DRAFT | Updated: February 24, 2026

SAINT ANDREWS ZONING BY-LAW

By-law No. Z25-01

Zoning By-law for the Town of Saint Andrews

PURPOSE OF THE BY-LAW

This Zoning By-law outlines the Town of Saint Andrews' development regulations to implement the policies of the Town's Municipal Plan within the realms of land use, subdivision of land, and development.

The local government territory is geographically divided into zones and overlay zones according to the schedules attached to and forming part of this By-law. These are the zones that divide the Town into distinct development areas, both rural and urban. These zones permit different types of developments: urban development, industrial development, rural settlement, or rural resource development. There is also a conservation zone that prioritizes minimal development and is intended to protect groundwater recharge areas, environmentally sensitive areas, and mitigate/adapt to climate change risks. In addition to the above mentioned zones, there are also overlay zones, which are intended to address specific Municipal Plan policies for unique geographical locations within Saint Andrews. For example, there is an overlay zone for the Historic Business District, which is intended to help preserve important historic urban design patterns as well as the look and feel of the iconic Water Street. Another example is the overlay zone, that exists for the areas subject to future sea level rise risks due to climate change.

With the implementation of Local Government Reform in the Province of New Brunswick in 2022 came the establishment and new boundary alignments for local government units throughout the province. The new Town of Saint Andrews is one local government that was established under that legislation. The Town of Saint Andrews now includes the former Local Service Districts of Bayside and Chamcook. This zoning by-law reflects the distinct differences that apply to urban or rural zoning.

BY-LAW TABLE OF CONTENTS

By-law Sections

BY-LAW TITLE & SCOPE
5

DEFINITIONS
6-17

ADMINISTRATIVE CLAUSES
18-22

GENERAL PROVISIONS
23-36

CONSERVATION ZONES
38-41

INDUSTRIAL ZONE
42-43

RURAL ZONES
44-49

URBAN ZONES
50-56

SPECIAL ZONES
57-63

ZONING MAPS
64-69

Under section 44(2.3) of the Community Planning Act (the "Act"), I certify that the following content meets the requirements of the Act.

Alex Henderson, RPP (NB), MCIP Planning Director

Author: Alexander Gopen, RPP (NB), MCIP

Southwest New Brunswick Service Commission

Photo Credits:

- Town of Saint Andrews, townofsaintandrews.ca
- James Ting, unsplash.com

ZONING BY-LAW

1.0 By-law Title & Scope

The Council of the Town of Saint Andrews, under the authority vested in it under the Community Planning Act makes the following Zoning By-law (herein called the "By-law" or "Zoning").

1. By-law Z25-01, the Town of Saint Andrews Zoning By-law, is hereby adopted.
2. This By-law may be cited as "Zoning By-law for Saint Andrews."
3. This By-law applies to the Town of Saint Andrews local government boundaries as outlined in Subsection 31 of Regulation 2022-50 under the *Local Governance Act.*
4. This Zoning By-law:
   i. divides the Town into zones as shown on a zoning map;
   ii. prescribes powers reserved in the advisory committee;
   iii. regulates how land, buildings and structures in any zone may be used;
   iv. sets standards that land use, and the placement, erection, alteration and use of building and structures must conform to; and,
   v. prohibits the use, placement, erection or alteration of land, buildings or structures other than in conformity with the purposes and standards mentioned in clauses (i)-(iv).
5. For the purposes of this By-law, the Town is divided into zones as shown on the Town of Saint Andrews Zoning Map attached as 'Schedule A.'
6. For the purposes of this By-law, the Town is divided into overlay zones as shown on the Town of Saint Andrews Zoning Map attached as 'Schedule B,' 'Schedule C,' and 'Schedule D.'
7. The Town of Saint Andrews Zoning By-law Z22-01, enacted on June 6, 2022, and all amendments thereto, saving and excepting amending By-laws Z22-04, Z22-09, and Z22-12 are hereby repealed.
8. The repeal of Town of Saint Andrews Zoning By-law Z22-01, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or are pending at the time of repeal; nor shall it repeal, defeat, disturbed, invalidate or prejudicially affect any matter or thing whatsoever completed, existing, or pending at the time of repeal.

READ FIRST TIME:
READ SECOND TIME:
READ THIRD TIME AND ENACTED:

_____ _____

Mayor (Acting), Kate Akagi

Clerk, Chris MacKinnon

2.0 DEFINITIONS

2.0 Definitions

ACCESSORY BUILDING - means a detached building that:
a. is not habitable, except in the case of an accessory dwelling unit;
b. contains a use that is incidental and subordinate to the main use, main building or structure;
c. is located on the same lot as the main use, main building or structure; and,
d. includes a detached private garage or detached deck and above or below ground storage tanks.

ACCESSORY DWELLING UNIT - means a dwelling unit with no more than two bedrooms which is incidental to the principal dwelling unit. When contained within the main building, it is synonymous with a secondary suite, and when contained within an accessory structure it is synonymous with a garden suite. For the purposes of this by-law, an accessory dwelling unit is not a multi-unit residential use.

ACCESSORY STRUCTURE - means a detached structure that:
a. is not habitable, except in the case of an accessory dwelling unit;
b. contains a use that is incidental and subordinate to the main use, main building or structure;
c. is located on the same lot as the main use, main building or structure;
d. may include renewable energy devices with a height less than the main building height, an individual vehicle charging station, a recreational pier, a detached private garage or detached carport and above or below ground storage tanks; and,
e. does not include swimming pools with less than 1 m depth of water, play structures, or decks attached to a dwelling.

ACCESSORY USE - means a use of land, building or structure that:
a. is naturally or customarily incidental and subordinate to the main use or secondary use of the land, building or structure;
b. is not habitable except in the case where an accessory dwelling unit is listed as a permitted use;
c. is located on the same lot as the main use; and,
d. in relation to a lot with a dwelling, includes incidental uses such as a market garden, greenhouse, personal fishing equipment, or the keeping of up to six (6) mature female chickens, female ducks, or equivalent smaller female fowl, but not including any male fowl that have reached maturation (e.g. roosters).

ADVISORY COMMITTEE - means the Planning Advisory Committee of the Town of Saint Andrews or the Regional Service Commission, as the case may be.

AGRICULTURAL USE - means the main or secondary use of any land, building, or structure according to the definition of an 'agricultural operation' under the *Agricultural Operation Practices Act*, and includes such uses as greenhouses, nurseries, fish hatcheries, aquaculture, outdoor cannabis production, retail, farmer's market outlets for the sale of agricultural goods, kennels, animal shelters, and veterinary services, but does not include an industrial abattoir, industrial uses or warehousing.

ALTER (ALTERATION) - means, as applied to a building or structure or part thereof:
a. a change or rearrangement in the structural parts or means of egress;
b. an enlargement, whether by extending the side, front or rear of a building or structure;
c. increasing the height; or,
d. moving from one location or position to another.

ZONING
GENERAL PROVISIONS

ANIMAL UNIT - means the equivalent number of livestock, after weaning or maturation, that equals one (1) animal unit as follows:
a. 1 horse, cow, steer, bull, mule, donkey, bison; or,
b. 4 ostriches, emus, llamas, sheep, goats, hogs; or
c. 7 alpacas, deer; or,
d. 35 geese, foxes, minks, rabbits; or,
e. 120 chickens (including layers, broilers), turkey broilers

ARCHITECT - means a professional who is registered and licensed as a full member with a Provincial or Territorial architectural regulator in Canada (e.g. Architects' Association of New Brunswick).

BARE-LAND CONDOMINIUM - means a condominium property as defined under the *Condominium Property Act*, and is generally one lot consisting of separate units of land on which buildings may be located or constructed after purchase.

BUFFER - means landscaped areas, naturally treed areas, fences, walls, berms, hedges, or any combination thereof used to physically and visually separate one use or lot from another in order to mitigate the impacts of noise, light, or other nuisance.

BUILDING - means any roofed and walled structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or container used for any of the foregoing purposes.

BUILDING INSPECTOR - means the person responsible to issue building permits and inspect construction under the *Building Code Administration Act*.

CAMP - means a lot, parcel, or piece of land intended for periodic recreational use and occupied on a seasonal basis by a maximum of one (1) of the following: a trailer, camper, truck camper, tent, dome, yurt, or similar transportable accommodation (e.g. a cabin on a non-permanent foundation), but does not include dwelling units. For the purposes of this by-law, more than one (1) camp on a lot shall be considered a campground.

CAMPGROUND - means a lot, parcel, or piece of land intended for periodic recreational use and occupied on a seasonal basis by multiple trailers, campers, truck campers, tents, domes, yurts, or similar transportable accommodation (e.g. a cabin on a non-permanent foundation), and includes campgrounds operated for tourism or commercial or non-commercial purposes, but does not include dwelling units.

CANNABIS PRODUCTION - means the cultivating, processing, extracting, warehousing, research and testing of cannabis, production of goods containing cannabis, and other uses that require a license under the *Cannabis Control Act* and its regulations for medical or non-medical purposes, but also including incidental uses.

CANNABIS RETAIL - means the retail sale of goods containing cannabis, and other products licensed under the *Cannabis Control Act* and its regulations.

COMMERCIAL USE, LARGE-SCALE - means the use of land, buildings, or structures for commerce purposes, and includes both:
- automobile-oriented commerce such as, but without limiting the generality of the following: gas stations, car washes, mechanic shops, drive-through restaurants, restaurants or retail with greater than twenty (20) off-street parking spaces, and automobile dealerships; and,

- commerce that involves a large outdoor developed footprint such as, but without limiting the generality of the following: nurseries/garden centres, contractor yards, fuel depots, equipment leasing centers, building supply yards, and self-storage units.

A large-scale commercial use may include any use listed under the medium-scale commercial use or small-scale commercial use definition, but it does not include uses such as cannabis retail, industrial use, forestry use, campground, resource excavation use, utility use, warehousing, or adult entertainment.

COMMERCIAL USE, MEDIUM-SCALE - means the use of land, buildings, or structures for commerce purposes, and includes both:

- downtown-oriented commerce such as, but without limiting the generality of the following: offices, grocery stores, pharmacies, retail stores, restaurants, licensed premises, microbreweries, theaters/entertainment centers, artisan or craft studios, banks, offices, art galleries; and,
- tourist-oriented commerce such as, but without limiting the generality of the following: hotels/tourist accommodations with on-site guest services, short-term rentals, spas, tour/adventure outfitters, bike/scooter rentals, and amphitheaters.

A medium-scale commercial use may include any use listed under the small-scale commercial use definition, but this use does not include automobile oriented commerce, commerce that involves a large outdoor developed footprint, cannabis retail, industrial use, forestry use, campground, resource excavation use, utility use, warehousing, or adult entertainment.

COMMERCIAL USE, SMALL-SCALE - means the use of land, buildings, or structures for small scale commerce uses of that are compatible with predominately residential neighbourhoods with three (3) or less employees, and includes, but without limiting the generality of the following: convenience stores, salons, cafes, small offices, small retail stores, small artisan or craft studios, small-scale food production and small bakeries. A small-scale commercial use does not include automobile oriented commerce, commerce that involves a large outdoor developed footprint, downtown-oriented commerce, tourist-oriented commerce, cannabis retail, industrial use, forestry use, campground, resource excavation use, utility use, warehousing, licensed premises or adult entertainment.

COMMON WALL - means a wall dividing two separate dwelling units, each with their own main entrance.

CONDOMINIUM - means any attached or non-attached dwelling regulated under the *Condominium Property Act*.

CONSERVATION USE - means a use of land that serves to protect, maintain, or improve an environmental resource or feature and may include passive recreation but does not include developing buildings or structures.

CORNICE - means any horizontal member, structural or non-structural, of any building, projecting outward from the exterior walls at the roof line, including eaves and other roof overhang.

DEVELOPED FOOTPRINT - means the developed area for a specific use of a lot above grade including all main, secondary, and accessory buildings or structures, cultivated fields or forests, enclosed pasture lands, resource excavation areas, parking or loading areas, and outdoor storage areas, but does not include parks & open space uses.

DEVELOPMENT - means a development as defined by the *Community Planning Act*.

DEVELOPMENT OFFICER - means a development officer under the *Regional Services Delivery Act*.

DEVELOPMENT PERMIT - means the permit issued by the development officer or the approval by a development officer of a building permit that is issued by the building inspector.

DRIVEWAY ACCESS - means that portion of a lot used to provide vehicular access from a street.

DWELLING - means a building, or portion thereof, that is used as a dwelling unit and may include a multi-unit dwelling or modular dwelling, but does not include a mini-home, residential care facility, camp, tourist accommodation, emergency shelter, or short-term rental.

DWELLING UNIT - means a room or suite of two or more rooms for use, or intended for use, by one or more individuals in which culinary and sanitary facilities are provided for the exclusive use of such individual(s), and with a private entrance from outside the building or from a common hallway or stairway inside.

ENGINEER - means a professional engineer licensed to practice in the Province of New Brunswick.

ERECT - means to build, construct, reconstruct, locate, or relocate, and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling, or draining and structurally altering any existing building or structure by an addition, deletion, enlargement, or extension. This includes any physical operations preparatory thereto.

EXTERNAL LIGHTING - means outdoor lighting, or lighting inside of a building directed outdoors, not including illuminated signs, for the purposes of illuminating any building, loading area, parking lot or yard. Does not include lighting that generates less than 315 lumens per light source.

EXTRACTIVE INDUSTRIAL USE - means the use of land for mining as defined under the *Mining Act*, other than a 'resource excavation use' as defined under Section 2.0 for the purposes of this By-law, and includes the refinement and/or processing of minerals, ores, sand, gravel, stone or other aggregate resources, and includes tailing ponds, rock crushing plants, asphalt plants or concrete plants.

FAÇADE - means that exterior wall of a building or structure that oriented to be exposed to public view from a street.

FENCE - means a structural barrier erected for the purpose of providing a boundary to prevent uncontrolled access, or for decorative purposes (such as an ornamental gate or ornamental gates), or to screen from viewers in or on adjoining properties and streets, materials stored, and operations conducted behind it.

FLANKAGE YARD - means the side yard of a corner lot, which abuts a street, and required flankage yard or minimum flankage yard, means the minimum side yard required by this By-law where the yard abuts a street.

FORESTRY USE - means a means any uses associated with commercial silviculture, such as the warehousing, sale or distribution of forestry products, any related vehicle and equipment repair, or sawmill use, and where the uses may be subject to a *Local Governance Act* by-law to regulate impacts on neighbours, but the use does not include any other industrial uses..

FRONT LOT LINE - means the line dividing the lot from a street or other means of access, and:

a. in the case of a corner lot, the shorter lot line abutting the street, or another access in the case of no street, shall be deemed the front lot line;
b. or in the case of a corner lot that has the same dimensions along the two streets (or other accesses) it abuts, the lot line where the building or structure has its principal entrance shall be the front lot line.

FRONTAGE - means in the case of:

a. an interior lot, the measurement of the front lot line between the side lot lines;
b. a corner lot, the measurement of the front lot line between the side lot line and flankage lot line; or,
c. a through lot, the measurement of the lot line separating the front yard from the wider right of way. Where both right of ways are of equal width, then the front yard shall be the frontage

where an existing driveway access is located or, if no access exists, the front yard shall be the same as any abutting lot.

FRONT YARD - means a yard extending across the full width of a lot between the front lot line and the nearest wall of any main building or structure on the lot. The required front yard or minimum front yard means the minimum distance required by this By-law between the front lot line and the nearest main wall of any building or structure on the lot.

GOOSENECK LIGHT - means a sign light wherein the light is downward facing and the light extends away from the mounted fixture with a swooping, curved arm.

GRADE, AVERAGE - means, with reference to a building or structure, the average elevation of the finished surface of the ground where it meets or will meet the exterior of such building or structure, excluding localized depressions such as vehicle or pedestrian entrances.

GRADE, EXISTING - means the elevation of the ground surface in its natural state, before development.

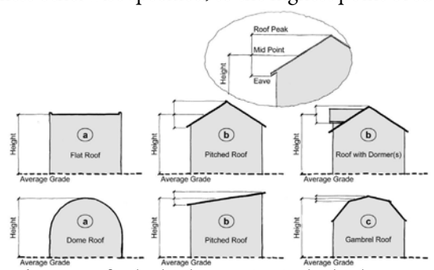
GREEN SHORE PROTECTION - means a nature-based solution for shoreline protection to help dissipate wave action and benefit the terrestrial and aquatic environments. Green shore protection involves planting or installing natural shoreline features such as riparian vegetation, large woody debris, shoreline materials (sand, cobble, and gravels) and avoids/limits the use of hard or structural shore protection works that may have an unintended effect of deflecting wave action onto neighbouring lots.

GROUND FLOOR - means the lowest full storey that is located entirely above the grade; and with respect to the street façade, means the part of the façade that is within 4 m (13.1 ft) of the grade.

GROSS FLOOR AREA - means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level. Gross floor area does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, elevators and car parking areas.

HABITABLE - means suitable for overnight residential occupancy to carry on normal living functions, including sleeping, living, cooking, and maintaining personal hygiene.

HEIGHT - means, in relation to a building or structure, the vertical distance as measured from the average grade, unless otherwise specified, to the highest point of such building or structure, as follows:



a. for flat or dome roofs, the highest point is the highest part of the building;
b. for pitched roofs, the highest point is the mid-point between the highest ridge of the building and the highest eave; and,
c. for gambrel roofs, the highest point is deemed to be the mid-point between the mid-point between the ridge and the point immediately below the ridge where the pitch changes.

