

TOWN OF ST. BRIEUX

ZONING BYLAW

BYLAW 10-2011

**Certified a true copy of
the original document.**

On the 10 day of February, 2012
Kimberly Martin

TABLE OF CONTENTS

SECTION 1 - INTRODUCTION	4
SECTION 2 - INTERPRETATION	4
SECTION 3 - ADMINISTRATION	11
3.1 Development Officer	11
3.2 Development Permit	11
3.3 Application for Discretionary Uses	12
3.4 Development Appeals	13
3.5 Minor Variances	14
3.6 Fees for Amendment of the Zoning Bylaw	14
3.7 Offences and Penalties	14
3.8 Non-Conforming Uses, Buildings and Sites	14
SECTION 4 - GENERAL REGULATIONS	14
4.1 Licenses, Permits, and Compliance with Other Bylaws and Legislation	14
4.2 Number of Principal Buildings Permitted on a Lot	15
4.3 Projections, Buildings and Structures in Required Yards	15
4.5 Signs	15
4.6 Accessory Uses, Buildings and Structures	16
4.7 Bed and Breakfast	17
4.8 Home Occupation	17
4.9 Personal Care Homes	17
4.10 Modular, Mobile and relocated homes	18
4.11 Temporary Housing /Storage during Construction	18
4.12 Servicing	18
4.13 Grading and Surface Drainage	19
4.14 Parking	19
4.16 Day Care Centres	20
4.17 Landscaping	20
4.18 Lot Lines	20
SECTION 5 - ZONING DISTRICTS	21
5.1 The Zoning District Map	21

5.2	Classification of Zoning Districts	21
5.3	Boundaries of Zoning Districts	21
5.4.1	R1 - Residential District	21
5.4.2	R2 - Residential District	24
5.4.3	LR - Lakeshore Residential District	26
5.4.4	C1 - Commercial District	28
5.4.5	C2 - Commercial District	30
5.4.6	M1 - Industrial District	32
5.4.8	PR - Parks and Recreation District	35
5.4.9	UH - Urban Holding District	36
	SECTION 6 - COMING INTO FORCE	37
	SCHEDULE A - ZONING DISTRICT MAP	37

SECTION 1 - INTRODUCTION

Under the authority of *The Planning and Development Act, 2007* and in conjunction with Bylaw 9-2011 the Official Community Plan, the Council of the Town of St. Brieux, in the Province of Saskatchewan, in open meeting, hereby enacts as follows:

1. **Title** - This bylaw shall be known and may be cited as the Zoning Bylaw of the Town of St. Brieux.
2. **Scope** - All development within the limits of the Town of St. Brieux must conform to the provisions of this Bylaw.
3. **Severability** - If any section, clause or provision of this Bylaw, including anything shown on the Zoning District Map, is for any reason declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Bylaw as a whole or part, other than the section, clause, provision or anything shown on the Zoning District Map, declared to be invalid.

SECTION 2 - INTERPRETATION

Whenever, in this Bylaw, the following words or terms are used, they shall, unless the context otherwise provides, be held to have the following meaning:

Accessory Use - a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Act - *The Planning and Development Act, 2007*.

Administrator - the Administrator of the Town of St. Brieux.

Bed and Breakfast Home - a single detached dwelling, licensed under *The Public Accommodation Regulations*, in which overnight accommodation within the single detached dwelling, along with a meal served before noon, is provided to the travelling public for a charge.

Billboard - a free standing sign on which advertising can be placed and which is unrelated to the use or ownership of the property on which the sign is located.

Building - a structure constructed or placed on, in, or over land, but does not include a public highway.

Building, Accessory - a detached building which is accessory to a principal building or principal use and located on the same lot.

Building Height - the vertical distance of a building measured from grade level to the

highest point on the roof.

Building Permit - a permit issued under a bylaw of the Town of St. Brieux authorizing the construction of all or part of a building or structure.

Building, Principal - the building in which is conducted the main or primary use of the lot on which the said building is situated.

Building Line - A line parallel to the front lot line at a distance there from equal to the depth of the front yard required by the zoning district in which the lot is located.

Campgrounds - a tract or parcel of land which provides for the location of tents or trailer coaches, other than mobile homes, used by travellers and tourists for overnight accommodations.

Club - a group of people organized for a common purpose, to pursue common goals, interests or activities, and usually characterized by certain membership qualifications, payment of dues or fees, regular meetings and a constitution and bylaws.

Construction Trade - offices, shops and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry, and other trades associated with construction of buildings.

Converted dwelling - a single family dwelling unit converted to an alternative residential use or other non-residential use.

Corner Lot - a lot at the intersection or junction of two or more streets.

Corner Visibility Triangle - a triangular area formed on a corner site by the two street property lines and a straight line which intersects them 7.5 metres (24.51 feet) from the corner where they meet

Council - the Council of the Town of St. Brieux

Day Care Centre - a building in which non-parental, non-residential care and supervision is provided for 4 or more children at the request of the parents or guardian.

Deck - a raised open platform with or without rails, attached to a principal building.

Development - the carrying out of any building, engineering, mining, or other operations in, on or over land or the making of any material change in use or intensity of the use of any building or land.

Development Officer - a person appointed by Council.

Development Permit - a document authorizing a development, issued pursuant to this

Zoning Bylaw.

Discretionary Use - means a use of land or buildings or form of development that is prescribed as a discretionary use in the zoning bylaw; and requires the approval of council;

Dwelling, Duplex - a building divided horizontally into two dwelling units as herein defined.

Dwelling, Four-plex - a single building comprised of four dwelling units, each having a separate direct entrance from grade.

Dwelling Group - two or more dwelling units, or multiple dwelling units, that are situated on a site containing communal land and facilities collectively administered by the owners of the dwelling units or multiple dwelling units.

Dwelling, Multiple Unit - a building divided into three or more dwelling units as herein defined and shall include, among others, town or row houses and apartments but not a rooming house, hotel, or motel.

Dwelling, Semi-Detached - two dwelling units side by side in one building structure with a common party wall which separates, without opening, the two dwelling units throughout the entire structure.

Dwelling, Single Detached - a detached building consisting of one dwelling unit as herein defined and occupied or intended to be occupied as the permanent home or residence including a pre-built dwelling constructed to National Building Code Standards to be mounted on a permanent foundation, but excluding any mobile home or modular home.

Dwelling Unit - one or more habitable rooms constituting a self-contained unit used as a residence, each unit having sleeping, cooking and toilet facilities.

Essential Public Service - a fire station, police station, municipal facility or similar service.

Fence - an artificially constructed barrier erected to enclose or screen areas of land.

Flankage - the longer of the sides of a corner lot that abuts a street.

Floor Area - the maximum habitable area contained within the outside walls of a building at, or above grade level, excluding in the case of a dwelling unit any private garage, porch, veranda, or unfinished attic.

Frontage - the side of a lot abutting the street; however, in the case of a corner lot, the shorter of the sides is the frontage.

Garage, Private - a building or part of a building used or intended to be used for the storage of motor vehicles for the dwelling unit to which the garage is accessory.

Gas Bar - a building or facility used for the retail sale of more vehicle fuels from fixed pumps, without a building or facilities for the repair of mote vehicles.

