

Village of Gagetown Rural Plan

By-law No. 37

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SCHEDULE

SCHEDULE A ZONING MAP

PART A: GENERAL

SECTION 1.0.0 - TITLE AND AREA DESIGNATION

1.1.0 Title

1.1.1 This by-law may be cited as the Village of Gagetown Rural Plan By-law No. 37.

1.2.0 Area Designation

1.2.1 The area of land lying within the territorial limits of the Village of Gagetown, as described by subsection 61(2) of Regulation 85-6, under the *Municipalities Act* and as outlined on the map attached as Schedule A, entitled "Zoning Map", is designated for the purposes of the adoption of this Rural Plan and is the area to which this by-law applies.

1.3.0 By-laws Repealed

1.3.1 The following by-laws are hereby repealed:

- (a) By-law No.30 a By-law to adopt the Village Gagetown Rural Plan
- (b) By-law No. 30 (A) a By-law to amend By-law No.30 by re-zoning lands having PID 45050077 from Central Residential Zone to Institutional, subject to terms and conditions
- (c) By-law No. 30 (B) a By-law to amend By-law No.30 by rezoning lands having PID 45051448 from Non-Central Residential to Commercial, not subject to terms and conditions
- (d) By-law No. 30 (C) a By-law to amend By-law No.30 by replacing subsection 16.6.1(b) having to deal with accessory building
- (e) By-law No. 30 (D) a By-law to amend By-law No.30 for the purpose of establishing planning fees
- (f) By-Law No.30 (E) a By-law to amend By-Law No.30 for the purpose of re-zoning lands having PID 45185220 from Non-Central Residential to Light Manufacturing zone, not subject to terms and conditions.
- (g) By-Law No.30 (F) a By-Law to amend By-Law No.30 for the purpose of re-zoning lands having PID 45122603 from Resource to Industrial, not subject to terms and conditions.

1.4.0 **Date of Enforcement**

1.4.1 This Regulation comes into effect on March 25, 2014

PART B: POLICIES AND PROPOSALS

SECTION 2.0.0 – INTRODUCTION

2.1.0 Purpose of a Rural Plan

2.1.1 Land use planning helps a village decide in what way it should be kept and in what way it should be altered. The resulting rural plan contains a policy for each land use within the village and, under the umbrella of each policy, one or more proposals. Policies are statements of overall development intent. Proposals and zoning provisions are ways to realize this intent. In other words, policies are the right things to do, while proposals and zoning provisions are how to do these right things.

For clarification, a rural plan consists of three components, namely policies, proposals and zoning provisions. The *Community Planning Act* provides that the adoption of a rural plan does not commit the Village to undertake any proposal in the rural plan. In addition, where there is a conflict between policy or a proposal and a zoning provision, the policy or proposal prevails.

2.2.0 General Objectives and Major Development Issues

2.2.1 The following general objectives serve to balance development pressures with the environmental character and community identity of the Village of Gagetown:

- (a) to encourage existing land uses to develop in a compact and orderly fashion with an appropriate range of uses and facilities to serve residents;
- (b) to support growth and development that is orderly, efficient, financially viable and consistent with community values;
- (c) to use and develop land in a manner that protects the environment in the long term and maintains a high quality of life for present and future generations;
- (d) to separate incompatible land uses so as to minimize potential negative impacts;
- (e) to protect surface water and ground water resources and preserve water oriented habitats;
- (f) to utilize economic opportunities from within the community and the surrounding region;
- (g) to direct development away from areas that pose a risk to public health and safety, or where property may be damaged;

- (h) to encourage the provision of areas for parks and playgrounds;
- (i) to manage development so as to maintain a safe and efficient road system

2.2.2 The following major development issues represent the Village's vision over the next 5 to 10 years:

- (a) to encourage the development of home-based businesses;
- (b) to promote the expansion of current enterprises and the development of new ventures;
- (c) to facilitate the establishment of a serviced business park;
- (d) to advocate the preservation of those lands containing sufficient ground water supply so as to service a future public water supply system;
- (e) to foster the extension of facilities and services for the elderly and those with mobility disabilities;
- (f) to recommend the construction of public walkways; and
- (g) to expand the existing public sewage collection system to service a wider area
- (h) to ensure protection of resource lands and environmentally sensitive areas; and
- (i) to encourage the use of energy efficient technologies and practices
- (j) to encourage the development of a municipal parking lot to service the central area

SECTION 3.0.0 - RESIDENTIAL USES

The Central Area, referred to within this by-law, is as shown on Schedule A, entitled "Zoning Map", and comprises an area of 100.7 hectares (249 acres). This area includes lots presently serviced by the public sewage collection system, as well as, those lands upon which a mix of residential, institutional or commercial uses are anticipated to compatibly develop over the next 10 years.

3.1.0 Policy

- 3.1.1 It is the policy of the Village to promote orderly, compact and diverse residential development by
- (a) maintaining the integrity of existing residential areas and surrounding land uses through the prevention of incompatible activities and structures,
 - (b) encouraging infill development,
 - (c) minimizing the impact upon natural features, such as wetlands and flood plains, and resource areas, such as farmlands and potential ground water supplies, and
 - (d) facilitating, where appropriate, various types of housing.

3.2.0 Proposals

- 3.2.1 It is proposed that sustainable community design be encouraged, where appropriate, as a method to reduce sprawl, protect riparian areas and other sensitive resources, provide common amenity space for residents, and improve water supply and on-site sewage disposal methods.
- 3.2.2 It is proposed that residential development be discouraged within environmentally hazardous or sensitive areas, such as steep slopes, flood plains and wetlands.
- 3.2.3 It is proposed that the subdivision approval process, subject to the provisions of the Subdivision By-law, consider the reservation of lands for public usage, such as buffer strips, walkways or open spaces, upon the lot to be subdivided and in accordance with current and anticipated developments on adjacent or nearby lots.
- 3.2.4 It is proposed that residential needs be met through the use of orderly, compact and diverse housing developments for single-detached, two-unit or multiple-unit dwellings.
- 3.2.5 It is proposed that the residential needs of children, disabled persons, seniors and those of low-income be met through the approved use of special care homes, special care facilities, garden suites, cooperative and shared living, and other forms of dwellings.
- 3.2.6 It is proposed that a home-based business be permitted within a dwelling or accessory building provided that any negative impacts upon surrounding dwellings are minimal.
- 3.2.7 It is proposed that the subdivision approval process, subject to the provisions of the subdivision By-law, take into account the availability of ground water quantity and quality upon the lot to be subdivided and in accordance with current and anticipated developments on adjacent or nearby lots.

SECTION 4.0.0 - COMMERCIAL USES

4.1.0 Policy

4.1.1 It is the policy of the Village

- (a) to expand the local employment base;
- (b) to control the type and location of commercial development; and
- (c) to encourage commercial development that is compatible with the surrounding land uses and environment.

4.2.0 Proposals

4.2.1 It is proposed that commercial development be located upon lands within the Central Area or within designated areas outside the Central Area.

4.2.2 It is proposed that any negative impacts of a commercial development be minimized upon surrounding land uses.

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

4.2.4 It is proposed that any form of entertainment be accepted as a commercial development only if the principal feature or characteristic is not adult entertainment.

SECTION 5.0.0 - INSTITUTIONAL USES

Generally, institutional land uses are of two types: human development (education and religion) and public service (health and protection).

5.1.0 Policy

5.1.1 It is the policy of the Village

(a) to encourage the development of public facilities and services; and

(b) to control the type and location of institutional land uses.

5.2.0 Proposals

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

5.2.2 It is proposed that institutional development be located upon lands in or near the Central Area.

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

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

SECTION 6.0.0 - RECREATIONAL FACILITIES AND PUBLIC OPEN SPACES

6.1.0 Policy

6.1.1 It is the policy of the Village to provide recreational facilities and public open spaces so as to

- (a) serve residents and visitors; and
- (b) conserve the aesthetic value of the community and its natural environment.

6.2.0 Proposals

6.2.1 It is proposed that public open spaces be permitted throughout the Village

6.2.2 It is proposed that recreational facilities be permitted provided they are not in conflict with adjacent or nearby land uses

6.2.3 It is proposed that the following lands be maintained or developed for public use as a recreational facility or open space:

- (a) properties having PIDs 45047586 and 45148616, presently owned by the Village, and known as the “Gagetown Wharf”;
- (b) property having PID 45180676, presently owned by the Village, and used as a public park and small boat launching area and known as the “Rotary Park”;
- (c) portions of the former railroad lines (“the old rail line”), presently used by New Brunswick Telephone Company Limited and New Brunswick Department of Transportation, and lying south of DeVebers Hill and north of Doctors Hill;
- (d) property having PID 45097862, presently owned by the Village, and lying along the western bank of Harts Lake Park.

SECTION 7.0.0 - RESOURCE USES

Gagetown has a significant number of viable farms within its boundaries and adjacent to residential units of the Village's central area. As well, large tracts of forestlands exist within its limits.

7.1.0 Policy

7.1.1 It is the policy of the Village to encourage natural resource land uses that allow for economic development and maintain the integrity of the environment.

7.2.0 Proposals

7.2.1 It is proposed agricultural lands registered under the Farm Land Identification Program (*Regulation 84-75 - Real Property Tax Act*) and the *Agricultural Land Protection and Development Act* be compatibly zoned for agricultural use.

7.2.2 It is proposed, with respect to a re-zoning application upon lands designated for an agricultural or forestry use, that Council, under section 39 of the *Community Planning Act*, may consider the location of such development

- (a) within areas unsuitable for farming; and
- (b) at an adequate distance from existing livestock or manure storage facilities and present agricultural operations.

SECTION 8.0.0 - PROTECTION OF WATER SUPPLIES

Presently, the demand for water is being handled on a lot-basis as the Village is not on a public water supply system and is only centrally serviced by a public sewage collection system. Problems with ground water are usually caused by land use activities at the surface level. Industrial or agricultural wastes, leaking septic tanks, waste disposal sites, as well as, chemical contamination from residential, commercial and institutional operations can pollute ground water.

8.1.0 Policy

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

8.2.0 Proposals

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

- (a) the identification of potential public water supply sources;
- (b) the protection of those sites so identified;
- (c) the examination of the operational and financial feasibility of the development of a public water supply system servicing the entire Central Area; and
- (d) the examination of the operational and financial feasibility of the expansion of the existing public sewage collection system to service the entire Central Area.

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

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

8.2.4 It is proposed that appropriate water protection measures under Provincial legislation will apply in the Village including, but not necessarily limited to, the following:

- (a) The **Water Well Regulation** under the *Clean Water Act*
- (b) The **Potable Water Regulation** under the *Clean Water Act*
- (c) The **Water Quality Regulation** under the *Clean Environment Act*

8.2.5 It is proposed that the Village use those methods of education available to it to encourage the cleanliness and maintenance of septic systems to provincial recommended standards.

SECTION 9.0.0 - HERITAGE BUILDINGS AND SITES OF HISTORICAL OR ARCHEOLOGICAL INTEREST

Gagetown is a municipality of historical significance. The initial town plat is dated October 26, 1792. Gagetown has also been designated as one of the province's shire or county towns. The Village is the place of birth and childhood for Sir Leonard Tilley, a Father of Confederation.

9.1.0 Policy

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

9.2.0 Proposals

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

- (a) a historically relevant architectural, cultural, social, political, economic or military feature; or
- (b) an association with a historically significant individual, event or institution.

SECTION 10.0.0 - CONSERVATION OF THE PHYSICAL ENVIRONMENT

Being located approximately halfway between the cities of Fredericton and Saint John along the Saint John River, the Village of Gagetown is in a unique location with respect to maintaining the aesthetics of its natural surroundings. The area within its boundaries covers significantly large tracts of farmland, forests, wetlands and shorelines. Gagetown Island is the home for a wide variety of plants and animals.

10.1.0 Policy

10.1.1 It is the policy of the Village that no development, construction or modification may significantly threaten the public health or safety or the quality of the environment through erosion, flooding, pollution or other such events.

SECTION 11.0.0 - INDUSTRIAL USES

Currently, no concentrated or intense industrial processing occurs in Gagetown. Two excavation sites, one propane depot, one automotive repair shop, and one automotive scrap yard are presently operating.

11.1.0 Policy

11.1.1 It is the policy of the Village

- (a) to encourage appropriate industrial operations so as to create local employment;
and
- (b) to minimize negative impacts, due to location, size, spacing and operation, on adjacent land uses and the environment.

11.2.0 Proposals

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

11.2.2 It is proposed that industrial developments be consolidated upon a single tract of land lying outside the Central Area.

11.2.3 It is proposed that any negative impacts of such developments as excavation sites be minimized upon surrounding land uses.

PART C: ZONING PROVISIONS

SECTION 12.0.0 – DEFINITIONS

“ABOTTOIR” means a building or structure designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing, and sale of the product on the premises;

“ACTIVE RECREATION AREA” means leisure activities usually of an organized nature, often performed with others and often requiring equipment, taking place at prescribed places, sites or fields which may include, but is not limited to, an outdoor skating facility, sports field, outdoor play area, indoor community centre, indoor sports and exhibition centre, and tennis courts.

"ADULT ENTERTAINMENT PLACE" means any premises 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.

"AGRICULTURAL OPERATION" means

- (a) the cultivation of land;
- (b) the raising of livestock, including poultry;
- (c) the raising of fur-bearing animals
- (d) the raising of bees;
- (e) the production of agricultural field crops;
- (f) the production of fruit and vegetables and other speciality horticultural crops;
- (g) the production of eggs and milk;
- (h) the operation of agricultural machinery and equipment, including irrigation pumps;
- (i) the application of fertilizers, conditioners, insecticides, pesticides, fungicides and herbicides, including ground and aerial spraying, for agricultural purposes; and
- (j) an aquaculture operation.