HOME-BASED BUSINESS - means a small-scale commercial use that operates within a dwelling or an accessory building to a dwelling, such as a garage, and may occupy a total floor area of up to 10%

of the gross floor area of the main building. It may also include a child care facility operated out of a dwelling. From the outside, there is no visible evidence of the use except for small signs permitted under section 3.8(2) of the by-law. Any equipment used must be kept indoors and properly soundproofed to avoid noise disturbances. In addition, only one (1) employee who is not an occupant of the dwelling is permitted to work in the home-based business at any given time.

INDUSTRIAL USE - means the use of land, buildings, or structures for warehousing, biological production, licensed cannabis production, manufacturing, processing, fabricating, assembly, servicing, treatment, or packaging of previously prepared or refined materials (or from raw materials that do not need refining). This use may include the raising, slaughter, processing, and storage of livestock or aquatic species. This use may involve hazardous and commonly recognized offensive conditions, but does not include forestry uses, or the storage and disposal of untreated chemical, biological, explosive, and radioactive wastes as a main use. This use does not include any salvage use.

INSTITUTIONAL USE - means the use of land, buildings, or structures for community or public purposes such as, but without limiting the generality of the following: a religious use, cemetery, an indoor or outdoor recreational facility, a childcare facility, a cultural use or community hall with an associated licensed premises, a residential care facility, a public utility use, a school or educational institution and dormitory, hospital, health-care office or clinic, a government office building or service center, but does not include a correctional facility or a supervised consumption site.

LICENSED PREMISE – means any premises licensed to serve alcoholic beverages as a regular part of operations pursuant to the *Liquor Control Act*, but does not include special occasion or non-commercial uses.

LIVESTOCK – means any non-predatory animal raised and kept for agricultural or aquaculture purposes, but does not include domestic animals that are kept within a dwelling unit or small livestock as defined in accessory use.

LIVESTOCK FACILITY- means a building used or intended to be used to confine or house livestock or a confined livestock area, and includes a structure or area used or intended to be used to store manure, and may also include a small-scale, non-industrial abattoir with a developed footprint less than 200 m^2.

LOADING AREA - means an off-street area, on the same lot as the main use, that is used for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials and which is connected to a public street by an appropriate access.

LOT – means a parcel of land or two or more adjoining parcels held by the same owner used or intended to be used as the site for a building or an appurtenance thereto, whether or not such lot is shown on a filed subdivision plan or is the subject matter of a separate deed or a separate description in a deed.

LOT COVERAGE - means the percentage of lot area covered by buildings and structures above grade. This does not include uncovered swimming pools, unenclosed porches, patios, sundecks and above ground pool decks.

LOT DEPTH - means the horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.

LOT LINE - means a common line between a lot and an abutting lot, or a street, or a body of water.

LOT SIZE - means the total horizontal area within the lot lines of a lot, excluding the horizontal area of a lot:
a. that is within a marsh or any Provincially Significant Wetland as identified by the Department of Environment and Local Government;
b. covered by Protected Area B in the *Watershed Protected Area Designation - Clean Water Act*;

c. beyond the ordinary high-water mark.

MAIN BUILDING - means the building in which the main or principal use of a lot is conducted.

MAIN USE - means the primary purpose for which a lot, building(s) and/or structure(s) is used but may not be the use with the greatest gross floor area.

MINI-HOME - means an individual dwelling unit, or modular dwelling, fabricated in an off-site manufacturing facility for installation or assembly at the building site, and provided with a Canadian Standards Association approved stamp and number and/or meeting the requirements of the National Building Code of Canada, but does not include any mobile home with a trailer hitch.

MULTI-UNIT DWELLING - means any main building comprising of more than one dwelling unit which may have either shared or individual outside accesses; or dwellings attached to a building which is principally commercial. For the purposes of this by-law, a multi-unit dwelling in one building may be divided into a condominium or may be divided into separate lots as an attached series of townhouses.

MUNICIPALITY - means the municipal administration of the Town of Saint Andrews or the territorial boundaries of the Town of Saint Andrews, as established under the *Local Governments Establishment Regulation - Local Governance Act*.

ORDINARY HIGH-WATER MARK – means the highest level reached by a body of water that has been maintained for a sufficient period of time to leave evidence on the shoreline. This is often indicated by destruction of terrestrial vegetation, the presence of marks on trees or debris deposits. It is usually the point at which natural vegetation shifts from predominately hydrophilic species to terrestrial species.

OVERLAY ZONE – means an overlay zone within the meaning of the *Community Planning Act*.

PARKING LOT - means an open area of land, other than a street, or an area within a structure intended to accommodate six (6) or more parking spaces.

PARKING SPACE – means a rectangular area reserved for the temporary parking or storage of motor vehicles, which may include portions of a driveway access but does not include any aisles within a parking lot.

PARKS AND OPEN SPACE USE - means an area of land either landscaped or natural, which is primarily used to meet a variety of human recreational needs, and may include accessory uses (such as, but not limited to the generality of the following: beach canteen, bathrooms, golf course club house, horticultural garden shop, or maintenance facilities), where the lot coverage by buildings, structures or impervious pavements does not exceed ten percent (10%). This use does not include a camp or campground use, except where that use is developed on land owned by the Town of Saint Andrews. This use may also include a conservation use as defined in this By-law.

PRE-EXISTING USE – means a pre-existing building, structure, or use of land, that was lawfully permitted prior to, and where the use was in existence and continued uninterrupted afterwards, the date of approval of the Town of Saint Andrews Zoning By-law.

PRIME AGRICULTURAL AREA – means an area of land within the meaning of the *Statements of Public Interest Regulation*.

REAR YARD - means a yard extending across the full width of a lot between the rear lot line and nearest wall of any main building or structure on the lot; and required rear yard or minimum rear yard means the minimum distance required by this By-law between a rear lot line and the nearest main wall of any building or structure on the lot.

RENEWABLE ENERGY DEVICE - means a device that generates energy for a lot or buildings

without the use of fossil fuels or where the power sources are not depleted by the use of the device.

REGIONAL SERVICE COMMISSION - means a regional service commission established under the *Regional Service Delivery Act*.

RESIDENTIAL CARE FACILITY- means a residential building or part of a building in which accommodation and nursing, supervisory and/or physical personal care is provided, or is made available for more than three (3) persons with social, health, legal, emotional, mental, or physical disabilities or problems, and includes such facilities as are licensed by the *Family Services Act*, or by other provincial legislation, and that may contain common facilities, but does not include multi-unit residential uses, rooming house, emergency shelter, supervised consumption sites, or a correctional facility.

RESIDENTIAL CLUSTER DEVELOPMENT - means a bare-land condominium or residential land lease community on a parcel of land that is not subdivided into lots within the meaning of the *Community Planning Act* and where the dwellings are clustered together on one part of the land in order to preserve, for a conservation use, at least seventy-five percent (75%) of the original parcel through conservation easements.

RESIDENTIAL LAND LEASE COMMUNITY - Any area, lot, parcel, or tract held in common ownership, and on which individual portions of said area, lot, parcel, or tract are leased for the placement of mini-homes as a primary residence. Residential land lease communities do not include camps or mobile homes with trailer hitches.

RESOURCE EXCAVATION USE – means the use of land for the excavation of sand, gravel, clay, shale, limestone or other mineral deposit for a development or for the sale or other commercial use of the material excavated, but does not include processing, or refinement of materials, or an extractive industrial use.

ROOMING HOUSE – means a dwelling with single room occupancy, that is synonymous with a 'boarding house,' where six (6) or more bedrooms are offered for lodging, and may include a combination of individual and shared habitable space in a dwelling unit, but does not include a institutional use, multi-unit dwelling, residential care facility, short-term rental, or emergency shelter.

SALVAGE USE – means the use of land, buildings, or structures, where there are stored or deposited three (3) or more unregistered motor vehicles that are no longer in condition for legal use on the public highways, or cut-up parts of vehicles equal in bulk to three (3) or more vehicles. A salvage use also includes a depot for the transfer or storage of discarded or recycled articles containing electronics, metals, plastics, rubber, metals, glass, paper, cordage, or other waste or second-hand material which has been a part of another product or building material. Such uses shall also include any land, buildings, or structures for the purpose of dismantling products, building materials, or vehicles, for salvaged components

SEA LEVEL RISE, PROJECTED - Means the projected ordinary Higher High Water Large Tide by the year 2100 as delineated on Schedule B of this by-law as the O-NH-1 Zone, or below 5.1m Canadian Geodetic Vertical Datum 2013, or future projection as determined by the Province.

SECONDARY USE - means a use that cannot be developed without a permitted main use on a lot but may occupy a greater gross floor area than a main use unless otherwise prescribed by the By-law.

SERIES - means a set of consecutively attached townhouse dwelling units of two (2) or more units where the dwelling unit on both ends of the series do not share one of the side walls with other units.

SETBACK - means the required distance, in accordance with the provisions of the By-law, between every building or structure and the lot lines of the lot on which it is proposed to be located.

SIDE YARD - means a yard extending between the front yard and the rear yard between a side lot

line and the nearest main wall of any building on the lot; and 'required side yard' or 'minimum side yard' means the minimum distance required by this By-law between a side lot line and the nearest main wall of any building or structure on the lot.

SHORE PROTECTION WORKS - means any shore protection structure, including but not limited to wharves, piers, retaining walls, rip rap, and piles, but does not include groynes or other rigid structures built out perpendicularly from the shore.

SHORT-TERM RENTAL – means the use of an camp, dwelling unit or accessory dwelling unit, or portion thereof, for temporary accommodations of no more than thirty (30) days at a time, and may be subject to licensing requirements under a separate *Local Governance Act* by-law.

SIGN - means any structure, device, light, painting, or other representation or natural object that is used to advertise any object, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which displays or includes any letter, work, model, banner, flag, pennant, insignia, device, or representation, and which is intended to be seen from a street.

SIGN, AREA - means the area per side of the smallest triangle, square, rectangle, circle or semi-circle that can wholly enclose the surface area of the sign. In the case of wall sign(s) featuring individual letters affixed to a building, sign area shall be the sum of the combined areas of the smallest squares or rectangles that can wholly enclose the words being displayed. Unless otherwise specified, sign area is calculated by adding the total surface areas of each individual side or face of the sign.

SIGN, BILLBOARD - means a large sign affixed to the ground or a fascia sign that is not related to any business or use located on the lot or premises on which it is located.

SIGN, COMMUNITY - means a portable sign or banner sign that is temporarily displayed in an off-site location, or a permanent sign in an off-site or on-site location, where the sign is exclusively used for community announcements, directions, or advertisements of community events, as authorized by the municipality

SIGN, FACE - means each individual side or face of a freestanding or directory, projecting, sandwich board, or portable signs.

SIGN, FLAG – means a fabric material that has a sign imprinted on it and which is attached to a pole, and does not include national, provincial, municipal flags, or other similar types of flags.

SIGN, FREESTANDING – means a rigid sign, other than a portable sign, supported independently of a building and embedded in the ground. The sign may display multiple, separate advertisements.

SIGN, ILLUMINATED - means a sign lit with light(s) shining internally through the sign's material or light emitting diodes (LEDs), or small "open/ouvert" sign shining through neon, a sign illuminated with external lighting shining onto the sign.

SIGN, INCIDENTAL - means a sign giving directions, a name of a private residence, or limiting access, or one indicating accessory uses such as parking, washrooms, or information services. May include interpretive signs that give descriptions or information on historic, environmental, geological, or scientific features pertinent to the immediate area.

SIGN, POINT-OF-PURCHASE - means advertising that is not visible from a public right-of-way and is intended to advertise goods available for sale on-site, such as a drive-thru menu.

SIGN, PORTABLE - means a sign that is located on but not permanently attached to the ground. It is capable of being easily relocated and holds a sign with one or more faces featuring letters and/or symbols that can be changed manually or electronically through adjustable characters, message panels or by other means.

SIGN, PROJECTING - means any sign, other than an awning, that is attached directly to a building wall, where the sign face is not parallel to the wall it is attached to.

SIGN, SANDWICH BOARD - means a sign which is constructed of two boards connecting at one end and which shall be taken on and off a site on a daily basis.

SIGN, WALL - means a sign, other than a roof sign or projecting sign, which is attached to and supported by a wall of a building.

SIGN, WINDOW - means a non-illuminated painted, gold leaf, or otherwise affixed signage on display windows or door windows.

STORM WATER STORAGE AREA - means a portion of a parcel of land which is utilized to provide an acceptable storm water dispersal point and may include a drainage easement on an abutting lot, or systems necessary to control storm water within an individual development site and located within the lot's boundaries, such as, but not limiting the generality of the following: bioswales, storm water detention areas, or storm water basins.

STREET - means the right of way of every highway or road vested in the Province of New Brunswick or the Town of Saint Andrews.

STRUCTURE - means anything constructed or erected on or below the ground, or attached to something on the ground and may include all buildings.

SWIMMING POOL - means any exterior structure with a capacity to hold a 1-meter depth of water and is used for swimming, wading, or recreational bathing.

TEMPORARY GARAGE - means a movable accessory structure with a total floor area that is not greater than 55 m^2 and that is not intended for overnight accommodation and not erected for more than 180 days in a calendar year, or a movable accessory structure with a total floor area that is greater than 55 m^2 but which is not erected for more than 28 days in a calendar years.

UTILITY USE - means the use of land, buildings, or structures to provide telecommunication services, renewable and other electricity generation, electricity transmission, ports, marine access, landing infrastructure for aircraft or helicopters, drinking water, sewerage, composting facilities, or recycling depots, or any other services or utilities provided to the general public as authorized by either the Town, the Province of New Brunswick, or the Government of Canada.

URBAN SERVICE BOUNDARY - as described on Schedule "C".

TOWN - synonymous with 'Municipality.'

TRADITIONAL BUILDING MATERIALS - means materials consistent with construction techniques and architecture of settlements in the Canadian Maritimes in the pre-World War Two era and includes brick, masonry, brick or masonry veneer, glass, wood, cedar shingle, or adequate facsimiles (such as vinyl or steel clapboard with an authentic wood-grain and thick gauge/grade).

WAREHOUSING - means a building used primarily for the bulk storage of commodities, liquids, and materials and may include wholesaling and distribution.

WATERCOURSE – means a 'watercourse' as defined in the *Clean Water Act*, and the Bay of Fundy.

WETLAND – means a wetland as identified by the Province of New Brunswick under the *Clean Water Act*.

3.0 Administrative & Interpretive Clauses

3.1 Zoning Classifications

1. For the purposes of this By-Law, the ***Town*** is divided into zones as delineated on the map attached hereto, entitled "Town of Saint Andrews Zoning Map" and attached as Schedule "A", and ***overlay zones*** as depicted on Schedule "B" and "D" of this By-law.
2. The zones mentioned in subsection (1) are classified and referred to as follows:
   a. Conservation Zones:
      - Conservation, High Priority (C-1)
      - Conservation, Low Priority (C-2)
   b. Rural Zones:
      - Rural, Established (R-1)
      - Rural, Settlement (R-2)
      - Rural, Resource (R-3)
   c. Urban Zones:
      - Urban, Low Intensity (U-1)
      - Urban, Medium Intensity (U-2)
      - Urban, High Intensity (U-3)
   d. Industrial Zone:
      - Industrial (I)
   e. Special & Overlay Zones:
      - Integrated Development (ID) Zone
      - Historic Business District Overlay (O-HBD) Zone
      - Natural Hazard Overlay, High Risk (O-NH-1)
      - Natural Hazard Overlay, Low Risk (O-NH-2)

3.2 Interpretation

3.2.1. ZONE BOUNDARIES

1. A zone boundary shown approximately at a lot line is deemed to be at the boundary of the ***lot line***.
2. A zone boundary shown following approximately the top of a bank of a shoreline, creek, stream or channel is deemed to be at the top of the bank and moves with any change in the bank.
3. Where a Conservation Zone (C-1) boundary is established within 30 m of a watercourse or wetland, and where a Province-accepted delineation determines the mapped feature was incorrectly mapped, the boundary shall be within 30 m of the newly delineated feature.
4. Where zone boundaries are indicated as generally following an existing or a proposed ***street*** line, alley line, public utility right-of-way, easement, fence, or building wall, the zone boundary shall be construed as following such lines.
5. In the event that a public street, as delineated on the zoning map, is closed, the land formerly within such ***street*** shall be included within the zone of the adjoining land on either side of such closed ***street***. Where a closed street is the boundary between two or more different zones, the new boundary shall be the former centerline of the closed ***street***.
6. Where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the zoning map.
7. Notwithstanding anything contained in this By-law, where a ***lot*** on a ***watercourse***, or portion thereof, is shown to not have a zone on the "Town of Saint Andrews Zoning Map," on Schedule A, the zone shall be determined by applying the nearest zone in proximity to the ***lot***.

ZONING
ADMINISTRATIVE & INTERPRETIVE

3.2.2. METRIC MEASUREMENTS

1. All numerical requirements in this by-law are provided in metric units of measurement. Where a discrepancy between metric and imperial measurements occurs, the metric measurement shall prevail. Measurements are abbreviated in the following manner:
   a. meters or m;
   b. feet or ft;
   c. square meters or sq. m or m^2;
   d. square feet or ft^2;
   e. inches or in;
   f. centimeters or cm; and,
   g. millimeters or mm.
2. Ranges are abbreviated in the following manner:
   a. maximum or 'max.'; and,
   b. minimum or 'min.'