Grade Level - the finished ground elevation at the front of the building midway between the front corners of the building.

Holding tank - a tank designed to retain sewage or effluent until transferred into mobile equipment for disposal elsewhere.

Home Occupation - an occupation, trade, profession, or craft, customarily conducted entirely within a residential or accessory building and carried on by the inhabitants thereof, which is clearly incidental and does not change the exterior character.

Hotel - a building or part of a building used as a place for sleeping accommodation, for itinerant use, with or without meals which may have a licensed beverage room for the sale of alcoholic beverages, and which is provided for transient lodgers, but does not include a motel.

Lot - an area of land with fixed boundaries and which is of record in the Land Titles Office by Certificate of Title.

Lot Coverage - that portion of the lot that is covered by buildings or structures.

Lot Line, Front - the line that divides the lot from the street. In the case of a corner lot, the front lot line shall mean the line separating the narrowest street frontage of the lot from the street.

Lot Line, Rear - the line at the rear of the lot and opposite the front lot line.

Lot Line, Side - a lot line other than a front or rear lot line.

Mayor - the Mayor of the Town of St. Brieux.

Mobile Home - a trailer coach that is designed as a dwelling for year-round living, and that has water faucets and a shower head or bathtub that is connected to a water distribution system, and that has a wash basin and water closet that is connected to a sewage system and is certified by the manufacturer that it complies with Canadian Standards Association, Construction Standard No. Z240.2.1 - standard or revisions thereto.

Mobile Home Court - any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the

equipment of such mobile home court.

Modular Home - a building that is manufactured in a factory as a whole or modular unit(s) to be used as one dwelling unit and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard or revisions thereto, and is designed to be moved to the site and placed on a permanent foundation.

Motel - an establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, located on a lot or lots and designed for use by the public, and may include a licensed dining room.

Municipality - the Town of St. Brieux.

Non-conforming Building means a building:

- (i) that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a zoning bylaw or any amendment to a zoning bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- (ii) that on the date a zoning bylaw or any amendment to a zoning bylaw becomes effective does not, or when constructed will not, comply with the zoning bylaw;

Non-conforming Site means a site, consisting of one or more contiguous parcels, that, on the date a zoning bylaw or any amendment to a zoning bylaw becomes effective, contains a use that conforms to the bylaw, but the site area or site dimensions do not conform to the standards of the bylaw for that use;

Non-conforming Use means a lawful specific use:

- (i) being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date a zoning bylaw or any amendment to a zoning bylaw affecting the land or building becomes effective; and
- (ii) that on the date a zoning bylaw or any amendment to a zoning bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the zoning bylaw;

Parking Space - a space within a building or parking lot for the parking of one vehicle, having minimum dimensions of 2.5 meters wide (8.2 ft.) by 5.5 metres deep (18 feet), and which has access to a developed street or lane.

Permitted Use - a use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Personal Care Home - a facility licensed under *The Personal Care Homes Act* that provides long term residential, social, and personal care, including accommodation, meals, supervision, or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

Personal Service Shops - establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios, and other similar uses.

Public work - any building, systems or facilities intended to be used for:

- (i) production, distribution or transmission of electricity;
- (ii) distribution, storage or transmission of natural gas or oil;
- (iii) storage, transmission, treatment, distribution or supply of water;
- (iv) collection, treatment, movement or disposal of sanitary sewage;
- (v) telephone, cable television or light distribution or transmission lines;
- (vi) collection, storage, movement and disposal of storm drainage.

Recreational Facility, Commercial - a recreation or amusement facility operated as a business and open to the general public for a fee.

Recreational Facility, Public - a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public.

Recreational Vehicle - a unit intended to provide temporary living accommodation for campers or travellers; built as part of, or to be towed by, a motor vehicle to be used on a public highway without special permit; and includes truck campers, motor homes, tent trailers and travel trailers.

Recreational Vehicle Park - any parcel of land on which serviced lots are provided for two or more recreational vehicles.

Regulations, General - Regulations prescribed herein that apply to all developments.

Regulations, Special - Regulations prescribed herein that apply to a specific use.

Screening - structures or vegetation that visually buffer a use from adjoining areas or uses.

Senior Citizens Home - shall mean a building containing dwelling units for the exclusive use of senior citizens.

Septic tank - a digestion chamber in which sewage is received and retained and from which the effluent is discharged.

Service Station - a building or part of a building, other than a private garage, used primarily for the retail sale of lubricating oil, gasoline, and automobile accessories,

the storage, care, repair, servicing or equipping of motor vehicles, the hire, sale or display of motor vehicles and which may include a cafeteria and other retail and rental business.

Sign - any device, letter, figure, symbol, emblem, or picture which is affixed to or represented directly or indirectly upon a building, structure, or a piece of land and which identifies or advertises any object, product, place, activity, person, organization or business in such a way as to be visible to the public on any street or thoroughfare.

Sign, directional & informational – a sign providing information or directions to a location or attraction. Not intended for advertising, but for directions.

Sign, portable – a sign designed to be easily moved and would include trailer mounted, truck mounted, vans or truck trailers converted for use as a sign.

Sign, temporary - a removable sign erected for a period of time not exceeding six months.

Site - one or more continuous lots used, or intended to be used for a single principal use or principal building.

Street - a public thoroughfare which affords the principal means of access to the abutting property.

Structure - anything that is built, constructed, or erected, located on, or in the ground, or attached to something located on, or in the ground.

Structural Alteration - the construction or reconstruction of supporting elements of a building or other structure.

Townhouse – a multiple-unit dwelling in which each unit has its own entrance to the outside, each unit being separated from other units by a common wall or ceiling which has no openings.

Yard - any part of a lot unoccupied and unobstructed by any principal building.

Yard, Distance - the minimum distance between the principal building and the respective lot line.

Yard, Front - a yard extending across the full width of a lot between the front lot line and the nearest main wall, exclusive of the eaves of the principal building or structure on the lot.

Yard, Rear - a yard extending across the full width of the lot between the rear lot line and the nearest wall, exclusive of the eaves of the principal building or structure on the lot.

Yard, Side - a yard extending from the front yard to the rear yard between the side lot line and the nearest wall, exclusive of the eaves of the principal building on the lot.

Zoning Districts - a specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land sand structures.

SECTION 3 - ADMINISTRATION

3.1 Development Officer

The Development Officer, as appointed by resolution of council, is responsible for the administration of this Bylaw.

