and intended for swimming, wading, diving, or soaking, and having the capacity to contain water to a depth of 60 cm or more at any point.

**SWIMMING POOL, ABOVE-GROUND** means any swimming pool whose framework is installed primarily above ground elevation;

**SWIMMING POOL, IN-GROUND** means any swimming pool that is constructed with its pool walls more than 90% below ground level;

**THEATRE** means a building or part of a building devoted to showing motion pictures, or for dramatic, musical, or live performances.

**TRANSIENT VENDOR** means a person who is selling any of the goods or services at a temporary location for a specified period of time as agreed by Council, but does not include a person who is operating or carrying on business selling the same goods or services on a permanent basis in the Village.

**TRANSITION HOUSE** means a facility that provides accommodations for thirty (30) days or less and support services to abused women and their children

**TRANSPORTATION DEPOT** means any building or land where buses, trucks or tractor trailers are rented, leased, kept for hire, stored or parked for commercial purposes.

**TRUCKING/HEAVY EQUIPMENT OPERATION** means a building or land on which a business or industry involving the maintenance, servicing, storage or repair of trucks, heavy equipment, and similar commercial vehicles is conducted, including the sale of parts and accessories, but excluding the dispensing of bulk fuel or bulk petroleum products.

**UTILITY SERVICE** means the component of a water, sewage, storm water or solid waste disposal, cable television, electrical power, or telecommunication system.

**VETERINARY CLINIC** means a facility for the medical care and treatment of animals and includes provisions for their overnight accommodation

**WAREHOUSE** means a building used primarily for the storage of goods and materials.

WAREHOUSING, DISTRIBUTION AND/OR STORAGE ESTABLISHMENT means a building used for the storage, wholesaling, and distribution of goods and materials.

WATER DISTRIBUTION AND SEWER COLLECTION USES means any works by a public authority for the distribution of water and sewage.

WATERCOURSE means the full width and length, including the bed, banks, side, and shoreline, or any part, of a river, creek, stream, spring, brook, lake, pond, wetland, 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 is continuous or not, but excludes artificial ponds created for recreational, aesthetic or irrigation purposes.

WETLAND means land that

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

WHOLESALE OPERATION means a building in which commodities in quantity are offered for sale chiefly to industrial, institutional, and commercial users or to retailers or other merchants mainly for resale or business use.

WOOD STORAGE YARD means a lot where logs are stored.

YARD means an open, uncovered space on a lot appurtenant to a building, except a court bounded on two or more sides by buildings. In determining the minimum side yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

YARD, FLANKAGE means the side yard of a corner lot, which side yard abuts a street.

YARD, FLANKAGE MINIMUM means the minimum side yard required by this Rural Plan where such yard abuts a street.

YARD, FRONT means a yard extending across the full width of a lot and between the front lot line and the nearest wall of any main building or structure on the lot.

YARD, FRONT MINIMUM means the minimum depth required by this Rural Plan of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on the lot.

YARD, REAR means a yard extending across the full width of a lot and between the rear lot line and nearest wall of any main building or structure on the lot.

YARD, REAR MINIMUM means the minimum depth required by this Rural Plan of a rear yard on a lot between a rear lot line and the nearest main wall of any building or structure on the lot.

YARD, SIDE means a yard extending between the front yard and the rear yard and between a side lot line and the nearest main wall of any building on the lot.

YARD, SIDE MINIMUM means the minimum breadth required by this Rural Plan of a side yard on a lot between a side yard line and the nearest main wall of any building or structure on the lot.

## **4.0 ADMINISTRATION AND CLASSIFICATION**

### **4.1 Purpose**

- (1) The purpose of Part E is to:
  - (a) divide the Planning Area into zones;
  - (b) prescribe:
    - (i) the purpose for which land, buildings and structures in any zone may be used,
    - (ii) standards to which land use, and the placement, erection, alteration and use of buildings and structures must conform; and
  - (c) prohibit the use, placement, erection or alteration of land, buildings or structures other than in conformity with the purposes and standards mentioned in Subsection (b) above.

### **4.2 General**

- (1) This Rural Plan may be amended under section 74(1) of the *Community Planning Act*. A lot or lands may be rezoned, subject to terms and conditions, in accordance with Section 39 of the *Community Planning Act*.
- (2) The powers of Council, the Regional Service Commission, Development Officer, and Building Inspector are as outlined in the *Community Planning Act*, the *Municipalities Act*, and other Regulations and are not restricted, in any way, to those of this Rural Plan.

### **4.3 Building/Development Permits and Exemptions**

- (1) A development or building permit is required for all buildings, structures, and land uses, as well as all changes in the use of buildings, structures, and land, except those listed in (2) and (3) below.
- (2) Although the following uses do not require a development or building permit, they must comply with all applicable zoning provisions and provincial regulations:
  - (a) removal of trees and other vegetation
  - (b) grubbing of soil, placing of fill, and other altering of the landscape
  - (c) a passive recreational use such as a walking trail or picnic area
  - (d) clearing of agricultural land
  - (e) a forestry use
  - (f) a watercourse crossing
  - (g) a septic system
  - (h) a home occupation
  - (i) a conservation use
  - (j) any accessory building or structure which has less than 3 square metres of gross floor area
- (3) Utilities are permitted in all zones and are exempt from the zone provisions of the lot upon which they are located, including the use of land for the purposes of:
  - (a) electric and telephone transmission lines
  - (b) water supply and storage
  - (c) public sanitary sewage disposal and treatment of sewage
  - (d) public drainage, including storm sewers
  - (e) communication antennae
  - (f) all other utilities as well as any buildings or structures associated with the above-mentioned utilities.

### **4.4 Temporary Use**

- (1) In response to an application signed by the owner of the subject lands or an authorized agent, the Regional Service Commission may, subject to such terms and conditions as it considers fit:
  - (a) authorize, for a temporary period not exceeding one year, a development otherwise prohibited by this Rural Plan,
  - (b) authorize, for an additional temporary period not exceeding one year, a development otherwise prohibited by this Rural Plan, subject to the provisions specified within subparagraph 34(3)(h)(i.1) of the *Community Planning Act*, and/or
  - (c) require the termination or removal of a development authorized under clause (a) or (b) at the end of the authorized period.

#### **4.5 Setting of Terms and Conditions on Development**

- (1) In prescribing the purposes for which land, buildings and structures may be used, the Regional Service Commission may, where so empowered by other sections in this Rural Plan, impose terms and conditions on a proposed use or may prohibit the proposed use where compliance with those terms and conditions cannot reasonably be expected. Terms and conditions imposed shall be limited to those considered necessary by the Regional Service Commission to protect properties within the zone or in abutting zones, as well as the health, safety and welfare of the general public.

#### **4.6 Powers of Council**

- (1) Notwithstanding any other provision of this Rural Plan, the Council may, in its discretion, allow a developer of a building or structure to pay to the municipality the sum of \$200.00 per space in lieu of providing the off street parking required hereunder. All money received by the Council shall be subject to the provisions of Section 37 of the *Community Planning Act*.
- (2) No building may be erected in the municipality in respect of which, in the opinion of the Council, satisfactory arrangements have not been made for the supply of electric power, water, sewerage, streets or other services or facilities.

#### **4.7 Powers of the Regional Service Commission**

- (1) In accordance with section 34(3)(g) of the *Community Planning Act*, no building or structure may be erected in any site where it would otherwise be permitted under this Rural Plan when, in the opinion of the Regional Service Commission, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil, geological formations or topography.
- (2) As provided for in Section 35 of the *Community Planning Act*, the Regional Service Commission may permit, subject to such terms and conditions as it considers fit:
  - (a) a proposed use of land or a building that is otherwise not permitted under the Rural Plan if, in its opinion, the proposed use is sufficiently similar to or compatible with a use permitted in the Rural Plan for the zone in which the land or building is situated; or
  - (b) such reasonable variance from the requirements of the zone provisions falling within paragraph 34(3) (a) of the *Community Planning Act* as, in its opinion, is desirable for the development of a parcel of land or a building or structure, and is in accord with the general intent of the Rural Plan and any plan or statement under the *Community Planning Act* affecting such development.

#### **4.8 Amendments**

- (1) A person who seeks to have this Rural Plan amended shall:
  - (a) address a written and signed application in duplicate therefore to the Council; and,
  - (b) pay a fee in accordance with section 5.10 Fees for Planning Services.
- (2) Council may, if it deems fit, return all or any part of the fee mentioned in subsection (1) (b).
- (3) An application under this section shall include such information as may be required by the Council or the Regional Service Commission for the purpose of adequately assessing the desirability of the proposal.
- (4) Before giving its views to the Council with respect to an application under this section, the Regional Service Commission shall carry out an investigation, as it deems necessary.
- (5) Unless, upon the advice of the Regional Service Commission, the Council is of the opinion there is valid new evidence or change in conditions, where an application under this section has been refused by the Council, no further application may be considered by the Council for one year if such application is:
  - (a) in the case of a zoning amendment application, is in respect of the same area of land with which the original application was concerned; or
  - (b) not being in relation to zoning, similar to the original application.

#### **4.9 Fees**

- (1) As per Section 64.1 of the *Community Planning Act*, the Village of Sussex Corner has prescribed the following fees for community planning and development services:

- (a) Zoning Confirmation letter (stating the current zoning on subject lands), \$100,
- (b) Zoning Compliance letter (indicating whether the use of subject land, building, or structure is in compliance with the Village of Sussex Corner Rural Plan), \$200,
- (c) Processing and considering applications under section 34(3)(h) of the *Community Planning Act* (temporary uses), \$250
- (d) Processing and considering requests under section 35 of the *Community Planning Act* (dimensional variances, similar uses, non-conforming uses, conditional uses), \$250
- (e) Processing and considering requests for rezoning, \$1000.

(2) All fees are submitted and payable as follows:

- (a) At the time of application or request, the proponent shall pay the fee as prescribed in 4.9(1).
- (b) Payments shall be made to Regional Service Commission 8.
- (c) All imposed fees are payable prior to the processing of the application and issuance of the permit, approval or other documentation to which the fee applies.