3.2.3. USES PERMITTED

1. Uses permitted within any zone shall be determined as follows:'
   a. If a use is not listed as a use permitted within any zone, it shall be deemed to be prohibited in that zone; and,
   b. If any use is listed subject to any special conditions or requirements, it shall be permitted subject to the fulfilling of such conditions or requirements.

3.2.4. DIAGRAMS & DEFINITIONS

1. Diagrams may be used to help visualize the zoning provisions and provide a way to generally interpret the by-law's requirements or depict its dimensional standards. In the event of any discrepancy between a diagram and the definitions or other provisions of the by-law, the written text of the by-law shall prevail.
2. Definitions are provided in these zoning provisions as an authoritative interpretation on the meaning and scope of a variety of different land uses and terminologies being employed in this document. Words in bold italics are words with specific definitions and may be found in Section 2.0 of this By-law. Words that are italicized and underlined may denote specific Provincial and/or Federal regulations or legislation. Words that are not italicized or bolded may still be subject to a definition under section 2.0.

3.3 Special Powers of Council or the Crown

1. Notwithstanding anything else contained in this By-law, no ***building*** or ***structure*** may be erected in the ***municipality***, where in the opinion of the Council, satisfactory arrangements have not been made for the supply of electrical power, water, sewerage, ***streets***, access, other services, and facilities.
2. Notwithstanding anything else contained in this By-law, land, ***buildings***, or ***structures*** in the ***municipality***, may be authorized to be used by Council for any emergency purpose or ***utility use***.
3. Notwithstanding anything else contained in this by-law, ***development*** on Crown Lands (submerged or terrestrial) is subject to all relevant Acts and the approval of the Minister of the Department of Natural Resources and Energy Development (or the Minister responsible for Crown Lands).

3.4 Powers of the Advisory Committee

1. No building or structure may be placed, erected or altered on any site where it would otherwise be permitted under this By-Law when, in the opinion of the ***advisory committee***, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.

2. The ***advisory committee*** may, subject to such terms and conditions as it considers fit:
   a. authorize, for a temporary period in accordance with the Community Planning Act, a development otherwise prohibited by this By-Law; and
   b. require the termination or removal of a development authorized under clause (a) at the end of the authorized period.
3. Where uses are listed as being subject to any terms and conditions that may be imposed by the ***advisory committee***, no ***development permit*** or any ***development officer*** approval shall be given until the ***advisory committee*** has reviewed the application and approved it as proposed, or approved it subject to specific terms and conditions, or has refused the approval where compliance with reasonable terms and conditions cannot reasonably be expected.
4. The advisory committee 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 By-law for the zone in which the land or building is situated; or,
   b. such reasonable variance from the requirements of the zoning provisions as provided by the *Community Planning Act* as, in its opinion, is desirable for the development of a parcel of land, or a building, or structure, and is in accord with the general intent of the By-law.
5. Where requested to permit a proposed use or variance under subsection (4) above, the ***advisory committee*** may give notice to owners of land in the immediate neighbourhood:
   a. describing the land;
   b. describing the use proposed or variance requested; and,
   c. giving the right to make representation to the ***advisory committee*** in connection therewith within the time limit set out in the notice.
6. Where permitted under the *Community Planning Act* or *Regional Service Delivery Act,* powers of a***dvisory committee*** may be delegated to the ***Development Officer*** or their delegate.

3.5 Non-conforming Uses

Non-conforming uses, unless otherwise provided for in this By-law, shall be subject to Sections 60 and 61 of the *Community Planning Act*.

3.6 Amendments

1. A person who seeks to have this By-Law amended:
   a. shall make a written and signed application describing the purpose of the amendment;
   b. shall, where the application involves rezoning an area of land from one type of zone to another, include therewith the signatures of at least one owner of each parcel of land to be rezoned; and
   c. shall pay an application fee of $1,500, payable to the ***Regional Service Commission***.
2. An application under this section shall include such information as may be required by the Council or the ***Development Officer*** for the purpose of adequately assessing the desirability of the proposal according to the policies of the Zoning and the *Statements of Public Interest Regulation*.
3. Where an application for Zoning amendment or a rezoning of a ***lot*** has been refused within the previous twelve (12) months, Council will not entertain the same application unless the proposal is substantially different from the previous application.

ZONING
ADMINISTRATIVE & INTERPRETIVE

3.7 Development Permits

1. Except as otherwise provided in this section, no person shall undertake a development unless the development officer having jurisdiction approves the development as conforming with, if it applies to the land on which the development is located:
   a. the *Community Planning Act* and its regulations;
   b. the Zoning by-law;
   c. the Municipal Plan or a Secondary Municipal Plan, if applicable;
   d. a deferred widening or controlled access by- law, if applicable.
2. While it does not exempt a person from complying with all other provisions of this By-law or any other by-laws or regulations, a ***development permit*** is not required prior to carrying out the ***development*** of any of the following:
   a. the ***development*** of an ***accessory use*** of land that does not change the ***existing grade*** by greater than 1 m (3.3 ft);
   b. the erection of a ***fence*** outside of the ***Urban Service Boundary***;
   c. in the C-2, U-1, U-2, and U-3 Zones, the ***development*** of an ***accessory use*** in an ***accessory building*** or ***structure*** with less than 10m^2 (107.6 ft^2) of ***gross floor area*** and less than 3 m (9.8 ft) in ***height***;
   d. in the R-1, R-2, R-3, and I Zones, the ***development*** of an ***accessory use*** in an ***accessory building*** or ***structure*** with less than 20 m^2 (215.3 ft^2) of ***gross floor area*** and less than 3 m (9.8 ft) in ***height***;
   e. the cutting or removing of trees, except for the removal of healthy trees in the C-1 or C-2 Zones (Conservation Zones) which do not pose a reasonable risk to safety of life or property and are subject to tree preservation standards under sections 5.2.1 or 5.2.2;
   f. establishment of a ***parking lot*** for five (5) or less vehicles; and,
   g. installation of ***shore protection works*** that do not change the ***existing grade*** by greater than 1 m (3.3 ft).
3. An application under this section shall include such information as may be required by the ***Development Officer*** for the purpose of adequately assessing the compatibility of the ***development*** proposal according to the Zoning and the *Statements of Public Interest Regulation*.
4. An application for a ***development permit*** shall be made to the ***Development Officer*** in the form provided by the ***Regional Service Commission*** and be subject to a fee of $50.00 except where a fee is payable for a building permit issued by the ***building inspector***.
5. An application for a ***development permit*** shall contain information as the ***Development Officer*** may require for the purpose of determining compliance with this By-law.
6. The work mentioned in the development permit shall be carried out, unless otherwise approved by the ***Development Officer***, in compliance with the specifications contained in the application for the ***development permit***.
7. Where a ***development permit*** has been issued, the ***Development Officer*** may inspect the establishment, building, locating or relocating, demolishing, altering, or replacing of a use, building, or structure, to determine compliance with this By-law.
8. The ***Development Officer*** may revoke a ***development permit*** for one or more of the following reasons unless the applicant immediately proceeds to rectify the situation in a manner acceptable to the ***Development Officer***:
   a. There is a violation of any condition under which the ***development permit*** was issued;
   b. The ***development*** proposed in the ***development permit*** is not started, or is discontinued, for a period in excess of one year.
   c. The ***development*** undertaken exceeds the scope of the ***development permit;*** or,
   d. The ***development permit*** was issued by reason of incorrect, false, or misleading information.

3.8 Sign Permits

1. Subject to section 3.8(2)(a), no ***sign*** shall be displayed without a ***sign*** permit first having been obtained from the ***Development Officer*** in accordance with the zoning provisions of this By- law, and no ***sign*** permit shall be issued for a ***sign*** constructed on a permanent foundation without a ***building permit*** having first been issued by the ***Building Inspector***, where required under the *Building Code Administration Act*.
2. Notwithstanding any other provision of this By-law, no ***sign*** permit is required for the following ***signs***:
    a. A ***sign*** displayed in a Rural Zone or in any ***lot*** outside of the ***Urban Service Boundary*** that complies with the provisions of section 4.19 and is exempt from the *Building Code Administration Act.*
    b. In the ***Urban Service Boundary***, one or more small ***wall signs*** with a combined total ***sign area*** of less than 0.28 m^2 (3 ft^2);
    c. In the ***Urban Service Boundary***, one or more ***window signs*** that comply with the provisions of section 4.19;
    d. One or more ***incidental sign*** not exceeding 0.18 m^2 (2 ft^2) in ***sign area***;
    e. Any ***community sign***, flag, banner, artistic mural, traffic or directional ***sign***, as authorized by the ***municipality***, Government of New Brunswick, or the Government of Canada.
    f. Temporary on-site or off-site ***signs*** with information related to legal notices, public health, construction projects, real estate, or elections, subject to the following conditions:
        i. such ***signs*** do not exceed 3 m^2 (32.3 ft^2) in ***sign area***;
        ii. the ***sign*** is not illuminated;
        iii. the ***signs*** are set back a minimum of 3 m (9.8 ft) from any ***street*** and not located within any right of way without the written authorization of the ***municipality***; and,
        iv. the ***sign*** is not permanent and is removed at most fourteen (14) days after the conclusion of the occurrence, event, or ***development***, to which the ***sign*** pertained to.
3. An application for a ***sign*** permit shall be made to the ***Development Officer*** in the form provided by the ***Regional Service Commission*** and be subject to a fee of $50.00.
4. An application for a ***sign permit*** shall contain information as the ***Development Officer*** may require for the purpose of determining compliance with this By-law.
5. A ***sign*** approved under a ***sign*** permit shall be displayed, unless otherwise approved by the ***Development Officer***, in compliance with the specifications contained in the application for the ***sign*** permit.
6. Where a ***sign*** permit has been issued, the ***Development Officer*** or the ***Building Inspector*** may inspect the installation, construction, locating or relocating, demolishing, altering, or replacing of a ***sign***, to determine its compliance with this By-law.
7. The ***Development Officer*** may revoke a ***sign permit*** for one or more of the following reasons unless the applicant immediately proceeds to rectify the situation in a manner acceptable to the ***Development Officer***:
    a. There is a violation of any condition under which the ***sign permit*** was issued;
    b. The ***sign*** displayed exceeds the scope of the ***sign permit;*** or,
    c. The ***sign permit*** was issued by reason of incorrect, false, or misleading information.

4.0 GENERAL PROVISIONS

4.0 General Provisions

4.1 Required Services for Building Lots

1. No ***building*** may be erected on any ***lot***, where in the opinion of the ***Council***, satisfactory arrangements have not been made for the supply of water, sewerage, streets or other services, as otherwise may be approved by the Province, ***development officer***, and/or the ***municipality***.

4.2 Limits on Light Pollution

1. The requirements of this By-law with respect to the ***development*** of new ***exterior lighting*** are as follows:
   a. No ***exterior lighting*** shall be used in a manner that emits a bright flashing light usually associated with danger or those used by emergency vehicles;
   b. Any ***exterior lighting*** shall be located and arranged so that rays of light are not directly aimed at any adjoining ***lots*** or the public ***street***; and,
   c. All ***exterior lighting*** shall be shielded and directed downward to limit light pollution and protect the view of the night sky.

4.3 Infilling or Changing Lot Elevations & Shoreline Protections

1. Except in the I Zone, or where an ***engineer's*** plan is approved pursuant to section 4.22(4), a change from the elevation of ***existing grade*** involving the cutting or filling land to a depth in excess of 1 m (3.3 ft) shall be subject to the terms and conditions of the ***advisory committee***.
2. The ***development*** of ***shore protection works*** shall be permitted as an ***accessory use*** of land in every zone.
3. Notwithstanding section 4.3(2), ***development*** of ***shore protection works*** that involve a change in the ***existing grade*** greater than 1 m (3.28 ft), shall be subject to such terms and conditions as the ***advisory committee*** considers necessary, including incorporating ***green shore protection***.

4.4 General and Child Safety Standards for Swimming Pools

1. No land may be used for purposes of a ***swimming pool*** capable of containing a depth more than 1 meter (3.3 ft) of water unless the ***swimming pool*** is enclosed by a fence, or by a wall of a ***building*** or ***structure***, or by a combination of walls and fences, at least 1.5 m (5 ft) in ***height*** and meeting the requirements of this section.
2. Where a portion of a wall of a ***building*** forms part of an enclosure mentioned in 4.4(1):
   a. No main or service entrance to the ***building*** may be located therein; and,
   b. Any door therein, other than a door to a ***dwelling unit***, shall be self-closing and equipped with a self-latching device at least 1.5 m (5 ft) above the bottom of the door.
3. An enclosure mentioned in 4.4(1) shall not have rails, bracing or other attachments on the outside thereof that would facilitate climbing.
4. A fence mentioned in 4.4(1) shall not be electrified or incorporate barbed wire or other dangerous material and shall be located:
   a. At least 1 m (3.3 ft) from the edge of the ***swimming pool***;
   b. At least 1 m (3.3 ft) from any condition that would facilitate its being climbed from the outside and so that the bottom of the fence be elevated by no more than 5.5 cm (2 in) ***average grade***.
5. The design and construction of a fence under this section shall provide:
   a. In the case of chain link construction:
      i. no greater than 38 mm (1.5 in) diamond mesh;
      ii. steel wire not less than No. 12 gauge, or a minimum No. 14 gauge covered with vinyl or other approved coating forming a total thickness equivalent to No.12 gauge wire;
      iii. at least 38 mm (1.5 in) diameter steel posts, set below frost, and spaced not more than 2.5m (8 ft) apart, with a top horizontal rail of at least 32 mm (1.26 in) diameter steel.
   b. In the case of wood construction:
      i. vertical boarding, not less than 19 mm x 89 mm (0.75 in x 3.5 in) actual dimensions spaced not more than 4 cm (1.5 in) apart, attached to supporting members and arranged in such a manner as not to facilitate climbing on the outside; and,
      ii. supporting wood posts at least 10 cm (4 in) square or round, set below frost and spaced not more than 2.5 m (8.2 ft) apart, with the portion below grade treated with a wood preservative, and with a top horizontal rail at least 38 mm x 140 mm (1.5 in x 5.5 in) actual dimension.
   c. In the case of construction with materials and in a manner other than described in this subsection, rigidity equal to that provided thereby.
6. Gates forming part of an enclosure mentioned in 4.3(1):
   a. Shall be equivalent to the fence in content, manner of construction and ***height***;
   b. Shall be supported on substantial hinges; and,
   c. Shall be self-closing and equipped with a self-latching device at least 1.3 m (4.2 ft) above the bottom of the gate.
7. The vertical walls of a permanent above-ground pool can be used as part of a pool enclosure provided that the vertical walls, including additional fencing at the top of the entire walls, are at least 1.5 m (5 ft) in ***height*** above ***average grade*** and do not possess any horizontal members that may facilitate climbing. The ladder area, which provides access to the aboveground pool, must be enclosed by a ***swimming pool*** enclosure as defined within this section.
8. No water shall be placed in the ***swimming pool*** until a closure has been completed and inspected by the ***Development Officer***, or a qualified delegate of the ***Development Officer***, including a ***Building Inspector***.
9. No person is to ***alter*** or replace a ***swimming pool*** enclosure without a ***development permit.***
10. No person shall allow sections of the ***swimming pool*** enclosure to be removed or become dilapidated so that it no longer conforms to this By-law; and,
11. No person is to allow materials to be placed, piled, attached, hung or leaned against or near the ***swimming pool*** enclosure that could facilitate the climbing of the enclosure or diminish the structural integrity of the enclosure.
12. No overhead electrical power line shall be placed over the area of a ***swimming pool*** enclosed by a ***fence*** or ***structure*** and no ***swimming pool*** or ***swimming pool*** enclosure may be placed, erected, or altered so that it is located underneath an existing overhead electrical power line.

4.5 Pre-existing Buildings & Undersized Lots

1. Notwithstanding anything contained in this By- law, where a ***building*** or ***structure*** has been in existence before the effective date of this By-law having less than the minimum ***lot*** size, lot ***frontage***, ***lot depth***, ***front yard***, ***flankage yard***, ***side yard*** or ***rear yard*** than is required by this By-law, or exceeding the maximum ***lot coverage*** or building ***height***, such ***building*** or ***structure*** may be enlarged, reconstructed, repaired, or renovated provided that:
   a. The enlargement, reconstruction, repair or renovation of an existing ***building*** or ***structure*** does not further reduce the required minimum ***front yard***, ***flankage yard***, ***side yard***, or ***rear yard***, and does further exceed the required maximum ***lot coverage*** or building ***height***, that does not conform to this By-law; and,
   b. All other applicable provisions of this By-law are satisfied.

2. Notwithstanding anything contained in this By- law, where a ***building*** or ***structure*** has been in existence before the effective date of this By-law having less than the minimum ***lot*** size, lot ***frontage***, ***lot depth***, ***front yard***, ***flankage yard***, ***side yard*** or ***rear yard*** than is required by this By-law, or exceeding the maximum ***lot coverage*** or building ***height***, such ***building*** or ***structure*** may be enlarged, reconstructed, repaired, or renovated provided that:
    a. Notwithstanding anything contained in this By- law, where a ***lot*** has been in existence before the effective date of this By-law having less than the minimum ***lot*** dimensions than is required by this By-law, a ***building*** or ***structure*** may be developed provided that:
    a. The erection of a new ***building*** or structure can meet all other dimensional requirements of the zone in which it is located;
    b. All other applicable provisions of this By-law are satisfied; and,
    c. A septic system is approved by the Department of Public Safety, or a public works approval is granted by the ***municipality***.