3.2 Development Permit

- (1) Except as provided in Section 3.2(4), no person shall undertake a development or commence a use unless a development permit is obtained.
- (2) No development permit is valid unless it conforms to this Bylaw.
- (3) An application for a development permit shall be made in a form which shall be approved by the Development Officer and shall contain minimum information necessary to properly evaluate the proposal in relation to the regulations of this bylaw and shall include the following:
 - a) proposed use
 - b) name of applicant
 - c) registered owner of property
 - d) site plan showing:
 - i. all building and set back dimensions
 - ii. landscaping and parking areas
 - iii. ingress and egress from site
 - iv. proposed municipal services and locations
 - v. lot elevation.
 - e) A fee for Administration of Development Permits as established by Council resolution from time to time.
- (4) A development permit is not required for the following, provided the use conforms to all other provisions and regulations of this Bylaw:
 - a) maintenance of public work;
 - b) construction of a public work by, or on behalf of the Town of St. Brieux;
 - c) installation of a public work on any street or other public right-of-way;
 - d) construction of a fence under 1.82 metres (6 feet) in height;
 - e) any maintenance and repair that does not involve or affect a structural component;
 - f) construction of any accessory building under 9.3 m² (100 ft.²) in area;

- g) the erection of a temporary sign.
- (5) Where a person applies for a development permit with respect to a development or use described as a permitted use by this zoning bylaw, the development officer shall, where the application conforms to this zoning bylaw, issue a development permit.
 - (6) Where a person applies for a development permit in respect of a development or use that is a discretionary use under this zoning bylaw, the development officer shall, where the application is approved by Council, issue a development permit subject to any condition required by the Council as may be authorized by this bylaw and Section 56(3) of the Act.
 - (7) Every decision of the Council or the development officer with respect to an application for a development permit shall be in writing and a copy shall be sent to the applicant.
 - (8) Where the Council or development officer refuses an application for a development permit, the decision shall state the reasons for the refusal, and advise the applicant of the right to appeal the decision in accordance with Section 3.4.
 - (9) If the development authorized by a development permit is not commenced within twelve (12) months from the date of issue, the permit is deemed to be void, unless an extension of this period has been granted.
 - (10) The development permit may include a requirement that the development be substantially completed within a specified timeframe.

3.3 Application for Discretionary Uses

- (1) Where this bylaw provides for a discretionary use or form of development, the owner of a property (or other person, with the written consent of the owner) may apply to the development officer in the form as prescribed in Section 3.2(3) and shall provide any other information that the Development Officer may determine is necessary for Council to fully review the proposed development.
- (2) On receipt of an application pursuant to subsection (1) the development officer shall, at least seven days before the application is to be considered by council, provide notice of the application by:
 - a) posting a notice in the Town of St. Brieux Office; and
 - b) written notice to all assessed owners within 76.2 meters (250 feet) of the boundary of the proposed development site; and
 - c) advertisement in a newspaper having regular circulation in the community.

- (3) When considering an application for discretionary use Council shall apply the following criteria:
 - a) The proposed use must be contained within the list of discretionary uses of the respective zoning district.
 - b) Any proposed buildings and structures must conform to the regulations of the zoning district;
 - c) In Council's opinion the use will not create unnecessary disturbance to abutting residential areas due to noise, dust, gas, vapour, traffic or odour;
 - d) In approving any discretionary use, to minimize land use conflict, Council may prescribe specific development standards related to:
 - i. site drainage of storm water
 - ii. the location of buildings with respect to buildings on adjacent properties
 - iii. access to, number and location of parking and loading facilities
 - iv. appropriate space for vehicle circulation and impact on traffic flows on adjacent roadways
 - v. control of noise, glare, dust and odour
 - vi. landscaping, screening and fencing to buffer adjacent properties.

3.4 Development Appeals

- (1) Development Appeals Board - A Development Appeals Board of the Town of St. Brieux is appointed in accordance with sections 26 to 28, and 213 to 227 of the Act.
- (2) Where an application for a permitted use has been refused, the applicant may appeal to the Development Appeals Board of the Town of St. Brieux and shall be advised of this right.
- (3) Where an application for a discretionary use has been approved by Council with prescribed development standards pursuant to this Bylaw and/or conditions required by Council and the applicant is of the opinion that the special regulations or conditions prescribed exceed those necessary to secure the objectives of the Bylaw, the applicant may, within thirty (30) days of the date of Council's approval, appeal the development standards prescribed or conditions required with the approval of the discretionary use to the Development Appeals Board of the Town of St. Brieux.
- (4) Notwithstanding the provisions of this section, no person shall appeal a decision of the Council to reject an application for approval of a discretionary use.
- (5) An application for Development Permit for a permitted use shall be deemed to be refused when a decision thereon is not made within 40 days after the

receipt of the application in its complete and final form by the development officer, and an appeal may be made as though the application had been refused at the end of the period specified in this subsection.

3.5 Minor Variances

- (1) Council may approve a minor variance in accordance with Section 60 of the Act.
- (2) An application for a minor variance must be in writing and state the reasons for the minor variance, and include payment of the application fee.
- (3) A minor variance on dimension shall not exceed 10% of the respective regulation.

3.6 Fees for Amendment of the Zoning Bylaw

Where an application for an amendment to this Bylaw is made to Council, the applicant shall pay all costs associated with administration and advertisement of the proposed amendment.

3.7 Offences and Penalties

Any person who violates this bylaw is guilty of an offence and liable on summary conviction to the penalties as provided for in Section 243 of the Act.

3.8 Non-Conforming Uses, Buildings and Sites

- (1) A non-conforming use, building or site shall be subject to Sections 88-93 inclusive of the Act.
- (2) No existing structure or lot shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the Metric System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.
- (3) A use which legally existed prior to the adoption of the bylaw and which is listed as a discretionary use is deemed to be an approved discretionary use.

SECTION 4 - GENERAL REGULATIONS

4.1 Licenses, Permits, and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the

requirement of any other federal, provincial, municipal legislation, regulation or requirement, or from obtaining any license, permission, permit, authorization, or approval required by such requirements.

4.2 Number of Principal Buildings Permitted on a Lot

Not more than one (1) principal building shall be placed on any one lot, except in the case of a school, hospital, curling and skating rink, public recreational facility, nursing home, a senior citizen home, dwelling group, a mobile home court or a group of buildings in an industrial district.

4.3 Projections, Buildings and Structures in Required Yards

Where a minimum distance is required between the principal building or any approved accessory structure and the lot line in any district, such minimum requirements shall not apply to the following:

- (1) in any yard: the construction of a chimney, sill, cornice, or roof overhang that does not exceed 0.61 metres (2 feet) in size or any sidewalk, uncovered driveway, fence, garden or pond, and
- (2) in rear yards: in addition to the above, the construction of a deck having a maximum projection into the rear yard of 1.82 metres (6 feet).

4.4 Front Yard Reduction

Notwithstanding the minimum front yard required by this Bylaw, where a lot is situated between two lots each of which contains a principal building which projects beyond the minimum required front yard, the front yard for the proposed building may be reduced to the average of the two established front yards of the adjacent lots.

4.5 Signs

Except as otherwise provided, all signs shall be subject to the following regulations:

- (1) Commercial and Industrial Districts - In any commercial or industrial district:
 - a) no more than two (2) signs (excluding directional and informational signs) are permitted on the lot;
 - b) no sign shall have a facial area in excess of 4 m² (43 sq ft.) but each sign may be double-faced;
 - c) the maximum height of any sign shall be 6 metres (20 feet) above ground surface;
 - d) One temporary or portable sign shall be permitted for a period of time not exceeding 6 months.

(2) Other Districts

In any district other than the districts mentioned in (1).

- a) no more than one permanent sign is permitted on the lot, except one (1) additional sign is permitted for a home occupation or bed and breakfast;
- b) additional temporary signs bearing notice of sale or lease, sale of produce, or other information relating to a temporary condition affecting the lot are permitted;
- c) no sign shall have a facial area exceeding 0.5 square metres, (5.4 sq. ft.) except as provided for a home occupation or bed and breakfast where a sign having a maximum facial area of one (1) square metre (10.76 sq. ft.) is permitted.