“AGRICULTURAL PRODUCE SALES OUTLET” means a pick-your-own fruit, vegetable, or flower operation or farm produce stand set up as an accessory use on a farm, used for the sale of produce from that same agricultural operation.

“AGRITOURISM OPERATION” means a tourist activity, service or facility that is secondary to an

“agricultural operation” which may include, but is not limited to agricultural heritage exhibit, farm tours and demonstrations, horse riding, horse and other livestock shows, hay, tractor and sleigh rides, picnicking, farm related educational activities including cooking classes using farm products from the farm, seasonal promotional events (e.g. harvest and Christmas fairs and activities), special promotional events for the promotion of farm products, catered food and beverage special events where farm products from the farm are promoted, but not a service requiring the use of a permanent commercial kitchen, accommodations for farm vacations or bed and breakfast operation, as well as the sale of products related to the agritourism operation.

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

"ALTERATION" means “alteration” to a watercourse or a wetland as defined within the *Clean Water Act*.

"AMUSEMENT PLACE" means a building, room or area which is devoted to the offering of facilities for the play of any game of chance or any game of mixed chance and skill for the amusement of the public, but does not include adult entertainment uses.

"ANIMAL UNIT" means the number of livestock or poultry that produce one animal unit as follows:

- (a) 1 horse, cow, steer, bull, mule, donkey, bison, buffalo, pig, fox, or mink including offspring until weaning
- (b) 3 llama or alpaca
- (c) 5 turkeys, ducks, or geese
- (d) 6 sheep or goats including offspring until weaning
- (e) 10 ostriches, emus or fur bearing animals excluding fox, or mink, or
- (f) 20 chickens

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

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

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

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

greasing.

“AUTOMOTIVE REPAIR SHOP” means a building or structure used for the repairing of vehicle bodies or fenders, but shall not include the dismantling of motor vehicles for scrap or salvage, or the use of chemicals related to painting.

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

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

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

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

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

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

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

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

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

“BUILDING, ACCESSORY” means a detached subordinate building, not used for human habitation or the keeping of livestock except where permitted, located on the same lot as the main building, structure or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure.

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

“BUILDING INSPECTOR” means the inspector(s) appointed by the Village under the Provincial Building Regulation – *Community Planning Act* for the area.

“CAMPGROUND” means an area of land, managed as a unit used or maintained for people who provide their own sleeping facilities such as tents and recreational trailers for a short term stay; accessory uses include an administrative office, clubhouse, snack bar, laundry, swimming pool, washrooms, showers and recreational facilities.

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

“CLEAN FILL” means uncontaminated soil, rocks, sand or gravel. Clean fill shall not include construction or demolition materials or debris; waste materials or garbage, or any other kind of solid waste material which might adversely affect or injure the use of adjacent property.

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

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

“CONSERVATION AND WILDLIFE AREA” means land left in its natural state for the purpose of providing sanctuary, habitat and breeding grounds for wild birds, animals and plant-life and includes a forest reserve.

“CONTRACTOR STORAGE YARD” Storage yards operated by a contractor for storage of large equipment, vehicles, or other materials commonly used in the individual contractor’s type of business; storage of scrap materials used for repair and maintenance of contractor’s own equipment; and buildings or structures for uses such as offices and repair facilities.

“COTTAGE ESTABLISHMENT” means a building composed of 1 or more building units for the temporary accommodation of guests.

“DAY CARE FACILITY” means a facility defined by and operated in accordance with the *Day Care Regulation – Family Services Act*, includes a day care centre, a community day care home or a family day care home and provides for the care and supervision of a child for a period of less than 24 hours.

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

“DEVELOPMENT” means “development” as defined within the *Community Planning Act*.

“DEVELOPMENT OFFICER” means the officer(s) appointed by the Village with the duty of administering the provisions of this Rural Plan.

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

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

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

“DWELLING” means a main building, or a portion thereof, containing one or more dwelling units and includes a mobile home, but does not include a recreational trailer, vehicle, or tent.

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

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

“DWELLING, ROW” means a dwelling of three or more dwelling units which are constructed in a horizontal row and divided vertically and each of which has a separate rear and front entrance.

“DWELLING, SEMI-DETACHED” means a dwelling that is divided vertically into two dwelling units each of which has an independent entrance, either directly from the outside or from a common vestibule.

“DWELLING, SINGLE-DETACHED” means a single dwelling unit that is freestanding, separate and detached from other main buildings or main structures and consists of a prefabricated or manufactured single dwelling unit, including a mini home or modular home but not including a mobile home.

“DWELLING, TWO-UNIT” means a duplex dwelling or a semi-detached dwelling.

“DWELLING UNIT” means a room, or a suite of two or more rooms, designed or intended for exclusive use as a household in which living quarters, including sleeping, cooking and sanitary facilities, are provided.

“DWELLING UNIT, SECONDARY” means a dwelling unit as a secondary use.

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

“EATING ESTABLISHMENT, DRIVE-IN” means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on

the premises, but not necessarily within such building or structure.

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

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

“EMERGENCY MEASURES TRAINING” provides participants (fire, police, ambulance, other participating volunteer groups, etc) with a basic understanding of emergency preparedness and the emergency response system at the community level. It is intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the Village of Gagetown population and the protection of property in the event of an emergency.

“ENTERTAINMENT PLACE” means an athletic, recreational or social club operated for gain or profit, as well as an auditorium, motion picture or other theatre, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, dance hall, or bingo hall and all other similar places open to the public, but does not include adult entertainment uses.

“ERECT” means to construct, build, assemble or relocate a building or structure, as well as any physical operations preparatory thereto.

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

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

“FOOTPRINT” means the outline of the total area of a lot or site that is surrounded by the exterior walls of a building, structure, or portion thereof, exclusive of courtyards and decks. In absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof.

“FLOOD PROOFING” means any combination of changes to a building, structure or property which negates the impacts of flood waters.

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

“FLOOR AREA, GROUND” means the floor space of a building at the ground level.

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

“FRATERNAL LODGE” means a building or part of building intended for the assembly of fraternal

members.

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

“GARDEN SUITE” means a temporary accessory building not used for income on a lot otherwise occupied by a single-detached dwelling and is intended for the sole occupancy of persons related to the owners of the main dwelling.

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

“GROSS SURFACE AREA” means the total area of ground occupied by a building or structure comprising the sum occupied by each of its components.

“GROUP HOME” means a residence for the accommodation of up to ten persons, exclusive of staff, living under supervision and who, by reason of their emotional, mental, social, behavioural, or physical condition or legal status, require a group living arrangement for their well-being, subject to the *Community Placement Residential Facilities Regulation – Family Services Act*, and does not include a special care home or special care facility as defined elsewhere within this section.

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

“HOME OCCUPATION” means a secondary use conducted in a dwelling unit, or an accessory building, for gain or support which is compatible with a household, and which is carried on by at least one member of the household residing in that dwelling unit.

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

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

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

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

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

“LAUNDROMAT” means a building or structure where the services of coin-operated laundry machines,

using only water, detergents and additives are made available to the public for the purpose of laundry cleaning, including a self-service laundry cleaning machine.

“LIVESTOCK” includes cattle, horses, mules, donkeys, llamas, alpacas, deer, elk, bison, buffalo, pigs, sheep, goats, ostriches, emus, elk, 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 or process manure.

“LIVESTOCK OPERATION” means the raising, maintenance or use of livestock.

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

“LOT” means a single parcel of land or two or more adjoining parcels of land owned by the same party used or intended to be used as a development site, and if divided by a roadway each division thereof comprises a separate lot.

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

“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.

“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.

“LOUNGE” means a lounge licensed under the *Liquor Control Act*.

“MAIN WALL” means the exterior front, side or rear wall of a building.

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

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

“MEDICAL CLINIC” means a building or part thereof, used exclusively by physicians, dentists or other health professionals, their 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 or operating rooms.

“MINI HOME” means a main building that is designed to be used with a permanent foundation as a dwelling for humans, that is not fitted with facilities for towing or to which towing apparatus can be attached and that is capable of being transported in components by means of a flat-bed float trailer from the site of its construction without significant alteration.

“MOBILE HOME” means a dwelling unit that is so constructed as to be suitable for being attached to and drawn by a motor vehicle, notwithstanding that it is jacked up or its running equipment removed.

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

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

“PARK” or **“PLAYGROUND”** means lands so designated, available to the public, requiring only a minimum of equipment and includes a conservation park or nature trail, a rest spot or any other similar development.

“PORTABLE STRUCTURE” means a collapsible structure covered with plastic or fabric and used for storage but excludes tents used for special events for a period of less than 72 hours.

“PUBLIC UTILITY” means a service provided by any agency which, under franchise or ownership or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail or other public transportation, water, sewage collection or other similar service.

“RECREATIONAL FACILITY” means the use of land, buildings or structures for parks, playgrounds, tennis courts, sporting fields, indoor and outdoor skating rinks, swimming pools, and similar uses to the foregoing, together with necessary accessory buildings and structures.

“RECREATIONAL TRAILER” means any vehicle used for sleeping or eating accommodation on a seasonal basis and so constructed as to be suitable for being attached to and drawn by a motor vehicle, and not to be used as a full time residence and not to be connected to a domestic water supply or sewage disposal system.

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

“RETAIL STORE” means a building or part thereof in which foods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail prices.

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

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

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

“SERVICE SHOP, PERSONAL” means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments, herbal stores, and spa establishments.

“SERVICE SHOP, RECREATIONAL AND SMALL ENGINE” means a building or part thereof used for the servicing or repairing of small engines or recreational trailers, including snowmobiles, boats, lawnmowers, chainsaws but shall not include dismantling of motor vehicles for scrap or the salvage of motor vehicles awaiting scrapping.

“SOLAR COLLECTOR, ATTACHED” means any solar collector system that is mounted onto an existing building or structure

“SOLAR COLLECTOR, FREE-STANDING” means any solar collector system that is ground installed

“SOLAR COLLECTOR SYSTEM” means any system that collects heat energy from the sun for the purposes of capturing heat or converting to electricity

“SOLAR COLLECTOR SYSTEM, SMALL SCALE” means any solar energy system that is building mounted, or any ground installed facilities for personal use.

“SIGN” means any identification, description, illustration or information device, illuminated or non-illuminated, which provides information as to product, place, activity, person, institution or business and is displayed on or visible from the exterior of a building or on a property.

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

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

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

“STORAGE DEPOT, MINI” means one or more buildings containing separate spaces of varying sizes that

are offered by lease or rent for the storage of chattels.

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

"STOREY" means

- (a) that portion of a building between the surface of any floor and surface of the floor next above it or, if there is no floor above it, then the space between such floor and the ceiling next above it; or
- (b) a basement or cellar, if the average vertical distance from grade to the ceiling thereof is over 1.5 metres (4'11")

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

"STRUCTURE" means anything constructed or erected with a fixed location on or below the ground, or attached to anything having a fixed location on the ground, but does not include a building.

"STRUCTURE, ACCESSORY" means a structure located on the same lot as the main building, structure or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure.

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

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

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

"TRAILER" means any vehicle used for sleeping or eating accommodation or for hauling goods and materials and so constructed as to be suitable for being attached to and drawn by a motor vehicle.

"TURBINE, SMALL SCALE" means a wind turbine that is owned and operated for the owner's use and having a capacity of less than 10 kW.

"TURBINE, WIND" means a structure that produces power by capturing the kinetic energy in winds and converting it into energy in the form of electricity and includes the wind turbine tower, rotor blades, and nacelle.

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

"USE, ACCESSORY" means a use, other than human habitation, of land or a building or structure which is not the main building or structure of a lot which is naturally or customarily incidental and complementary to the main use of the land or to the main use being conducted in the main building or structure of the lot and

which is not a secondary use.

“USE, MAIN” means the permitted primary purpose for which a lot, building or structure is designed, arranged or intended, or for which may be used, occupied or maintained.

“USE, SECONDARY” means a use, other than a main or accessory use, permitted in a building.

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

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

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

“WATERCOURSE” means the full width and length, including the bed, banks, sides and shoreline, or any part, of a river, creek, stream, spring, brook, lake, pond, reservoir, canal, ditch or other natural or artificial channel open to the atmosphere, the primary function of which is the conveyance or containment of water whether the flow be continuous or not.

“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.

“WIDTH” means, in relation to a lot,

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

“WINERY” is a facility comprising the building or buildings used to convert fruit or fruit juice (all or part of which are produced on the property) to wine, and to age, bottle, store, distribute, and sell said wine. In addition, a winery may include offices, reception areas, indoor tasting rooms, outdoor patios and or decks, retail sales room where wine and wine-related items produced or manufactured on-site or elsewhere may be sold, and an eating establishment.

“YARD” means, in relation to any building, structure or use on a lot, that part of the lot between such building, structure or use and a lot line.

“YARD, FRONT” means, in relation to any building, structure or use on a lot, that part of the lot between such building, structure or use and a front lot line.

“YARD, REAR” means in relation to any building, structure or use on a lot, that part of the lot between such building, structure or use and a rear lot line.

“YARD, SIDE” means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part of the building, structure or use on a lot.