4.6 Height Exceptions

1. Notwithstanding building ***height*** requirements established in the various zones of this by-law, elements of a ***building*** or ***structure*** that are designed to project above ***height*** requirements such as church spires, water tanks, elevator enclosures, heating ventilation air conditioning (HVAC) units, silos or barns for an ***agricultural use***, flagpoles, telecommunications devices, skylights, chimneys, clock towers, monuments, lightning rods, or ***renewable energy devices***, but not including parts of the structure which comprise the roof or a building storey, but shall:
    a. Be developed in conformity with the standards of section 4.6(2); or,
    b. Be developed subject to terms and conditions as may be established by the ***advisory committee***; or,
    c. Be developed subject to the approval of the ***municipality*** for services designed for a public ***utility use***.
2. Pursuant to section 4.6(1)(a), any exempted structural elements shall:
    a. Be set back from the perimeter of the roof line a minimum of 3 m; and,
    b. Not be visible from any location on the ***street*** within a 30-m horizontal radius as measured projecting outward from the façade of the ***ground floor*** of the ***building*** or ***structure***.

4.7 Accessory and Secondary Uses Before Main Uses

1. An ***accessory use*** or ***secondary use*** in a ***building*** or ***structure*** shall not be ***developed***, placed or erected on a ***lot*** prior to the ***development***, placement or erection of the ***main use***, or ***main building*** or ***structure*** unless:
    a. The ***building*** or ***development permit*** for the ***main use***, or ***main building*** or ***structure***, is obtained first;
    b. The ***main use***, or ***main building*** or ***structure***, is ***developed*** and completed within one year from the date of the issuing of the permit; and,
    c. The ***accessory*** or ***secondary use*** in a ***building*** or ***structure*** is located as indicated on the site plan approved by the ***Development Officer***.

4.8 Required Access for Building Lots

1. No person shall use a ***lot*** or erect or use a ***building*** or ***structure*** on a ***lot***, unless the ***lot*** abuts or fronts on a public ***street*** or otherwise has a ***driveway access*** or another form access to a ***street*** that is satisfactory to the ***advisory committee***.
2. Notwithstanding 3.6.1, in the case of an island, a navigable body of water may be used for the purposes of an access in the absence of a public ***street***, subject to any firefighting requirements of the *National Building Code of Canada* or of the ***municipality***.

3. No driveway shall meet the traveled portion of a ***street*** at an angle less than sixty (60) degrees.

4.9 Standards for Accessory Uses, Buildings or Structures

1. ***Accessory uses***, ***buildings*** and ***structures*** will be permitted in all zones but they shall not:
    a. Be used for human habitation, except as an ***accessory dwelling unit*** developed pursuant to the requirements of sub-section 4.9 (2);
    b. Within the ***Urban Service Boundary***, exceed the ***height*** of the ***main building***;
    c. Have a total combined ***gross floor area*** exceeding 10% of the total ***lot size***; and,
    d. Within the ***Urban Service Boundary***, be located within a required ***side*** or ***rear yard setback*** or be located closer to a ***front*** or ***flankage lot line*** than the exterior wall of a ***main building***.
2. Notwithstanding the population density standards of the R-1 and R-2 Zones, and in every zone that permits an ***accessory dwelling units*** as a secondary use, the use is permitted subject to the following conditions:
    a. When contained within any portion of a ***main building***, an ***accessory dwelling unit's gross floor area*** shall not exceed 75% of the ***gross floor area*** of the ***ground floor*** of the ***main building***;
    b. When contained within a detached ***accessory building***, a ***accessory dwelling unit*** is subject to the same dimensional standards as other ***accessory buildings*** and ***structures*** as per sub-section 4.9(2), and the ***accessory dwelling unit's gross floor area*** shall not exceed 75% of the ***gross floor area*** of the ***ground floor*** of the ***main building***; and,
    c. Where permitted, no more than one ***accessory dwelling unit*** may be placed or erected on a ***lot*** and no ***building*** or ***structure*** may be **altered** to become or contain a second ***accessory dwelling unit*** on a ***lot***.

4.10 Standards for Parking & Loading Spaces

1. In the C-1, C-2, R-1, R-2, R-3, and I Zones, where developed, a ***parking lot*** or ***loading area*** is subject to the following standards:
    a. Shall not be located closer than 7.5 meters from a ***street*** lot line shared with an arterial or collector highway;
    b. Shall conform with the *Barrier-Free Design Building Code Regulation – Building Code Administration Act*.
    c. Any ***loading areas*** shall not be less than 9.14 m (30 ft) long, 3.66 m (12 ft) wide and 4.26 m (14 ft) high, with ***driveway access*** thereto, and must be provided for every ***building*** or ***structure*** used for any purpose involving the use of vehicles for the receipt or distribution of materials.
2. In the ***Urban Service Boundary***, where developed, a ***parking lot*** or ***loading area*** is subject to the following standards:
    a. Shall conform with the *Barrier-Free Design Building Code Regulation – Building Code Administration Act*.
    b. Any ***loading areas*** shall not be less than 9.14 m (30 ft) long, 3.66 m (12 ft) wide and 4.26 m (14 ft) high, with ***driveway access*** thereto, and must be provided for every ***building*** or ***structure*** used for any purpose involving the use of vehicles for the receipt or distribution of materials.
    c. Where a ***parking lot*** for six (6) or more vehicles is developed the following standards shall apply:
        i. the ***parking lot*** and its approaches or ***driveways*** shall be paved or covered with a durable, all-weather and dust-proof material and be graded and drained in such a manner as to ensure that the run-off is directed into a ***storm water storage area*** and not directly onto an abutting ***lot*** or on to a ***street***;

ii. approaches or ***driveways*** to the lot must have a curbing radius of 10 m (32.8 ft) where they meet a ***street***, must be defined by a curb of asphaltic concrete or Portland Cement concrete and the limits of the ***parking lot*** shall be defined by a ***fence***, curb or other suitable obstruction designed to provide a neat appearance;
iii. the location of approaches or ***driveways*** shall not be closer than 15 m (49.2 ft) from the limits of the right-of-way at a ***street*** intersection;
iv. entrance and exit ***driveways*** to the parking lot must not exceed two (2) in number at the street line and edge of pavement;
v. notwithstanding sub-section 4.10(2)(c)(iv.), the ***advisory committee*** may consider the creation of more than two (2) driveways, as a use subject to terms and conditions;
vi. driveways must be located at least 3 m (9.8 ft) from the side lot line or rear lot line;
vii. for every six (6) off-street vehicle parking spaces, one (1) bicycle parking space shall be provided in the form of a bike rack;
viii. a ***parking lot*** shall be screened from the view of any adjoining ***lots*** (except where a ***parking lot*** directly abuts another ***parking lot***) through a 2 m (6.6 ft) wide hedge or by a opaque wooden ***fence*** or some other screening facility of equal screening value; such screening facility to be at least 1.5 m (4.9 ft) and not more than 2 m (6.6 ft) in height;
ix. poles and fixtures for the ***exterior lighting*** of ***parking lots*** shall not exceed 3 m (9.8 ft) in ***height*** and they shall be shielded and arranged downwards to meet section 4.2 of the By-law; and,
x. other than a ***parking space*** designed to meet the mobility requirements of the *Barrier-Free Design Building Code Regulation – Building Code Administration Act*, every off-street ***parking space*** shall meet the dimensional requirements outlined in Table 1.1.

Table 1.1			
	90 Degrees	45 Degrees	Parrallel
Min. Width	2.75 m (9 ft.)	2.75 m (9 ft.)	2.75 m (9 ft.)
Min. Length	5.5 m (18 ft.)	5.3 m (17.1 ft)	6 m (19.7 ft)
Min. Parking Aisle Width	6 m (19.7 ft)	3.5 m (11.5 ft)	6 m (19.7 ft)
Min. Height Clearance	2.2 m (7.2 ft)	2.2 m (7.2 ft)	2.2 m (7.2 ft)

4.11 Standards for Garbage Enclosures

1. Except in the I and R-3 zones, or except garbage put out for collection, if any area of the ***lot*** exterior to the ***main building*** is to be used for the storage of garbage, including areas for the location of compactors or commercial waste bins, such areas shall be located within an ***accessory building*** or ***structure*** or fully screened by a surrounding fence at least 2 m (6.56 ft) in height designed so as to be opaque.
2. No garbage storage area shall be located in any required lot line ***setback***, nor shall it be located within 6 m (19.7 ft) of a public ***street*** or within 2 m (6.56 ft) of a ***dwelling unit***.
3. No garbage storage area shall be located between a ***building*** or ***structure*** and a public ***street***.

4.12 Standards for Agricultural Uses, Livestock, or Backyard Hens

1. Where ***agricultural uses*** are permitted as ***main*** or ***secondary uses*** of a ***lot***, they are subject to the following conditions:
   a. ***Agricultural uses*** with ***livestock*** may be conducted on a ***lot*** and may contain:
      i. Up to one (1) ***animal unit*** per 4,000 m^2; or,
      ii. A number of ***livestock*** as may be approved through the *Livestock Operations Act*.
   b. Any ***livestock facility*** shall be located more than 60 meters (196.9 ft) from any potable water source, natural ***watercourse***, or an existing ***dwelling unit*** on an adjacent ***lot***.
   c. Where ***agricultural uses*** are developed adjacent to a ***lot*** in the R-1 or R-2 Zone, a naturally vegetated or treed ***buffer*** of 5 m (16.4 ft) width is required at or near the entire shared lot line or as mutually agreed-to by the relevant ***lot*** owners, in writing, at the time of the ***development permit*** application.
   d. ***Livestock*** shall not be permitted to roam within 30 m (98.42 ft) of a natural ***watercourse***, a ***dwelling unit*** on an adjacent ***lot***, or beyond ***lot lines*** (except where mutually-agreed by the relevant ***lot*** owners in-writing); and,
   e. ***Agricultural uses*** shall be conducted in conformity with acceptable farm practices as defined under the *Agricultural Operations Practices Act*.
2. In any zone, mature female chickens, turkeys, ducks, or equivalent smaller fowl may be kept as ***accessory uses*** of a ***lot***, but are subject to the following conditions:
   a. A combined total of six (6) mature female chickens, female ducks, or equivalent smaller female fowl may be kept on one (1) ***lot***, but no male fowl that have reached maturation (e.g. roosters) may be kept except where permitted by sub-section 4.12(1) of this By-law.
   b. Any kept fowl require an enclosure and shall not be permitted to roam beyond ***lot lines*** and, within the ***Urban Service Boundary***, the enclosure shall not be located in the ***front*** or ***flankage yard*** and must be at least 10 m from any ***lot line***.
   c. Manure from the fowl shall not be permitted to accumulate so as to create odours detectable at any lot line.
   d. Feed provided to the fowl shall be stored and distributed in a manner so as to not attract rodents (e.g. sealed containers, rodent-proof feeders).

4.13 Standards for Resource Uses

1. A ***resource excavation use*** must meet the following minimum standards:
   a. No excavation shall be undertaken:
      i. within 30 m of any ***wetland*** or ***watercourse***;
      ii. within 30 m of a ***street*** or highway; and,
      iii. below the groundwater table, except subject to section 4.15.
   b. The excavation site shall be of a minimum distance of 30 m from all lot lines, 7.5 m from power lines, and 150 m from any ***dwelling*** on any ***lot***;
   c. A treed ***buffer*** of at least 15 m in width shall be maintained between the final perimeter of any excavation site and any public ***street*** or adjacent property;
   d. A ***driveway access*** to the site shall have a barrier to control entry to the site;
   e. All excavation sites shall have adequate signs warning people of any dangerous situation associated with the operation, such as, but not limited to, blasting, steep slopes or open holes; such signs shall be posted around the perimeter and any ***driveway access;***
   f. All surface water shall either be contained within the site limits, or the resource excavation development shall require the necessary approval from the Department of Environment and Local Government;
   g. The excavation site shall not serve as a ***salvage use***;
   h. Any ***driveway access*** within 100 m of an existing ***dwelling*** on another ***lot*** shall not be used for transporting excavated materials; and,
   i. Prior to the commencing of an excavation upon any lands, a copy of an Archaeological Impact Assessment (AIA), as approved by the Department of Tourism, Heritage, and Culture, shall be submitted to the Development Officer, where that Department determines a need for an AIA.

4.14 Standards for Gravel Pits

1. In addition to the requirements of section 4.13, a ***resource excavation use*** in the form of a gravel pit is subject to this section and the following minimum standards:

a. The land shall not be used for temporary or permanent asphalt production;
b. No excavations involving any blasting of aggregate, or mining shall be permitted; and,
c. The land shall not be used for aggregate crushing.

4.15 Standards for Quarries or Mines

1. In addition to the requirements of section 4.13, a ***resource excavation use*** in the form of a quarry, or an or an ***extractive industrial use***, is subject to this section and the following minimum standards:
   a. Prior to the commencing of an excavation upon the lands, a copy of a rehabilitation plan, as approved by the Department of Environment and Local Government, shall be submitted to the ***Development Officer***, where applicable;
   b. If the use involves a slope steeper than one and one-quarter (1¼) meters horizontal, the excavation site shall be surrounded by a ***fence*** or barrier, a 10-meter buffer of cleared of vegetation from the edge of all slopes, and brightly coloured 1 m^2 warning signs placed at 20-meter intervals along the top length of that slope;
   c. Prior to the commencing of an excavation upon the lands, all ***development*** and activities shall comply with all applicable acts, permits and approvals as required, including but not limited to the: *Mining Act*, *Air Quality Regulation – Clean Air Act*, *Environmental Impact Assessment Regulation*, *Water Quality Regulation – Clean Environment Act*, Approval to Operate, Approval to Construct, *Watercourse and Wetland Alteration Regulation*, *Water Well Regulation – Clean Water Act*, *Quarriable Substances Act*, and the *Species at Risk Act*.
   d. Except with the written consent from the owner of a ***lot*** with a ***dwelling***, ***extractive industrial use*** or a ***resource excavation use*** involving the blasting, crushing, or processing of rocks or minerals, shall not take place within 600 m of a ***dwelling*** on another ***lot.***

4.16 Standard for Campgrounds

1. Notwithstanding sections 5.2.1, 5.4.1, and 5.5.1, in the C-2, R-1, and R-2 Zone, where a ***lot*** is used for more than one (1) ***camp*** shall be considered a ***campground*** and the ***development*** is subject to the following terms and conditions:
   a. That the **lot** maintains a 20 m wide ***buffer*** along all ***lot lines***.
   b. That the ***lot*** contains a ***main building*** with a ***dwelling unit***; and,
   c. If nine (9) or more ***camps*** are ***developed***, that a water supply assessment prepared by a ***engineer*** or geoscientist is provided to the ***Development Officer*** demonstrating adequate water supplies exist for the ***development***.

4.17 Standards for Subdivisions in Low Intensity Zones

1. Notwithstanding section anything contained in this By-law, any ***lot***, block, or other parcel of land, or portion thereof, that falls within the boundaries of the R-1, C-1, C-2 zones, or within the O-NH-1 or O-NH-2 overlay zones, according to section 3.2.1, shall not be subdivided, except according to one of the following circumstances:
   a. Except in the O-NH-1 or O-NH-2 overlay zones, a ***lot***, block, or other parcel of land was in existence prior to this By-law coming into effect, may be subdivided up to a maximum of three (3) ***lots*** subject to the minimum ***lot*** dimensions of the zone; or,
   b. In the case of a parcel of land that is being created for the purpose of being added to and forming part of an adjoining parcel; or,
   c. Where a ***lot***, block, or other parcel of land was in existence prior to this By-law coming into effect, up to twenty-five percent (25%) of the total area of land may be subdivided into separate ***lots*** that meet the minimum ***lot*** dimensions of the zone, subject to the following conditions:

   i. that the remnant ***lot*** equating to seventy-five percent (75%) of the original ***lot***, block, or parcel, is wholly encumbered under a conservation easement, under the *Conservation Easements Act*, and the use of such remnant of land is limited to ***developments*** for ***conservation use***; and,
   ii. that prior to approval of plans for subdivision, evidence is presented to the development officer that a conservation easement pursuant to subsection 4.17(1)(c)(i.) has been registered in accordance with the *Conservation Easements Act* in the Provincial Land Registration Office.

4.18 Standards for Mini-home Parks or Bare-land Condominiums

1. In the C-2, R-1, and R-2 Zones, a ***lot*** may be ***developed*** as a ***residential cluster development***, in the form of a ***bare-land condominium*** or ***residential land lease community***, that consists of four (4) or more ***dwellings*** or ***mini-homes***, respectively, subject to the following conditions:
   a. If developed as a ***bare-land condominium***, that it complies with all Provincial regulations and registration requirements under the *Condominium Property Act*;
   b. If developed as a ***residential land lease community***, that it complies with all Provincial regulations and ***mini-home*** registration requirements under the *Assessment Act*;
   c. That it has a shared, private ***driveway access*** with no dead-end portion of the access, such as cul-de-sac, exceeding 365 m in length from an interception with a public ***street*** and that ***driveway access*** meets the firefighting requirements of the *National Building Code of Canada*;
   d. That a water supply assessment prepared by an ***engineer*** or geoscientist is provided to the ***Development Officer***, that demonstrates adequate water supplies for the ***development***;
   e. That the wastewater services are approve by the appropriate Provincial agencies or by ***municipality***, as required;
   f. That at least seventy-five percent (75%) of the total of the parcel of land is permanently protected under a conservation easement, under the *Conservation Easements Act*, and in accordance with the principles of ***residential cluster development***;
   g. That the minimum ***lot size*** for whole ***residential cluster development***, including the lands under conservation easement, is not less than 4,000 m^2 of land multiplied by the number of ***dwelling units*** to be permitted; and,
   h. Prior to approval of the ***development***, evidence has been supplied to the ***development officer*** that a conservation easement pursuant to subsection 4.18(1)(f) has been registered in accordance with the *Conservation Easements Act* in the Provincial Land Registration Office.