(3) Informational Signs

Informational signs are discretionary uses, permitted only with the prior approval of Council and subject to the following criteria:

- a) signs are to convey information or directions to a location or attraction and are not meant as an advertisement for any location or attraction.
- b) signs must comply with the following:
 - i. The maximum single face area is 6 square metres (64.58 sq. ft.);
 - ii. The maximum total face area is 12 square metres (129.17 sq. ft.)
 - iii. All double-faced signs shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction;
 - iv. The maximum height above grade is six (6) metres (19.68 feet).
- c) No informational sign shall have a flashing or intermittent light.
- d) All lighting shall be shielded from direct view from any roadway or site boundary.
- e) Council may place special conditions on the location of the informational sign on a site to protect the clear view of an intersection or highway.

(4) Billboard Signs

No billboards shall be erected or displayed within the Town.

(5) General Regulations

- a) No person shall erect, place, or alter a sign without first having obtained a development permit.
- b) Signs shall not be erected in a fashion which may jeopardize public safety.
- c) Except in the C1 Commercial District no signs shall be erected within the corner visibility triangle of two intersecting streets.

4.6 Accessory Uses, Buildings and Structures

- (1) Private garages, carports, and accessory buildings attached to a principal

building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building.

- (2) The exterior of any separate accessory structure shall be compatible with the exterior of the principal structure.
- (3) In no case shall truck trailer units, container cases, or other such storage units be used as an accessory building in a residential area.
- (4) Criteria for location and size of accessory uses, buildings and structures shall be prescribed for each district.

4.7 Bed and Breakfast

Bed and breakfast operations, where allowed in a specific zoning district, shall:

- (1) in a Residential District be only located in the operator's principal residence;
- (2) be licensed by the Department of Health;
- (3) be limited to a maximum of four guest bedrooms or such additional bedrooms as may be approved by Council,
- (4) have only one sign, not exceeding one (1) square metre (10.76 sq. feet) in area, advertising the bed and breakfast located on site; and
- (5) provide one (1) off street parking space for each guest bedroom.

4.8 Home Occupation

Where any home occupation is approved in any residential district, the owner of the property and the operator shall ensure that:

- (1) no conflict occurs with the residential area in terms of emission of noise, glare, dust, gas or odour which would be disruptive to the surrounding residential uses;
- (2) there is no exterior display or storage of materials and no exterior variation from the residential character of the building other than a sign not exceeding one (1) square metre (10.76 sq. feet) in area;

4.9 Personal Care Homes

Where any personal care home facility is operated in a residential district, the owner of the property and the operator shall ensure that:

- (1) no conflict occurs within the residential area in terms of emission of noise, glare, dust, gas or odour which would be disruptive to the surrounding residential uses;

- (2) adequate arrangements are made for traffic and parking in the immediate area;
- (3) the home is licensed as may be required by provincial legislation;
- (4) there is no exterior display or storage of materials and no exterior variation from the residential character of the building other than a sign not exceeding one (1) square metre (10.76 sq. feet) in area;
- (5) the total number of residents in all personal care homes located on the same side of the street within the same block and on the opposite block face shall not exceed 15.

4.10 Modular, Mobile and relocated homes

- (1) Modular, Mobile and relocated homes will be a discretionary use in specific zoning districts provided that in the opinion of the Council the home, with any modifications as may be required by the Council, will be consistent with the general appearance, size and quality of other homes in the immediate area;
- (2) All modular homes shall be placed on and permanently attached to a sub-grade foundation comprised of a full or partial basement, grade beam or combination thereof extending above a minimum height of 500 mm (19.68 inches) above grade, and constructed to generally accepted engineering standards;
- (3) Mobile Homes shall be permanently attached to a perimeter foundation wall or basement or shall be securely attached to the ground and skirted with a material compatible with the exterior finish.
- (4) All modular homes shall be permanently connected to water and sewer lines.

Temporary Housing /Storage during Construction

- (6) In any zone where a mobile home or recreational vehicle is not permitted as a permanent residence, a mobile home or recreational vehicle may be used during the construction or re-construction of a permitted residence provided that a permit has been issued for the construction and the period of use does not exceed one (1) year unless an extension of this period has been granted by Council.
- (7) The use of a truck trailer, steel container, etc., by permit, may not exceed 6 months.

4.12 Servicing

- (1) All developments shall be required to connect to the underground sewage collection system where it is reasonably available to the property.
- (2) Holding or septic tanks are not allowed on properties which can be reasonably connected to the underground sewage collection system.

- (3) Where holding or septic tanks are permitted, the tanks shall be of a design approved by the appropriate provincial department, and Town of St. Brieux and the contents shall be discharged into the St. Brieux lagoon.
- (4) Sewage field disposal systems are not permitted in the Town where connection to the municipal system is available.
- (5) All developments requiring potable water service shall be connected to the Town water distribution system.

4.13 Grading and Surface Drainage

All lots shall be graded to provide adequate site drainage and not adversely affect adjacent properties.

4.14 Parking

- (1) In all zoning districts, off-street parking shall be provided in accordance with the following table. In any case where different occupancies are on the same site, the more stringent parking requirement applies.

Use	Minimum Parking Spaces
Dwellings, including mobile homes	1 per dwelling unit
Home-based business and home occupations	1 per non-resident employee
Day Care center or adult care centre	1 plus one per 5 persons enrolled in the facility
Bed and breakfast	1 plus 1 per 2 guest beds
Schools, educational institutions	1 per classroom
Restaurants, lounges, night clubs, taverns, theatres, assembly halls	1 per 4 seats, based on the maximum seating capacity
Hotels	1 for every guest sleeping room
Motels	1 parking space for each unit
Commercial Retail establishments, Lumber Yards, and Industrial Uses	1 for every 50 m ² (538 sq. ft.) of gross floor area or 1 per 2 employees, whichever is greater
Other uses	1 for every 70 m ² (753 sq. ft.) of gross floor area of the principal building

- (2) In residential districts parking spaces located within the front yard may not occupy more than ½ of the area of the front yard.

4.15 Converted Dwellings

Converted dwellings shall be subject to the following:

- (1) the use must be a permitted or discretionary use in the district, or may be another use covered by contract
- (2) Any exterior addition or alteration does not change the general appearance and character of the building from a single dwelling;
- (3) the development standards for single dwellings shall apply;
- (4) parking regulations for the new use shall apply.

4.16 Day Care Centres

Day Care Centres providing care for more than 4 children shall be considered a discretionary use and subject to the following:

- (1) the centre must be licensed or approved in accordance with applicable provincial regulations;
- (2) the proposed centre receives approval from the Ministry of Health and meets the necessary health requirements;

4.17 Landscaping

- (1) All areas of the site not occupied by buildings or vehicle parking, circulation and loading areas shall be landscaped with trees, shrubs, grasses, rock, pavers and/or other similar materials.
- (2) All landscaping shall be maintained in a neat and tidy condition.
- (3) The Development Officer shall not approve an application for a development permit for a townhouse, dwelling groups, four-plex dwellings or commercial uses unless:
 - a landscape sketch plan has been submitted; and
 - the landscape plan provides, in the opinion of the Development Officer, appropriate soft. or hard landscape features to enhance the visual amenity of the site and provide adequate visual screening, if necessary.