SECTION 13.0.0 - ADMINISTRATION

13.1.0 Purpose

13.1.1 The purpose of Part C is

- (a) to divide the Village into zones;
- (b) to prescribe
 - (i) the use of lots, buildings and structures in any zone, and
 - (ii) standards to which lot use and the placement, erection, alteration and use of buildings and structures must conform; and
- (c) to prohibit
 - (i) lot use, and
 - (ii) use, placement, erection or alteration of buildings or structures, other than in conformity with the uses and standards mentioned in paragraph (b).

13.2.0 General

13.2.1 "Regional Service Commission" herein applies to the term "commission" as used within the *Community Planning Act*.

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

13.2.3 The powers of Council, Regional Service Commission, Development Officer and Building Inspector are as contained within the *Community Planning Act*, the *Municipalities Act* and other Village by-laws and are not restricted, in any way, to those of this by-law.

13.3.0 Specific Powers of the Regional Service Commission

13.3.1 The Regional Service Commission may prohibit the erection of any building or structure on any site where it would otherwise be permitted under this by-law when the site is marshy, subject to flooding, excessively steep or otherwise unsuitable for a proposed purpose by virtue of its soil or topography, in accordance with paragraph 34(3) (g) of the *Community Planning Act*.

13.3.2 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

zoning provisions if, in its opinion, the proposed use is sufficiently similar to or compatible with a use permitted in the provisions for the zone in which the land or building is situated; or

- (b) such reasonable variance from the requirements of this by-law's zoning provisions falling within paragraph 34(3)(a) of the said 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 this by-law and any statement hereunder affecting such development.

13.4.0 Temporary Use

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

- (a) to authorize, for a temporary period not exceeding 12 months, a development otherwise prohibited by this by-law; and
- (b) to require the termination or removal of a development authorized under paragraph Section 13.4.1 (a) at the end of the authorized period.

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

- (a) the applicant holds an authorization under Section 13.4.1 (a) that is to expire or has expired,
- (b) an application with respect to the land has been made to amend the Rural Plan; and,
- (c) the Commission has received a resolution from the Village Council confirming that the Council will consider the application referred to in subsection (b).

13.4.3 The Commission may:

- (a) delegate its authority under Section 13.4.1 (a) to the development officer, and,
- (b) authorize a delegate under Section 13.4.3 (a) to further delegate his or her authority under Section 13.4.3 (a) to any person

13.5.0 Specific Powers of Council

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

13.6.0 Fees for Planning Services

13.6.1 The following planning services are associated with the applicable fees:

- (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 Gagetown 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

13.7.0 Classification

13.7.1 For the purposes of this by-law, the Village is divided into zones as delineated on Schedule A, entitled "Zoning Map, Village of Gagetown".

13.7.2 The zones mentioned in section 13.7.1 are classified and referred to as follows:

<u>Zone</u>	<u>Symbol</u>
Central Residential	R1
Non-Central Residential	R2
Multiple-Unit Residential	R3
Commercial	C
Institutional	Inst
Recreational	Rec
Resource Use	RU
Industrial	I
Mixed Development	MD
Mixed Development #2	MD #2
Light Manufacturing	LM
Gagetown Island	GI
Special Agriculture	SA
Municipal Recreation Zone	MR

13.8.0 Conforming and Non-Conforming Uses

13.8.1 In any zone, all land on a lot shall be used, and all buildings and structures, or parts of the buildings or structures, shall be placed, erected, altered or used, only in conformity with the requirements of, except as otherwise approved by Regional Service Commission, the part

of this by-law pertaining to such zone.

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

13.9.0 Unauthorized Development

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

13.10.0 Existing Undersized Lot

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

13.11.0 Existing Building or Structure upon an Undersized Lot

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

(a) the zone-applicable minimum distances between the main building or structure and the lot lines are satisfied; and

(b) all other applicable provisions have been met.

13.12.0 Enforcement and Appeal

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

13.12.2 Appeals on the decisions related to a development proposal may be directed to the Assessment and Planning Appeal Board under section 86 of the *Community Planning Act*.

13.13.0 Interpretation

13.13.1 Zoning Map

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

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

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

The ground location of a lot line shall prevail should

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

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

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

13.13.2 Central and Non-Central Residential Zones

The Central Area is as described within section 3.0.0. Central Residential Zones lie inside the Central Area while Non-Central Residential Zones lie outside.

13.14.0 Amendments

13.14.1 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 of \$1000 as outlined in 13.6.1(e) to the Regional Service Commission

13.14.2 The Regional Service Commission may, if it deems fit, return all or any part of the fee mentioned in subsection 13.14.1 (b).

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

13.14.4 Before giving its views to the Council with respect to an application under this section, the Commission shall carry out an investigation, as it deems necessary.

13.14.5 Unless, upon the advice of the Commission, the Council is of the opinion there is valid new evidence or change in conditions, where an application under this section has been refused by the Council, no further application may be considered by the Council for one year if such application is:

- (a) in the case of a zoning amendment application, 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.

13.15.0 Rural Plan Review

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

SECTION 14.0.0 - GENERAL PROVISIONS

14.1.0 Permits

- 14.1.1 No person shall undertake a development without acquiring a development permit issued by the Development Officer, subject to review by said officer relative to this by-law.
- 14.1.2 No person shall undertake or continue the building, locating or relocating, demolishing, altering or replacing of main or accessory buildings or structures without acquiring a building permit issued by the Building Inspector, subject to review by said inspector relative to the Building By-law.
- 14.1.3 A building permit shall be posted, in a prominent place on the property in respect of which the approval is given or the permit issued, by the person who obtained the approval or is named in the permit.
- 14.1.4 The Development Officer's approval of a development is required before the Building Inspector can issue a building permit.
- 14.1.5 Notwithstanding sections 14.1.1 to 14.1.4, no permit will be required for the following:
- (a) a fence or other form of restriction or lot line demarcation;
 - (b) a power or telephone pole or line;
 - (c) any landscaping or planting activity, including the excavation of sand, gravel or rock for a landowner's on-site use;
 - (d) non-structural repairs;
 - (e) the replacement of landing or stairs where such replacement is of the same configuration as the item being replaced provided that the original item conforms to the current building code;
 - (f) the installation of eaves troughing, down spouts, storm windows or storm doors;
 - (g) the installation, including the paving or bricking, of walkways or driveways; or
 - (h) the installation of cosmetic decorations including, but not limited to, shutters, paneling, paint, brick, tile and floor finishing to the exterior of a building or structure.
- 14.1.6 Any issued development or building permit shall remain in force for a period of 12 months from the date of issue and any permit may be re-issued upon request, subject to review by the Development Officer or Building Inspector.

14.2.0 Sewage Disposal and Water Systems

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

14.3.0 Bed and Breakfast Establishment or Boarding House

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

- (a) not more than 10 rooms are available for rent to overnight guests;
- (b) it concurs with the appropriate provisions elsewhere within section 14.0.0; and
- (c) it is licensed under the applicable Act or Regulation.

14.4.0 Buffer Strip, Fence or Tree Line

14.4.1 A buffer strip shall be either a hedge row or an earth embankment.

14.4.2 A hedge row consists of a continuous line of deciduous or coniferous trees or shrubs having a minimum height and width of 1 metre (3'3") and being located on the subject property or upon a lot line.

14.4.3 An earth embankment shall

- (a) be located on the subject property and not be located on a lot line;
- (b) have a maximum height of 2 metres (6'7") above the terrain;
- (c) have a maximum side slope gradient with a height to width ratio of 1:3;
- (d) have a vegetated cover; and
- (e) not contribute to drainage problems either on the lot occupied or on an adjoining lot.

14.4.4 A fence shall be constructed and maintained in accordance with section 14.10.0.

14.4.5 A tree line shall follow the provisions for fences and walls as described in section 14.10.3.

14.4.6 A buffer strip, fence or tree line shall be maintained by the owner or owners of the lot or lots upon which they are located.

14.4.7 A tree line or hedge placed on a lot boundary shall not exceed 2m in height unless both neighbours agree otherwise.

14.5.0 Building and Structure Projections

- 14.5.1 The requirements of section 15.4.0, with respect to placing, erecting or altering a building or structure in relation to a lot line or street line, apply to all parts of the building or structure except for projections which do not protrude in excess of
- (a) 15 centimetres (0'6") for sills, leaders, belt courses or similar ornamental features;
 - (b) 60 centimetres (2'0") for chimneys, smoke stacks or flues;
 - (c) 60 centimetres (2'0") for cornices or eaves;
 - (d) 1 metre (3'3") for window or door awnings, solar collectors, oil tank weather shields, or open or lattice enclosed fire balconies or fire escapes; or
 - (e) subject to section 14.5.2,
 - (i) 1.25 metres (4'1") for steps or unenclosed porches, or
 - (ii) 2 metres (6'7") for balconies of upper storeys of multiple-unit dwellings which are not enclosed above a normal height.
- 14.5.2 Projections mentioned in subsection 14.5.1(e) may not protrude into a yard to a greater extent than one-half the applicable distance as specified within section 15.4.0.

14.6.0 Day Care Facility, Group Home and Special Care Home

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

14.7.0 Development adjacent to Surface Waters

- 14.7.1 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 designated flood constraint area, as depicted on Schedule A: Zoning Map, 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.
- 14.7.2 The appropriate provisions of section 13.3.1 herein apply.
- 14.7.3 Any alteration, including the erection of a building or structure, within 30 metres (98'5") of a watercourse or wetland may be subject to the *Watercourse and Wetland Alteration Regulation - Clean Water Act*.

- 14.7.4 New main buildings, structures, or the replacement of an existing foundation shall be permitted in identified designated flood constraint areas, as depicted on Schedule A: Zoning Map, provided that prior to the issuance of any building or development permit, a professional engineer licensed to practice in New Brunswick must certify the following:
- (a) adequate flood proofing of the building or structure,
 - (b) a drainage plan for the property, and that
 - (c) the proposed building, structure, or alteration of the landscape will not result in increased flooding on adjacent properties.
- 14.7.5 Additions to existing main buildings or structures located in identified designated flood constraint areas, as depicted on Schedule A: Zoning Map, which result in an increase footprint of the building or structure, must comply with the subsection 14.7.4.
- 14.7.6 Repairs, alterations, renovations, or replacements of existing main buildings or structures will be permitted providing that the footprint of the building or structure is not increased.
- 14.7.7 With the exception of those used for human habitation, accessory buildings or structures shall be permitted in areas identified as the designated flood constraint area, as shown on Schedule A: Zoning Map.
- 14.7.8 Development within identified Provincially Significant Wetlands may be subject to Provincial Policies and regulations.
- 14.7.9 Any development listed within Schedule A of the *Environmental Impact Assessment Regulation - Clean Environment Act* is subject to the said Act.
- 14.8.0 Vehicular Bodies**
- 14.8.1 No truck, bus, semi-trailer, freight container, other vehicle body, or a structure of any similar nature, shall be used for human habitation in any zone.
- 14.8.2 No truck, bus, semi-trailer, freight container, other vehicle body or a structure of similar nature shall be used as an accessory building or structure.
- 14.9.0 Excavation Sites**
- 14.9.1 No person shall undertake or continue the operation of an excavation site except in accordance with the provisions of section 14.9.0, although sections 14.9.3 and 14.9.4 would not apply to existing operations.
- 14.9.2 An excavation site is subject to the following:
- (a) shall not damage any adjacent property;
 - (b) shall not serve as a storage place or dump site for toxic materials, scrap iron, domestic wastes, construction residues or any other material likely to be harmful to the environment; and

- (c) may be used as a storage place or dump site for construction residues of material not harmful to the environment.
- (d) extraction may not be done within 300 metres (approximately 985') of a watercourse or a wetland;
- (e) access routes, over which materials are transported within 450 metres (approximately 1,475') of a dwelling, shall be maintained in a dust-free condition;
- (f) access routes shall not be located within 100 metres (approximately 330') of a dwelling;
- (g) extraction may not occur within
 - (i) 450 metres (approximately 1,475') of a public road, if a dwelling existed within the 450-metre (approximately 1,475') distance upon enactment of this by-law;
 - (ii) 350 metres (approximately 1,150') of all public roads, in all other cases; and
 - (iii) 20 metres (65'7") of an adjoining lot line;
- (h) a sign shall be located every 30 metres (approximately 100') around the extraction bearing the word "danger" in letters at least 15 centimetres (0'6") high;
- (i) where extraction depth is greater than 6 metres (19'8"), slopes shall not exceed 30%;
- (j) extraction must not exceed the depth wherein a continuous accumulation of more than 5 centimetres (0'2") of water occurs over a 12-month period;
- (k) where paragraph (j) is not satisfied, the extraction must be infilled with material similar to that extracted until paragraph (j) has been satisfied; and
- (l) where extraction has ceased for more than 24 months, the land shall be restored as follows:
 - (i) all buildings and structures will be removed,
 - (ii) all stockpiles of extracted material will be placed back in the extraction, so that the slopes do not exceed 30%,
- (m) all debris will be removed.
- (n) no extraction will take place within 300 metres of a public water supply, and

- (o) extraction, processing, and trucking activities shall not be permitted between the hours of 9:00 PM and 7:00 AM, or on Sundays.

14.9.3 An application for the development of an excavation permit shall include:

- (a) a description of the geographic setting of the excavation site,
- (b) a site plan of the excavation site,
- (c) a development plan outlining details of the proposed operation,
- (d) an assessment of potential impacts on the groundwater supply and water table,
- (e) a site rehabilitation plan,
 - i. The rehabilitation plan must address the restoration of lands with high agricultural capability. Where feasible, progressive rehabilitation must be incorporated into the rehabilitation plan.