(3) Every application shall be submitted to and processed by Regional Service Commission 8.

**4.10 Non-Conforming Uses**

(1) An existing land use at the time of the approval of this Rural Plan, which does not conform to the list of permitted uses in the particular zone, will become a “non-conforming use” subject to the provisions of Section 40 of the *Community Planning Act*.

**4.11 Licenses, Permits, and Compliance with other By-laws**

(1) Nothing in this Rural Plan shall exempt any person from complying with the requirements of any by-law in force within Sussex Corner, or to obtain any license, permission, permit, authority or approval required by any by-law of Sussex Corner.

**4.12 Rural Plan Review**

(1) Council shall undertake a review of the Rural Plan not later than ten years from its commencement or the last review in accordance with Section 72 of the *Community Planning Act*.

**4.13 Zone Classification**

(1) For the purposes of this Rural Plan, the Planning Area is divided into zones delineated on the attached map entitled “Schedule A – Village of Sussex Corner Zoning”.

(2) The zones mentioned in (1) are classified and referred to as follows:

<u>Zone</u>	<u>Symbol</u>
(a) Residential Zones	
(i) One Unit Dwelling	R-1
(ii) One Unit Dwelling – 1	R1-1
(iii) One Unit, Two Unit Dwelling	R-2
(iv) One Unit, Two Unit and Multiple Unit	R-3
(v) Residential Mixed Density	R-4
(vi) Mini Home Park	RM
(b) Commercial Zones	
(i) Neighbourhood Commercial	NC
(ii) Neighbourhood Commercial	NC-1
(iii) Central Commercial	CC
(c) Industrial Zones	
(i) Commercial/Light Industrial	CLI
(ii) Commercial/Light Industrial-1	CLI-1
(iii) General Industrial	GI
(d) Institutional	IN
(e) Park and Recreation	P-R
(f) Environmental Conservation	EC
(g) Rural Area	RA

- (h) Floodway FW
- (i) Wellfield Protected Area W1

- (3) All land shall be used, and all buildings, structures and parts thereof, shall be placed, erected, altered, or used, only in conformity with the requirements of the part of this Rural Plan pertaining to such zone, except as otherwise provided.

**4.14 Boundaries of Zones**

- (1) Where the boundary of any zone is uncertain and,
- (a) the boundary, as shown on the zoning maps substantially follows a street, lane or watercourse, the centre line of such feature is the boundary, or
  - (b) the boundary as shown on the zoning maps runs substantially parallel to a street line or property line and the distance from the street line is not indicated, the boundary shall be deemed to be parallel to such a street line and the distance from the street line shall be determined according to the scale shown on the zoning maps, or
  - (c) the boundary, as shown on the zoning maps substantially follows property lines shown on the registered plan of subdivision or registered document, such are the boundary lines.
- (2) Where there is uncertainty regarding the existence of a watercourse identified on a zoning map, this will be confirmed in the field by the Development Officer in consultation with staff of the Department of Environment. If it is determined that the watercourse does not exist, the area in question will be treated as if it is in the surrounding zone.

## **5.0 GENERAL PROVISIONS**

### **5.1 Sewage Disposal and Water Systems**

- (1) Where municipal sewerage and water services are available, no development shall be permitted except where the development is connected to such services.
- (2) Except in the Rural Area Zone, no development will be permitted which is not serviced by municipal sewerage and water services.
- (3) Except in the Rural Area Zone, where municipal sewerage and water services are not available, no development shall be permitted until formal arrangements have been made with Council for the installation of municipal sewerage and water services.
- (4) In the Rural Area Zone, where municipal sewerage and water services are not available, the installation of a septic tank must meet the regulations of the Department of Health.
- (5) Notwithstanding the provisions of section (1), (2), and (3) above, where a lot not serviced by municipal sewer and water was in existence on the date of the adoption of this Rural Plan, a single unit dwelling, where permitted, may be constructed where the installation of a septic tank meets the regulations of the Department of Health.

### **5.2 One Main Building on a Lot**

- (1) No person shall erect more than one (1) main building on a lot within any zone except where specifically provided for within this Rural Plan.

### **5.3 Existing Undersized Lots**

- (1) Where a lot was in existence on the date of the adoption of this Rural Plan that has less than the minimum area, width, or depth required by this Rural Plan, a new building may be constructed subject to the following:
  - (a) there is no opportunity to enlarge the lot to meet development standards, and
  - (b) the development meets all other provisions of this Rural Plan.
- (2) Further, the Development Officer may approve an increase in the area of any undersized lot, notwithstanding that it may still have less than the minimum frontage, depth, or area required by this Rural Plan. The remainder lot must continue to meet the minimum frontage, depth or area requirements. However, where insufficient lot frontage, depth or area already exists, the remainder may not have these further reduced.

### **5.4 Existing Buildings**

- (1) Where a building has been erected on or before the effective date of this Rural Plan on a lot having less than the minimum frontage, area, or depth, or having less than the minimum setback or side yard or rear yard required by this Rural Plan, the building may be enlarged, reconstructed, repaired or renovated provided that:
  - (a) the enlargement, reconstruction, repair or renovation does not further reduce the front, rear or side yard that does not conform to this Rural Plan; and
  - (b) all other applicable provisions of this Rural Plan are satisfied.

### **5.5 Vehicle Bodies**

- (1) No truck, bus, coach or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this Rural Plan and all other by-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a main commercial building, except for a transient vendor.

### **5.6 Height Regulations**

- (1) The height regulations of this Rural Plan shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennas, ventilators, skylights, barns, chimneys, clock towers, wind turbine or solar collectors attached to the principle structures except where specifically regulated.



**5.7 Development near a Watercourse or Wetland**

- (1) Notwithstanding the Watercourse and Wetland Alteration Wetland Regulations under the *Clean Water Act*, no development shall be permitted within 30 metres of a watercourse or wetland, except for the uses permitted in Section 11.1.1.

**5.8 Development in Protected Wellfield Areas**

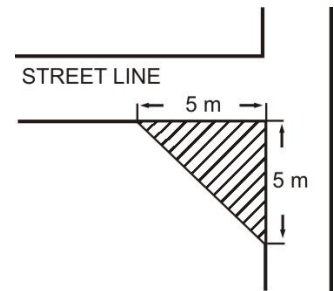
- (1) In addition to standards and conditions set out in this Rural Plan, an individual proposing a development within a Wellfield Protected Area should contact the Department of Environment and Local Government to ensure that their development is in compliance with the Wellfield Protected Area Designation Order, under the Clean Water Act.

**5.9 Stripping of Topsoil**

- (1) Topsoil removal for commercial sale is prohibited, except for removal that is incidental to the sale of plants by nurseries and greenhouses, and excavation associated with construction of buildings and infrastructure such as roads.

**5.10 Lines of Vision at Intersections**

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



**5.11 Loading Space Requirements**

- (1) The owner of every building, structure or premises used in whole or in part for business or commercial purposes involving the use of vehicles for the receipt or the distribution of materials or merchandise shall provide and maintain on lands appurtenant to such buildings, structures or premises, off-street spaces for such vehicles to load or unload. The spaces shall only be used for loading and unloading.
- (2) Number of loading spaces required:
  - (a) for retail and wholesale stores, bulk storage plants, warehousing or similar uses, business or office buildings, places of public assembly, schools, hotels, or other similar buildings or premises,
    - (i) not less than one space;
    - (ii) not less than two spaces if the gross floor area thereof is in excess of 1,858 m<sup>2</sup> but less than 4,645 m<sup>2</sup>; and,
    - (iii) an additional space for each 4,645 m<sup>2</sup>, or fraction thereof in excess of the first 4,645 m<sup>2</sup>.
- (3) A loading and unloading space shall:
  - (a) be not less than 9.0 m in length and not less than 3.6 m in width, with 4.2 m overhead clearance;
  - (b) be so located that merchandise or materials are loaded or unloaded on the premises being served;
  - (c) be provided with adequate facilities for ingress and egress and unobstructed manoeuvring aisles; and,
  - (d) be surfaced with a durable material.

**5.12 Parking Requirements**

- (1) For every building or structure to be erected or enlarged, off-street parking shall be provided and maintained in conformity with the following schedule, except where any parking requirement is specifically included elsewhere in this Rural Plan. The total required spaces for any use is noted in the table below. Where the total required spaces for any use is not a whole number, the total spaces required by this section or by other specific sections shall be the next largest whole number.

Off-street parking shall:

- (a) be an area of not less than 18 m<sup>2</sup> measuring 6.0 metres in length and not less than 3.0 metres in width, exclusive of driveways thereto;
- (b) shall be readily accessible from a public street; and

- (c) unless a formal arrangement has been made with Council, shall be located on the lot containing the use for which the spaces are provided.