4.18 Lot Lines

Where a building is constructed on more than one lot, the outer lot lines of the combined lots shall be constructed to be the lot boundaries for the purposes of this bylaw.

SECTION 5 - ZONING DISTRICTS

5.1 The Zoning District Map

The map, bearing the statement "Zoning District Map" of the Zoning Bylaw (Bylaw No. 10-2011) of The Town of St. Brieux adopted by the Town and signed by the Mayor and Municipal Administrator under the seal of the municipality shall be known as the Zoning District Map and such map is attached as Schedule 'A' and forms part of this Bylaw.

5.2 Classification of Zoning Districts

In order to carry out the purpose and provisions of this Bylaw, the municipality is divided into the following zoning districts, the boundaries of which are shown on the Zoning District Map. Such districts may be referred to by the appropriate symbols.

Zoning Districts

R1 - Residential District	PR - Parks and Recreation District
R2 - Residential District	C1 - Commercial Core District
M1 - Industrial District	C2 - Highway Commercial District
I - Institutional District	LR - Lakeshore Residential
UH - Urban Holding District	

5.3 Boundaries of Zoning Districts

The boundaries of the zoning districts referred to above with explanatory legend, notation, and reference, shall be as shown on the map entitled Zoning District Map. Unless otherwise shown, the boundaries of such districts shall be lot lines, centre lines or streets, lanes, road allowances, and the boundaries of the municipality. In un-subdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

5.4 Zoning Districts

The following are the uses and special regulations pertaining to the various zoning districts under this bylaw:

5.4.1 R1 - Residential District

(1) Purpose

The purpose of this district is to establish and preserve quiet residential neighbourhoods free from other non-compatible uses and allow development on small lots and limited multiple unit development.

(2) Permitted Uses - The following uses are permitted in the R1 - Residential District:

- a) single detached dwellings;
- b) semi-detached, duplex dwellings, townhouses
- d) churches;

- e) schools, libraries and educational institutions;
- f) halls and auditoriums;
- g) public recreational facilities;
- h) municipal offices and facilities
- i) parks and playgrounds;
- j) accessory uses, buildings and structures subject to Section 4.5

(3) Discretionary Uses – The following are discretionary uses in the R1 – Residential District:

- a) dwelling groups of single detached, semi-detached, modular homes and townhouse units;
- b) modular homes;
- c) multiple unit dwellings
- d) public works excluding offices, warehouses, storage yards and sewage lagoons
- e) essential public service;
- f) hospitals
- g) day care centres subject to Section 4.16
- h) home occupations subject to Section 4.8;
- i) personal care homes subject to Section 4.9 ;
- j) bed and breakfast homes subject to Section 4.7;
- k) converted dwellings subject to Section 4.15
- l) private clubs

(4) Development Standards

Development shall conform to the following:

Requirement*	Single Detached Dwellings and modular homes	Semi-detached, townhouse & Duplex Dwellings	Dwelling groups and Multiple Unit dwellings	Other Uses	Accessory Buildings
Site area, minimum	360 sq. m. (3875 sq.ft.) with lane 475 sq. m. (5113 sq.ft.) without lane	255 sq. m. (2745 sq. ft.) per unit, with lane 315 sq. m. (3391 sq. ft.) per unit, without lane	200 sq. m. (2152.8 sq. ft.) per unit	450 sq. m. (4845 sq. ft.)	n/a
Site frontage, minimum	12 m, (39.4 ft.) with lane 15 m (49.21 ft.) without lane	8.5 m (27.9 ft.) per unit, with lane 10.5 m. (34.5 ft.) without lane	20 m (65.6 ft.)	15 m (49.2 ft.)	n/a
Front yard, minimum	5 m (16.4 ft.)	5 m (16.4 ft.)	5 m (16.4 ft.)	7.5 m. (24.6 ft.)	7.5 m. (24.6 ft.)
Rear yard, minimum	6 m (19.68 ft.)	6 m (19.68 ft.)	7.5 m. (24.6 ft.)	7.5 m. (24.6 ft.)	7.5 m. (24.6 ft.)
Side yard, minimum	1.2 m. (3.94 ft.) 3m. (9.84 ft.) abutting street	1.2 m. (3.94 ft.) 3m. (9.84 ft.) abutting street	Greater of 3 m. (9.84 ft.) or ½ abutting wall height; 2.4 m. (7.87 ft.) between buildings in a dwelling group	Greater of 3 m. (9.84 ft.) or ½ abutting wall height	1.75 m. (2.46 ft.); 3 m. (9.84 ft.) abutting street
Site coverage, maximum all buildings	40 %	40%	50 %	50 %	10 % of site area
Principal Building area, minimum	70 sq. m. (753.5 sq. ft.)	50 sq. m (538.21 sq. ft.) per unit	50 sq. m (538.21 sq. ft.) per unit	n/a	n/a
Building height, maximum	8.5 m (27.89 ft.)	8.5 m (27.89 ft.)	12 m (39.37ft.)	12 m (39.37ft.)	5 m. (16.4ft.)

* No minimum requirement for parks, playgrounds and public works

- a) Landscaping shall be provided in accordance with Section 4.17
- b) Parking shall be provided in accordance with Section 4.14

(5) Discretionary Use Criteria

In addition to Section 3.3(3) for discretionary uses the following criteria will be applied:

- a) the development will not cause excessive traffic through existing residential areas;

- b) the site must be located on a street which is contiguous to a collector or arterial roadway;
- c) proposed buildings and structures will be designed to complement the existing development;
- d) outdoor storage and garbage areas must be suitably screened from public view;
- e) private clubs shall be located on corner lots abutting arterial or collector streets and must be suitably screened from abutting residential sites with fencing or shrubs;
- f) Council will apply the following criteria in considering dwelling groups:
 - the size and location of the development will be consistent with the capacity of the street system to handle the added development.
 - the development will not cause excessive traffic to pass through existing low density residential areas
 - the density of a dwelling group will not be significantly different from development with single principal buildings on subdivided sites
 - building separations shall meet the standards for similar residential structures on separate parcels
 - bare land condominium proposals for dwelling groups will not be considered unless there is a requirement for significant common property on the parcel.