14.9.4 A development permit for an excavation site may be subject to terms and conditions as imposed by the Regional Service Commission in accordance with paragraph 34(4)(c) of the *Community Planning Act* and any applicable Act or Regulation, which may include, but not be limited to, the following:

- (a) additional limits on hours of trucking operations,
- (b) dust and dirt control measures (e.g. cleaning tires before driving on a public road),
- (c) location and design of the entrance to the site, and
- (d) other reasonable measures considered necessary to reduce safety hazards or nuisance impacts on residential properties

14.10.0 Fences and Walls

14.10.1 Unless otherwise specified, no fence or wall shall exceed 2 metres (6'7") in height.

14.10.2 Fences and walls shall be well maintained and kept in proper repair.

14.10.3 Fences and walls, erected for the purpose of demarcating a lot line, shall be located:

- (a) on the common boundary of adjoining parcels upon agreement by owners as to location and to responsibilities for construction and maintenance; or
- (b) offset from the common boundary of adjoining parcels upon the parcel of the owner wishing to assume the responsibilities for construction and maintenance.

14.11.0 Garden Suite

14.11.1 A garden suite shall

- (a) be for the sole occupancy of the following persons:
 - (i) the parent or grandparent of a household member; and
 - (ii) the spouse and any dependent of the parent or grandparent;
- (b) be a secondary use to a single-detached dwelling;
- (c) be located on a lot satisfying the minimum lot size as specified within section 15.2.4;
- (d) have a gross floor area less than 75 square meters (800 square feet);
- (e) be no closer to the street line than the main dwelling;
- (f) comply with all setback requirements of section 15.4.0;
- (g) share access to the water supply and sewage collection systems of the main dwelling, in accordance with the applicable Act or Regulation;
- (h) be constructed, erected or placed in such a manner as to be easily removed from the lot;
- (i) be removed from the lot within 6 months of being vacated; and
- (j) be subject to terms and conditions, as imposed by the Regional Service Commission, in accordance with section 34(4) of the *Community Planning Act*, which may include, but is not limited to its appearance, size, and location

14.12.0 Height Restrictions

14.12.1 The height restrictions of this Rural Plan shall not apply to a silo, chimney, church tower, drying elevator, communication antennae, water storage facility, feed or bedding storage use.

14.13.0 Home Occupations

14.13.1 A home occupation may be conducted in a single-detached or semi-detached dwelling, or an accessory building where permitted, provided that

- (a) the use is secondary to the residential use;
- (b) the use occupies 25% or less of the gross surface area when its contained within the main building;

- (c) no visible or audible nuisances, nor unsuitably treated effluents, wastes or emissions result from operations
- (d) the use does not generate significant additional vehicular traffic beyond that normal to the neighbourhood in which it is located;
- (e) there is no external storage of goods, materials, equipment or supplies associated with the home occupation other than those permitted under paragraph (g);
- (f) it concurs with the appropriate provisions elsewhere within section 14.0.0; and
- (g) no goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are
 - (i) incidental to the home occupation,
 - (ii) arts and crafts produced on the premises, or
 - (iii) sample articles not for direct purchase.

14.14.0 Wind Turbine Development

14.14.1 A small scale wind turbine is permitted as accessory use in all zones outside of the Central Area, as defined on “Schedule A – Zoning Map”, subject to the following:

- (a) the small scale turbine is located on the same property as the main use;
- (b) the small scale turbine is setback, at minimum, 1.5 times the total height of the wind turbine from the rear, front, and side lot lines, dwellings, transmission lines, and public right of- ways;
- (c) the small scale turbine meets all other terms and conditions to be set by the Commission.

14.15.0 Infill Development

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

14.16.0 Landfill

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

- (a) toxic or radioactive materials;
- (b) industrial or domestic waste;

- (c) scrap iron;
- (d) construction residues, except in accordance with section 14.9.2; or
- (e) material harmful to a watercourse, wetland or water table.

14.16.2 No landfill shall be placed within 30 metres (approximately 100') of a watercourse or a wetland unless in compliance with the *Watercourse and Wetland Alteration Regulation – Clean Water Act* or any other applicable Act or Regulation.

14.17.0 Lines of Vision at Intersections

14.17.1 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.

14.18.0 Loading Spaces

14.18.1 Uses where Loading Spaces are required

No person shall, in any zone, erect or use any permitted permanent or temporary building or structure for manufacturing, storage, warehouse, convenience store, retail store, building supply store, furniture showroom, hotel or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained on the same lot off-street space for standing, loading and unloading.

14.18.2 Dimensions of Loading Spaces

Every required loading space shall have minimum rectangular dimensions of 3.65 metres (12') by 9 metres (29'5") with a minimum height clearance of 4.45 metres (14'6").

14.18.3 Minimum Number of Loading Spaces

The provisions of this section shall not apply to buildings having a total floor area less than 100 square metres (1076 square feet). For all other buildings there shall be one loading space for each 1,500 square metres (16,146 square feet) of total floor area or part thereof, above the 300 square metre (3,229 square foot) threshold.

14.18.4 Surface of Loading Spaces and Approaches

The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone, crushed gravel or a combination thereof over a stable base.

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

14.19.1 No more than 1 building containing 1 or more dwelling units shall be erected on any lot

except for the following, where permitted:

- (a) 1 garden suite

14.19.2 No more than one (1) main building or structure is permitted on a lot , with the exception of a property registered under the provisions of the *Condominium Property Act*, cottage establishments, or campgrounds.

14.19.3 The subdivision of lands and the design and naming of streets, so resulting, are subject to the Subdivision By-law.

14.20.0 Outside Storage

14.20.1 With the exception of outside storage on a lot zoned for industrial use, no equipment, vehicle, miscellaneous part, scrap, aggregate, sand, gravel, rock or similar material of any kind may be stored outside buildings or structures, unless

- (a) it is not visible from the street;
- (b) it is located within an enclosed structure
- (c) it is located in the back yard or side yards of the main building or, where there is no main building, at least 30 metres (98'5") from the street line; and
- (d) the back or side yards are enclosed by a fence of a height of at least 2 metres (6'7") and no more than 2.5 metres (8'2").

14.20.2 Notwithstanding section 14.20.1, recreational trailers and boats may be seasonally stored on a lot as an accessory use.

14.21.0 Parking

14.21.1 Number of Spaces

In all zones, the owner of a building erected, enlarged or changed in use after the adoption of this by-law shall provide and maintain off-street parking on the same lands as the building is located and in accordance with the following:

TYPE OF USE

MINIMUM PARKING REQUIREMENTS

Agritourism Operation	at minimum 3 spaces in addition to those specified for a single-detached or semi-detached dwelling
Bank or Trust Company	6 spaces per 100 square metres (1,076 square feet) of total floor area
Bed and Breakfast Establishment	1 space per dwelling unit and 1 space per rented room

Campground	1.25 spaces per campsite
Church, Club, Lodge or place of public assembly	the greater of 1 space per 6 fixed seats or per 2.5 metres (8'2") of bench space
Clinic or Veterinary Clinic	6 spaces per practitioner for the first 5 practitioners, 4 spaces per additional practitioner
Day Care Facility	1 space per 10 attendees in addition to those specified for a single-detached dwelling plus 1 space per staff member
Dwelling, Single-Detached or Semi-Detached	1 space per dwelling unit
Dwelling, Multiple-Unit	1.5 spaces per dwelling unit
Eating Establishment, Eat In	1 space per 4 seats design capacity
Eating Establishment, Take Out Or Drive In	5.4 spaces per 100 square metres (1,097 square feet) of total floor area
Entertainment Place	1 space per 4 seats design capacity
Garden Suite	1 space in addition to that required of a single-detached dwelling
Group Home, Special Care Facility or Special Care Home	1 space per 2 persons plus 1 space per staff member
Home Occupation	2 spaces in addition to those specified for a single-detached or semi-detached dwelling
Hotel or Motel	1 space per dwelling unit plus 1 space per 10 square metres (108 square feet) of public use area
Industrial Establishment	1 space per 50 square metres (538 square feet) of total floor area
Lounge	1 space per 4 seats design capacity
Office (business/professional)	3.5 spaces per 100 square metres (1,097 square feet) of total floor area
Retail, including Convenience Store and Personal Service Shop	5.4 spaces per 100 square metres (1,097 square feet) of total floor area

School	the greater of 1.5 spaces per classroom, 1 space per 3 square metres (32 square feet) of floor area in the gymnasium or 1 space per 3 square metres (32 square feet) of floor area in the auditorium
Other Uses	1 space per 30 square metres (323 square feet) of total floor area

14.21.2 Physically Handicapped Parking

The spaces required for the exclusive use by physically handicapped persons shall

- (a) consist of at least 1 of the 5 to 10 parking spaces required for all uses under section 14.21.1 plus 1 additional space for each additional 25 parking spaces that are required thereunder;
- (b) be of a minimum length of 5.5 metres (18'1") and a minimum width of 4.5 metres (14'9");
- (c) be designated as such by a sign or other marking;
- (d) be located to provide the most convenient access to the use; and
- (e) be constructed in accordance with the National Building Code.

14.21.3 Calculation of Spaces

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

14.21.4 General Provisions

A parking area shall

- (a) consist of off-street parking spaces having a minimum length of 5.5 metres (18'1") and minimum width of 2.75 metres (9'0"), except for physically handicapped parking spaces as specified under section 14.21.2;
- (b) be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof over a stable base;
- (c) be readily accessible from a roadway; and
- (d) be located on the same lot as the main use.

14.21.5 Specific Provisions

Where a parking area for more than 4 vehicles is required, a parking area shall

- (a) not be used for ongoing automotive repair work or servicing;
- (b) if uncovered, notwithstanding the setback provisions of this by-law, be permitted in the area of a lot between the street line and the required setback for a main building or structure, provided no part of it is located closer than 1 metre (3'3") to any street line;
- (c) if illuminated, have light sources so arranged as to divert the light away from streets, adjacent lots and buildings;
- (d) if operated by an attendant, have a structure not exceeding 4.5 metres (14'9") in height and 5 square metres (54 square feet) in area;
- (e) have driveways defined by a curb or curbing;
- (f) have driveways located no closer than 15 metres (49'3") from the right-of-way limits of a street intersection;
- (g) have no more than 2 entrance and exit ramps as driveways, each having a maximum width of 7.5 metres (24'7") along the street line;
- (h) for an entrance or exit ramp and an internal service aisle, a minimum width of 3 metres (9'10") for one-way traffic and a minimum width of 6 metres (19'8") for two-way traffic;
- (i) be graded and drained in such a manner as to ensure that the surface water will not escape onto neighbouring lots; and
- (j) be designed so that parked vehicles do not block others from exiting.

14.21.6 As provided for by paragraph 34(3)(i) of the *Community Planning Act*, Council may, in its discretion, allow a developer to pay to the Village a sum of money in lieu of providing such off-street parking as herein required, the amount to be \$1,000 per parking space, and payable on such terms and conditions as Council determines.

14.22.0 Portable Structure

14.22.1 Portable structures are permitted on all lots where accessory structures are permitted, with the exception of Gagetown Island zone. Portable structures must comply with the zone provisions of the zone where they are located and are subject to the followings standards:

- (a) a Development Permit is required for portable structures 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 on the same lot.
- (b) portable structures 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.

14.23.0 Roadways and Public Utilities

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

14.23.2 Land may be used for the following uses, subject to terms and conditions as imposed by the Regional Service Commission, in accordance with paragraph 34(4)(c) of the *Community Planning Act*:

- (a) municipal drainage, including storm sewers;
- (b) public electric power infrastructure;
- (c) public roadways;
- (d) municipal sewage collection system;
- (e) municipal water supply system; or
- (f) all other public or private utilities, including the location or erection of any structure or installation for the supply of any of the above mentioned services

14.24.0 Secondary Dwelling Unit

14.24.1 A secondary dwelling is a permitted secondary use to a main use and shall

- (a) have a separate washroom or bathroom and kitchen facilities from those of the main use;
- (b) have off-street parking in accordance with section 14.21.0;
- (c) have a separate entrance from that of the main use; and
- (d) be located within the main building.

14.25.0 Solar Collector Development

14.25.1 Solar collector systems are permitted as an accessory use in all zones subject to the following:

- (a) solar collector systems are located on the same property as the main use;
- (b) Solar collector systems are not to exceed a total height of 1.5 metres from the highest peak of the structure upon which it is located.

- (c) freestanding solar collectors are setback, at minimum, 1.5 times the total height of the solar collectors from the rear, front, and side lot lines, dwellings, transmission lines, and public right of ways;
- (d) freestanding solar collectors will must be removed if the system does not produce electricity for a period of greater than one year
- (e) attached solar collectors must be removed if electricity is not generated for a period of two years.

14.26.0 Steep Slopes

14.26.1 Buildings are prohibited on slopes greater than 30%.

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

14.26.3 Studies undertaken pursuant to section 14.26.2 shall address the following matters, where applicable:

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

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

14.27.0 Stripping of Topsoil

14.27.1 Where in connection with the construction of a building or structure, there is an excess of topsoil other than that required for grading and landscaping on the lot, such excess may be removed for sale or use.