**Table 5A: Off-Street Vehicle Parking Requirements**

Use	Minimum Parking Spaces Required
Any dwelling except as specified below	1 space per dwelling unit
Multiple unit dwelling (except for senior citizen apartment)	1.5 spaces per dwelling unit
Senior citizen multiple use dwelling	0.5 spaces per dwelling unit
Boarding and rooming house; bed and breakfast	1 space per bedroom
Retail store, service and personal service shop	1 space per 38 m <sup>2</sup> of gross floor area
Bank, financial institution and office	1 space per 38 m <sup>2</sup> of gross floor area
Restaurant	1 space per 5 seats
Licensed restaurant, lounge, tavern, and beverage room	The greater of 1 space per 3 seats or 1 space per 10 m <sup>2</sup> of gross floor area
Theatre	1 space per 5 seats
Institutional use except as specified below	The greater of 1 space per 4 seats where there are fixed seats; 1 space per 10 m <sup>2</sup> of gross floor area where there are no fixed seats; or 1 space per 4 persons which can be accommodated
School	3 spaces per classroom plus one space per 20 high school students
Hospital	2 spaces per bed
Home for the aged; nursing home	2 spaces per 5 beds
Day care facility	1.5 spaces per 38 m <sup>2</sup> of gross floor area
Medical clinic; health office	5 spaces per consulting practitioner
Funeral home	1 space for every 8 seats with a minimum of 4 spaces
Warehouse, transport terminal, general industry use	The greater of 2 spaces per 93 m <sup>2</sup> of gross floor area or 1 space per 4 employees
Any use not specified above	3 spaces per 93 m <sup>2</sup> of gross floor area

(2) Barrier Free Reserved Spaces

Notwithstanding Subsection (1), barrier free reserved parking spaces shall be provided as an addition to the required spaces in conformity with the following schedule:

**Table 6B: Barrier Free Reserved Spaces**

Use	Minimum Parking Spaces Required
Medical clinic, health office	1 space per 5-15 parking spaces required; additional space for each 15 required spaces or part thereof to a maximum of 10 spaces
Home for the aged, nursing home	1 space per 20 beds to a maximum of 10 spaces
Multiple dwelling	1 space per 30 units to a maximum of 10 spaces
Restaurant and theatre	1 space per 50 seats to a maximum of 10 spaces
All other uses	1 space per 2-15 parking spaces required 2 spaces per 16-45 parking spaces required 3 spaces per 46-100 parking spaces required 1 additional space for each 100 required spaces or part thereof, to a maximum of 10 spaces

(3) Standards for Barrier Free Parking Spaces:

- (a) each reserved parking space shall contain an area of not less than 26m<sup>2</sup> measuring 4.6 m by 6.1 m;
- (b) where the limits of the parking lot are defined by a curb, the parking lot shall be provided with a ramped curb as close as possible to the location which it is intended to serve and in no case shall it be further than 90 m from the location which it is intended to serve;
- (c) each reserved parking space shall be located as close as possible to the location it is intended to serve; and,

(d) each reserved parking space shall be clearly identified by a ground sign.

### **5.13 Parking - Multiple Use of Site**

(1) In the case of multiple use of a site, the parking required on the site shall be total of the parking required for each individual use.

### **5.14 Parking Lots - Standards**

(1) With respect to design and layout, a parking lot shall:

- (a) be surfaced with a durable material;
- (b) if using lighting for illumination of the parking lot, use lighting arranged as to divert the light away from the streets, adjacent lots and buildings;
- (c) if using a structure for attendants, erect a structure not more than 4.6 m in height and not more than 5 m<sup>2</sup> in area;
- (d) be located on the same lot;
- (e) have no gasoline pumps or other service station equipment located or maintained on the parking lot;
- (f) have point of ingress and egress located, in the opinion of the Regional Service Commission, with consideration to topography and general traffic conditions;
- (g) be screened from public view, if practical;
- (h) be graded and drained in such a manner as to ensure that surface water will not escape onto neighbourhood lands; and,
- (i) not be used for automotive repair work or servicing except in the case of an emergency.

### **5.15 Parking of Commercial Vehicles**

(1) Overnight parking of commercial vehicles on public streets is prohibited.

(2) On any lot in a residential zone only one commercial vehicle may be parked overnight, provided, however, that the one commercial vehicle permitted is operated by the resident of the dwelling unit and is not more than five tons capacity or a commercial trailer.

### **5.16 Fences**

(1) Notwithstanding any other provision of this Rural Plan, subject to this section, a fence may be placed or located in a yard.

(2) Except for a security fence of chain link construction in a Commercial or Industrial zone, no fence in a front yard may exceed 0.8 m in height.

(3) Subject to subsection (2), no fence may exceed in height

- (i) 1.5 m, in a residential zone; or
- (ii) 2.4 m in any other zone.

(4) No fence in a Residential zone may be electrified or incorporate barbed wire or other dangerous material in its construction.

(5) Fences bordering property are to be located at least sixty (60) centimetres from the property line, unless there is a mutual written agreement between neighbouring landowners.

### **5.17 Multiple Uses**

(1) In any zone, where any land or building is used for more than one use, all provisions of the Rural Plan relating to each use shall be satisfied, except as otherwise approved by the Regional Service Commission.

### **5.18 Limitations on Hazardous Liquids and Substances**

(1) All uses that utilize hazardous liquids and/or substances must meet Provincial guidelines and standards such as the New Brunswick Occupational Health and Safety Act and Regulations.

**5.19 Disclaimer of Liability Regarding Flooding**

- (1) The degree of flood protection required by this Rural Plan is considered the minimum necessary and reasonable for regulatory purposes. Large floods may occur at any time, and excessive flood waters may be experienced. This Rural Plan does not imply that areas outside of the Floodway Zone, or uses permitted within such areas, shall remain free from flooding or flood damages. This Rural Plan shall not create a liability on the part of the Village or any officer or employee thereof for any flood damage that results from compliance with or reliance upon this Rural Plan or any administrative decision lawfully made thereunder.

**5.20 Alteration or Modification of Village Property**

- (1) No person shall alter or modify any Village property, including but not limited to ditches, culverts, trees/shrubs, structures, fences without the expressed written permission of Village Council.

**5.21 Portable Garages**

- (1) Portable garages are permitted on all lots where accessory structures are permitted, except for the Mini Home Park zone. Portable garages must comply with the zone provisions of the zone where they are located and are subject to the following standards:

- (a) a Development Permit is required for portable garages of 56 square metres or less for the first installation. An additional Development Permit is required only if subsequent installations occur in a different location.
- (b) portable garages larger than 56 square metres require a building permit and must comply with the National Building Code, require a foundation and an engineer's stamp on the design structure.

**5.22 Zoning Amendment Applications**

- (1) A Development Area Concept Plan will be required as part of a zoning amendment application. The Development Area Concept Plan shall contain:

- (a) a written description of the subject lands including topography, number and sitting of buildings;
- (b) a preliminary lot layout; and,
- (c) a description of access to site from the existing street network and internal road layout.

**5.23 Sign Permits**

- (1) Other than permitted in Section 6.26, no person shall construct, erect, display, alter or relocate a sign on a property without first obtaining a development permit in accordance with the provisions of this Rural Plan from the Regional Service Commission.

**5.24 Signs Permitted in all Zones**

- (1) The following signs shall be permitted in all zones and no permit shall be required for their erection:
- (a) any sign which has an area of no more than 0.45 m<sup>2</sup> and which identifies the name and address of a resident.
  - (b) any sign which has an area of no more than 0.45 m<sup>2</sup> and which identifies the name and address of a permitted secondary use conducted within a dwelling.
  - (c) any sign which has an area of no more than 0.45 m<sup>2</sup> and which regulates the use of property, for example, "no trespassing", "no parking" etc... signs.
  - (d) any real estate sign (non-illuminated) which has an area of no more than 0.75 m<sup>2</sup> in any residential designated area or 2.2 m<sup>2</sup> in any other zone.
  - (e) any sign which has an area of no more than 0.45 m<sup>2</sup> and which regulates or denotes the direction or function of various parts of a building or premises, including parking and traffic areas.
  - (f) any sign which has an area of no more than 4.6 m<sup>2</sup> and which is related to construction.
  - (g) any sign which has an area of no more than 3 m<sup>2</sup>, erected by, or under the direction of, a government body as are signs identifying public buildings, giving public information or regulating traffic or safety.
  - (h) any temporary sign which has an area of no more than 3 m<sup>2</sup> that announces a candidate for public office in a municipal, provincial or federal election.
  - (i) any temporary sign located on private property which has an area of no more than 3m<sup>2</sup> that announces a special event.

**5.25 Signs Prohibited in all Zones**

- (1) The following signs shall not be permitted in any zone:
- (a) any sign or sign structure that constitutes a hazard to public safety or health.

- (b) any sign which, for any reason, obstructs the vision of drivers leaving a roadway or driveway, or detracts from the visibility or effectiveness of any traffic sign or control device on public streets.
- (c) any sign that obstructs free ingress to or egress from a fire escape door, window or other required exit.
- (d) any sign located at or near a sharp road curve or below the crest of a hill, except a sign erected by a government body.
- (e) any sign which is not erected by, or under the direction of, a government body and which makes use of words such as “STOP”, “LOOK”, “DANGER”, “ONE WAY” or “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.
- (f) any sign that incorporates any flashing or moving illumination and any sign that has any visible moving part or mechanical movement whether achieved by natural or artificial means
- (g) any searchlight, string light, spinner or streamer except for occasions such as grand openings, county fairs and public festivals, or used as temporary holiday decorations for a period not to exceed fourteen (14) days.
- (h) any sign painted on a tree, stone, cliff or other natural object.
- (i) any sign that is not related to any business or use located on the lot or premises, and any sign which no longer advertises a bonafide business conducted or a product sold. Such signs are deemed to be obsolete signs and shall be removed by the owner or occupant of the property upon which they are erected, within sixty (60) days of the date of discontinuance of the business or product.

## **5.26 Sign Provisions for Specific Zones**

5.26.1 In a Commercial or Industrial Zone, the following signs may be placed, erected or displayed:

- (a) a canopy sign provided it:
  - (i) is attached to, painted or placed upon a marquee, a canopy or an awning.
  - (ii) does not exceed the length of the wall of the building upon which it is placed
  - (iii) is placed on the building at the height of at least 3.0 metres above grade.
- (b) an illuminated or non-illuminated fascia sign provided it:
  - (i) does not exceed 5.5 square metres in gross surface area
  - (ii) does not include lettering exceeding 36 centimetres in height
- (c) an illuminated free-standing sign provided it:
  - (i) does not exceed 7 square metres in gross surface area
  - (ii) does not exceed 11.0 metres in height
  - (iii) is not located closer to the street line than the lesser of 3 metres or the required front yard for the zone.
  - (iv) is not located closer to the side or rear property line than 1.5 metres.
- (d) an illuminated or non-illuminated projecting sign provided:
  - (i) does not exceed 0.8 square metres in gross surface area
  - (ii) does not project more than 2.0 metres beyond the store front
  - (iii) the bottom of the sign is not less than 3.0 metres above the finish elevation of the sidewalk.
- (e) a non-illuminated sandwich sign provided it:
  - (i) does not exceed a single-faced area of 0.5 square metres
  - (ii) does not exceed one in number per business
  - (iii) does not obstruct pedestrian traffic on any sidewalk
  - (iv) is not placed on any right of way saving and exempting a sidewalk and/or median.
- (f) a non-illuminated mobile or non-illuminated portable sign provide it:
  - (i) is placed only on private property
  - (ii) does not exceed 5 square metres in gross surface area
  - (iii) is not located within the triangular area formed by the intersecting street lines and a line joining points on each street line, 9.0 metres from said intersection of the street lines.
  - (iv) is not located closer than 3.0 metres from the edge of a traveled vehicular driveway which provides access to a lot at the point where it abuts a front property line
  - (v) is not be located closer than 3.0 metres to the front property line
  - (vi) is limited to one occasion only on a lot per year for a time period not exceeding thirty days.