5.4.2 R2 - Residential District

- (1) The purpose of this district is to allow for single family residential areas which allow for modular and mobile home development on small lots.
- (2) Permitted Uses - The following uses are permitted in the R2 - Residential District:
 - a) single detached dwelling;
 - b) modular homes;
 - c) mobile homes;
 - d) parks and playgrounds;
 - e) home occupations subject to Section 4.8;
 - f) accessory uses, buildings and structures subject to Section 4.6;
- (3) Discretionary Uses - The following are discretionary uses in the R2 - Residential District:
 - a) personal care homes subject to Section 4.9;
 - b) bed and breakfast homes subject to Section 4.7;
 - c) day care centres subject to Section 4.16;
 - d) dwelling groups;
 - e) mobile home courts;
 - f) essential public service;
 - g) public works
 - h) converted dwellings subject to 4.15

(4) Development Standards

a) Development shall conform to the following:

Requirement*	Single Detached Dwellings, Mobile and modular homes	Semi-detached, townhouse & Duplex Dwellings	Dwelling groups and Multiple Unit dwellings	Other Uses	Accessory Buildings
Site area, minimum	360 sq. m. (3875 sq.ft.) with lane 475 sq. m. (5113 sq. ft.) without lane	255 sq. m. (2745 sq. ft.) per unit, with lane 315 sq. m. (3391 sq. ft.) per unit, without lane	200 sq. m. (2152.8 sq. ft.) per unit	450 sq. m. (4845 sq. ft.)	n/a
Site frontage, minimum	12 m (39.4 ft.) with lane 15 m. (49.21 ft.) without lane	8.5 m (27.9 ft.) per unit, with lane 10.5 m. (34.5 ft.) without lane	20 m (65.6 ft.)	15 m (49.2 ft.)	n/a
Front yard, minimum	5 m (16.4 ft.)	5 m (16.4 ft.)	5 m (16.4 ft.)	7.5 m. (24.6 ft.)	7.5 m. (24.6 ft.)
Rear yard, minimum	6 m (19.68 ft.)	6 m (19.68 ft.)	7.5 m. (24.6 ft.)	7.5 m. (24.6 ft.)	7.5 m. (24.6 ft.)
Side yard, minimum	1.2 m. (3.94 ft.) 3m. (9.84 ft.) abutting street	1.2 m. (3.94 ft.) 3m. (9.84 ft.) abutting street	Greater of 3 m. (9.84 ft.) or ½ abutting wall height; 2.4 m. (7.87 ft.) between buildings in a dwelling group	Greater of 3 m. (9.84 ft.) or ½ abutting wall height	.75 m. (2.46 ft.); 3 m. (9.84 ft.) abutting street
Site coverage, maximum all buildings	40 %	40%	50 %	50 %	10 % of site area
Principal Building area, minimum	70 sq. m. (753.5 sq. ft.)	50 sq. m (538.21 sq. ft.) per unit	50 sq. m (538.21 sq. ft.) per unit	n/a	n/a
Building height, maximum	8.5 m (27.89 ft.)	8.5 m (27.89 ft.)	12 m (39.37ft.)	12 m (39.37ft.)	5 m. (16.4ft.)

* No minimum requirement for parks, playgrounds and public works

- b) Landscaping shall be provided in accordance with Section 4.17.
- c) Parking shall be provided in accordance with Section 4.14.

- (5) **Discretionary Use Criteria**
In addition to Section 3.3(3) for discretionary uses the following criteria will be applied:
- (b) the development will not cause excessive traffic through existing residential areas;
 - (c) the site must be located on a street which is contiguous to a collector or arterial roadway;
 - (d) proposed buildings and structures will be designed to complement the existing development;
 - (e) outdoor storage and garbage areas must be suitably screened from public view;
 - (f) Council will apply the following criteria in considering dwelling groups and mobile home courts:
 - i. the size and location of the development will be consistent with the capacity of the street system to handle the added development.
 - ii. the development will not cause excessive traffic to pass through existing low density residential areas
 - iii. building separations shall meet the standards for similar residential structures on separate parcels.

5.4.3 LR – Lakeshore Residential District

- (1) The purpose of this district is to establish and preserve quiet residential areas free from other non-compatible uses and allow development on medium to large lots adjacent to the lakefront.
- (2) Permitted Uses - The following uses are permitted in the LR – Lakeshore Residential District:
- a) single detached dwellings;
 - b) parks and playgrounds;
 - c) accessory uses, buildings and structures subject to Section 4.5
- (3) Discretionary Uses - The following uses are discretionary uses in the LR - Lakeshore Residential District:
- a) home occupations subject to Section 4.7;
 - b) bed and breakfast homes subject to Section 4.6;
 - c) day care centres subject to Section 4.15;
 - d) dwelling groups of single, semi-detached or townhouse units;
 - e) personal care homes subject to Section 4.8;
 - f) public works;
 - g) churches;
 - h) senior citizen's homes;
 - i) townhouses;
 - j) essential public service.

(4) Development Standards

a) Development shall conform to the following:

Requirement*	Single Detached Dwellings, and modular homes	Other Uses	Accessory Buildings
Site area, minimum	540 sq. m. (5812.7 sq ft.)	900 sq. m. (9687.84 sq.m)	n/a
Site frontage, minimum	15 m (49.21 ft.)	30 m (98.42 ft.)	n/a
Front yard, minimum	7 m (22.96 ft.)	7 m (22.96 ft.)	n/a
Rear yard, minimum	9 m (29.53 ft.)	9 m (29.53 ft.)	1 m. (3.28 ft.); 9 m. (29.53ft.) if abutting PR district, municipal reserve or lakeshore
Side yard, minimum	1.5 m (4.92 ft.)	1.5 m (4.92 ft.)	1 m.; (3.28 ft.)
Side yard abutting a street, minimum	3 m (9.84 ft.)	3 m (9.84 ft.)	3 m. (9.84 ft.)
Principal Building area, minimum	100 sq. m. (1076.43 sq ft.)	100 sq. m. (1076.43 sq ft.)	n/a
Site coverage, maximum all buildings	45 %	50 %	10% of lot area
Building height, maximum	8.5 m (27.89 ft.)	12 m (39.37 ft.)	5 m. (16.4 ft.)

* No minimum requirement for parks, playgrounds and public works

- b) Landscaping shall be provided in accordance with Section 4.16.
- c) Parking shall be provided in accordance with Section 4.12.

(5) Discretionary Use Criteria

In addition to Section 3.3(3) for discretionary uses the following criteria will be applied:

- a) the development will not cause excessive traffic through existing residential areas;
- b) the site must be located on a street which is contiguous to a collector or arterial roadway;
- c) proposed buildings and structures will be designed to complement the existing development;
- d) outdoor storage and garbage areas must be suitably screened from public view;
- e) Council will apply the following criteria in considering dwelling groups:
 - o the size and location of the development will be consistent with the capacity of the street system to handle the added development.
 - o the development will not cause excessive traffic to pass through existing low density residential areas
 - o the density of a dwelling group will not be significantly different from development with single principal buildings on subdivided sites

- building separations shall meet the standards for similar residential structures on separate parcels
- bare land condominium proposals for dwelling groups will not be considered unless there is a requirement for significant common property on the parcel.

5.4.4 C1 - Commercial District

(1) The purpose of this district is to establish and preserve the town centre commercial area as the primary business centre of the town.

(2) Permitted Uses

The following uses are permitted in the C1 - Commercial District:

- a) accessory uses, buildings and structures except dwelling units;
- b) retail stores;
- c) convenience and confectionary stores;
- d) recreational facilities;
- e) hotels;
- f) restaurants, dining rooms and licensed drinking establishments;
- g) theatres;
- h) banks;
- i) offices;
- j) newspaper and printing shops;
- k) personal service shops;
- l) bed and breakfast homes;
- m) auto sales and service

(3) Discretionary Uses

The following are discretionary in the C1 - Commercial District:

- a) A dwelling unit for the owner, secondary and subordinate to, and located on the same lot with the principal use.
- b) Dwelling units existing as a principle use at time of passage of bylaw including any modifications, additions and replacement on site provided the existing principal building is removed following replacement;
- c) bus depot;
- d) essential public service;
- e) ambulance services;
- f) service stations and gas bar;
- g) public works excluding warehouse and storage yards;
- h) halls and auditoriums;
- i) churches.