14.28.0 Water Well and Sewage Disposal Systems

- 14.28.1 The construction, modification and operation of a lot-specific water well system is subject to the *Water Well Regulation* and *Potable Water Regulation* of the *Clean Water Act* and any other applicable Act or Regulation.
- 14.28.2 A waterworks using 50 cubic metres (approximately 11,000 gallons) or more of water per day is subject to the *Water Quality Regulation - Clean Environment Act* and any other applicable Act or Regulation.
- 14.28.3 Where public sewage collection services are available, no building or structure requiring a sewage disposal system shall be permitted unless such development links to the public sewage collection system.
- 14.28.4 No building or structure may be placed, erected or altered, so as to accommodate one or more dwelling units, on a lot requiring the installation of a septic tank and disposal field unless the lot and the plans for installation of the septic tank and disposal field meet the requirements of Regulations issued under the applicable Act or Regulation.
- 14.28.5 No water shall be removed from a ground source for the purposes of sale.

SECTION 15.0.0 - CENTRAL RESIDENTIAL ZONE (CR Zone)

15.1.0 Permitted Uses

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

- (a) one of the following main uses:
 - (i) a single-detached dwelling,
 - (ii) a duplex dwelling,
 - (iii) a semi-detached dwelling,
- (b) the following secondary uses:
 - (i) a home occupation in a single-detached or semi-detached dwelling, in accordance with section 14.13.0,
 - (ii) a secondary dwelling unit, in accordance with section 14.24.0, and
- (c) any accessory building, structure or use.

15.1.2 In addition to those specified within subsection 15.1.1(a), a permitted main use within a single-detached dwelling is one of the following:

- (a) a day care facility, in accordance with section 14.6.0;
- (b) a group home, in accordance with section 14.6.0; or
- (c) a special care home, in accordance with section 14.6.0;

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

15.1.3 In addition to those specified within subsection 15.1.1(b), a permitted secondary use to a single-detached dwelling is one of the following:

- (a) a bed and breakfast establishment or boarding house, in accordance with section 14.3.0;
- (b) a day care facility, in accordance with section 14.6.0; or
- (c) a garden suite, in accordance with section 14.11.0.

15.2.0 Lot Sizes

- 15.2.1 No single-detached dwelling may be placed, erected or altered on a lot which is serviced by public water supply and sewage collection systems unless the lot has and contains
- (a) a width of at least 18 metres (59'1");
 - (b) a depth of at least 30 metres (98'5"); and
 - (c) an area of at least 540 square metres (0.13 acre).
- 15.2.2 No two-unit dwelling may be placed, erected or altered on a lot which is serviced by public water supply and sewage collection systems unless the lot has and contains
- (a) a width of at least 23 metres (75'6");
 - (b) a depth of at least 30 metres (98'5"); and
 - (c) an area of at least 820 square metres (0.20 acre).
- 15.2.3 No single-detached dwelling may be placed, erected or altered on a lot which is serviced by a public sewage collection system, and not by a public water supply system, unless the lot has and contains
- (a) a width of at least 23 metres (75'6");
 - (b) a depth of at least 30 metres (98'5"); and
 - (c) an area of at least 690 square metres (0.17 acre).
- 15.2.4 No two-unit dwelling may be placed, erected or altered on a lot which is serviced by a public sewage collection system, and not by a public water supply system, unless the lot has and contains
- (a) a width of at least 27 metres (88'7");
 - (b) a depth of at least 30 metres (98'5"); and
 - (c) an area of at least 1,020 square metres (0.25 acre).
- 15.2.5 No single-detached dwelling may be placed, erected or altered on a lot which is not serviced by public water supply and sewage collection systems unless the lot has and contains
- (a) a width of at least 54 metres (177'2");
 - (b) a depth of at least 38 metres (124'8"); and

(c) an area of at least 4,000 square metres (0.99 acre).

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

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

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

(c) an area of at least 5,350 square metres (1.32 acres).

15.3.0 Size of Dwellings and Dwelling Units

15.3.1 No dwelling may be placed, erected or altered so that it has a ground floor area less than 45 square metres (484 square feet).

15.3.2 No dwelling unit may have a floor area less than

(a) 32 square metres (344 square feet), in the case of a secondary dwelling unit of only one room, or

(b) 45 square metres (484 square feet), in the case of a dwelling unit other than the one mentioned in paragraph (a).

15.4.0 Location of Main Buildings and Structures

15.4.1 No main building or structure may be placed, erected or altered so that it is

(a) within 7.5 metres (24'7") of a street line, other than that coinciding with the boundary of an arterial or collector highway;

(b) within 6 metres (19'8") of a rear lot line, other than that coinciding with the boundary of an arterial or collector highway;

(c) within 3 metres (9'10") of a side lot line, other than that coinciding with the boundary of an arterial or collector highway; or

(d) within 15 metres (49'3") of a boundary of an arterial or collector highway.

15.5.0 Height of a Main Building or Structure

15.5.1 No main building or structure may exceed 10 metres (32'10") in height.

15.6.0 Accessory Buildings or Structures

15.6.1 No accessory building or structure shall

- (a) exceed the height of 6 metres (19'8") measured from the top of the grade, at its base, to the highest point of any portion of the roof;
- (b) be placed, erected or altered so that it is
 - (i) closer to the street line than the front of the main building or structure, or
 - (ii) closer than 1.5 metres (4'11") to a side lot or rear lot line;
- (c) exceed 100 square metres (1,076 square feet) in floor area or have a width or depth greater than 10 metres (32'10"); or
- (d) be used for agricultural operations or for the keeping of animals other than household pets and those animals outlined in section 15.9.0

15.6.2 Notwithstanding section 15.6.1, the following accessory buildings or structures may be placed, erected or altered so as to be located in the front yard of the main building or structure:

- (a) a bin for the temporary holding of domestic waste; or
- (b) a partially enclosed shelter for use by children awaiting a school bus.
- (c) a free-standing solar collector system provided that the conditions of 14.25.1 are also met

15.7.0 Lot Occupancy

15.7.1 Main buildings and structures on a lot shall not occupy more than 40 percent of the area of the lot.

15.8.0 Landscaping

15.8.1 The owner of a lot shall landscape

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

15.8.2 Landscaping

- (a) shall include all grading and drainage necessary to reasonably contour the yard with the existing terrain; and
- (b) may include paths, patios, walkways, trees, shrubs, vines and flowers.

15.8.3 An owner of a lot shall complete the landscaping of the lot within 12 months after the completion of the main building or structure.

15.9.0 Urban Agriculture

15.9.1 An owner of a lot shall be permitted the holding of a combination of up to 10 rabbits or fowl (with the exception of roosters) provided the following provisions are met:

- (a) the lot has an area of at least 4,000 square metres (0.99 acre).
- (b) The building housing these animals is
 - (i) fully enclosed;
 - (ii) includes a bin for temporary holding of livestock waste;
 - (iii) livestock waste is either spread or removed from the site each spring; and
 - (iv) is subject to the provisions of section 15.6.0
- (c) Animals are fully enclosed at all times and do not have free-range.

15.10.0 Additional Provisions

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

SECTION 16.0.0 - NON-CENTRAL RESIDENTIAL ZONE (NCR Zone)

16.1.0 Permitted Uses

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

- (a) one of the following main uses:
 - (i) a single-detached dwelling
- (b) the following secondary uses, relative to a single-detached dwelling:
 - (i) an agricultural operation, in accordance with section 16.9.0,
 - (ii) a bed and breakfast establishment or boarding house, in accordance with section 14.3.0,
 - (iii) a boarding stable or riding school, in accordance with section 24.2.0,
 - (iv) a day care facility, in accordance with section 14.6.0,
 - (v) a garden suite, in accordance with section 14.11.0,
 - (vi) a home occupation, in accordance with section 14.13.0,
 - (vii) a kennel, in accordance with section 24.2.0,
 - (viii) a secondary dwelling unit, in accordance with section 14.24.0,
 - (ix) a veterinary clinic, in accordance with section 24.2.0, and
 - (x) an agritourism operation, in accordance with section 16.9.0 and 16.10.0,
- (c) any accessory building, structure or use.

16.2.0 Lot Sizes

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

- (a) a width of at least 54 metres (177'2");
- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 0.4 hectare (1 acre).

16.3.0 Size of Dwellings and Dwelling Units

16.3.1 The provisions of section 15.3.0 herein apply.

16.4.0 Location of Main Buildings and Structures

16.4.1 The provisions of section 15.4.0 herein apply.

16.5.0 Height of a Main Building or Structure

16.5.1 No main building or structure may exceed 10 metres (32'10") in height.

16.6.0 Accessory Buildings or Structures

16.6.1 No accessory building or structure shall

- (a) exceed the height of 6 metres (19'8") measured from the top of the grade, at its base, to the highest point of any portion of the roof;
- (b) be placed, erected or altered so that it is
 - (i) closer to the street line than the front of the main building or structure, or
 - (ii) closer than 1.5 metres (4'11") to a side lot or rear lot line;
- (c) exceed 100 square metres (1,076 square feet) in floor area or have a width or depth greater than 10 metres (32'10"); or

16.7.0 Lot Occupancy

16.7.1 Main buildings and structures on a lot shall not occupy more than 40 percent of the area of the lot.

16.8.0 Landscaping

16.8.1 The owner of a lot shall landscape

- (a) that portion of the front yard extending away from the main building a minimum distance of 4 metres (13' 1"); and
- (b) those portions of the rear and side yards extending away from the main building a minimum distance of 2 metres (6'7").

16.8.2 The provisions of sections 15.8.2 and 15.8.3 herein apply.

16.9.0 Keeping of Livestock/Minimum Distance Separations

16.9.1 The following lot and development standards apply to livestock facilities in this zone:

Livestock Facilities – Development Standards

Animal Units (AU)	Minimum Lot Size	Minimum Setback from all Lot Lines
(a) Up to 1 AU of rabbits or chickens	0.4 hectare (1 acre)	20m
(a) Up to 2 AU's of rabbits or chickens	1 hectare (2.47 acres)	20m
(b) Up to 2 AU of all species	2 Hectares (5 acres)	20m
(c) >2 to 4 AU of all species	3 hectares (7.4 acres)	20m
(d) >4 to 6 AU of all species	4 Hectares (9.9 acres)	20m

Note: See definition of Animal Unit

- 16.9.2 Additional animal units will be permitted on lots larger than 4 hectares subject to the approval under the *Livestock Operations Act* and conformity with the minimum distance separation requirements of this Rural Plan.
- 16.9.3 No residence, commercial, or institutional use established after the adoption of this Rural Plan, except a use located on the same lot as the agricultural operation, may be located within 90 metres (300 feet) of a livestock facility that can accommodate up to six (6) animal units.
- 16.9.4 No livestock facility established after the adoption of this Rural Plan with a capacity of up to 6 (six) animal units shall be located within 90 metres (300 feet) of:
- (a) a dwelling, other than a residence located on the same lot as the agricultural operation, and
 - (b) an institutional building.
 - (c) a commercial building
- 16.9.5 No livestock facility established after the adoption of this Rural Plan, planned to accommodate more than six animal units, shall be located within 300 metres of:
- (a) a dwelling, other than a residence located on the same lot as the agricultural operation,
 - (b) an institutional building, and
 - (c) a commercial building
- 16.9.6 Sections 16.9.4 and 16.9.5 do not apply to the expansion, conversion, replacement, or reestablishment of a livestock facility existing on the date of approval of this Rural Plan, or to the addition of a new livestock facility where the nearest wall of the new facility is to be

located less than 30 metres from the perimeter of an existing livestock facility as long as the subject property has a minimum area of 2 hectares.

16.9.7 No residence, commercial, or institutional use established after the adoption of this Rural Plan, except a use located on the same lot as the agricultural operation, may be located within 300 metres of a livestock facility that can accommodate more than six animal units.

16.9.8 Where a proposed residential, commercial, or institutional use would not be able to meet the required minimum distance separation on a lot that was in existence on the adoption date of this Rural Plan, the use will be permitted where it can meet all other provisions of this Rural Plan and it receives approvals from relevant Provincial and Federal authorities.

16.9.10 The perimeter of the developed portion of a golf course, campground, or accommodations related to an outfitter operation shall be located no closer than 300 metres of an existing livestock facility with the capacity of greater than six (6) animal units.

16.9.11 No livestock facility, nor any extension or enlargement to an existing building or structure, shall be placed, erected or altered so that it is

(a) exceeding a height of 10 metres (32'8"),

(b) on marshy ground, or

(c) on land within the 1:100 year flood plain.

16.9.12 In addition to the above requirements, livestock facilities are subject to the *Livestock Operations Act*.

16.10.0 Agritourism Operation

16.10.1 The development of an agritourism operation will be subject to the following:

(a) be located on a lot that has a minimum size of 2 hectares (4.94 acres):

(b) products promoted or marketed shall include products primarily produced on the subject property;

(c) the farm may be comprised of one or several parcels of land owned or operated by a farmer as a farm business

SECTION 17.0.0 - MULTIPLE-UNIT RESIDENTIAL ZONE (MUR Zone)

17.1.0 Permitted Uses

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

- (a) the main use as a multiple-unit dwelling; and
- (b) any accessory building, structure or use.

17.1.2 All of the permitted uses as specified within section 17.1.1 are subject to terms and conditions as imposed by the Regional Service Commission, in accordance with paragraph 34(4)(c) of the *Community Planning Act*, in consideration of the following:

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

17.2.0 Lot Sizes

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

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

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

- (a) for a three-unit dwelling,
 - (i) a width of at least 32 metres (105'0"),
 - (ii) a depth of at least 30 metres (98'5"), and
 - (iii) an area of at least 1,365 square metres (0.34 acre); and
- (b) for a more-than-three-unit dwelling,
 - (i) a width of at least 36 metres (118'1"), plus 1.5 metres (4'11") for each dwelling unit in excess of 4,
 - (ii) a depth of at least 30 metres (98'5"), and
 - (iii) an area of at least 1,545 square metres (0.38 acre), plus 100 square metres (0.02 acre) for each dwelling unit in excess of 4.