5.26.2 In an Institutional Zone, the following signs may be placed, erected or displayed:

- (a) an illuminated or non-illuminated fascia sign or a non-illuminated projecting sign provided it:
  - (i) identifies by name an institutional property or building
  - (ii) does not exceed 0.6 square metres in gross surface area.

- (b) a non-illuminated free-standing sign provided it:
  - (i) does not exceed 4.5 square metres in gross surface area.
  - (ii) is not located closer to the street line than the lesser of 3 metres or the required front yard for the zone.
  - (iii) is not located closer to the side or rear property line than 1.5 metres.
- (c) a non-illuminated mobile or non-illuminated portable sign provide it:
  - (i) is placed only on private property
  - (ii) does not exceed 5 square metres in gross surface area
  - (iii) is not located within the triangular area formed by the intersecting street lines and a line joining points on each street line, 9.0 metres from said intersection of the street lines.
  - (iv) is not located closer than 3.0 metres from the edge of a traveled vehicular driveway which provides access to a lot at the point where it abuts a front property line
  - (v) is not be located closer than 3.0 metres to the front property line
  - (vi) is limited to one occasion only on a lot per year for a time period not exceeding thirty days.

5.26.3 In a Rural Zone, the following signs may be placed, erected or displayed:

- (a) an illuminated or non-illuminated fascia sign provided it:
  - (i) does not exceed 5.5 square metres in gross surface area
  - (ii) does not include lettering exceeding 36 centimetres in height
- (b) a billboard sign provided it:
  - (i) does not exceed 10 metres in height
  - (ii) does not exceed 18 square metres in gross surface area
  - (iii) does not exceed a maximum of one sign for up to 30 metres of frontage and one additional sign for each 30 metres of frontage.
- (c) a non-illuminated free-standing sign indicating the name of the farm provided that it:
  - (i) does not exceed 4 square metres in gross surface area
  - (ii) is not located closer to the street line than the lesser of 3 metres or the required front yard for the zone.
  - (iii) is not located closer to the side or rear property line than 1.5 metres.
- (d) a non-illuminated mobile or non-illuminated portable sign provide it:
  - (i) is placed only on private property
  - (ii) does not exceed 5 square metres in gross surface area
  - (iii) is not located within the triangular area formed by the intersecting street lines and a line joining points on each street line, 9.0 metres from said intersection of the street lines.
  - (iv) is not located closer than 3.0 metres from the edge of a traveled vehicular driveway which provides access to a lot at the point where it abuts a front property line
  - (v) is not be located closer than 3.0 metres to the front property line
  - (vi) is limited to one occasion only on a lot per year for a time period not exceeding thirty days.

5.26.4 In a Park-Recreation Zone or an Environmental Conservation Zone the following signs may be placed, erected or displayed:

- (a) a non-illuminated fascia sign, or a non-illuminated projecting sign provided it:
  - (i) does not exceed 0.6 square metres in gross surface area.
- (b) a non-illuminated free-standing sign provided it:
  - (i) does not exceed 4.5 square metres in gross surface area.
  - (ii) is not located closer to the street line than the lesser of 3 metres or the required front yard for the zone.
  - (iii) is not located closer to the side or rear property line than 1.5 metres.
- (c) a non-illuminated mobile or non-illuminated portable sign provide it:
  - (i) is placed only on private property
  - (ii) does not exceed 5 square metres in gross surface area
  - (iii) is not located within the triangular area formed by the intersecting street lines and a line joining points on each street line, 9.0 metres from said intersection of the street lines.
  - (iv) is not located closer than 3.0 metres from the edge of a traveled vehicular driveway which provides access to a lot at the point where it abuts a front property line
  - (v) is not be located closer than 3.0 metres to the front property line
  - (vi) is limited to one occasion only on a lot per year for a time period not exceeding thirty days.

**5.27 Illumination of Signs**

- (1) Signs may be externally illuminated with a maximum of 100 watt floodlights provided the floodlights are mounted in such a way that the light is diverted toward the sign and not toward neighbouring properties.
- (2) Internally illuminated signs shall not be allowed with the exception of signs that are placed flat against the front of the building.

**5.28 Non-Conforming Signs**

- (1) The provisions of this Rural Plan with respect to existing signs which do not conform to the Rural Plan at the time of its effective date shall not be construed to have a retroactive effect, except that relocation, alteration, or removal of any such non-conforming signs shall render such signs subject to the provisions of this Rural Plan. The provisions of this section shall not exempt the owner of a non-conforming sign from the obligations for proper maintenance of such sign.

**5.29 Abandoned and Unlawful Signs**

- (1) No person being the owner/lessee of property upon which a sign is located shall permit, suffer or allow such sign, its faces, supports, electrical systems or anchorage to become unsightly, dilapidated or unsafe.
- (2) Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed in compliance with relevant fire and electrical codes. A sign, which in the opinion of Council, has become unsightly, or is in such a state of disrepair as to constitute a hazard, may be required to be removed.
- (3) Any sign that advertises a bonafide business or service on the premises which is no longer shall be removed within sixty (60) days of the termination of such business or service.

**5.30 Number of Signs**

- (1) No more than two (2) signs shall be erected on any premises at any one time.
- (2) For the purposes of this section, where a multiple tenancy building is occupied by more than one business, each business shall be considered to be a separate premise.
- (3) For the purposes of determining the number of signs permitted by this section, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Double-faced and three-faced signs shall be counted as single signs. Where matter is displayed in a random manner, without organized relationships or elements, or where there is reasonable doubt about the relationships of any elements, each element shall be considered to be a single sign.

## **6.0 RESIDENTIAL**

### **6.1 Provisions for all Residential Zones**

#### **6.1.1 Home Occupation**

- (1) Where a home occupation is permitted under this Rural Plan, a home occupation shall be subject to the following requirements:
  - (a) the floor area of the dwelling unit that is devoted to the home occupation shall not exceed 20 percent (20%) of the floor area of the dwelling unit;
  - (b) the use shall be wholly contained within the dwelling and shall be clearly minor and secondary to the residential use;
  - (c) there shall be no change to the dwelling which would indicate that a home occupation is being conducted therein, except for one (1) non-illuminated fascia sign which shall not exceed 0.45m<sup>2</sup> in surface area;
  - (d) there shall be no external or outside storage of materials or containers to indicate that any part of the property is being used for any purposes other than a dwelling;
  - (e) there shall be no outside animal enclosures;
  - (f) the home occupation shall not generate off-site dust, noise, smoke, or odours;
  - (g) two off-street parking spaces shall be provided, in addition to the parking space requirements of the zone; and,
  - (h) no home occupation shall be permitted where the lot or building is used for any other secondary use or accessory use of the property.

#### **6.1.2 Neighbourhood Daycare Centre**

- (1) Where a neighbourhood daycare centre is permitted under this Rural Plan, a neighbourhood daycare centre shall be subject to the following requirements:
  - (a) the neighbourhood daycare centre shall be restricted to a maximum capacity of 15 children;
  - (b) the owner/operator of the neighbourhood daycare centre shall reside in the dwelling;
  - (c) the neighbourhood daycare centre shall not be located on any corner lot;
  - (d) two off-street parking spaces shall be provided, in addition to the parking space requirements of the zone;
  - (e) the neighbourhood daycare centre shall comply with all Provincial acts and regulations; and,
  - (f) no neighbourhood daycare centre shall be permitted where the lot or building is used for any other secondary use or accessory use of the property.

#### **6.1.3 Accessory Apartment**

- (1) Where an accessory apartment is permitted under this Rural Plan, an accessory apartment shall be subject to the following requirements:
  - (a) the accessory apartment shall be secondary to the main dwelling unit;
  - (b) the unit shall be completely self-contained, including provision for cooking, sleeping, and bathing;
  - (c) one additional parking space shall be provided; and,
  - (d) no accessory apartment shall be permitted where the lot or building is used for any other secondary use or accessory use of the property.

#### **6.1.4 Swimming Pools**

- (1) No land shall be used for the purpose of an in-ground swimming pool unless the pool is enclosed by a fence or by a wall of a building or structure, or by a combination of walls or fences, at least 1.52 metres in height and meeting the requirements of this section.
- (2) All enclosures shall not have rails, bracing or other attachments on the outside thereof that would facilitate climbing. All enclosures shall be located at least 1.22 metres from the edge of the swimming pool and 1.22 metres from any structure that would facilitate its being climbed from the outside. All fences shall not be electrified and shall not incorporate barbed wire or other dangerous material.
- (3) Where a portion of the wall of a building forms part of an in-ground swimming pool enclosure:
  - (a) no main service entrance to the building shall be located therein; and
  - (b) any door therein, other than a door to a dwelling or dwelling unit, shall be self-closing and equipped with a self-latching device.