(4) Development Standards:

Development shall conform to the following:

- a) no permitted or discretionary use shall cause noise, dust, gas, or odour sufficient to disturb the adjacent residential areas;
- b) all storage of equipment, supplies or materials must be stored wholly within a building or behind a solid fence two (2) metres (6.56 feet) in height and built in such a manner to totally screen the storage area from public view.
- (c) Lot requirements for principal uses:
 - i) minimum lot area:
 - service stations - 929 m² (10,000 ft²)
 - all other uses - 232 m² (2500 sq. ft.)
 - ii) minimum lot frontage:
 - service stations - 30 m. (98 ft.)
 - all other uses - 7.5 m. (24.6 ft.)
 - iii) minimum front yard:
 - service stations - 7.5 m. (24.6 ft.)
 - all other uses - nil
 - iv) there is no minimum side yard distance, except where the side of a lot in the C1 - Commercial District abuts a lot in a Residential District, a side yard of at least 1.5 metres (4.92 ft.) shall be provided
 - v) rear yard minimum - nil or 6m. (19.68 ft.) if rear yard abuts a site in a residential district.
- (d) Accessory buildings shall conform to the same yard requirements as required for principal building with the following exceptions:
 - i) an accessory building with a door which opens onto a lane or street shall have a minimum yard space of 1.2 m. (3.94 ft.)
 - ii) 1.2 m. (3.94 ft.) minimum yard space adjacent to a site in a residential district.

(5) Discretionary Use Criteria

In addition to Section 3.3(3) for discretionary uses the following criteria will be applied:

- a) the development will not cause excessive traffic through existing residential areas;
- b) vehicle parking, loading and circulation areas must have direct access to a street which is contiguous to a collector or arterial roadway;
- c) proposed buildings and structures will be designed to complement abutting development;
- d) outdoor storage and garbage areas must be suitably screened from public view;
- e) Dwelling units accessory to principal use shall:
 - Be a minimum of 45 sq. m. (484.39 sq ft.) in area
 - be for the exclusive use of the property owner, business owner or proprietor;

- be located within the building of the commercial establishment and shall be subordinate to the principal use;
 - have an entrance separate from that of the commercial establishment;
 - have a fire exit secondary to the required entrance
- f) Development standards for new dwelling units shall be in accordance with those specified in the R2 - Residential District.

5.4.5 C2 - Commercial District

(1) The purpose of this district is to establish areas adjacent to the highway for the development of commercial uses which serve the travelling public and which may require ease of accessibility and/or substantial parking or display areas.

(2) Permitted Uses

The following are permitted uses in the C2 - Commercial District:

- a) any permitted use in the C1 – Commercial District
- b) restaurants, lounges and fast food outlets;
- c) bus terminals
- d) public works;
- e) halls and auditoriums
- f) motels, hotels;
- g) motor vehicle, recreational vehicle, farm implement sales and service;
- h) service stations and gas bars;
- i) car washes;
- j) churches;
- k) accessory uses, buildings or structures

(3) Discretionary Uses

The following are discretionary uses in the C.2 – Commercial District:

- a) lumber yard;
- b) automobile and recreational vehicle sales;
- c) veterinary clinics;
- d) hospitals;
- e) construction trades;
- f) a dwelling unit accessory to the principal use;
- g) essential public service;
- h) Ambulance services

(4) Development Standards

a) Lot Requirements shall conform to the following table:

Requirement*	Hotels and Motels	Other Uses	Accessory Buildings
Site area, minimum	1200 sq. m. (12,920 sq. ft.)	900 sq. m. (9687.84 sq. ft.)	n/a
Site frontage, minimum	30m (98.42 ft.)	30 m (98.42 ft.)	n/a
Front yard, minimum	15 m (49.21 ft.)	7.5 m (24.61 ft.)	n/a
Rear yard, minimum	6 m (19.68 ft.)	6 m (19.68 ft.)	1.2 m (3.94 ft.)
Side yard, minimum	3 m (9.84 ft.)	3 m (9.84 ft.)	1.2 m.; (3.94 ft.)
Side yard abutting a street, minimum	6 m (19.68 ft.)	3 m (9.84 ft.)	3 m. (9.84 ft.)
Principal Building area, minimum	400 sq. m. (4305.71 sq. ft.)	100 sq. m. (1076.43 sq. ft.)	n/a
Site coverage, maximum all buildings	45 %	50 %	10% of lot area
Building height, maximum	12 m (39.37 ft.)	12 m (39.37 ft.)	5 m. (16.4 ft.)

* no requirements for Public Works

- b) Fuel pumps and other accessory equipment shall be located at least 6 metres (19.68 ft.) from any street or lot line.
- c) All equipment, including, but not limited to automobile parts, dismantled or partially dismantled vehicles, storage, and unsightly materials shall be stored within a building or screened from public view.
- d) In addition to Section 4.17, landscaping shall be provided within the first 3 m. (9.84 ft.) of the site abutting the front street and flanking street with the exception of approved vehicle crossings.
- e) Parking shall be provided in accordance with Section 4.14.

(5) Discretionary Use Criteria

In addition to Section 3.3(3) for discretionary uses the following criteria will be applied:

- a) the development will not cause excessive traffic through existing residential areas;

- b) vehicle parking, loading and circulation areas must have direct access to a street which is contiguous to a collector or arterial roadway;
- c) proposed buildings and structures will be designed to complement abutting development;
- d) outdoor storage and garbage areas must be suitably screened from public view;
- e) suitable landscaping shall be provided;
- f) dwelling units accessory to principal use shall:
 - be for the exclusive use of the property owner, business owner or proprietor;
 - be located within the building of the commercial establishment and shall be subordinate to the principal use;
 - have an entrance separate from that of the commercial establishment;
 - have a fire exit secondary to the required entrance
- g) restaurants, bars, lounges and fast food outlets should be suitably designed and located to limit potential disruption to adjacent residential areas due to noise, odour, glare, dust, or other similar disturbances.

5.4.6 M1 - Industrial District

- (1) The purpose of this district is to establish and preserve areas for industrial uses which because of the nature of the operation may create noise, dust, traffic odour or other negative impacts on adjoining land districts.
- (2) Permitted Uses

The following are permitted uses in the M2 - Industrial District:

- a) grain elevators;
- b) warehouses and storage yards;
- c) service stations and gas bars;
- d) construction trades;
- e) essential public service;
- f) public works;
- g) lumber yards and building supply establishments
- h) greenhouses and tree nurseries;
- i) manufacturing or processing operations
- j) motor vehicle, farm implement and industrial equipment, recreation equipment and vehicle sales, storage and servicing operations;
- k) auto body shops;
- l) car washes;
- m) auction markets;
- n) machining and welding shops;
- o) wholesale establishments;
- p) veterinary clinics; and

- (3) Discretionary Uses

The following are discretionary uses in the M2 - Industrial District:

- a) seed cleaning plants and feed mills;
- b) bulk petroleum dealerships and storage;
- c) bulk fertilizer operations;
- d) salvage and storage yards;
- e) sand and gravel operations;

(4) Development Standards

- a) Development shall conform to the following table:

Requirement*	All Uses	Accessory Buildings
Site area, minimum	1100 sq. m (11840.6)	n/a
Site frontage, minimum	30 m (98.42 ft.)	n/a
Front yard, minimum	7.5 m (24.61 ft.)	n/a
Rear yard, minimum	6 m (19.68 ft.)	1.2 m (3.94 ft.)
Side yard, minimum	3 m. (9.84 ft.) or ½ abutting wall height	1.2 m (3.94 ft.)
Site coverage, maximum all buildings	75 %	n/a
Principal Building area, minimum	n/a	n/a
Building height, maximum	12 m (39.37 ft.)	5 m. (16.4 ft.)