17.3.0 Size of Dwellings and Dwelling Units

17.3.1 The provisions of section 15.3.0 herein apply.

17.4.0 Location of Main Buildings and Structures

17.4.1 The provisions of section 15.4.0 herein apply.

17.5.0 Height of a Main Building or Structure

17.5.1 No main building or structure may exceed 10 metres (32'10") in height.

17.6.0 Accessory Buildings or Structures

17.6.1 No accessory building or structure shall

- (a) exceed the height of 6 metres (19'8") measured from the top of the grade, at its base, to the highest point of any portion of the roof;
- (b) be placed, erected or altered so that it is
 - (i) closer to the street line than the front of the main building or structure, or
 - (ii) closer than 1.5 metres (4'11") to a side lot or rear lot line;
- (c) exceed 100 square metres (1,076 square feet) in floor area or have a width or

depth greater than 10 metres (32'10");

- (d) be used for agricultural operations or for the keeping of animals other than household pets

17.7.0 Lot Occupancy

17.7.1 The provisions of section 15.7.0 herein apply.

17.8.0 Landscaping

17.8.1 The provisions of section 15.8.0 herein apply.

17.9.0 Additional Provisions

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

SECTION 18.0.0 - COMMERCIAL ZONE (C Zone)

18.1.0 Permitted Uses

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

- (a) one of the following main uses:
 - (i) an artisan shop,
 - (ii) a bank or financial institution
 - (iii) a business or professional office,
 - (iv) a convenience store,
 - (v) a day care facility, in accordance with section 14.6.0,
 - (vi) a general service shop,
 - (vii) a grocery, bakery or dairy product store,
 - (viii) a hotel or motel,
 - (ix) a medical clinic,
 - (x) a parking lot,
 - (xi) a personal service shop,
 - (xii) a post office, liquor store or other government office,
 - (xiii) a printing operation,
 - (xiv) a rental agency for such items as tools or videos,
 - (xv) a retail store;
- (b) the following main uses subject to terms and conditions as imposed by the Regional Service Commission:
 - (i) an amusement place or an entertainment place
 - (ii) an automotive body shop;
 - (iii) an automotive commercial garage;

- (iv) an automotive gasoline bar;
- (v) an automotive repair shop
- (vi) an automotive service station;
- (vii) an automotive store;
- (viii) an automotive vehicle sales or rental establishment;
- (ix) an eating establishment, including drive-in, full-service or take-out;
- (x) a farm equipment sales and service dealership;
- (xi) a garden centre or nursery;
- (xii) a kennel;
- (xiii) a laundromat;
- (xiv) a lounge
- (xv) a public transportation terminal
- (xvi) a veterinary clinic;
- (xvii) a recycling depot;
- (xviii) a recreational and small engine service shop;
- (xix) a veterinary clinic; and
- (xx) a warehouse or wholesaling operation

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

- i. service volume and hours of operation;
- ii. maintenance of public safety and transportation capabilities;
- iii. effluent, odour, smoke, dust, noise, vibration and visual disturbances and the use of features such as buffer strips, fences or tree lines; and
- iv. quality and quantity ground water impacts upon surrounding land uses.

- (c) one or more of the following secondary uses:

- (i) one or more dwelling units;
 - (ii) any use listed within section 18.1.1(a) subject to terms and conditions as may be imposed by the Regional Service Commission
- (d) any accessory building, structure or use.

18.2.0 Lot Sizes

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

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

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

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

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

- (a) a width of at least 54 metres (177'2");
- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 4,000 square metres (0.99 acre), if located within the Central Area, or an area of at least 1 hectare (2.47 acres), if located outside the Central Area.

18.3.0 Size of Dwelling Units

18.3.1 The provisions of section 15.3.2 herein apply.

18.4.0 Location of Main Buildings and Structures

18.4.1 The provisions of section 15.4.0 herein apply, except that the minimum distance between a

main building or structure and a rear lot line, other than that coinciding with the boundary of an arterial or collector highway, shall be 3 metres (9'10").

18.5.0 Height of a Main Building or Structure

18.5.1 No main building or structure may exceed 10 metres (32'10") in height.

18.6.0 Accessory Buildings or Structures

18.6.1 The provisions of section 17.6.0 herein apply.

18.7.0 Lot Occupancy

18.7.1 The provisions of section 16.7.0 herein apply

18.8.0 Landscaping

18.8.1 The provisions of section 15.8.0 herein apply.

19.0.0 COMMERCIAL – 1 ZONE (C-1 Zone)

19.1.0 In a C-1 Zone, any lot building or structure may be used for the purposes of, and for no other purpose than

- (a) one of the following main uses:
 - (i) a single detached dwelling unit;
 - (ii) an automotive service station subject to the provisions of Section 19.3.0;
- (b) the following secondary uses, relative to a single detached dwelling:
 - (i) a bed and breakfast establishment or boarding house, in accordance with section 14.3.0;
 - (ii) a day care facility , in accordance with section 14.6.0;
 - (iii) a home occupation, in accordance with section 14.13.0;
 - (iv) a secondary dwelling unit, in accordance with section 14.24.0; and
- (c) any accessory building or structure.

19.2.0 The development standards set out in section 18.3.0 to 18.9.0 inclusive shall apply to lands zoned C-1.

19.3.0 An automotive service station shall be subject to the following:

- (a) there shall be no outside storage in the front yard;
- (b) approval of any necessary permits from the province for the storage, containment and disposal of any materials that are potentially hazardous to the public and the environment, particularly the ground water.

SECTION 20.0.0 - INSTITUTIONAL ZONE (Inst Zone)

20.1.0 Permitted Uses

20.1.1 In an Inst zone, any lot, building or structure may be used for purposes of, and for no other purpose, than

- (a) one of the following main uses:
 - (i) an active recreation area
 - (ii) a cemetery,
 - (iii) a church or religious institution,
 - (iv) a community centre,
 - (v) a fire station,
 - (vi) a fraternal lodge,
 - (vii) a funeral home,
 - (viii) a government office,
 - (ix) a hospital,
 - (x) a medical clinic,
 - (xi) a museum or historical site,
 - (xii) a nursing home,
 - (xiii) a police detachment,
 - (xiv) a school,
 - (xv) a sewage treatment facility,
 - (xvi) a special care facility, or
 - (xvii) a water storage facility;

- (b) the following secondary use:
 - (i) in the case of a church or religious institution, a clerical residence, a dormitory or a cemetery, or
 - (ii) in the case of a school, an active recreation area,
- (c) the following secondary use subject to terms and conditions as may be imposed by the Regional Service Commission
 - (i) an entertainment place
- (d) any accessory building, structure or use.

20.2.0 Lot Sizes

20.2.1 The provisions of section 18.2.0 herein apply.

20.3.0 Size of Dwellings and Dwelling Units

20.3.1 The provisions of section 15.3.0 herein apply.

20.4.0 Location of Main Buildings and Structures

20.4.1 No main building or structure may be placed, erected or altered so that it is

- (a) within 7.5 metres (24'7") of a lot line, other than that coinciding with the boundary of an arterial or collector highway; or
- (b) within 15 metres (49'3") of a boundary of an arterial or collector highway.

20.5.0 Height of a Main Building or Structure

20.5.1 The main building or structure may not exceed 10 metres (32'10") in height.

20.5.2 A church spire, belfry or other subsidiary feature, shall not exceed in height a distance equal to twice the height of the main building.

20.6.0 Accessory Buildings or Structures

20.6.1 No accessory building or structure shall

- (a) exceed the height of the main building or structure;
- (b) be placed, erected or altered so that it is
 - (i) closer to the street line than the front of the main building or structure, or

- (ii) closer than 2 metres (6'7") to a side lot or rear lot line;
- (c) exceed 93 square metres (1,001 square feet) in area or have a width or depth greater than 10 metres (32'10"); or
- (d) be used for agricultural purposes or for the keeping of animals other than household pets.

20.7.0 Lot Occupancy

20.7.1 The provisions of section 15.7.0 herein apply.

20.8.0 Landscaping

20.8.1 The provisions of section 15.8.0 herein apply.

SECTION 21.0.0 – INSTITUTIONAL-1 ZONE (Inst-1 Zone)

21.0.1 All provisions of Section 20.0.0 shall apply to lands zoned Inst-1.

21.0.2 Notwithstanding 21.0.1, the lands zoned Inst-1 shall be restricted to

(a) an active recreation area

21.0.3 All lands zoned Inst-1 shall

(b) provide adequate surface drainage upon and from the lands

(c) provide maintenance of the property, including such items as skating rink boards

(d) direct exterior lighting away from surrounding properties

SECTION 22.0.0 - INDUSTRIAL ZONE (I Zone)

22.1.0 Permitted Uses

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

- (a) one or more of the following main uses subject to terms and conditions as imposed by the Regional Service Commission:
 - (i) an automotive repair shop
 - (ii) an automotive scrapyard,
 - (iii) an excavation site, in accordance with section 14.9.0
 - (iv) a manufacturing plant or a light manufacturing plant,
 - (v) a redemption waste disposal site,
 - (vi) a salvage yard,
 - (vii) a sawmill,
 - (viii) a mini or vehicle storage depot,
 - (ix) a recreational and small engine service shop
 - (x) a trucking firm, or
 - (xi) a use as permitted within Section 18.0.0. - Commercial Zone, with the exception of those uses outlined within 18.1.1(b)

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

- i. service volume, vehicle manoeuvring and hours of operation;
 - ii. maintenance of public safety and transportation capabilities;
 - iii. odour, smoke, dust, noise, vibration and visual disturbances and the use of features such as buffer strips, fences or tree lines; and
 - iv. quality and quantity ground water impacts upon surrounding land uses.
- (b) the following secondary uses:
 - (i) a dwelling unit for a caretaker, or

(ii) a factory outlet; and

(c) any accessory building, structure or use.

22.2.0 Lot Sizes

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

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

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

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

22.3.0 Size of Dwellings and Dwelling Units

22.3.1 A dwelling unit for a caretaker may be either

(a) a single-detached dwelling, in accordance with section 15.0.0, excluding secondary uses; or

(b) a mobile home, in accordance with the following:

(i) those provisions of section 15.0.0 as applicable to a single-detached dwelling, exclusive of secondary uses, and

(ii) the installation of a durable skirting, designed and placed so as to harmonize with the mobile home.

22.4.0 Location of Main Buildings and Structures

22.4.1 No main building or structure may be placed, erected or altered so that it is

(a) within 7.5 metres (24'7") of a street line, other than that coinciding with the boundary of an arterial or collector highway;

(b) in the case of adjacency to another lot inside the I zone, within a distance of a side or rear lot line less than the height of the main building or structure, other than that coinciding with the boundary of an arterial or collector highway;

(c) in the case of adjacency to a lot in a R zone, within a distance of twice the height of the main building or structure, other than that coinciding with the boundary of an arterial or collector highway; or

(d) within 15 metres (49'3") of a boundary of an arterial or collector highway.

22.5.0 Height of a Main Building or Structure

22.5.1 No main building or structure may exceed 10 metres (32'10") in height.

22.6.0 Accessory Buildings or Structures

22.6.1 Except for a gatekeeper or security office not exceeding 10 square metres (108 square feet) in size, an accessory building or structure must be placed, erected or altered relative to a lot line in accordance with section 22.4.1.

22.6.2 Buildings and structures must be provided for the handling and storage of hazardous materials and products so as to protect the health, safety and well-being of on-site employees and the public, as well as, that of adjacent lot occupants and users.

22.6.3 All storage, freightage or trucking yards and repair areas shall be enclosed or completely screened by buildings, buffer strip, fence or tree line.

22.6.4 No material shall be piled higher than the height of a surrounding fence.

22.7.0 Lot Occupancy

22.7.1 Open space must be provided for the safe handling and storage of materials and products and for the safe access and parking by employees and the public, subject to terms and conditions as imposed by the Regional Service Commission, in accordance with paragraph 34(4)(c) of the *Community Planning Act*.

22.8.0 Landscaping

22.8.1 Landscaping shall include

- (a) all grading and drainage necessary to reasonably contour the yard with the existing terrain;
- (b) the construction of a buffer strip, fence or tree line in accordance with section 14.4.0;
- (c) all yards, exclusive of those for storage, freightage or trucking, parking and similar uses, shall be grassed; and
- (d) the entire site and all buildings and structures maintained in a neat and tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

SECTION 23.0.0 - RECREATIONAL ZONE (Rec Zone)

23.1.0 Permitted Uses

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

- (a) one or more of the following main uses:
 - (i) a cycling, walking, or equestrian trail,
 - (ii) a winter activities trail
 - (iii) a recreation facility, or
 - (iv) a parking lot
- (b) the following main uses are permitted as a recreation facility, subject to terms and conditions as imposed by the Regional Service Commission:
 - (i) a golf course; and
 - (ii) a campground.
- (c) any accessory building, structure or use.