- (4) A fence under this section shall be made of chain link construction, wood, or of other materials in the manner prescribed by section (5);
- (5) A fence under this section shall be designed and constructed:
  - (a) in the case of a fence made of chain links, with
    - (i) no greater than 4 centimetre diamond mesh and of minimum 12-gauge thickness, and
    - (ii) steel posts spaced not more than 3 metres apart, with a top horizontal rail of at least 4 centimetres diameter steel or 38mm x 89mm lumber.
  - (b) in the case of a fence made of wood, with
    - (i) vertical boarding spaced not more than 4 centimetres apart; and,
    - (ii) supporting posts spaced not more than 2.4 metres with a horizontal rail of minimum 38mm x 89mm;
  - (c) in the case of a fence constructed with materials and in a manner other than described in this subsection, it must be designed in a manner that is not easily climbable and will ensure rigidity equal to the design and construction prescribed by this subsection.
- (6) Gates forming part of an in-ground swimming pool enclosure shall:
  - (a) be equivalent in height and manner of construction to the fence;
  - (b) shall be supported on substantial hinges; and
  - (c) shall be self-closing and equipped with a self-latching device at least 1.52 metres above the bottom of the gate.

#### **6.1.5 Bed & Breakfast**

- (1) Where a bed & breakfast is permitted under this Rural Plan, a bed & breakfast shall be subject to the following requirements:
  - (a) the single unit dwelling shall be occupied as a residence by the operator of the business;
  - (b) the bed & breakfast shall be limited to no more than five (5) bedrooms;
  - (c) cooking equipment shall not be permitted in a room that is used for sleeping accommodation; and,
  - (d) the bed and breakfast shall provide and maintain one easily accessible water toilet, wash basin and bath tub or shower for every four bedrooms.
- (2) One non-illuminated fascia sign not exceeding 0.45 m<sup>2</sup> in area is permitted.
- (3) No bed & breakfast will be permitted where the lot or building is used for any other secondary or accessory use of the property.

## **6.2 R-1 (One Unit Dwelling) Zone**

The Residential-1 zone is established primarily for single-unit dwellings. It also allows for a range of uses deemed compatible in residential areas (e.g. home occupations, bed & breakfasts, neighbourhood daycare centers, etc), subject to established standards.

### **6.2.1 Permitted Uses**

- (1) Any land, building or structure in the R-1 zone may be used for the purpose of and for no other purpose than:
  - (a) The following main uses:
    - (i) a single unit dwelling
    - (ii) a public park
    - (iii) a passive recreational use
  - (b) The following secondary uses in conjunction with a permitted single unit dwelling; subject to the relevant provisions of Section 6.1:
    - (i) an accessory apartment
    - (ii) an in-law suite
    - (iii) a home occupation
    - (iv) a bed & breakfast
    - (v) a neighbourhood daycare centre

- (c) The following secondary use in conjunction with a permitted single unit dwelling, subject to terms and conditions that may be set by the Regional Service Commission:
  - (i) a special care home
- (d) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 6.2.3, if such main use is permitted by this section.

**6.2.2 Development Standards**

- (1) Lot development standards for residential development in the R-1 zone are set out in the following tables.

**Table 6A: Residential Development in R-1 Zone – Development Standards**

<b>Single Unit Dwelling</b>	
Minimum Lot Area	690 m <sup>2</sup>
Minimum Lot Frontage	23 m
Minimum Depth	25 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Maximum Height of Main Building	10 m
Maximum Lot Coverage	40%

**6.2.3 Accessory Buildings and Structures**

- (1) Accessory buildings or structures shall not:
  - (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located in the front yard or flankage yard; nor
  - (c) be constructed from a vehicular body or travel trailer.

**Table 6B: Accessory Buildings and Structures in R-1 Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

**6.3 R1-1 (One Unit Dwelling-1) Zone**

**6.3.1 Permitted Uses**

- (1) Any land, building or structure in the R1-1 zone may be used for the purpose of and for no other purpose than:
  - (a) The following main use:
    - (i) a single unit dwelling
  - (b) The following secondary uses in conjunction with a permitted single unit dwelling; subject to the relevant provisions of Section 6.1:
    - (i) an accessory apartment
    - (ii) a home occupation

**6.3.2 Development Standards**

- (1) Lot development standards for residential development in the R1-1 zone are set out in the following tables.

**Table 6C: Residential Development in R1-1 Zone – Development Standards**

<b>Single Unit Dwelling</b>	
Minimum Lot Area	500 m <sup>2</sup>
Minimum Lot Frontage	16 m
Minimum Depth	30 m
Minimum Front or Flankage Yard	3 m
Minimum Rear Yard	6 m
Minimum Side Yard	7 & 1.2 m
Maximum Height of Main Building	8.5 m
Maximum Lot Coverage	40%

**6.3.3 Landscaping**

- (1) Landscaping requirements shall also include the retention of the hedge on the eastern side of the property, as long as the hedge exists.

**6.4 R-2 (One Unit, Two Unit Dwelling) Zone**

The Residential-2 zone is established primarily for single-unit dwellings and two-unit dwellings situated on one lot. It also allows for a range of uses deemed compatible in residential areas (e.g. home occupations, bed & breakfasts, neighbourhood daycare centers, etc), subject to established standards.

**6.4.1 Permitted Uses**

- (1) Any land, building or structure in the R-2 zone may be used for the purpose of and for no other purpose than:
- (a) The following main uses:
    - (i) a single unit dwelling
    - (ii) a two unit dwelling
    - (iii) a public park
    - (iv) a passive recreational use
  - (b) The following main uses, subject to terms and conditions that may be set by the Regional Service Commission:
    - (i) a special care residence
  - (c) The following secondary uses in conjunction with a permitted single unit dwelling; subject to the relevant provisions of Section 6.1:
    - (i) an accessory apartment
    - (ii) an in-law suite
    - (iii) a home occupation
    - (iv) a bed & breakfast
    - (v) a neighbourhood daycare centre
  - (d) The following secondary use in conjunction with a permitted single unit dwelling, subject to terms and conditions that may be set by the Regional Service Commission:
    - (i) a special care home
  - (e) The following secondary use in conjunction with a permitted two unit dwelling; subject to the relevant provisions of Section 6.1:
    - (i) a home occupation
  - (f) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 6.4.3, if such main use is permitted by this section.

**6.4.2 Development Standards**

- (1) Lot development standards for residential development in the R-2 zone are set out in the following table.

**Table 6D: Residential Development in R-2 Zone – Development Standards**

<b>Single Unit Dwelling</b>	
Minimum Lot Area	690 m <sup>2</sup>
Minimum Lot Frontage	23 m
Minimum Side Yard	2.5 m
<b>Two Unit Dwelling</b>	
Minimum Lot Area	750 m <sup>2</sup>
Minimum Lot Frontage	30 m
Minimum Side Yard	2.5 m
<b>All Lots</b>	
Minimum Depth	25 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Maximum Height of Main Building	10 m
Maximum Lot Coverage	40%

**6.4.3 Accessory Buildings and Structures**

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located in the front yard or flankage yard; nor,
  - (c) be constructed from a vehicular body or travel trailer.

**Table 6E: Accessory Buildings and Structures in R-2 Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

**6.5 R-3 (One Unit, Two Unit, Multiple Unit) Zone**

The Residential-3 zone is established primarily for single-unit dwellings, two-unit dwellings on one lot, and multiple unit dwellings on one lot. It also allows for a range of uses deemed compatible in residential areas (e.g. home occupations, bed & breakfasts, neighbourhood daycare centers, etc), subject to established standards.

**6.5.1 Permitted Uses**

- (1) Any land, building or structure in the R-3 zone may be used for the purpose of and for no other purpose than:
- (a) The following main uses:
    - (i) a single unit dwelling
    - (ii) a two unit dwelling
    - (iii) a multiple unit dwelling
    - (iv) a townhouse dwelling
    - (v) a public park
    - (iv) a passive recreational use
  - (b) The following main uses, subject to terms and conditions that may be set by the Regional Service Commission:
    - (ii) a special care residence
  - (c) The following secondary uses in conjunction with a permitted single unit dwelling; subject to the relevant provisions of Section 6.1:
    - (i) an accessory apartment
    - (ii) an in-law suite
    - (iii) a home occupation

- (iv) a bed & breakfast
  - (v) a neighbourhood daycare centre
- (d) The following secondary use in conjunction with a permitted single unit dwelling, subject to terms and conditions that may be set by the Regional Service Commission:
- (i) a special care home
- (e) The following secondary use in conjunction with a permitted two unit dwelling; subject to the relevant provisions of Section 6.1:
- (i) a home occupation
- (f) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 6.5.3, if such main use is permitted by this section.

### 6.5.2 Development Standards

- (1) Lot development standards for residential development in the R-3 zone are set out in the following table.

**Table 6F: Residential Development in R-3 Zone – Development Standards**

<b>Single Unit Dwelling</b>	
Minimum Lot Area	690 m <sup>2</sup>
Minimum Lot Frontage	23 m
Minimum Side Yard	2.5 m
<b>Two Unit Dwelling</b>	
Minimum Lot Area	750 m <sup>2</sup>
Minimum Lot Frontage	30 m
Minimum Side Yard	2.5 m
<b>Townhouse Dwelling (per unit)</b>	
Minimum Lot Area (interior unit)	185 m <sup>2</sup>
Minimum Lot Area (interior lot – end unit)	255 m <sup>2</sup>
Minimum Lot Area (corner lot – end unit)	405 m <sup>2</sup>
Minimum Lot Frontage (interior lot – interior unit)	6 m
Minimum Lot Frontage (interior lot – end unit)	8.5 m
Minimum Lot Frontage (corner lot – end unit)	13.5 m
Minimum Side Yard	2.5 m
<b>Multiple Unit Dwelling</b>	
Minimum Lot Area	1115 m <sup>2</sup> , plus 70 m <sup>2</sup> for each dwelling in excess of 4
Minimum Lot Frontage	37 m , plus 2.3 m for each dwelling unit in excess of 4
Minimum Side Yard	2.5 m
<b>All Lots</b>	
Minimum Depth	25 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Maximum Height of Main Building	10 m
Maximum Lot Coverage	40%

### 6.5.3 Accessory Buildings and Structures

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located in the front yard or flankage yard; nor
  - (c) be constructed from a vehicular body or travel trailer.