4.19 Standards for Advertising Signs

1. No ***sign*** shall be erected, operated, used or maintained which:
   a. Due to its position, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic ***sign***, signal or device, for any motorists or pedestrians using a ***street***;
   b. Displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;
   c. Extends or is located above ***building's*** roof or obstructs a fire escape, door, window or other egress;
   d. Projects over or rests upon any part of the traveled portion of a public ***street***;
   e. Exceeds a maximum ***height*** of 5 m (16 ft); and,
   f. Is an off-site ***sign***, such as a billboard ***sign***, but exempting any traffic control device, any off-site directional ***sign*** or ***community sign*** for the public that is approved by the ***municipality***.
2. The provisions of this By-law with respect to existing ***signs*** that do not conform to the By-

law at the time of its effective date shall not be construed to have a retroactive effect. The exception to this rule is a nonconforming ***sign*** that is relocated, ***altered***, or removed which is then required to comply with the provisions of this By-law. The provisions of this section shall not exempt the owner of a non-conforming ***sign*** from the obligation for proper maintenance of any ***sign***.

3. A ***sign*** shall be anchored and installed in a manner so that it does not become unsightly, defective, or dangerous, and it shall be designed by an ***engineer*** if the supporting ***structure*** and the ***sign*** together weighs more than 75 kg (165 lbs) or the ***height*** exceeds 3 m (9.8 ft).
4. In the O-HBD Zone, a ***sign*** shall be constructed of wood or long lasting synthetic product which simulates the properties and appearance of wood, and may be painted or routed and painted, or consist of cut-out wooden letters affixed to a board.
5. Where permitted, an ***illuminated sign***, other than an externally ***illuminated sign*** lit by a ***gooseneck light***, shall be a particular use subject to the terms and conditions that may be applied by the ***advisory committee***, and that internally ***illuminated sign*** shall also be subject to the following standards, at a minimum, to reduce light pollution:
   a. Shall not have a total ***sign area*** exceeding 2 m^2 (21.5 ft^2);
   a. All internally ***illuminated signs***, including signs that are lit internally with all light shining through a translucent or coloured material and signs using Light Emitting Diode (LED), shall not emit a blue-rich light with a colour temperature exceeding 3000 Kelvins during any nighttime hours, evening to morning;
   b. Both externally and internally illuminated signs shall be tilted downward and/or incorporate sufficient shielding, to prevent light from being emitted upwards into the sky.
6. Notwithstanding sub-section 4.19(5), one (1) small ***illuminated sign*** may display the words “open" and/or "ouvert” on any entrance to a ***building*** outside of the U-1 and U-2 Zones where the small ***illuminated sign*** is a non-flashing, non-moving sign, no larger than 0.18 m^2 (2 ft^2) in total ***sign area***;
7. Where permitted, ***projecting signs*** or ***flag signs*** are limited to one (1) ***sign*** of either ***sign*** type per ***building*** entrance on a ***lot***, and each ***sign*** shall not exceed a maximum size of 0.75 m^2 (8 ft^2) in ***sign area***, nor project more than 2 m (6.5') off the main wall of a ***building***, and shall be affixed to the main wall of a ***building*** and not affixed to the ground;
8. Where permitted, ***wall signs*** shall not have a ***sign area*** greater than 60 cm (2') tall nor cover a surface greater than 12% of the ***facade*** it is displayed upon, nor project more than 25 cm (10") from the main wall of a ***building***, shall face a ***street***, and shall be located above any ***ground floor*** doors or windows but shall also be located below any second storey windows, if applicable.
9. Notwithstanding sub-section 4.19(8), one (1) small ***wall sign*** with a total ***sign area*** less than 0.5 m^2 (5.3 ft^2), but potentially greater than 60 cm (2') tall, may be located on any part of main wall of ***building*** if no more than 12% of that total ***facade*** surface would be covered by ***signs***.
10. Where permitted, awning ***signs*** shall have their ***sign area*** confined to the hanging valance of an awning and that valance shall not longer than 30 cm (12 "), and the awning shall not project more than 1/3rd into the traveled portion of a sidewalk nor hang lower than 2.5 m (8.2 ft) above the sidewalk's surface.
11. Where permitted, ***sandwich board signs*** shall not have a ***sign area*** exceeding 0.5 m^2 (5.4 ft^2) of any one side of a board, and ***sandwich board signs*** are limited to one (1) ***sign*** per ***lot***, and no ***sandwich board sign*** shall be permitted to obstruct pedestrian or vehicular traffic along publicly owned land such as a sidewalk, square, or within the ***street*** right-of-way.
12. Where permitted, ***window signs*** shall not have a ***sign area*** exceeding 10% of the total combined window or door surface area of the ***façade*** and shall only displayed on the ***ground floor*** of a ***building***.
13. In the R-1, R-2, R-3, U-3, and I Zones, ***freestanding signs*** are limited to one (1) ***freestanding sign*** per 30 m (98 ft) of ***lot frontage***, shall not exceed 6 m^2 (64 ft^2) in ***sign area***, nor shall they exceed a maximum ***height*** of 5 m (16 ft), and they shall not extend over the ***street*** and any posts shall maintain a ***lot line setback*** of 1 m (3.3 ft).

14. In the C-1, C-2, U-2, and O-HBD Zones, ***freestanding signs*** are limited to one (1) ***freestanding sign*** per 30 m (98 ft) of ***lot frontage***, shall not exceed 1.5 m^2 (16 ft^2) in ***sign area***, nor exceed a maximum ***height*** of 2.5 m (8.2 ft), and they shall not extend over the ***street*** and any posts shall maintain a ***lot line setback*** of 1 m (3.3 ft).
15. Where permitted, ***portable signs*** may be displayed for a maximum of fourteen (14) days and removed thereafter. ***Portable signs*** shall not have a ***sign area*** exceeding 4 m^2 (43 ft^2) of any one side of a board, shall be limited to one (1) ***portable sign*** per ***lot***, and shall be setback a minimum of 7.5 m (24.6 ft) from a ***street*** right-of-way.
16. No ***sign*** shall be displayed on any land, ***building*** or ***structure*** except where the ***sign*** is permitted in that ***zone*** according table shown in 'Table 2.1' below:

Table 2.1

SIGN TYPES	C-1	C-2	R-1	R-2	R-3	U-1	U-2	U-3	O-HBD	I
Signs exempted in the Zone pursuant to section 3.8(2)										
Window signs										
Small ***wall sign*** (***sign area*** less than 0.5 m2)										
Large ***wall sign*** (max. 12% of building façade, 60 cm tall)										
Projecting sign										
Awning sign										
Flag sign										
Sandwich board sign										
Point of purchase sign										
Small ***free-standing sign*** (***sign area*** less than 1.5 m2)										
Large ***free-standing sign*** (***sign area*** less than 6 m2)										
Portable sign										
Small ***illuminated sign*** (***sign area*** less than 0.18 m2 and may display “open/ouvert”)										
Large ***illuminated sign*** (***sign area*** less than 2 m2)										
Billboard sign										

LEGEND

Sign permitted in Zone - Green	
Sign not permitted in Zone - Red	
Sign permitted in Zone, but subject to terms & conditions as may be applied by the ***advisory committee*** - Yellow	

4.20 Urban Standards for Permitted Encroachments

1. The requirements of this By-law with respect to the placing, erecting or altering of a ***building*** or ***structure*** in relation to a ***lot line*** or ***street*** line apply to all parts of the ***building*** or ***structure*** except for:
   a. Eaves, ***cornices***, and steps that project not more than 0.61 m (2 ft) into any setback;
   b. Sills, leaders, belt courses and similar ornamental or structural features that project not more than 152.4 mm (6 in) into any setback;
   c. Window or door awnings which project not more than 1.02 m (3.3 ft) into any setback;
   d. Open or lattice-enclosed fire balconies or fire escapes which project not more than 1.02 m (3.3 ft) into any required setback;
   e. Chimneys, smokestacks, or flues, which project not more than 0.457 m (1.5 ft) into any setback;
   f. Balconies of upper stories of ***buildings***, provided they are not enclosed above the ***building's*** maximum ***height***, which project not more than 1.83 m (6 ft) into a ***front yard*** or ***rear yard*** setback or not more than 1.22 m (4 ft) into a ***side yard*** setback;
   g. Floors in the ***main building*** above the ***ground floor***, which project not more than 1.83 m (6 ft) into a ***front yard*** or ***rear yard*** setback or not more than 1.22 m (4 ft) into a ***side yard*** setback;
   h. Wheelchair ramps or lifting ramps into a ***ground floor*** may be located in any required setback;
   i. Steps providing access at the ***ground floor*** may be located in any ***front yard***, ***rear yard*** or ***flankage yard*** setback;
   j. Window bays and solar collectors may be permitted to project not more than 0.9 m (2.95 ft) from the main wall of a ***building*** into a required ***front***, ***rear*** or ***flankage yard*** setback;
   k. ***Swimming pools*** are permitted to encroach 1.2 m (3.9 ft) into a ***rear*** or ***side yard*** setback but shall not encroach into any required ***front*** or ***flankage yard*** setback;
   l. Air conditioning or heat pump units may project up to 0.61 m (2 ft) into a required ***side yard*** setback;
   m. Subject to sub-section 4.11(1)(n), exterior staircases providing access to the basement or any floor above the ***ground floor***, balconies, ***porches***, verandas, and sundecks, shall be permitted to project a maximum of 2 m (6.6 ft) into any required ***front yard***, ***rear yard***, or ***flankage yard*** setback; and;
   n. Except in the O-HBD overlay zone, exterior staircases providing access to any floor above the ***ground floor*** may be permitted between the ***façade*** of any ***building*** and the ***street*** line, except subject to such terms and conditions as the ***advisory committee*** considers necessary.

4.21 Urban Standards for Licensed Lounges & Live Entertainment

1. Where permitted within the ***Urban Service Boundary***, a ***licensed premises*** featuring a lounge is a particular ***development*** that is subject to such terms and conditions that may be imposed by the ***advisory committee*** and may be prohibited by the ***advisory committee*** if compliance with terms and conditions imposed cannot reasonably be expected;
2. The hours of operation for any ***licensed premises***, or any use that involves a live entertainment license, shall comply with the *Local Governance Act* by-law concerning the regulating of noise in the Town of Saint Andrews or be exempted thereunder.
3. Notwithstanding anything contained in this By-law, events requiring a Special Events License or Special Occasion Permit issued by the Department of Public Safety are an permitted as a ***accessory use*** of land in every zone.

4.22 Urban Standards for Lot Landscaping and Drainage Plans

1. On any vacant ***lot developed*** for a new ***main use*** within the ***Urban Service Boundary***, a landscaping and drainage plan shall be required and show how the following areas of the ***lot*** will be landscaped and drained:
   a. Any required ***front*** or ***flankage yard***, with up to 40% of these yards used for ***driveways***;
   b. Any required ***side yard***; and,
   c. Any required ***rear yard***.
2. For the purposes of this section, a landscaping and drainage plan for a ***lot*** within the ***Urban Service Boundary*** shall include:
   a. All grading necessary to:
      i. divert surface drainage away from the ***main building***;
      ii. provide a means of directing surface drainage to a drainage point acceptable to the ***municipality*** or to a ***storm water storage area*** that is designed by an ***engineer*** for a zero net increase in surface drainage from pre-development conditions;
      iii. contour the average grade to adjoining ***streets*** or ***lots***; and,
      iv. Natural vegetation, trees, bioswales, ditches, ornamental stones, shrubs, or grasses.
3. The landscaping and drainage works under sub-section 4.22(2) must be completed no later than one year from the date of the granting of the ***building permit*** or ***development permit*** for the ***main building*** or ***main use*** located thereon.
4. Notwithstanding sections 4.3(1) or 4.22(2), a landscaping or drainage plan involving a change in the elevation of ***existing grade*** involving the cutting or filling land to a depth in excess of 1 m (3.3 ft), shall be prepared the applicant's ***engineer*** and approved to the satisfaction of the ***municipality*** and presented to the ***development officer***.

4.23 Urban Standards for Higher Density & Institutional Residential

1. Where permitted in the ***Urban Service Boundary***, any ***multi-unit dwelling*** with more than six (6) ***dwelling units***, or any group of detached ***dwelling units*** in a ***condominium***, or any ***residential care facility***, or any ***rooming house***, may be developed where the following standards are met:
   a. At least one (1) entrance for each ***main building*** shall be orientated towards the ***frontage*** of the ***lot*** and be a covered entrance with weather protection, such as a portico or awning;
   b. Any ***main building*** with a flat roof shall include a ***cornice***;
   c. Pedestrian walkways shall connect each ***main building*** to any other ***main building*** and any public sidewalk or ***street*** via a paved or dust-free pedestrian walkway that does not traverse through a ***parking lot*** other than where necessary to cross a ***driveway access***;
   d. Except for any north-facing walls, the ***façade(s)*** of each storey of the ***main building*** shall include a minimum of 18% coverage by ***transparent glazing***.
   e. A landscaped outdoor 56 m^2 amenity space shall be provided, plus an additional 7 m^2 for every 100 m^2 of ***gross floor area*** the ***main building***(s);
   f. Landscaped outdoor amenity space(s) shall not be located in a ***parking lot***, ***front*** or ***flankage yard*** but shall be fully enclosed by a minimum 2 m tall, wooden ***fence*** and gate, and a cigarette disposal container located in compliance with the *Smoke-free Places Act*.
   g. Where more than twenty (20) ***dwelling units*** are developed, an indoor 56 m^2 amenity space shall be provided, plus an additional 7 m^2 for every 200 m^2 of ***gross floor area*** the ***main building***(s).
2. Notwithstanding anything contained in this By-law, a ***residential care facility*** or a ***rooming house*** shall not be developed in the in the U-1 Zone without an amendment to this By-law.
3. Notwithstanding anything contained in this By-law, a ***residential care facility*** for more than eight (8) occupants, or a ***rooming house*** for more than eight (8) occupants, shall not be developed in the U-2 Zone without an amendment to this By-law.

4.24 Urban Standards for Townhouse Developments

1. In the U-2 or U-3 Zone, a ***series*** of more than two (2) individual ***dwelling units*** in a townhouse may be developed subject to the following standards:
   a. The ***building façade*** shall be articulated to denote individual ***dwelling units***;
   b. Garages shall not have a door that exceeds 75 % of the ***ground floor building façade*** of each ***dwelling unit*** and garages shall be recessed from the ***facade*** by at least 1 m (3.3 ft);
   c. Notwithstanding sub-section 4.24(1)(b), a garage opening may orient to the ***rear lot line***;
   d. No ***series*** of attached dwelling units shall exceed:
      i. Six (6) ***dwelling units*** with the same approximate ***front lot line***;
      ii. 68.68m (225 ft.) in continuous length;
2. Notwithstanding the minimum ***lot size***, ***lot frontage***, and ***side yard setback*** Zone standards of sub-sections 5.8.2(1)(b) and 5.9.2(1)(b), the following ***lot*** standards apply to each townhouse ***dwelling unit***:

Minimum ***Lot Size***	180 sq. m. (1, 937.5 sq. ft.)
Minimum ***Lot Frontage***	6 m (19.7 ft.) per **dwelling unit**
Minimum Required ***Side Yard***	3 m (9.8 ft.); None where a ***common wall*** exists

3. Where townhouse ***dwellings*** are developed as ***series*** and as a ***condominium***, the standards of sub-section 4.24(2)(b) apply as if each ***dwelling unit*** in the townhouse condominium was on its own ***lot***. The ***lot*** standards of 4.24(2)(b) apply to each townhouse condominium unit with the necessary modifications .

4.25 Urban Standards for Vehicle Bodies

1. In the ***Urban Service Boundary***, a motor vehicle, boat, tractor trailer, recreational vehicle, tractor, shipping container, or any vehicle, notwithstanding its wheels have been removed, shall not be located on a vacant ***lot*** without a ***main building*** except for a use authorized by the ***municipality*** or a construction site with a valid building or ***development permit***.
2. In the ***Urban Service Boundary***, a tractor trailer, recreational vehicle, tractor, construction equipment, or boat, shall not be located in the required ***front*** or ***flankage yard*** setback.
3. Notwithstanding section 4.25(1), within the ***Urban Service Boundary***, a shipping container designed for commercial transport may be used as a ***building*** or ***accessory structure*** where it is setback more than 30 m from a ***street*** and modified into a ***dwelling*** or another permitted use, but not including a storage or warehousing use, where a ***development permit*** is issued on the basis of approved plans that are stamped and designed by a ***architect***.

4.26 Urban Standards for Pre-fabricated Structures

1. Notwithstanding anything contained in this by-law, a ***mini-home*** shall not be permitted to be developed within the ***Urban Service Boundary*** or within 600 m of Bar Road, Cemetery Road, Cornelia Street, or Marine Science Drive. This does not apply to modular homes or pre-fabricated structures where the completed ***building*** has a minimum width of 6 m (19.7 ft).