23.2.0 Lot Sizes

23.2.1 The provisions of section 18.2.0 herein apply.

23.3.0 Location of Main Buildings and Structures

23.3.1 The provisions of section 15.4.0 herein apply.

23.4.0 Height of a Main Building or Structure

23.4.1 The provisions of section 15.5.0 herein apply.

23.5.0 Accessory Buildings or Structures

23.5.1 The provisions of section 17.6.0 herein apply.

23.6.0 Lot Occupancy

23.6.1 The provisions of section 15.7.0 herein apply.

23.7.0 Landscaping

23.7.1 Landscaping

- (a) shall include all grading and drainage necessary to reasonably contour the yard with the existing terrain;
- (b) shall include the construction and maintenance of the following items to enhance the main use and minimize any negative impact on adjacent properties
 - (i) a buffer strip, fence or tree line, in accordance with section 14.4.0,
 - (ii) the gravelling or paving of walkways and parking spaces, and
 - (iii) the grassing of open areas; and
- (c) may include paths, patios, walkways, trees, shrubs, vines and flowers.

SECTION 24.0.0 - RESOURCE USE ZONE (RU Zone)

24.1.0 Permitted Uses

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

- (a) one or more of the following main uses:
 - (i) an agricultural operation, in accordance with section 16.9.0,
 - (ii) a conservation and wildlife sanctuary,
 - (iii) a forestry operation, not involving a manufacturing process,
 - (iv) a logging hauler,
 - (v) a single-detached dwelling
- (b) the following secondary uses, relative to a single-detached dwelling:
 - (i) a bed and breakfast establishment or boarding house, in accordance with section 14.3.0,
 - (ii) a boarding stable or riding school, in accordance with section 24.2.0,
 - (iii) a day care facility, in accordance with section 14.6.0,
 - (iv) a garden suite, in accordance with section 14.11.0,
 - (v) a home occupation, in accordance with section 14.13.0,
 - (vi) a kennel, in accordance with section 24.2.0,
 - (vii) a veterinary clinic, in accordance with section 24.2.0, or
 - (viii) a secondary dwelling unit, in accordance with section 14.24.0,
 - (ix) an agritourism operation, in accordance with section 16.9.0 and 16.10.0.
- (c) any accessory building, structure or use.

24.2.0 Lot Sizes

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

- (a) a width of at least 54 metres (177'2");
- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 1 hectare (2.47 acres).

24.2.2 The following secondary uses may be placed, erected or altered on a lot satisfying the width and depth of section 24.2.1 and having an area of at least 2 hectares (4.94 acres):

- (a) a boarding stable or riding school;
- (b) an agritourism operation, in accordance with section 16.9.0 and 16.10.0,
- (c) a kennel or
- (d) a veterinary clinic.

24.3.0 Size of Dwellings and Dwelling Units

24.3.1 The provisions of section 15.3.0 herein apply.

24.4.0 Location of Main Buildings and Structures

24.4.1 The provisions of section 15.4.0 herein apply.

24.5.0 Height of a Main Building or Structure

24.5.1 The provisions of section 15.5.0 herein apply.

24.6.0 Accessory Buildings or Structures

24.6.1 Notwithstanding section 24.10.0, no accessory building or structure shall

- (a) exceed the height of the main building or structure;
- (b) be placed, erected or altered so that it is
 - (i) within 10 metres (32'8") from any street line
 - (ii) closer than 2 metres (6'7") to a side lot or rear lot line;
- (c) exceed 93 square metres (1,001 square feet) in area or have a width or depth greater than 10 metres (32'10"); or

24.7.0 Keeping of Livestock/Minimum Distance Separations

24.7.1 The provisions of section 16.9.0 herein apply.

24.8.0 Lot Occupancy

24.8.1 The provisions of section 15.7.0 herein apply.

24.9.0 Landscaping

24.9.1 The provisions of section 16.8.0 herein apply.

24.10.0 Additional Provisions

24.10.1 Agricultural Produce Sales Outlet

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

- (a) the building has a floor area no greater than 25 square metres (269 square feet);
- (b) the building and any structure are not located within 2 metres of any side lot or rear lot line or public right of way
- (c) notwithstanding section 14.21.0, off-street parking of at least 4 spaces must be provided and be located on the same side of the roadway as the building; and
- (d) the outlet shall be maintained in a neat and tidy manner, including the removal of debris.

24.10.2 Subdivision within the Resource Use Zone

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

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

SECTION 25.0.0 – LIGHT MANUFACTURING ZONE (LM Zone)

25.1.0 Permitted Uses

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

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

(i) light manufacturing,

(ii) contractor storage yard

(b) The following secondary uses:

(i) retail of goods manufactured on site and related goods.

(c) any accessory building, structure or use in accordance with section 15.6.0

25.2.0 Landscaping

25.2.1 All storage or trucking yards and repair areas shall be enclosed or completely screened by a fence or tree line in accordance with 14.3.0.

25.2.2 The entire site and all buildings and structures maintained in a neat and tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

SECTION 26.0.0 - MIXED DEVELOPMENT ZONE (MD Zone)

26.1.0 Permitted Uses

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

- (a) one of the following uses:
 - (i) a permitted main and secondary Central Residential Zone use, as specified within section 15.1.0,
 - (ii) a permitted main and secondary Multiple-Unit Residential Zone use as specified within section 17.1.0,
 - (iii) a permitted main and secondary Commercial Zone-use as specified within section 18.1.0 and identified herein:
 - (A) an artisan shop,
 - (B) a bank or financial institution,
 - (C) a business or professional office,
 - (D) a convenience store,
 - (E) an eating establishment, including drive-in, full-service or take-out,
 - (F) a day care facility
 - (G) a general service shop,
 - (H) a grocery, bakery or dairy product store,
 - (I) a hotel or motel
 - (J) a veterinary clinic,
 - (K) a laundromat,
 - (L) a medical clinic,
 - (M) a parking lot,

- (N) a personal service shop,
- (O) a post office, liquor store or other government office,
- (P) a printing operation,
- (Q) a rental agency for such items as tools or videos, or
- (R) a retail store,
- (iv) a permitted main and secondary Institutional Zone use, as specified within section 20.1.0, or
- (v) a permitted main Recreational Zone use as specified within section 23.1.0; and
- (b) one or more secondary use(s) subject to terms and conditions as may be imposed by the Regional Service Commission
 - (i) any use listed within section 26.1.1(a)
- (c) any accessory building, structure or use.

26.2.0 Provisions

26.2.1 All the provisions for

- (a) terms and conditions as imposed by the Regional Service Commission;
- (b) lot sizes;
- (c) size of dwellings and dwelling units;
- (d) location of main buildings and structures;
- (e) height of a main building or structure;
- (f) accessory buildings or structures;
- (g) lot occupancy;
- (h) landscaping; and
- (i) additional provisions

apply to the permitted uses of section 26.1.0 as follows:

- (a) for Central Residential Zone uses, in accordance with section 15.0.0;

- (b) for Multiple-Unit Residential Zone uses, in accordance with section 17.0.0;
- (c) for Commercial Zone uses, in accordance with section 18.0.0;
- (d) for Institutional Zone uses, in accordance with section 20.0.0; and
- (e) for Recreational Zone uses, in accordance section 23.1.0.



SECTION 27.0.0 - MIXED DEVELOPMENT #2 ZONE (MD #2 Zone)

27.1.0 Permitted Uses

27.1.1 In a MD #2 zone, any lot, building or structure may be used for the purpose of, and for no other purpose, than

- (a) one of the uses as permitted within subsection 26.1.1(a) for a Mixed Development Zone;
- (b) an automotive gasoline bar together with one of the permitted Commercial Zone uses of subparagraph 26.1.1(a)(iii); and
- (c) any accessory building, structure or use.

27.2.0 Provisions

27.2.1 The provisions of section 26.2.0 herein apply.

27.2.2 In addition, the following provisions apply:

- (a) that the appropriate liability insurance coverage be maintained for costs associated with the correction of any environmental damage related to the operation of a gasoline bar;
- (b) that a concrete fuelling apron, subject to construction standards for the installation and removal of petroleum storage systems, as approved by the Department of Environment, be maintained; and
- (c) that the appropriate provincial permits, licenses or approvals be acquired for the ongoing operation of a gasoline bar.

SECTION 28.0.0 – GAGETOWN ISLAND ZONE (GI ZONE)

28.1.0 Permitted Uses

28.1.1 In the GI zone, any land may be used for the purpose of, and for no other purpose, than

- (a) one of the following main uses:
 - (i) an agricultural operation, in accordance with section 16.9.0,
 - (ii) conservation and wildlife management area

SECTION 29.0.0 SPECIAL AGRICULTURE (SA Zone)

29.1.0 Permitted Uses

29.1.1 In an SA zone, any lot, building or structure may be used for the purposes of, and for no other purpose, than

- (a) the following main uses:
 - (i) a single-detached dwelling or mobile home
 - (ii) an agricultural produce sales outlet;
 - (iii) an agricultural operation, subject to section 29.3.0
 - (iv) a winery
 - (v) an eating establishment
 - (vi) a beverage room
 - (vii) a retail use
- (b) the following secondary uses:
 - (i) a home occupation, subject to section 14.11.0;
 - (ii) a bed and breakfast establishment or boarding house, in accordance with section 14.2.0,
 - (iii) an agritourism use; subject to section 16.9.0 and 16.10.0
- (c) any accessory building, structure or use

29.2.0 Lot Sizes

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

- (a) a width of at least 54 metres (177'2");
- (b) a depth of at least 38 metres (124'8"); and
- (c) an area of at least 1 hectare (2.47 acres).

29.3.0 Keeping of Livestock/Minimum Distance Separations

29.3.1 The following lot and development standards apply to livestock facilities:

Livestock Facilities – Development Standards

Animal Units (AU)	Minimum Lot Size	Minimum Setback from all Lot Lines
(a) Up to 1 AU of rabbits or chickens	0.4 hectare (1 acre)	20m
(a) Up to 2 AU's of rabbits or chickens	1 hectare (2.47 acres)	20m
(b) Up to 2 AU of all species	2 Hectares (5 acres)	20m
(c) >2 to 4 AU of all species	3 hectares (7.4 acres)	20m
(d) >4 to 6 AU of all species	4 Hectares (9.9 acres)	20m

Note: See definition of Animal Unit

29.3.2 Additional animal units will be permitted on lots larger than 4 hectares subject to the approval under the *Livestock Operations Act* and conformity with the minimum distance separation requirements of this Rural Plan.

29.3.3 No residence, commercial, or institutional use established after the adoption of this Rural Plan, except a use located on the same lot as the agricultural operation, may be located within 90 metres (300 feet) of a livestock facility that can accommodate up to six (6) animal units.

29.3.4 No livestock facility established after the adoption of this Rural Plan with a capacity of up to 6 (six) animal units shall be located within 90 metres (300 feet) of:

- (d) a dwelling, other than a residence located on the same lot as the agricultural operation, and
- (e) an institutional building.
- (f) a commercial building

29.3.5 No livestock facility established after the adoption of this Rural Plan, planned to accommodate more than six animal units, shall be located within 300 metres of:

- (d) a dwelling, other than a residence located on the same lot as the agricultural operation,
- (e) an institutional building, and
- (f) a commercial building

29.3.6 Sections 29.3.4 and 29.3.5 do not apply to the expansion, conversion, replacement, or

reestablishment of a livestock facility existing on the date of approval of this Rural Plan, or to the addition of a new livestock facility where the nearest wall of the new facility is to be located less than 30 metres from the perimeter of an existing livestock facility as long as the subject property has a minimum area of 2 hectares.

29.3.7 No residence, commercial, or institutional use established after the adoption of this Rural Plan, except a use located on the same lot as the agricultural operation, may be located within 300 metres of a livestock facility that can accommodate more than six animal units.

29.3.8 Where a proposed residential, commercial, or institutional use would not be able to meet the required minimum distance separation on a lot that was in existence on the adoption date of this Rural Plan, the use will be permitted where it can meet all other provisions of this Rural Plan and it receives approvals from relevant Provincial and Federal authorities.

29.3.10 The perimeter of the developed portion of a golf course, campground, or accommodations related to an outfitter operation shall be located no closer than 300 metres of an existing livestock facility with the capacity of greater than six (6) animal units.

29.3.11 No livestock facility, nor any extension or enlargement to an existing building or structure, shall be placed, erected or altered so that it is

- (a) exceeding a height of 10 metres (32'8"),
- (b) on marshy ground, or
- (c) on land within the 1:100 year flood plain.

29.3.12 In addition to the above requirements, livestock facilities are subject to the *Livestock Operations Act*.

29.4.0 Accessory Buildings or Structures

29.4.1 No accessory building or structure shall

- (a) exceed the height of the main building or structure;
- (b) be placed, erected or altered so that it is
 - (i) closer to the street line than the front of the main building or structure, or
 - (ii) closer than 2 metres (6'7") to a side lot or rear lot line; or
- (c) exceed 93 square metres (1,001 square feet) in area or have a width or depth greater than 10 metres (32'10").

29.5.0 Lot Occupancy

29.5.1 The provisions of section 15.7.0 herein apply.

SECTION 30.0.0 – MUNICIPAL RECREATIONAL ZONE (MR Zone)

30.1.0 Permitted Uses

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

- (a) one or more of the following main uses:
 - (i) a cycling, walking, or equestrian trail,
 - (ii) a winter activities trail
 - (v) a recreation facility, or
 - (vi) a parking lot
 - (vii) emergency measures training
- (b) the following main uses are permitted as a recreation facility, subject to terms and conditions as imposed by the Regional Service Commission:
 - (i) a golf course; and
 - (ii) a campground.
 - (iii) a clean fill dump, subject to section 30.8
- (c) any accessory building, structure or use.