**Table 6G: Accessory Buildings and Structures in R-3 Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

**6.5.4 Screening of Multiple Unit Dwellings**

- (1) Where a multiple unit dwelling lot abuts a different residential zone or different residential use, such lot shall not be developed for a multiple unit dwelling use unless a screening facility such as an earth berm, hedge or fence or combination thereof, is provided and maintained inside the common property lines.

**6.6 R-4 (Residential Mixed Density) Zone**

The Residential-4 zone is established to provide opportunities for multi-lot developments with smaller lots and more compact housing forms. Each unit in a two-unit, three-unit, and four-unit dwelling is on a separate lot.

**6.6.1 Permitted Uses**

- (1) Any land, building or structure in the R-4 zone may be used for the purpose of and for no other purpose than:
- (a) The following main uses:
    - (i) a single unit dwelling
    - (ii) a two unit freehold dwelling
    - (iii) a three unit freehold dwelling
    - (iv) a four unit freehold dwelling
    - (v) a public park
    - (vi) a passive recreational use
  - (b) The following secondary use in conjunction with a permitted single unit or two unit freehold dwelling; subject to the relevant provisions of Section 6.1:
    - (i) a home occupation
  - (c) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 6.6.3, if such main use is permitted by this section.

**6.6.2 Development Standards**

- (1) Lot development standards for residential development in the R-4 zone are set out in the following table.

**Table 7H: Residential Development in R-4 Zone – Development Standards**

<b>Single Unit Dwelling</b>	
Minimum Lot Area (interior lot)	360 m <sup>2</sup>
Minimum Lot Area (corner lot)	500 m <sup>2</sup>
Minimum Lot Frontage (interior lot)	12 m
Minimum Lot Frontage (corner lot)	16.5 m
Minimum Side Yard	2.5 m
<b>Two Unit Freehold Dwelling (per unit)</b>	
Minimum Lot Area (interior lot)	330 m <sup>2</sup>
Minimum Lot Area (corner lot)	470 m <sup>2</sup>
Minimum Lot Frontage (interior lot)	11 m
Minimum Lot Frontage (corner lot)	15.5 m
Minimum Side Yard	2.5 m

**Table 6H (Continued): Residential Development in R-4 Zone – Development Standards**

<b>Three Unit Freehold Dwelling or Four Unit Freehold Dwelling (per unit)</b>	
Minimum Lot Area (interior lot – interior unit)	185 m <sup>2</sup>
Minimum Lot Area (interior lot – end unit)	255 m <sup>2</sup>
Minimum Lot Area (corner lot – end unit)	405 m <sup>2</sup>
Minimum Lot Frontage (interior lot – interior unit)	6 m
Minimum Lot Frontage (interior lot – end unit)	8.5 m
Minimum Lot Frontage (corner lot – end unit)	13.5 m
Minimum Side Yard (end unit)	2.5 m
<b>All Lots</b>	
Minimum Depth	25 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Maximum Height of Main Building	10 m
Maximum Lot Coverage	40%

**6.6.3 Accessory Buildings and Structures**

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located in the front or flankage yard; nor
  - (c) be constructed from a vehicular body or travel trailer.

**Table 6I: Accessory Buildings and Structures in R-4 Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	7%

**6.6.4 Three-Unit Freehold Dwelling**

- (1) A three-unit freehold dwelling shall have a minimum distance separation, measured from the closest outer wall of the three-unit dwelling, of 60 metres from the closest outer wall of another three-unit or four-unit freehold dwelling.

**6.6.5 Four-Unit Freehold Dwelling**

- (1) A four-unit freehold dwelling shall have a minimum distance separation, measured from the closest outer wall of the four-unit dwelling, of 60 metres from the closest outer wall of another three-unit or four-unit freehold dwelling.

**6.7 RM (Mini Home Park) Zone**

The Mini Home Park zone is established to accommodate the needs and site characteristics required for clustered development of mini homes.

**6.7.1 Permitted Uses**

- (1) Any land, building or structure in the RM zone may be used for the purpose of and for no other purpose than:
- (a) The following main uses:
    - (i) a mini home park
    - (ii) a public park
    - (iii) a recreational use
  - (b) The following secondary use in conjunction with a mini home; subject to the relevant provisions of Section 6.1.1:
    - (i) a home occupation

- (c) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 6.7.4, if such main use is permitted by this section.

**6.7.2 Screening of Mini-Home Parks**

- (1) A mini-home park shall be separated from adjoining properties and abutting public streets by a natural or artificial barrier such as an earth berm, hedge or fence or combination thereof.

**6.7.3 Development Standards**

- (1) Development standards for residential development in the RM zone are set out in the following table.

**Table 6J: Residential Development in RM Zone – Development Standards**

<b>Mini-Home Plot and Mini Homes</b>	
Minimum Plot Area	465 m <sup>2</sup>
Minimum Plot Frontage	15 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Minimum Distance of any Building, Structure, or Mini Home from a Public Street	12 m
Minimum Distance of Plot from a Public Street	7.5 m
Minimum Distance of Mini Home from any Utility Building	7.5 m
Minimum Distance between Mini Homes	7.5 m

**6.7.4 Accessory Buildings and Structures**

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located in the front yard or flankage yard; nor,
  - (c) be constructed from a vehicular body or travel trailer.

**Table 6K: Accessory Buildings and Structures in RM Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2m
Minimum Distance from a Main Building	2.5m
Maximum Height	4.5m
Maximum Number per Plot	1
Maximum Size	14.9m <sup>2</sup>

- (2) Accessory buildings and structures that have been erected prior to the date of approval of this Rural Plan that do not conform to (1)(b) and (c) and Table 7K are permitted to continue. When a non-conforming accessory building or structure is to be replaced, it must conform to the development standards outlined in (1) and Table 7K, specifically the number per plot and maximum size.

**6.7.5 Responsibility for Services**

- (1) All services such as site and street maintenance, snow removal, provision and maintenance of water and sewage infrastructure are the responsibility of the mini home park owner.



## 7.0 COMMERCIAL

### 7.1 Provisions for all Commercial Zones

#### 7.1.1 Illumination

- (1) Where yard lights are provided in connection with a commercial use, all such lighting shall be directed inwardly toward the subject lot and away from neighbouring buildings.

#### 7.1.2 Screening of Commercial Uses

- (1) Where a lot in a commercial zone abuts a residential zone, or use, or institutional zone or use, such lot shall not be developed for a commercial use unless a screening facility, such as an earth berm, hedge or fence or a combination thereof, is provided and maintained inside the common property lines.

### 7.2 NC (Neighbourhood Commercial) Zone

The Neighbourhood Commercial zone is established to accommodate local commercial uses associated with residential neighbourhoods.

#### 7.2.1 Permitted Uses

- (1) Any land, building or structure in the NC zone may be used for the purpose of and for no other purpose than:
- (a) The following main use:
    - (i) a convenience store
    - (ii) a personal service shop
    - (iii) an office
  - (b) The following secondary uses
    - (i) a single unit dwelling
  - (c) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 7.2.3, if such main use is permitted by this section.

#### 7.2.2 Development Standards

- (1) Lot development standards for commercial development in the NC zone are set out in the following table.

**Table 7A: Commercial Development in the NC Zone – Development Standards**

<b>Main Uses</b>	
Minimum Lot Area	690 m <sup>2</sup>
Minimum Lot Frontage	23 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Maximum Height of Main Building	10 m
Maximum Lot Coverage	40%

#### 7.2.3 Accessory Buildings and Structures

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located closer to the street than the rear of the main building or structure;
  - (c) be used for agricultural purposes or for the keeping of animals other than household pets; nor
  - (d) be constructed from a vehicular body or travel trailer.

**Table 7B: Accessory Buildings and Structures in NC Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

### 7.3 CC (Central Commercial) Zone

The Central Commercial zone is established to accommodate a variety of commercial uses in the center of the Village.

#### 7.3.1 Permitted Uses

(1) Any land, building or structure in the CC Zone may be used for the purpose of and for no other purpose than:

(a) The following main uses:

- (i) a financial institution
- (ii) a funeral home
- (iii) an inn
- (iv) a bed & breakfast
- (v) a medical clinic
- (vi) a veterinary clinic
- (vii) an educational agency
- (viii) a social services centre
- (ix) a government building and uses
- (x) a museum
- (xi) a library
- (xii) a cultural centre
- (xiii) a nursing home
- (xiv) an office use
- (xv) a personal service shop
- (xvi) a restaurant
- (xvii) a retail operation
- (xviii) a wholesale operation
- (xix) a theatre
- (xx) a craft retail/manufacturing outlet
- (xxi) a convenience store
- (xxii) a daycare centre
- (xxiii) a public park
- (xxiv) a passive recreational use

(b) The following main uses, subject to terms and conditions that may be set by the Regional Service Commission:

- (i) a bus terminal
- (ii) an automotive repair outlet
- (iii) a laundry
- (iv) an entertainment use
- (v) a garden centre
- (vi) an educational establishment
- (vii) a church or church hall
- (viii) a police and/or fire station

(c) The following secondary use:

- (i) a residential use
- (ii) a boarding or rooming house with a single unit dwelling

- (d) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 7.3.3, if such main use is permitted by this section.

### 7.3.2 Development Standards

- (1) Lot development standards for commercial development in the CC zone are set out in the following table.

**Table 7C: Commercial Development in the CC Zone – Development Standards**

Main Uses	
Minimum Lot Size	690 m <sup>2</sup>
Minimum Lot Frontage	23 m
Minimum Lot Depth	25 m
Minimum Front Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Maximum Height of Main Building	15 m

### 7.3.3 Accessory Buildings and Structures

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located closer to the street than the rear of the main building or structure; nor
  - (c) be constructed from a vehicular body or travel trailer.

**Table 7D: Accessory Buildings and Structures in CC Zone – Development Standards**

Accessory Buildings and Structures	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

## 7.4 NC-1 (Neighbourhood Commercial-1) Zone

The Neighbourhood Commercial-1 zone is established to accommodate local commercial uses associated with residential neighbourhoods.