- * No minimum requirement for parks, playgrounds and public works
- b) Access to lots shall be located to ensure that heavy truck traffic takes access to or from designated truck routes;
 - c) All outside storage shall be fenced, and if in public view the storage area shall be screened with a fence of at least two (2) metres (6.56 ft.) in height; and
 - d) Any bulk petroleum tanks shall be located at least 90 metres (295.28 ft.) from any residential area, school, hospital, motel, or restaurant.
 - e) Fuel pumps and equipment shall be located at least 6 m. (19.68 ft.) from any lot line.

(5) Discretionary Use Criteria

In addition to the criteria as contained in Section 3.3(3) for discretionary uses the following criteria shall apply:

- a) all vehicle circulation and parking areas shall be situated to minimize disruption to existing residential areas;
- b) the use shall not cause undue disruption due to noise, smoke, dust or

- glare;
- c) adequate precautions are provided to ensure there is no danger to the public due to handling of goods, chemicals, emissions, etc.
- d) outside storage shall be away from public view or screened by fence or hedge at least 2 metres (6.56 ft.) in height.

5.4.7 I - Institutional District

(1) The purpose of this district is to establish and regulate institutional and community service uses.

(2) Permitted Uses

The following are permitted uses in the M2 - Industrial District:

- a) Community Centres;
- b) Churches;
- c) Hospitals and medical centres;
- d) Nursing Homes;
- e) Public parks and playgrounds;
- f) Public works;
- g) Essential Public Services;

(3) Discretionary Uses

The following are discretionary uses in the M2 - Industrial District:

- a) Clubs;
- b) Cemeteries;
- c) Day Care Centres subject to Section 4.16.

(4) Development Standards

a) Development shall conform to the following table:

Requirement*	All Uses	Accessory Buildings
Site area, minimum	800 sq. m (8611sq. ft.)	n/a
Site frontage, minimum	15 m (98.42 ft.)	n/a
Front yard, minimum	7.5 m (24.61 ft.)	n/a
Rear yard, minimum	6 m (19.68 ft.)	1.2 m (3.94 ft.)
Side yard, minimum	3 m. (9.84 ft.) or ½ abutting wall height	1.2 m (3.94 ft.)

Site coverage, maximum all buildings	55 %	n/a
Principal Building area, minimum	n/a	n/a
Building height, maximum	12 m (39.37 ft.)	5 m. (16.4 ft.)

* No minimum requirement for parks, playgrounds and public works

- b) All outside storage shall be fenced, and if in public view the storage area shall be screened with a fence of at least two (2) metres (6.56 ft.) in height;
- c) In addition to Section 4.17, landscaping shall be provided within the first 3 m. (9.84 ft.) of the site abutting the front street and flanking street with the exception of approved vehicle crossings.
- d) Parking shall be provided in accordance with Section 4.14.

(5) Discretionary Use Criteria

In addition to the criteria as contained in Section 3.3(3) for discretionary uses the following criteria shall apply:

- a) all vehicle circulation and parking areas shall be situated to minimize disruption to existing residential areas;
- b) the use shall not cause undue disruption due to noise, smoke, dust or glare;
- c) adequate precautions are provided to ensure there is no danger to the public due to handling of goods, chemicals, emissions, etc.
- d) outside storage shall be away from public view or screened by fence or hedge at least 2 metres (6.56 ft.) in height.

5.4.8 PR - Parks and Recreation District

- (1) The purpose of this district is to establish and preserve areas for public recreation and open space.
- (2) Permitted Uses - The following are permitted uses in the PR - Park and Recreational District, subject to Reservoir Development Area Regulations where applicable:
 - a) parks and playgrounds;
 - b) day use picnic areas;
 - c) public recreational facilities;
 - d) recreational trails;
 - e) public works, excluding offices, shops, warehouses, and storage yards;
 - f) camping areas.

- (3) Accessory Uses - Buildings, structures, or uses secondary and subordinate to, and located on the same lot with the principal use shall be permitted.
- (4) Development Standard - no minimum requirements.

5.4.9 UH - Urban Holding District

- (1) Purpose

The purpose of this district is to reserve unsubdivided and undeveloped lands within the Town or near town limits which may be required for future urban expansion.

- (2) Permitted Uses

The following are permitted uses in the UH - Urban Holding District:

- (a) agricultural: including crop farming, grazing and pasturage, and cultivation of land but not including intensive livestock or poultry operations;
- (b) accessory uses, buildings and structures subject to Section 4.5.

- (3) Discretionary Uses

The following are discretionary uses in the UH - Urban Holding District:

- a) sports fields;
- b) parks;
- c) heritage sites and museums
- d) golf courses;
- e) camping areas;
- f) greenhouses and tree nurseries;
- g) essential public service;
- h) public works;
- i) single detached dwellings
- j) recreational vehicle parks
- k) railway yards

- (4) Development Standards

Development shall conform to the following:

- a) Single Detached dwelling:
 - i) Frontage - minimum 15 metres (49.21 feet)
 - ii) Front Yard- minimum 6 metres (19.68 feet)
 - ii) Rear yard- minimum 6 metres (19.68 feet)
 - iii) Side yard -minimum 1.2 metres. (3.94 feet)
- b) All other buildings:

- i) Frontage – minimum 20 metres. (65.62 feet)
- ii) Front Yard – minimum 9 metres (29.53 feet)
- iii) Rear yard – minimum 9 meters (29.53 feet)
- iv) Side yard – minimum 1.5 metres (4.92 feet)

(5) Discretionary Use Criteria

In addition to Section 3.3(3) for discretionary uses the following criteria will be applied:

- a) The use meets the development standards as contained in Section 5.4.1(4)
- b) the intensity and duration of the proposed use is such that future town expansion will not be compromised;
- c) the use will not create a conflict with abutting residential uses with regard to emission of noise, glare, dust, gas or odour;
- d) the use does not create undue traffic which may cause disruption to residential areas;

SECTION 6 - COMING INTO FORCE

(1) Coming into Force

This Bylaw shall come into force and take effect on the date of approval by the Minister of Government Relations.

(2) Repeal of Zoning Bylaw No. 3/83



Bylaw No. 3/83 and all subsequent amendments are hereby repealed.

Read a first time this 19th day of October, 2011.

Read a second time this 21st day of December, 2011.

Read a third time and passed this 21st day of December, 2011.




 _____ Mayor

 _____ Administrator