30.2.0 Lot Sizes

30.2.1 The provisions of section 18.2.0 herein apply.

30.3.0 Location of Main Buildings and Structures

30.3.1 The provisions of section 15.4.0 herein apply.

30.4.0 Height of a Main Building or Structure

30.4.1 The provisions of section 15.5.0 herein apply.

30.5.0 Accessory Buildings or Structures

30.5.1 The provisions of section 17.6.0 herein apply.

30.6.0 Lot Occupancy

30.6.1 The provisions of section 15.7.0 herein apply.

30.7.0 Landscaping

30.7.1 Landscaping

- (a) shall include all grading and drainage necessary to reasonably contour the yard with the existing terrain;
- (b) shall include the construction and maintenance of the following items to enhance the main use and minimize any negative impact on adjacent properties
 - (i) a buffer strip, fence or tree line, in accordance with section 14.4.0,
 - (ii) the gravelling or paving of walkways and parking spaces, and
 - (iii) the grassing of open areas; and
- (c) may include paths, patios, walkways, trees, shrubs, vines and flowers.

30.8.0 Clean Fill Dump

The development of a clean fill dump will be subject to the following:

- (a) no material is to be deposited within 30 m (100 ft) of the bank of any river or watercourse;
- (b) the site shall be:
 - (i) gated with a locking gate.
- (c) All clean fill that is disposed must be spread and compacted as often as is practical.
- (d) The applicant shall ensure that dust and noise control measures are undertaken to prevent the operation from becoming an annoyance to neighbouring land owners.
- (e) The applicant shall keep the site in a clean and tidy condition free from rubbish

**Schedule "A"
Village of Gageton
Rural Plan
2013**

DATE ISSUED:
Zoning & Rural
Version Two Revision: Property Assessment Eyles October 2011

PREPARED BY:
Department of Planning Services (including
11-040, 21-040, 21-040-01, 21-040-02, 21-040-03, 21-040-04, 21-040-05, 21-040-06, 21-040-07, 21-040-08, 21-040-09, 21-040-10, 21-040-11, 21-040-12, 21-040-13, 21-040-14, 21-040-15, 21-040-16, 21-040-17, 21-040-18, 21-040-19, 21-040-20, 21-040-21, 21-040-22, 21-040-23, 21-040-24, 21-040-25, 21-040-26, 21-040-27, 21-040-28, 21-040-29, 21-040-30, 21-040-31, 21-040-32, 21-040-33, 21-040-34, 21-040-35, 21-040-36, 21-040-37, 21-040-38, 21-040-39, 21-040-40, 21-040-41, 21-040-42, 21-040-43, 21-040-44, 21-040-45, 21-040-46, 21-040-47, 21-040-48, 21-040-49, 21-040-50, 21-040-51, 21-040-52, 21-040-53, 21-040-54, 21-040-55, 21-040-56, 21-040-57, 21-040-58, 21-040-59, 21-040-60, 21-040-61, 21-040-62, 21-040-63, 21-040-64, 21-040-65, 21-040-66, 21-040-67, 21-040-68, 21-040-69, 21-040-70, 21-040-71, 21-040-72, 21-040-73, 21-040-74, 21-040-75, 21-040-76, 21-040-77, 21-040-78, 21-040-79, 21-040-80, 21-040-81, 21-040-82, 21-040-83, 21-040-84, 21-040-85, 21-040-86, 21-040-87, 21-040-88, 21-040-89, 21-040-90, 21-040-91, 21-040-92, 21-040-93, 21-040-94, 21-040-95, 21-040-96, 21-040-97, 21-040-98, 21-040-99, 21-040-100)

DATE:
Schedule Two Revision: Planning Services, March 2011

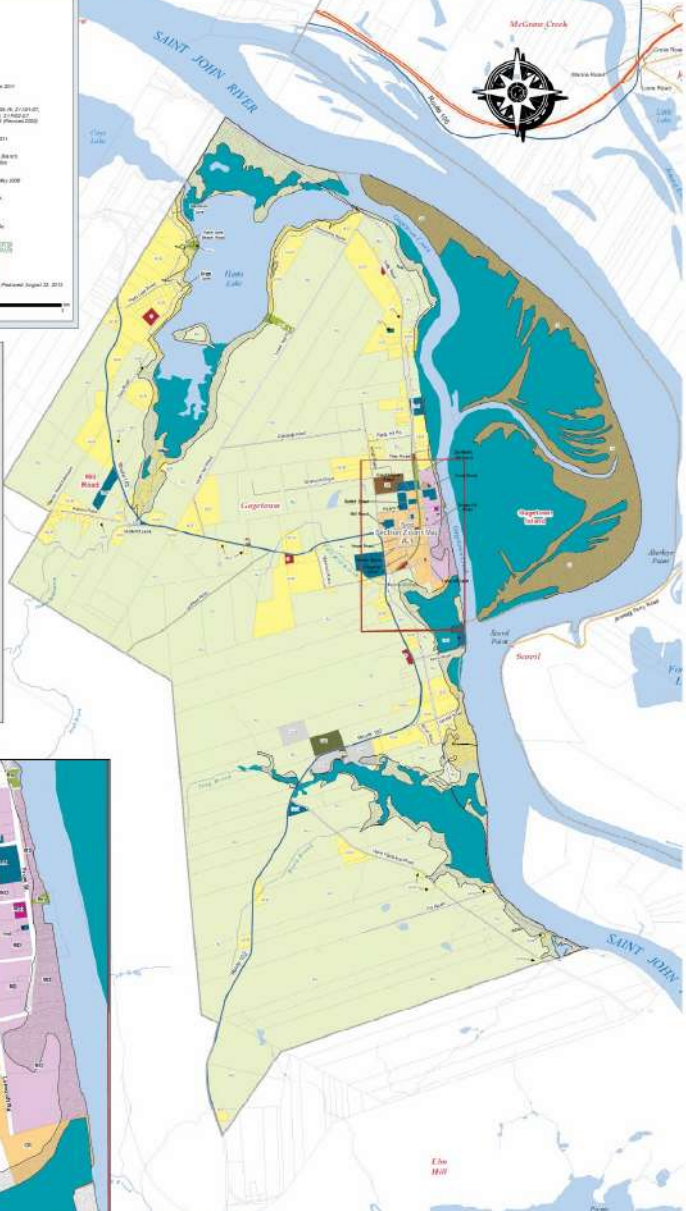
APPROVED BY:
Department of Planning Services (including
11-040, 21-040, 21-040-01, 21-040-02, 21-040-03, 21-040-04, 21-040-05, 21-040-06, 21-040-07, 21-040-08, 21-040-09, 21-040-10, 21-040-11, 21-040-12, 21-040-13, 21-040-14, 21-040-15, 21-040-16, 21-040-17, 21-040-18, 21-040-19, 21-040-20, 21-040-21, 21-040-22, 21-040-23, 21-040-24, 21-040-25, 21-040-26, 21-040-27, 21-040-28, 21-040-29, 21-040-30, 21-040-31, 21-040-32, 21-040-33, 21-040-34, 21-040-35, 21-040-36, 21-040-37, 21-040-38, 21-040-39, 21-040-40, 21-040-41, 21-040-42, 21-040-43, 21-040-44, 21-040-45, 21-040-46, 21-040-47, 21-040-48, 21-040-49, 21-040-50, 21-040-51, 21-040-52, 21-040-53, 21-040-54, 21-040-55, 21-040-56, 21-040-57, 21-040-58, 21-040-59, 21-040-60, 21-040-61, 21-040-62, 21-040-63, 21-040-64, 21-040-65, 21-040-66, 21-040-67, 21-040-68, 21-040-69, 21-040-70, 21-040-71, 21-040-72, 21-040-73, 21-040-74, 21-040-75, 21-040-76, 21-040-77, 21-040-78, 21-040-79, 21-040-80, 21-040-81, 21-040-82, 21-040-83, 21-040-84, 21-040-85, 21-040-86, 21-040-87, 21-040-88, 21-040-89, 21-040-90, 21-040-91, 21-040-92, 21-040-93, 21-040-94, 21-040-95, 21-040-96, 21-040-97, 21-040-98, 21-040-99, 21-040-100)

DATE:
Schedule Two Revision: Planning Services, March 2011

APPROVED BY:
Department of Planning Services (including
11-040, 21-040, 21-040-01, 21-040-02, 21-040-03, 21-040-04, 21-040-05, 21-040-06, 21-040-07, 21-040-08, 21-040-09, 21-040-10, 21-040-11, 21-040-12, 21-040-13, 21-040-14, 21-040-15, 21-040-16, 21-040-17, 21-040-18, 21-040-19, 21-040-20, 21-040-21, 21-040-22, 21-040-23, 21-040-24, 21-040-25, 21-040-26, 21-040-27, 21-040-28, 21-040-29, 21-040-30, 21-040-31, 21-040-32, 21-040-33, 21-040-34, 21-040-35, 21-040-36, 21-040-37, 21-040-38, 21-040-39, 21-040-40, 21-040-41, 21-040-42, 21-040-43, 21-040-44, 21-040-45, 21-040-46, 21-040-47, 21-040-48, 21-040-49, 21-040-50, 21-040-51, 21-040-52, 21-040-53, 21-040-54, 21-040-55, 21-040-56, 21-040-57, 21-040-58, 21-040-59, 21-040-60, 21-040-61, 21-040-62, 21-040-63, 21-040-64, 21-040-65, 21-040-66, 21-040-67, 21-040-68, 21-040-69, 21-040-70, 21-040-71, 21-040-72, 21-040-73, 21-040-74, 21-040-75, 21-040-76, 21-040-77, 21-040-78, 21-040-79, 21-040-80, 21-040-81, 21-040-82, 21-040-83, 21-040-84, 21-040-85, 21-040-86, 21-040-87, 21-040-88, 21-040-89, 21-040-90, 21-040-91, 21-040-92, 21-040-93, 21-040-94, 21-040-95, 21-040-96, 21-040-97, 21-040-98, 21-040-99, 21-040-100)



Map Produced by G. Lepage Date: Prepared August 28, 2013



Legend
Village of Gageton
Rural Zone Mapping 2012

Zones

- Commercial Zone
- Central Residential Zone
- Openport Rural Zone
- Industrial Zone
- Residential Zone
- Light Manufacturing Zone
- Wood Development Zone
- Wood Development Zone (2)
- Municipal Residential Zone
- Medium-Low Residential Zone
- Non-Central Residential Zone
- Rural Residential Zone
- Recreation Zone
- Special Agricultural Zone

Waterways

- Stream
- Channel
- Canal
- Lake

Other

- Public
- Private
- Proposed
- Proposed Right-of-Way
- Right-of-Way

Notes:
The Municipality, Region and various agencies are responsible for the accuracy of the information shown on this map. The plan is a guide only. Users should refer to the applicable zoning bylaws and other regulations for additional information and restrictions.



VILLAGE OF GAGETOWN
BY-LAW # 37

VILLAGE OF GAGETOWN
RURAL PLAN

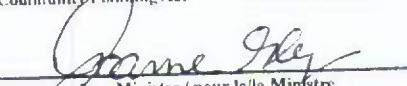
The Council of the Village of Gagetown, under authority vested in it by Section 27.2 of the Community Planning Act, enacts as follows:

1. a) A Rural Plan for the physical development and improvement of the Municipality is hereby adopted.
- b) The Rural Plan mentioned in subsection (a) above includes the document entitled "Village of Gagetown Rural Plan By-law No. 37" and Schedule A, entitled "Zoning Map".
2. a) Upon enactment of this by-law, the following by-laws and any amendments thereto shall be repealed:

By-law No.30	a By-law to adopt the Village Gagetown Rural Plan
By-law No. 30 (A)	a By-law to amend By-law No.30
By-law No. 30 (B)	a By-law to amend By-law No.30
By-law No. 30 (C)	a By-law to amend By-law No.30
By-law No. 30 (D)	a By-law to amend By-law No.30
By-Law No.30 (E)	a By-law to amend By-Law No.30
By-Law No.30 (F)	a By-law to amend By-Law No.30

APPROVED
pursuant to S. 69
Community Planning Act

APPROUVÉ
En application de l'article 69
loi sur l'urbanisme


for - Minister / pour le/la Ministre
Environment and Local Government
Environnement et Gouvernements locaux
March 11, 2014
Date

READ A FIRST TIME

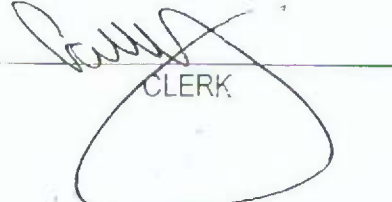
May 21, 2013

READ A SECOND TIME

May 21, 2013

READ A THIRD TIME AND ENACTED

Sept 16, 2013.


CLERK


MAYOR

March 30, 2014

I, Connie May, being the Clerk of the Village of Gagetown, in the County of Queens and the Province of New Brunswick, do hereby declare and certify that the attached copy of the Village of Gagetown Rural Plan By-Law No. 37 is a true and exact copy of the original as adopted by the Gagetown Village Council on September 16, 2013 and which has been signed by the Minister on March 11, 2014.



Signed: Connie May
Clerk, Village of Gagetown

March 30, 2014
Date:

I certify that this instrument
is registered or filed in the

Quebec
County Registry Office,
New Brunswick

J'atteste que cet instrument est
enregistré ou déposé au bureau
de l'enregistrement du comté de

Quebec
Nouveau-Brunswick

25 Mar 14 14:45 33642415
data/date time/heure number/numéro

Darlene Jones
Reg
Registrar-Conservateur

33642415
25 March 2014
@ 14:45 pm