4.27 Urban Standards for Temporary Garages

1. Within the ***Urban Service Boundary, temporary garages*** are permitted as an ***accessory use***, and may be placed in a ***side*** or ***rear yard setback*** notwithstanding a setback requirement of this By-law, but they are subject to the condition that the ***temporary garage*** be removed from the ***lot*** between April 30 and October 15, inclusive.
2. Notwithstanding sub-section 4.27(1), ***temporary garages*** are not permitted within the O-HBD Zone.

4.28 Urban Standards for Fences

1. Within the ***Urban Service Boundary,*** a fence may be placed or constructed at a distance of at least 1 m (3.3 ft) from a ***lot line*** and up to 2 m (6.6 ft) in ***height***, except for the following:
   a. Where a documented agreement exists between the applicant and abutting property owner, a ***fence*** may be placed or constructed up to that abutting ***lot line***.
   b. A security fence of chain link for any ***medium-scale commercial uses*** or ***institutional use***s in the U-3 Zone may be placed or constructed within any required setback from a ***lot line*** and up to 2.5 m (8.2 ft) in ***height***.
      ii. 2.5 m (8.2 ft) in any other zone
2. Notwithstanding section 4.28(1), any ***fence*** located within the ***front*** or ***flankage yard*** of any ***lot*** in the Town Plat & Environs or the Historic Business District (see Schedule "D") exceeding 1 m (3.3 ft) in height shall be constructed so that at least 50% of the ***fence*** structure is visually transparent.
3. Notwithstanding section 4.28(1), any ***fence*** located within the ***front*** or ***flankage yard*** of any ***lot*** in the Historic Business District (see Schedule "D") and shall be constructed of ***traditional building materials*** (wood, stone, brick, or wrought iron) or adequate facsimiles.

4.29 Urban Standards for the Town Plat & Environs

1. Notwithstanding anything contained in this By-law, and except for the development of an ***accessory dwelling unit***, a ***lot*** within the Town Plat & Environs (as shown on Schedule "D") that had a ***dwelling*** as a ***main use*** at the time that this By-law became effective shall not be developed for a ***multi-unit dwelling***, ***institutional use*** or a ***small-scale commercial use***, except:
   a. where such ***development*** does not increase ***lot coverage*** and is fully contained within existing ***main buildings*** or ***accessory structures***; or,
   b. where such ***development*** is approved as a particular purpose, subject to the terms and conditions of the ***advisory committee.***
2. Notwithstanding anything contained in this By-law, a subdivision involving the creation of a new ***lot*** within the Town Plat & Environs (Schedule "D") using existing frontage on public ***streets*** shall be a particular purpose subject to the terms and conditions of the advisory committee, with consideration given to the architectural compatibility of the future ***development*** with any nearby properties (100-meter radius) that are regulated under the Heritage Conservation By-Law for the Town of Saint Andrews, as amended from time to time.
3. Notwithstanding anything contained in this By-law, the subdivision of a ***lot*** within the Town Plat & Environs (Schedule "D") that is part of a property that is regulated under the Heritage Conservation By-Law for the Town of Saint Andrews, as amended from time to time, shall not be subdivided except where the newly subdivided ***lot*** has a minimum lot ***frontage*** of 25 meters, a minimum ***lot depth*** of 50 meters, and a minimum ***lot size*** of 1250 square meters, in accordance with the original Town Plat layout of eight lots per block.

4.30 Special Provisions for Navy Island

1. Notwithstanding the permitted main uses of section 5.1.1.(1)(a) in the C-1 Zone, on the portions of Navy Island that are not under conservation trusts or easements, with the parcel identification numbers (PIDs) 15179781, 15179773, 15201585, 15165699, 15103823, 15103815, 15103864, 15171887, 15103872, 01325786, 15179765, 15082985, 15179757, 15103856, and 15103849, a single unit ***dwelling*** or a ***camp*** with a maximum ***height*** of up to 4.9 m and a maximum ***gross floor area*** up to 58 m^2, may be developed.
2. Pursuant to section 4.30(1), the issuance of any ***development permit*** on Navy Island is subject to the condition that the ***development*** shall not eligible to receive regular municipal services and shall dispose of garbage off-island in accordance with the Solid Waste By-law, as amended.

5.0 ZONES

5.1 High Priority Conservation Zone (C-1)

5.1.1 C-1 Zone Permitted Uses

1. Subject to general provisions under section 4, and any applicable regulations under the *Clean Water Act*, any land, ***building*** or ***structure*** in the C-1 Zone may be used for the purposes of:

MAIN USES

a. One of the following ***main uses***:
   i. conservation;
   ii. public ***utility use; and,***
   iii. pre-existing use.

SECONDARY USES

b. One or more of the following as ***secondary uses*** within an existing ***building*** or ***structure*** of a ***pre-existing use***:
   i. short-term rental; and,
   ii. home based business.

ACCESSORY USES

c. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.1.2 C-1 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the C-1 Zone unless the following standards are met:
   a. The C-1 Zone standards as numbered on the diagram 'Figure 1. Main Building Height Requirements' are complied with;
   b. The C-1 Zone standards as numbered on the diagram 'Figure 2. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 1. MAIN BUILDING HEIGHT REQUIREMENTS

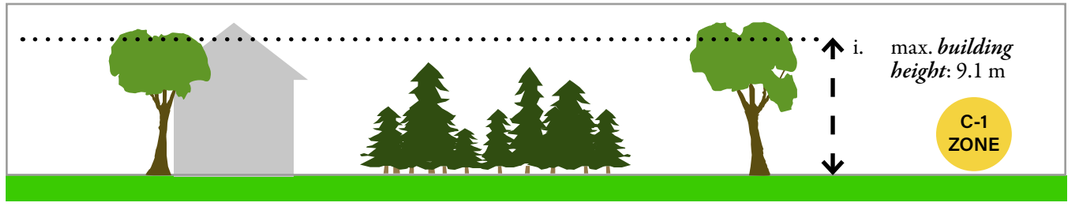
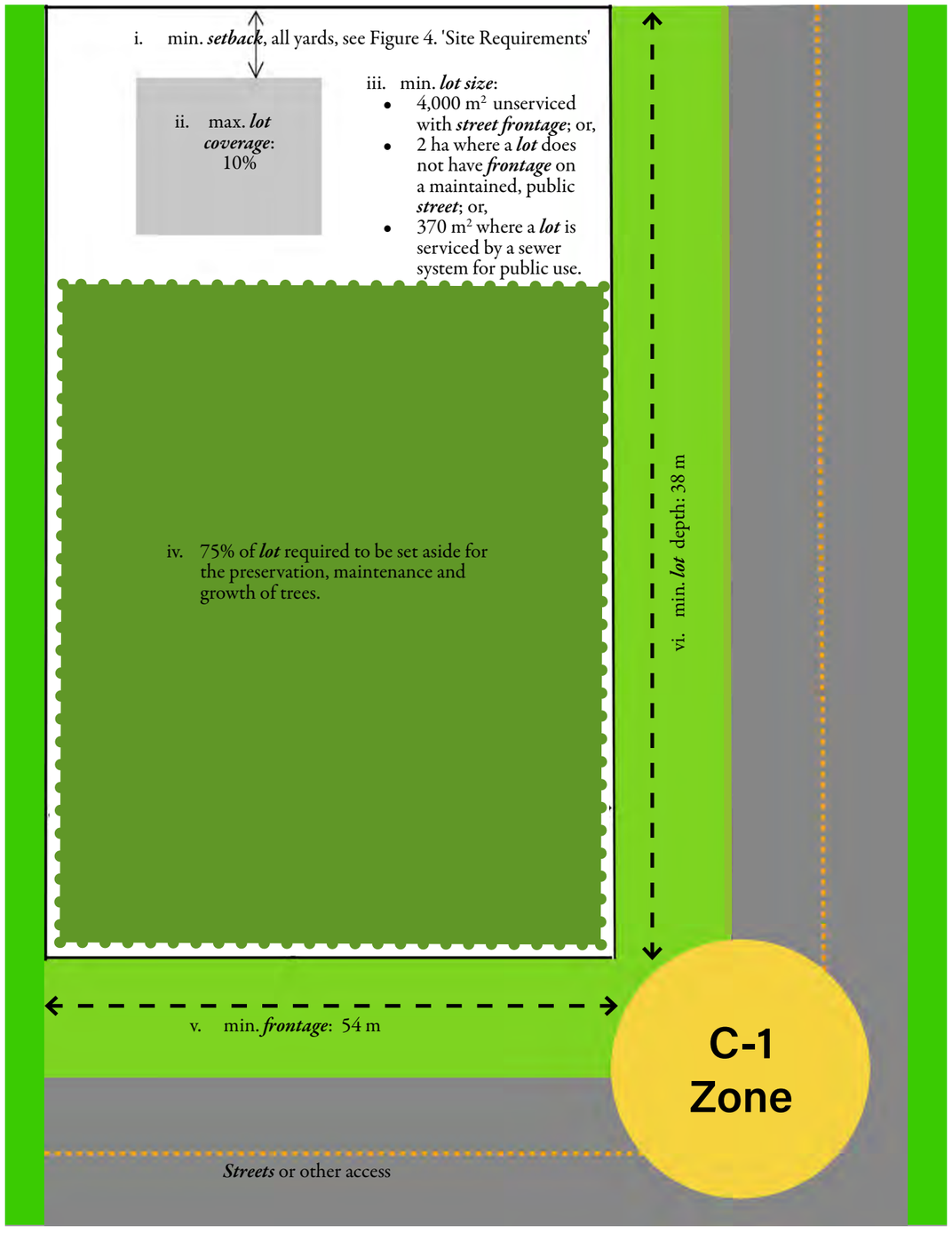


FIGURE 2. SITE REQUIREMENTS



5.2 Low Priority Conservation Zone (C-2)

5.2.1 C-2 Zone Permitted Uses

1. Subject to general provisions under section 4, and any applicable regulations under the *Clean Water Act*, any land, ***building*** or ***structure*** in the C-2 Zone may be used for the purposes of:

MAIN USES

a. One or more of the following ***main uses***:
   - ***i. camp***;
   - ***ii. conservation***;
   - ***iii. dwelling(s)***;
   - ***iv. mini-home***;
   - ***v. parks & open space use***; and,
   - ***vi. residential cluster development.***

SECONDARY USES

b. One or more of the following ***secondary uses***:
   - ***i. accessory dwelling unit***;
   - ***i. institutional use***;
   - ***ii. short-term rental***; and,
   - ***iii. home based business***.

ACCESSORY USES

c. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.2.2 C-2 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the C-2 Zone unless the following standards are met:
   a. The C-2 Zone standards as numbered on the diagram 'Figure 3. Main Building Height Requirements' are complied with;
   b. The C-2 Zone standards as numbered on the diagram 'Figure 4. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 3. MAIN BUILDING HEIGHT REQUIREMENTS

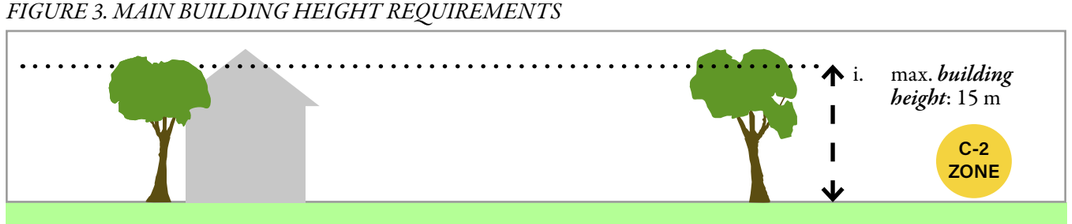
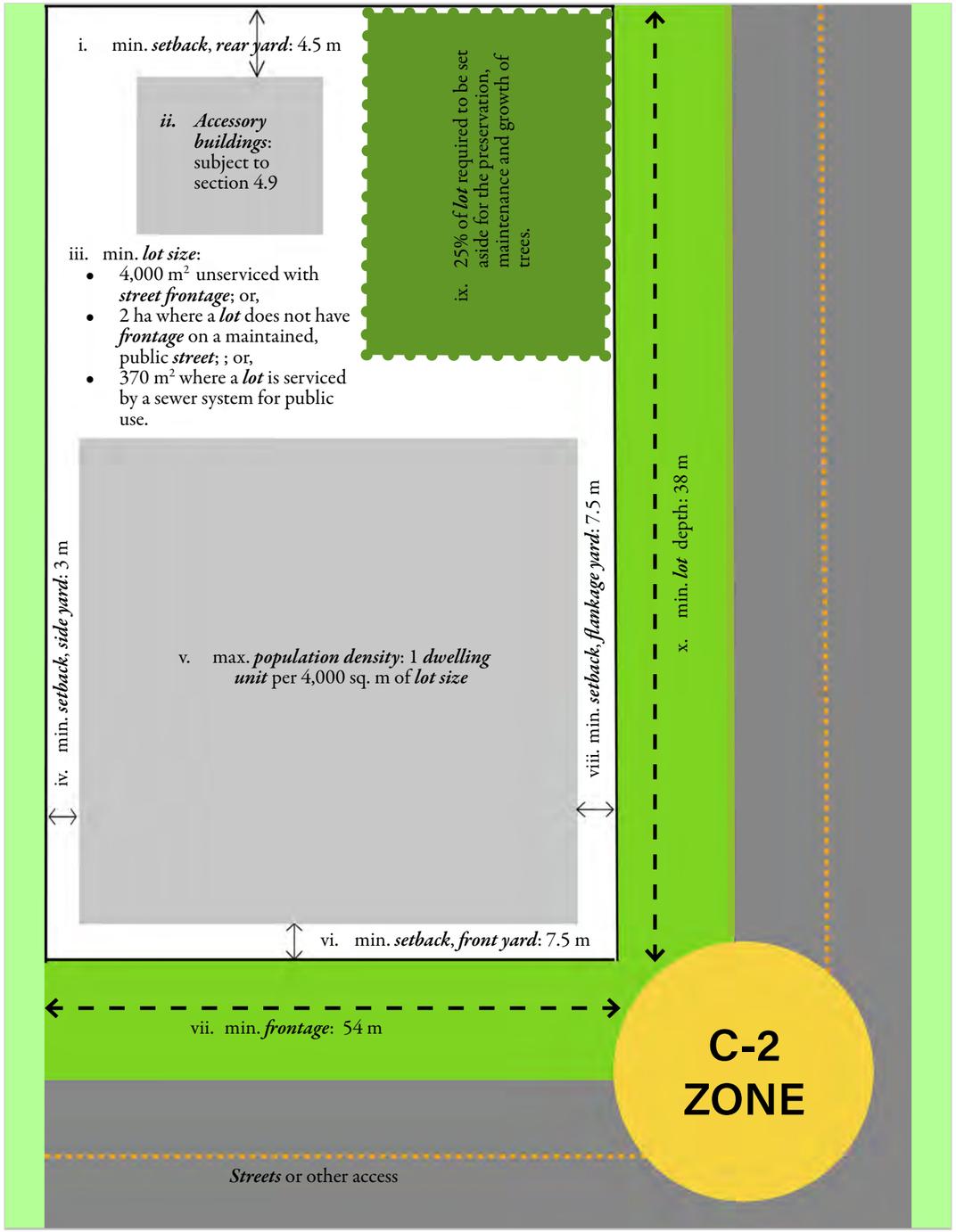


FIGURE 4. SITE REQUIREMENTS



5.3 Industrial Zone (I)

5.3.1 I Zone Permitted Uses

1. Subject to general provisions under section 4, any land, ***building*** or ***structure*** in the I Zone may be used for the purposes of:

MAIN USES

a. One or more of the following ***main uses***:
   - ***i. agriculture***;
   - ***ii. conservation***;
   - ***iii. forestry***;
   - ***iv. industrial***;
   - ***v. utility use***; and,
   - ***vi. resource excavation.***

b. In addition to ***main uses*** permitted under section 5.3.1(a), one of the following ***main uses*** subject to the terms and conditions as may be applied by the ***advisory committee***:
   - ***i. salvage use***.

SECONDARY USES

c. One or more of the following ***secondary uses***:
   - ***i. large-scale commercial use;***
   - ***ii. dwelling(s)*** or ***mini-home***; and,
   - ***iii. institutional use***.