### 7.4.1 Permitted Uses

- (1) Any land, building or structure in the NC-1 zone may be used for the purpose of and for no other purpose than:
- (a) The following main uses:
    - (i) a convenience store
    - (ii) a personal service shop
    - (iii) an office
    - (iv) a gasoline bar
    - (v) a medical clinic
  - (b) The following secondary uses
    - (i) a single unit dwelling
  - (c) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 7.4.3, if such main use is permitted by this section.

### 7.4.2 Development Standards

- (1) Lot development standards for commercial development in the NC-1 zone are set out in the following table.

**Table 7E: Commercial Development in the NC-1 Zone – Development Standards**

<b>Main Uses</b>	
Minimum Lot Area	690 m <sup>2</sup>
Minimum Lot Frontage	23 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Maximum Height of Main Building	10 m
Maximum Lot Coverage	40%

**7.2.3 Accessory Buildings and Structures**

(1) Accessory buildings or structures shall not:

- (a) be used for human habitation except where a dwelling is a permitted accessory use;
- (b) be located closer to the street than the rear of the main building or structure;
- (c) be used for agricultural purposes or for the keeping of animals other than household pets; nor
- (d) be constructed from a vehicular body or travel trailer.

**Table 7F: Accessory Buildings and Structures in NC-1 Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

## **8.0 INDUSTRIAL**

### **8.1 Provisions for all Industrial Zones**

#### **8.1.1 Number of Main Buildings on a Lot**

- (1) Notwithstanding Section 5.2, there shall be no limitation on the number of main buildings allowed on a lot.

#### **8.1.2 Landscaping**

- (1) The required front yard shall be landscaped, excepting the driveways and parking areas. In the case of a corner lot, the side yard abutting a side street shall be landscaped. Where possible, existing trees/shrubs shall be retained.

#### **8.1.3 Outdoor Storage**

- (1) Salvage or Waste Disposal Facility, Recycling Depot or Junk Yard

- (a) Where land is used for the storage of scrap, recycling or automotive materials, the following shall apply:

- (i) The whole of the operation shall be surrounded by a solid fence, not less than 3 m and not greater than 5 m in height, unpierced except for gates necessary for access.
- (ii) The fence shall be located at least 6 m from the front line and 1.5 m from the side and rear lot lines, and land between the fence and any lot line, not required for entrance and exit driveways, shall only be used for landscaping.
- (iii) No material shall be piled higher than the height of the surrounding fence.

- (2) All Other Uses

- (a) Where any permitted use includes outdoor storage, the land used for such storage shall be screened from the street by a wall or decorative solid board fence not less than 2 m and not more than 2.5 m in height.
- (b) No portion of the storage yard shall be located within 1.5 m of the side or rear lot line.
- (c) No material shall be piled higher than the height of the surrounding fence.

#### **8.1.4 Screening of Industrial Uses**

- (1) Where a lot in the Commercial/Light Industrial Zone or the General Industrial zone abuts a residential or institutional property, such lot shall not be developed for an industrial use unless provision is made for an appropriate screening facility, such as a hedge, fence, or earth berm or a combination thereof. The nature and design of the screening facility will be specified by the Development Officer with input from the Village Council.

### **8.2 CLI (Commercial/Light Industrial) Zone**

The Commercial/Light Industrial zone is established to accommodate a mix of light industrial and commercial uses.

#### **8.2.1 Permitted Uses**

- (1) Any land, building or structure in the CLI zone may be used for the purpose of and for no other purpose than:

- (a) One or more of the following main uses:

- (i) a light industrial use,
- (ii) a warehousing, distribution, and/or storage establishment
- (iii) a transportation depot
- (iv) a retail operation
- (v) a wholesale operation
- (vi) a trucking/heavy equipment operation
- (vii) a heavy equipment sales establishment
- (viii) an automobile sales establishment
- (ix) an automotive body shop
- (x) an automotive repair outlet
- (xi) an office use
- (xii) a restaurant
- (xiii) an indoor recreational use
- (xiv) a recreation use

- (xv) a research establishment/laboratory
- (xvi) a funeral home
- (xvii) a hotel or motel
- (xviii) a veterinary clinic
- (xix) a conservation use
- (xx) a personal service shop
- (xxi) a land extensive commercial use such as a garden centre, nursery, commercial greenhouse, building supply yard
- (xxii) a call centre
- (xxiii) an institutional use
- (xxiv) an assembly hall

(b) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 8.2.3, if such main use is permitted by this section.

**8.2.2 Development Standards**

(1) Lot development standards for main uses in the CLI zone are set out in the following table.

**Table 8A: Development in the CLI Zone – Development Standards**

<b>Main Uses</b>	
Minimum Lot Area	950 m <sup>2</sup>
Minimum Lot Frontage	30 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Maximum Height of Main Building	15 m

**8.2.3 Accessory Building and Structures**

- (1) Except for a gate-keeper or security office not exceeding 9m<sup>2</sup> in size, accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located closer to the street than the rear of the main building or structure;

**Table 8B: Accessory Buildings and Structures in CLI Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m

**8.3 CLI-1 (Commercial/Light Industrial-1) Zone**

- (1) Notwithstanding the provisions of 8.1.2, lands zoned CLI-1 shall:
- (a) maintain a 10 metre buffer of wooded land around the side and rear yards of the lands zoned CLI-1,
  - (b) create and/or maintain a 5 metre buffer of wooded land that provides a visual barrier of at least 2 metres high across the front of lands zoned CLI -1.
- (2) All other provisions of Section 8.1 (Provisions for All Industrial Zones), with the exception of subsection 8.1.3 (2), and all other provisions of Section 8.2 (Commercial/Light Industrial Zone) shall apply to the lands zoned CLI-1.

**8.4 GI (General Industrial) Zone**

The General Industrial zone is primarily for general industrial uses. It also allows light industrial and some commercial uses.

**8.4.1 Permitted Uses**

- (1) Any land, building or structure in the GI zone may be used for the purpose of and for no other purpose than:
- (a) One or more of the following main uses:
    - (i) a light industrial use
    - (ii) a warehousing, distribution, and/or storage establishment
    - (iii) a transportation depot
    - (iv) a construction yard
    - (v) a trucking/heavy equipment operation
    - (vi) a heavy equipment sales establishment
    - (vii) an automobile sales establishment
    - (viii) an automotive body shop
    - (ix) an automotive repair outlet
    - (x) a land extensive commercial use such as a garden centre, nursery, commercial greenhouse, building supply yard
    - (xi) an office use
  - (b) One or more of the following main uses, subject to terms and conditions that may be set by the Regional Service Commission:
    - (i) a general industrial use
    - (ii) a sawmill
  - (c) The following secondary use:
    - (i) a sales outlet related to a permitted use
  - (d) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 8.4.3, if such main use is permitted by this section.

**8.4.2 Development Standards**

- (1) Lot development standards for main uses in the GI zone are set out in the following table.

**Table 8C: Development in the GI Zone – Development Standards**

<b>Main Uses</b>	
Minimum Lot Area	1700m <sup>2</sup>
Minimum Lot Frontage	36 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Maximum Height of Main Building	15 m

**8.4.3 Accessory Building and Structures**

- (1) Except for a gate-keeper or security office not exceeding 9m<sup>2</sup> in size, accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located closer to the street than the rear of the main building or structure;

**Table 8D: Accessory Buildings and Structures in GI Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m

## 9.0 INSTITUTIONAL

### 9.1 IN (Institutional) Zone

The Institutional zone is established for institutional uses throughout the Village.

#### 9.1.1 Permitted Uses

(1) Any land, building or structure in the IN zone may be used for the purpose of and for no other purpose than:

(a) One or more of the following main uses:

- (i) an assembly hall
- (ii) an indoor recreational use
- (iii) a cultural centre
- (iv) an educational establishment
- (v) a funeral home
- (vi) a church
- (vii) a cemetery
- (viii) a crematorium
- (ix) a daycare centre
- (x) a government building and uses
- (xi) a special care residence
- (xii) a special care residential centre
- (xiii) a transition house
- (xiv) a hospital or health services building
- (xv) a park, playground or other recreational use

(b) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 9.2.3, if such main use is permitted by this section.

#### 9.1.2 Development Standards

(1) Lot development standards for main uses in the IN zone are set out in the following table.

**Table 9A: Development in the IN Zone – Development Standards**

Main Uses	
Minimum Lot Area	690 m <sup>2</sup>
Minimum Lot Frontage	23 m
Minimum Lot Depth	25 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m
Maximum Height of Main Building	15 m

#### 9.1.3 Accessory Buildings and Structures

(1) Accessory buildings or structures shall not:

- (a) be used for human habitation except where a dwelling is a permitted accessory use;
- (b) be located closer to the front line than the minimum distance required for the main building; nor,
- (c) be constructed from a vehicular body or travel trailer.

**Table 9B: Accessory Buildings and Structures in IN Zone – Development Standards**

Accessory Buildings and Structures	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot



## 10.0 PARK AND RECREATION

### 10.1 P-R (Park and Recreation) Zone

The Park and Recreation zone is established for park and recreation uses throughout the Village

#### 10.1.1 Permitted Uses

- (1) Any land, building or structure in the P-R zone may be used for the purpose of and for no other purpose than:
- (a) One or more of the following main uses:
    - (i) a public park, including playground, sport or recreational establishment
    - (ii) an outdoor recreational use, including but not limited to a public or private golf course and ancillary uses and facilities
    - (iii) an open space trail
    - (iv) any interpretive uses associated with areas of natural, historic, or scientific interest
    - (v) an amphitheatre
  - (b) Any accessory building, structure or use, incidental to the main use of the land, building, or structure, subject to subsection 10.1.3, if such main use is permitted by this section.

#### 10.1.2 Development Standards

- (1) Lot development standards for main uses in the P-R zone are set out in the following table.

**Table 10A: Development in the P-R Zone – Development Standards**

Main Use	
Minimum Front or Flankage Yard	15 m
Minimum Rear Yard	11 m
Minimum Side Yard	11 m
Maximum Height of Main Building	15 m

#### 10.1.3 Accessory Buildings and Structures

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located closer to the front line than the minimum distance required for the main building;
  - (c) be constructed from a vehicular body or travel trailer.