ACCESSORY USES

d. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.3.2 I Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the I Zone unless the following standards are met:
   a. The I Zone standards as numbered on the diagram 'Figure 5. Main Building Height Requirements' are complied with;
   b. The I Zone standards as numbered on the diagram 'Figure 6. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 5. MAIN BUILDING HEIGHT REQUIREMENTS

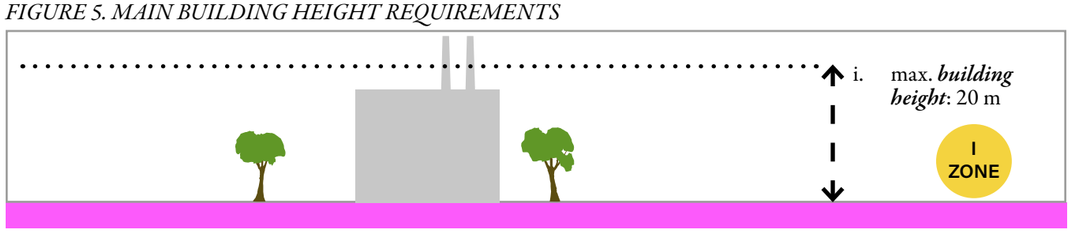
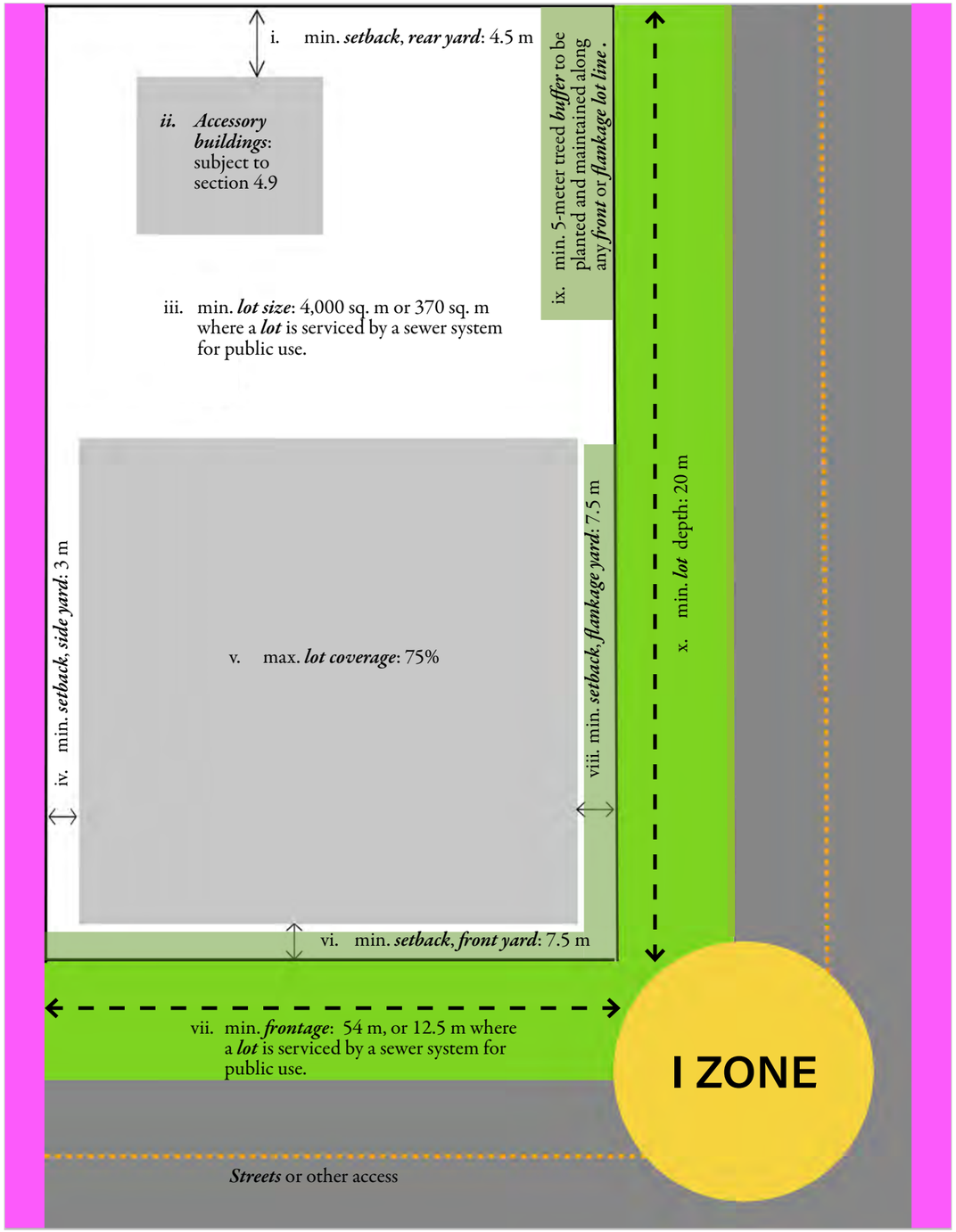


FIGURE 6. SITE REQUIREMENTS



5.4 Low Intensity Rural Zone (R-1)

5.4.1 R-1 Zone Permitted Uses

1. Subject to general provisions under section 4, any land, ***building*** or ***structure*** in the R-1 Zone may be used for the purposes of:

MAIN USES

a. One or more of the following ***main uses***:
   - ***i. camp***;
   - ***ii. dwelling***;
   - ***iii. mini-home***;
   - ***iv. parks & open space***; and,
   - ***v. residential cluster development.***

b. In addition to ***main uses*** permitted under section 5.4.1(a), one or more of the following ***main uses*** with a combined ***gross floor area*** of less than 200 m^2:
   - ***i. agriculture***;
   - ***ii. forestry***;
   - ***iii. institutional use***; and,
   - ***iv. small-scale commercial use***.

SECONDARY USES

c. One of the following ***secondary uses***:
   - ***i. accessory dwelling unit***;
   - ***ii. home based business***; and,
   - ***iii. short-term rental.***

ACCESSORY USES

d. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.4.2 R-1 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the R-1 Zone unless the following standards are met:
   a. The R-1 Zone standards as numbered on the diagram 'Figure 7. Main Building Height Requirements' are complied with;
   b. The R-1 Zone standards as numbered on the diagram 'Figure 8. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 7. MAIN BUILDING HEIGHT REQUIREMENTS

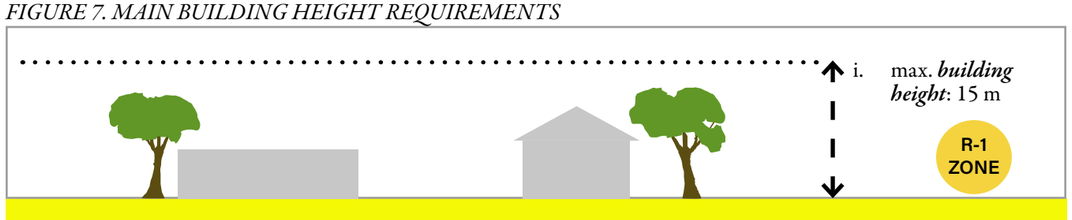
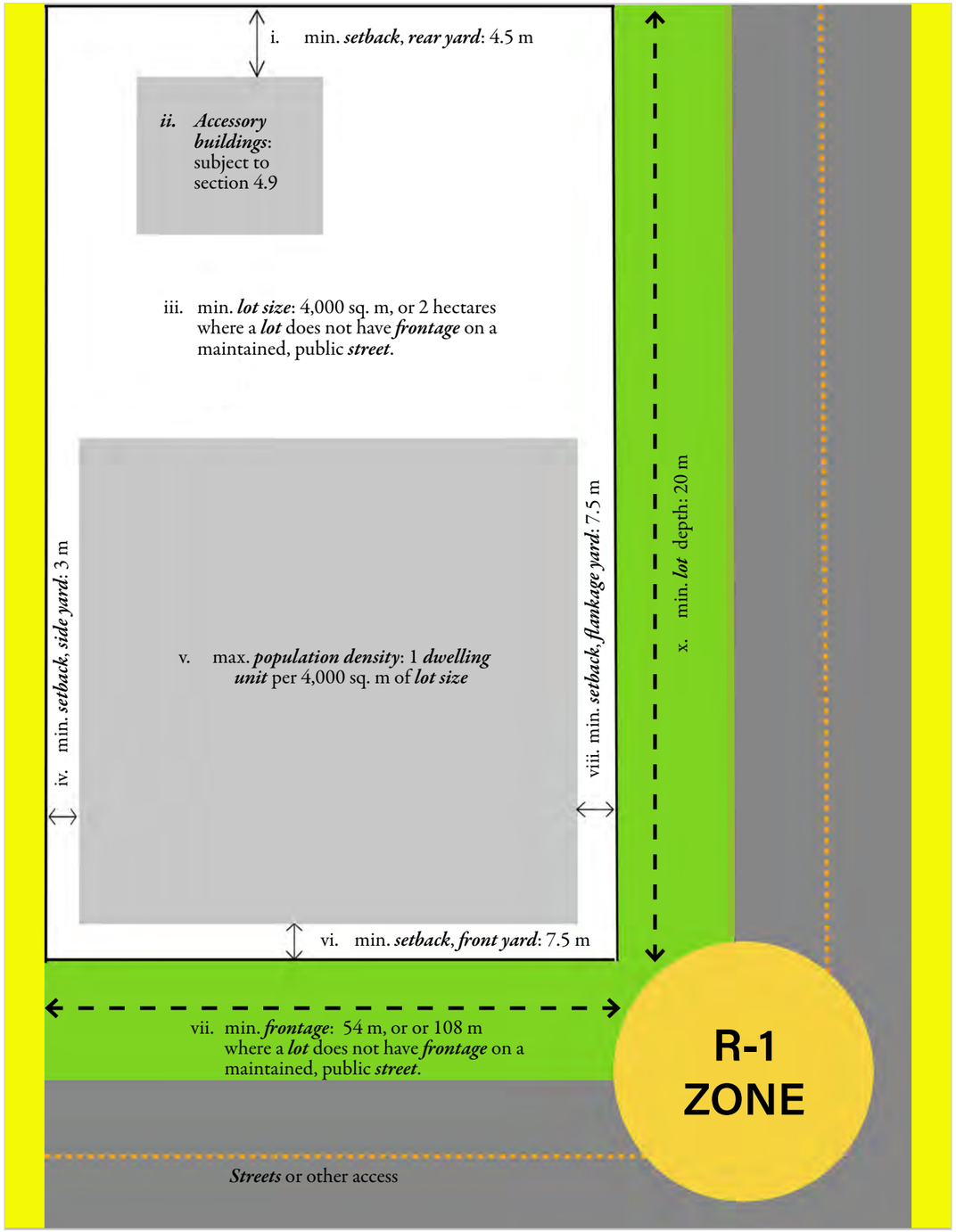


FIGURE 8. SITE REQUIREMENTS



5.5 Rural Settlement Zone (R-2)

5.5.1 R-2 Zone Permitted Uses

1. Subject to general provisions under section 4, any land, ***building*** or ***structure*** in the R-2 Zone may be used for the purposes of:

MAIN USES

a. One or more of the following ***main uses***:
   - ***i. camp***;
   - ***ii. dwelling(s)***;
   - ***iii. mini-home***;
   - ***iv. parks & open space***; and,
   - ***v. residential cluster development.***

b. In addition to ***main uses*** permitted under section 5.5.1(a), one or more of the following ***main uses*** with a combined ***gross floor area*** of less than 500 m²:
   - ***i. agriculture***;
   - ***ii. forestry***;
   - ***iii. institutional use***; and,
   - ***iv. large-scale commercial use***.

SECONDARY USES

c. One or more of the following ***secondary uses***:
   - ***i. accessory dwelling unit***;
   - ***ii. home based business***; and,
   - ***iii. short-term rental.***

ACCESSORY USES

d. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.5.2 R-2 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the R-2 Zone unless the following standards are met:
   a. The R-2 Zone standards as numbered on the diagram 'Figure 9. Main Building Height Requirements' are complied with;
   b. The R-2 Zone standards as numbered on the diagram 'Figure 10. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 9. MAIN BUILDING HEIGHT REQUIREMENTS

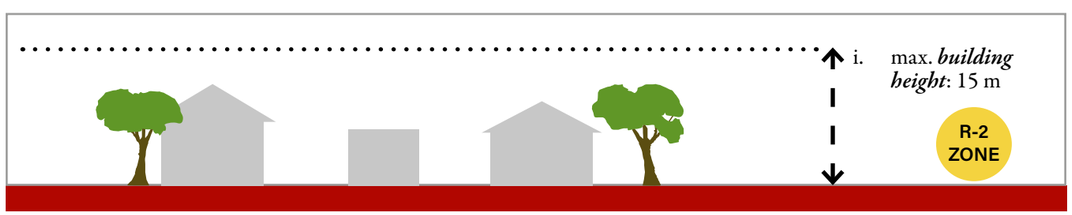
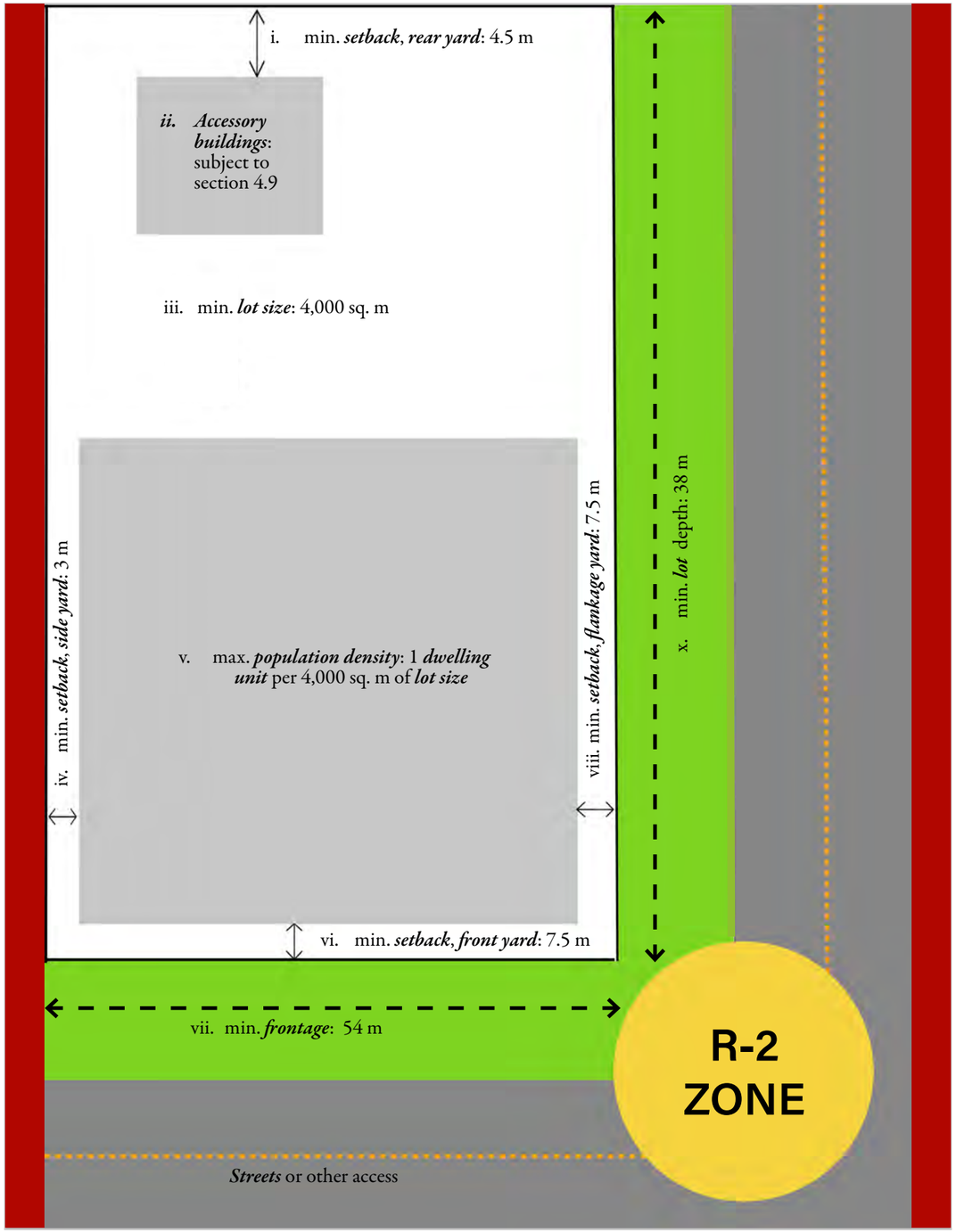


FIGURE 10. SITE REQUIREMENTS



5.6 Rural Resource Zone (R-3)

5.6.1 R-3 Zone Permitted Uses

1. Subject to general provisions under section 4, any land, ***building*** or ***structure*** in the R-3 Zone may be used for the purposes of:

MAIN USES

a. One or more of the following ***main uses***:
   - ***i. agriculture;***
   - ***i. conservation***;
   - ***ii. forestry***;
   - ***iii. pre-existing use***;
   - ***iv. resource excavation use***, and,
   - ***v. utility use***.

SECONDARY USES

b. One or more of the following ***secondary uses***:
   - ***i. camp***;
   - ***ii. dwelling(s)***;
   - ***iii. minihome***;
   - ***iv. institutional use***; and,
   - ***v. small-scale commercial use***.