**Table 10B: Accessory Buildings and Structures in P-R Zone – Development Standards**

Accessory Buildings and Structures	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Number per Lot	2
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

## 11.0 ENVIRONMENTAL CONSERVATION

### 11.1 EC (Environmental Conservation) Zone

The Environmental Conservation zone is established to provide protection to wetlands and watercourses in the Village and includes a 30 metre buffer surrounding these wetlands and watercourses.

#### 11.1.1 Permitted Uses

- (1) Any land, building or structure in the EC zone may be used for the purpose of and for no other purpose than:
  - (a) One or more of the following main uses:
    - (i) a conservation use
    - (ii) a passive recreational use such as a walking trail or picnic area
    - (iii) a building or structure in existence on the date of approval of this Rural Plan, subject to Section 11.1.4
  - (b) The following main use, subject to terms and conditions that may be set by the Regional Service Commission:
    - (i) a new single unit dwelling on an existing lot abutting a watercourse only in accordance with section 11.1.3 (3)
  - (c) Any accessory building, structure or use, incidental to a residential use, subject to subsection 11.1.2, if such main use is permitted by this section.

#### 11.1.2 Accessory Buildings and Structures

- (1) Accessory buildings or structures shall not:
  - (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) be located in the front yard or flankage yard; nor
  - (c) be constructed from a vehicular body or travel trailer.

**Table 11A: Accessory Buildings and Structures in EC Zone – Development Standards**

Accessory Buildings and Structures	
Minimum Side and Rear Setback	1.2 m
Minimum Distance from Main Building	2.5 m
Maximum Height	4.5 m
Maximum Number in the EC zone on Individual Lots	1
Maximum Lot Coverage	the lesser of 84 m <sup>2</sup> or 7% of area of lot

#### 11.1.3 Watercourse and Wetland Buffer Area

- (1) Except as permitted by Subsection 12.1(1) no buildings or structures are permitted in the EC Zone.
- (2) In addition to meeting the provisions of Section 12, all proposed development to be undertaken within 30 metres of a watercourse or wetland, including landscaping, tree cutting or the placement or removal of fill, will be subject to the Watercourse and Wetland Alteration Regulation administered by the Department of Environment and Local Government.
- (3) Notwithstanding (1) above, a single dwelling unit may be permitted within 30 metres of a watercourse, where the lot was in existence on the date of approval of this Rural Plan, subject to the following:
  - (a) there is no opportunity on the lot to erect the dwelling outside the EC zone;
  - (b) approval is received from relevant government agencies; and,
  - (c) the development meets all of the terms and conditions that may be set by the Regional Service Commission.

#### 11.1.4 Existing Buildings

- (1) Subject to compliance with the provincial Watercourse and Wetland Alteration Regulation, an existing main building or structure in the Environmental Conservation zone may be altered, replaced or repaired, subject to the following:
  - (a) the setback from the watercourse or wetland is not further reduced,
  - (b) the alteration, replacement or repair does not:

- (i) reduce side yards to less than 2.5 metres,
- (ii) reduce front yards to less than 6 metres,
- (iii) reduce rear yards to less than 6 metres, or
- (iv) result in a final total floor area of more than 185 m<sup>2</sup>.

## 12.0 RURAL AREA

### 12.1 RA (Rural Area) Zone

The Rural Area zone is established primarily for resource uses including agriculture, forestry and aggregate extraction. It also allows for a range of uses deemed compatible in rural areas such as kennels, riding schools, and land extensive recreational uses.

#### 12.1.1 Permitted Uses

- (1) Any land, building or structure in the RA zone may be used for the purpose of and for no other purpose than:
- (a) The following main uses:
    - (i) an agricultural use, excluding new livestock facilities
    - (ii) a forestry use
    - (iii) a sawmill
    - (iv) a wood storage yard
    - (v) a kennel
    - (vi) a commercial greenhouse
    - (vii) a nursery
    - (viii) a conservation use
    - (ix) a public park
    - (x) an open space trail
    - (xi) a recreational use
    - (xii) a dwelling in existence on the date of approval of this Rural Plan, subject to Section 12.1.4
  - (b) The following main uses, subject to terms and conditions that may be set by the Regional Service Commission:
    - (i) a riding school or boarding stable/arena
    - (ii) a land extensive recreational facility
  - (c) The following secondary uses:
    - (i) a home occupation in an existing dwelling
    - (ii) an agri-tourism use
  - (d) Any accessory building, structure, or use, incidental to the main use of the land, building, or structure, subject to subsection 12.1.3, if such main use is permitted by Section 12.

#### 12.1.2 Development Standards

- (1) Lot development standards for main uses in the RA zone are set out in the following table.

**Table 12A: Development in the RA Zone – Development Standards**

Main Uses	
Minimum Lot Area	2 Ha
Minimum Lot Frontage	54 m
Minimum Front or Flankage Yard	6 m
Minimum Rear Yard	6 m
Minimum Side Yard	2.5 m

#### 12.1.3 Accessory Buildings and Structures

- (1) Accessory buildings or structures shall not:
- (a) be used for human habitation except where a dwelling is a permitted accessory use;
  - (b) except in the case of an agricultural or forestry use, be located within the front yard of the main building or structure;
  - (c) in the case of an agricultural or forestry use, be located within 7.5 m of a street line.
  - (d) be constructed from a vehicular body or travel trailer.

**Table 12B: Accessory Buildings and Structures in RA Zone – Development Standards**

<b>Accessory Buildings and Structures</b>	
Minimum Side and Rear Setback	1.2
Minimum Distance from Main Building	2.5 m
Maximum Height	11 m

**12.1.5 Existing Dwelling**

- (1) An existing dwelling in the Rural Area zone may be altered, replaced or repaired, as long as the alteration, replacement or repair does not:
- (a) reduce side yards to less than 2.5 metres,
  - (b) reduce front yards to less than 6 metres,
  - (c) reduce rear yards to less than 6 metres.

**12.1.6 Home Occupation**

- (1) A home occupation shall be subject to the following requirements:
- (a) the floor area of the dwelling unit that is devoted to it does not exceed 20 percent (20%) of the floor area of the dwelling unit;
  - (b) the use is clearly minor and secondary to the residential use;
  - (c) there shall be no change to the dwelling which would indicate that a home occupation is being conducted therein, except for one (1) non-illuminated fascia sign which shall not exceed 0.45 m<sup>2</sup> in surface area;
  - (d) external or outside storage shall consist of not more than a total of three commercially licensed vehicles or pieces of equipment for the purpose of performing work at other locations;
  - (e) there shall be no outside animal enclosures;
  - (f) the home occupation shall not generate off-site electrical interference, dust, noise, smoke, or odours;
  - (g) two off-street parking spaces shall be provided, in addition to the parking space requirements of the zone; and,
  - (h) no home occupation will be permitted where the lot or building is used for any other secondary use or accessory use of the property.

## 13.0 FLOOD RISK AREA

### 13.1 FW (Floodway) Zone

The Floodway zone is established to prevent susceptible land uses from developing in areas identified as having a 1:20 year flood risk, to recognize the ecological importance and sensitivity of floodplains, and to protect these lands from the adverse impacts of built-up development.

#### 13.1.1 Permitted Uses

- (1) Any land, building or structure in the FW zone may be used for the purpose of and for no other purpose than:
- (a) One or more of the following main uses:
    - (i) conservation use
    - (ii) agricultural crop cultivation
    - (iii) interpretive uses associated with areas of natural, historic or scientific interest
    - (iv) an open space trail
    - (v) public works associated with flood control
    - (vi) water distribution and sewer collection uses
    - (vii) a building or structure in existence on the date of approval of this Rural Plan, subject to Section 13.1.3.

#### 13.1.2 Development Standards for a Main Use

- (1) Lot development standards for main uses in the FW zone are set out in the following table.

**Table 13A: Development in the FW Zone – Development Standards**

Main Uses	
Minimum Lot Area	740 m <sup>2</sup>
Minimum Lot Frontage	24.5 m

#### 13.1.3 Existing Main Buildings and Structures

- (1) Subject to compliance with the provincial Watercourse and Wetland Alteration Regulation, an existing main building or structure in the Floodway zone may be altered, replaced, or repaired, as long as the alteration, replacement or repair does not:
- (a) reduce side yards to less than 2.5 metres,
  - (b) reduce front yards to less than 6 metres,
  - (c) reduce rear yards to less than 6 metres,
  - (d) result in a final gross floor area of more than 185 m<sup>2</sup>
  - (e) include excavation for a basement.

#### 13.1.4 Existing Accessory Buildings and Structures

- (1) Subject to compliance with the provincial Watercourse and Wetland Alteration Regulation, an existing accessory building or structure in the Floodway zone may be altered, replaced, or repaired, as long as the alteration, replacement or repair does not:
- (a) reduce side yards to less than 1.2 metres,
  - (b) result in the accessory building or structure being located closer to the street than the rear of the main building or structure; nor reduce front yards to less than 6 metres,
  - (c) reduce rear yards to less than 1.2 metres,
  - (d) result in a final gross floor area of more than 84 m<sup>2</sup>
  - (e) result in the accessory building or structure being used for human habitation except where a dwelling is a permitted accessory use;
  - (f) consist of a vehicular body or travel trailer
  - (g) result in more than two accessory structures.

## **14.0 WELLFIELD PROTECTED AREA**

### **14.1 W1 (Wellfield Protected Area) Zone**

The Wellfield Protected Area zone is established to protect the Village's water supply source from contamination.

#### **14.1.1 Permitted Uses**

- (1) Any land, building or structure in the W1 zone may be used for the purpose of and for no other purpose than:
  - (a) One or more of the following main uses:
    - (i) public ground water supply system and associated conveyance works and distribution system
    - (ii) conservation use
    - (iii) a passive recreational use such as a walking trail or picnic area
- (2) In addition to standards and conditions set out in this Rural Plan, all development located in the Wellfield Protected Area zone must conform to the Wellfield Protected Area Designation Order, under the Clean Water Act.