ACCESSORY USES

c. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.6.2 R-3 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the R-3 Zone unless the following standards are met:
   a. The R-3 Zone standards as numbered on the diagram 'Figure 11. Main Building Height Requirements' are complied with;
   b. The R-3 Zone standards as numbered on the diagram 'Figure 12. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 11. MAIN BUILDING HEIGHT REQUIREMENTS

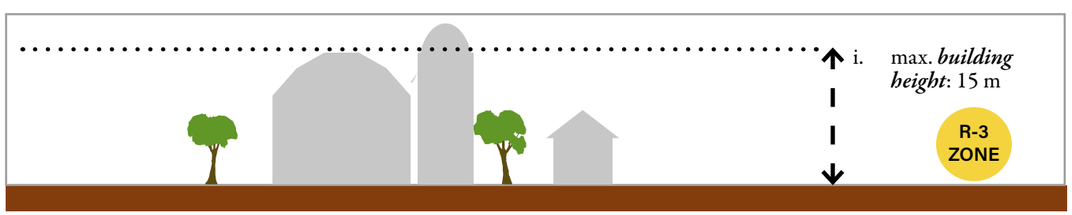
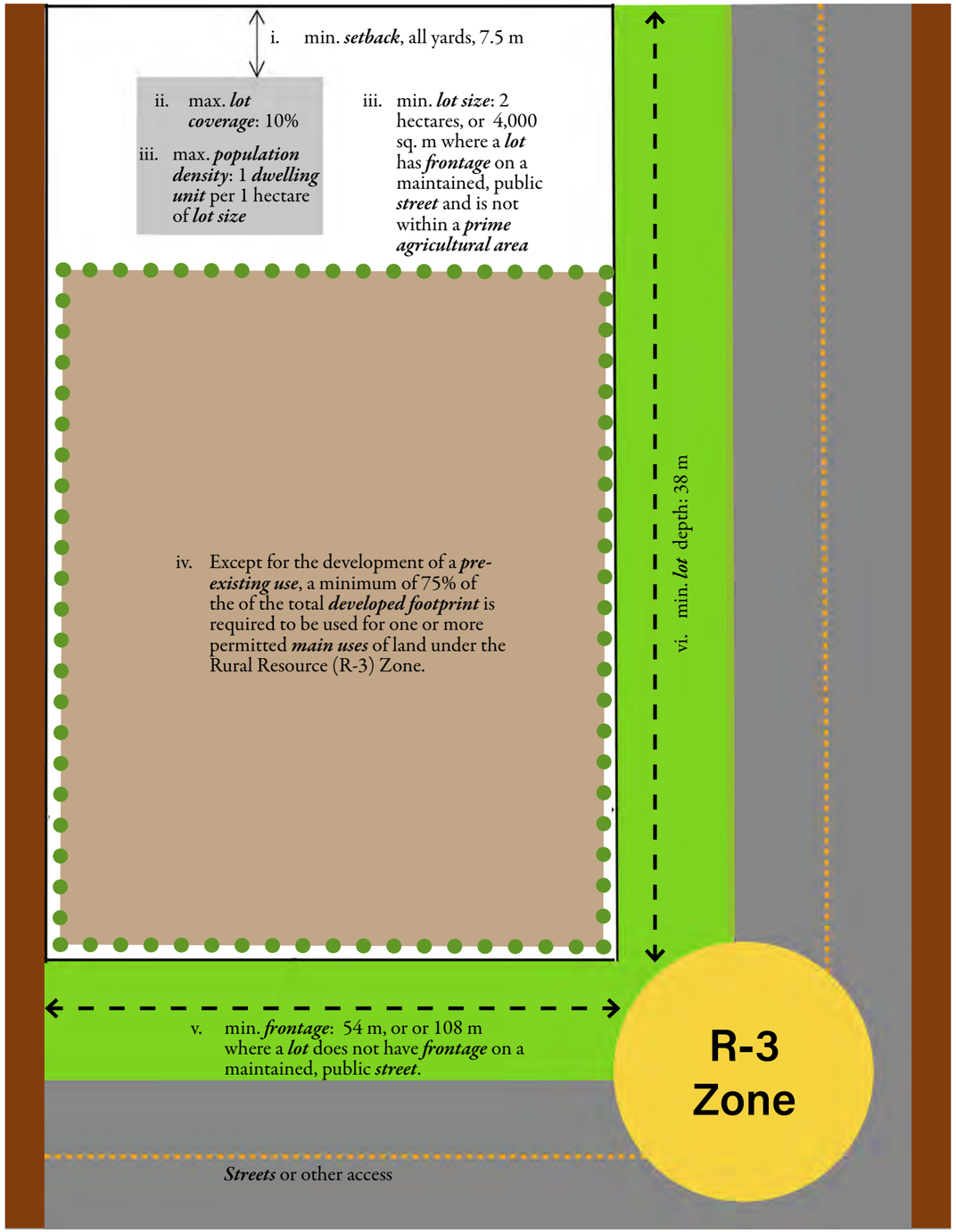


FIGURE 12. SITE REQUIREMENTS



5.7 Low Intensity Urban Settlement Zone (U-1)

5.7.1 U-1 Zone Permitted Uses

1. Subject to general provisions under section 4, any land, ***building*** or ***structure*** in the U-1 Zone may be used for the purposes of:

MAIN USES

a. One of the following ***main uses***:
   i. ***dwelling(s)***; and,
   ii. ***parks & open space use***.

SECONDARY USES

b. One of the following ***secondary uses***:
   i. ***accessory dwelling unit***; and,
   ii. ***short-term rental.***
c. In addition to secondary uses permitted under section 5.7.1(b), one or more of the following ***secondary uses*** with a combined ***gross floor area*** of less than 200 m^2:
   i. ***institutional use***; and,
   ii. ***home based business***.

ACCESSORY USES

d. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.7.2 U-1 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the U-1 Zone unless the following standards are met:
   a. The U-1 Zone standards as numbered on the diagram 'Figure 13. Main Building Height Requirements' are complied with;
   b. The U-1 Zone standards as numbered on the diagram 'Figure 14. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 13. MAIN BUILDING HEIGHT REQUIREMENTS

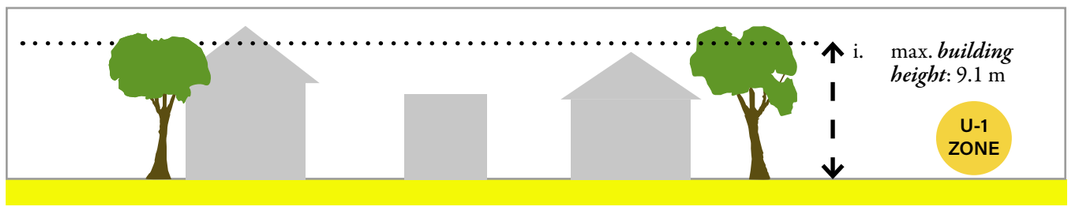
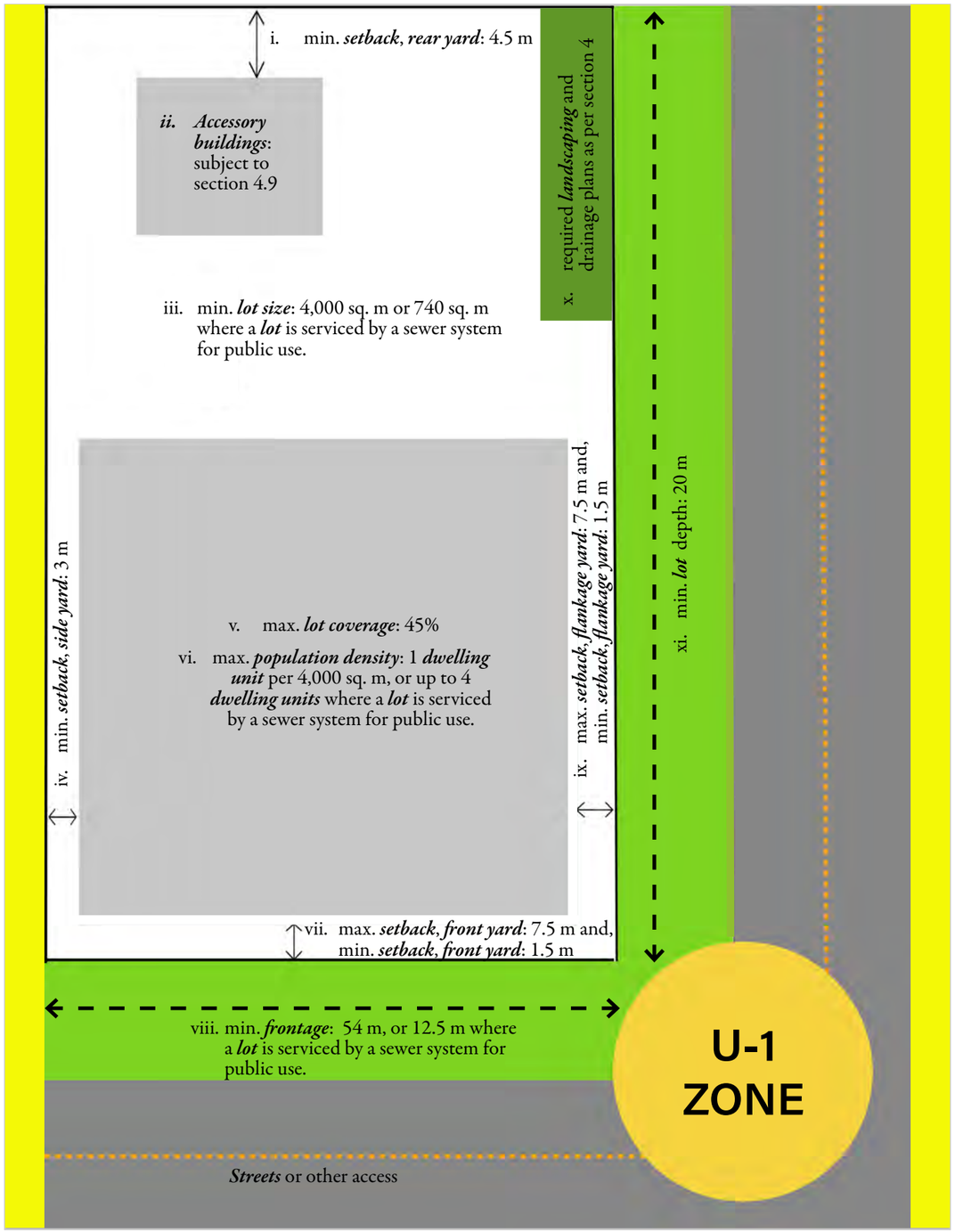


FIGURE 14. SITE REQUIREMENTS



5.8 Medium Intensity Urban Settlement Zone (U-2)

5.8.1 U-2 Zone Permitted Uses

1. Subject to general provisions under section 4, any land, ***building*** or ***structure*** in the U-2 Zone may be used for the purposes of:

MAIN USES

a. One or more of the following ***main uses***:
   - *i.* ***dwelling(s)***;
   - *ii.* ***institutional use***; and,
   - *iii.* ***parks & open space use***.

b. In addition to ***main uses*** permitted under section 5.8.1(a), one of the following ***main uses*** with a combined ***gross floor area*** of less than 200 m^2:
   - *i.* ***small-scale commercial use***.

SECONDARY USES

c. One of the following ***secondary uses***:
   - *i.* ***accessory dwelling unit***;
   - *ii.* ***short-term rental***; and,
   - *iii.* ***home based business***.

ACCESSORY USES

d. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.8.2 U-2 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the U-2 Zone unless the following standards are met:
   a. The U-2 Zone standards as numbered on the diagram 'Figure 15. Main Building Height Requirements' are complied with;
   b. The U-2 Zone standards as numbered on the diagram 'Figure 16. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 15. MAIN BUILDING HEIGHT REQUIREMENTS

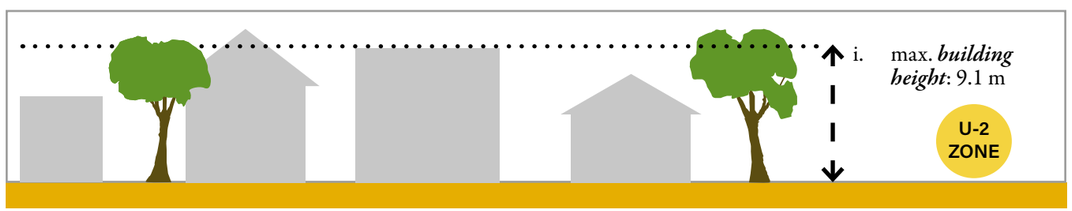
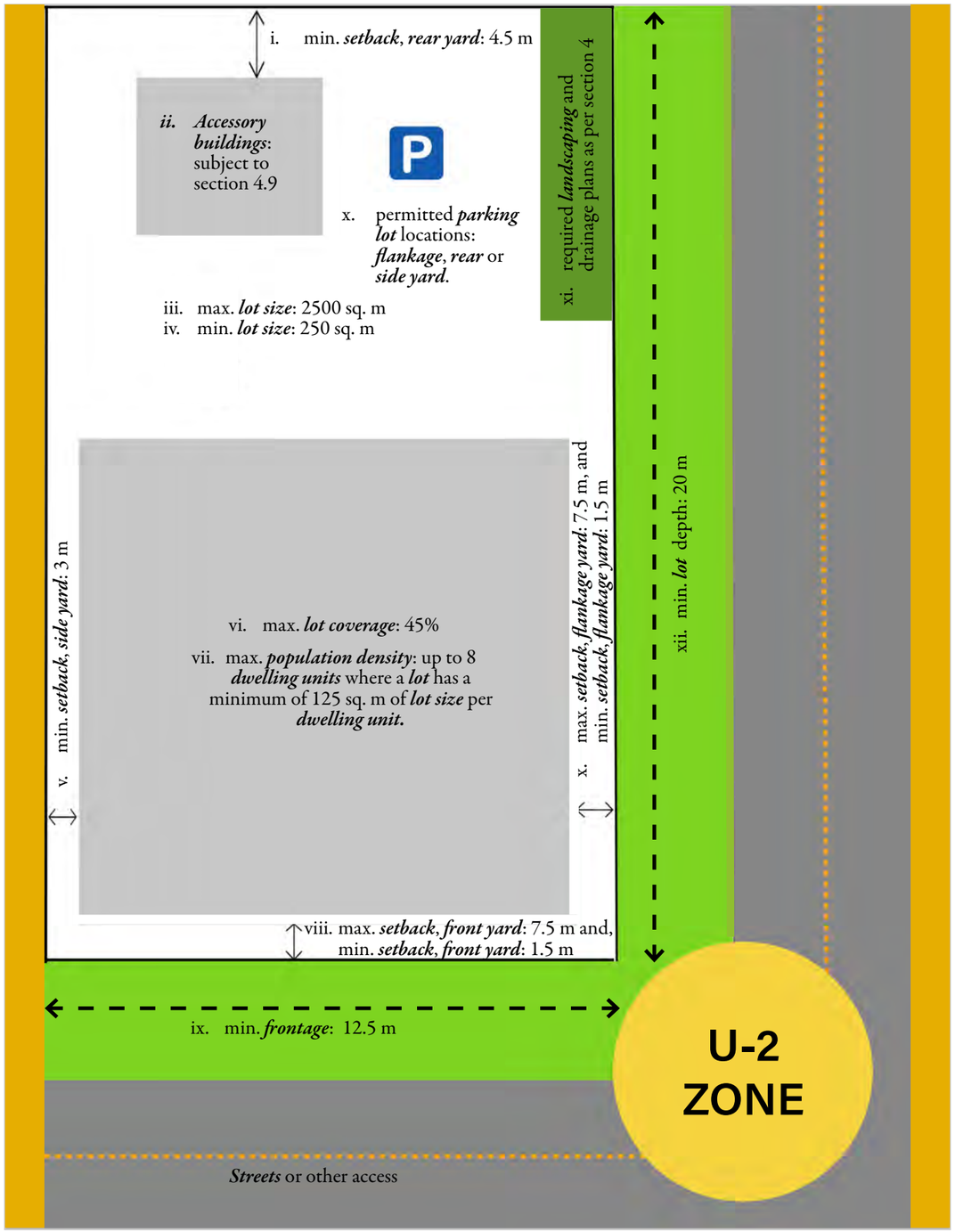


FIGURE 16. SITE REQUIREMENTS



5.9 Higher Intensity Urban Settlement Zone (U-3)

5.9.1 U-3 Zone Permitted Uses

1. Subject to general provisions under section 4, any land, ***building*** or ***structure*** in the U-3 Zone may be used for the purposes of:

MAIN USES

a. One or more of the following ***main uses***:
   - *i.* ***dwelling(s)***;
   - *ii.* ***institutional use***;
   - *iii.* ***medium-scale commercial use***; and,
   - *iv.* ***parks & open space use***.

SECONDARY USES

b. One of the following ***secondary uses***:
   - *i.* ***accessory dwelling unit***;
   - *ii.* ***short-term rental***; and,
   - *iii.* ***home based business***.

ACCESSORY USES

c. One or more ***accessory uses***, ***buildings***, and ***structures***.

5.9.2 U-3 Zone Standards

1. No ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the U-3 Zone unless the following standards are met:
   a. The U-3 Zone standards as numbered on the diagram 'Figure 17. Main Building Height Requirements' are complied with;
   b. The U-3 Zone standards as numbered on the diagram 'Figure 18. Site Requirements' are complied with; and,
   c. The general provisions under section 4 are complied with.

FIGURE 18. MAIN BUILDING HEIGHT REQUIREMENTS

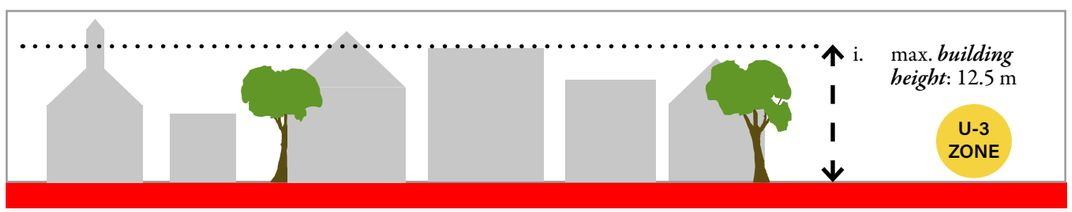
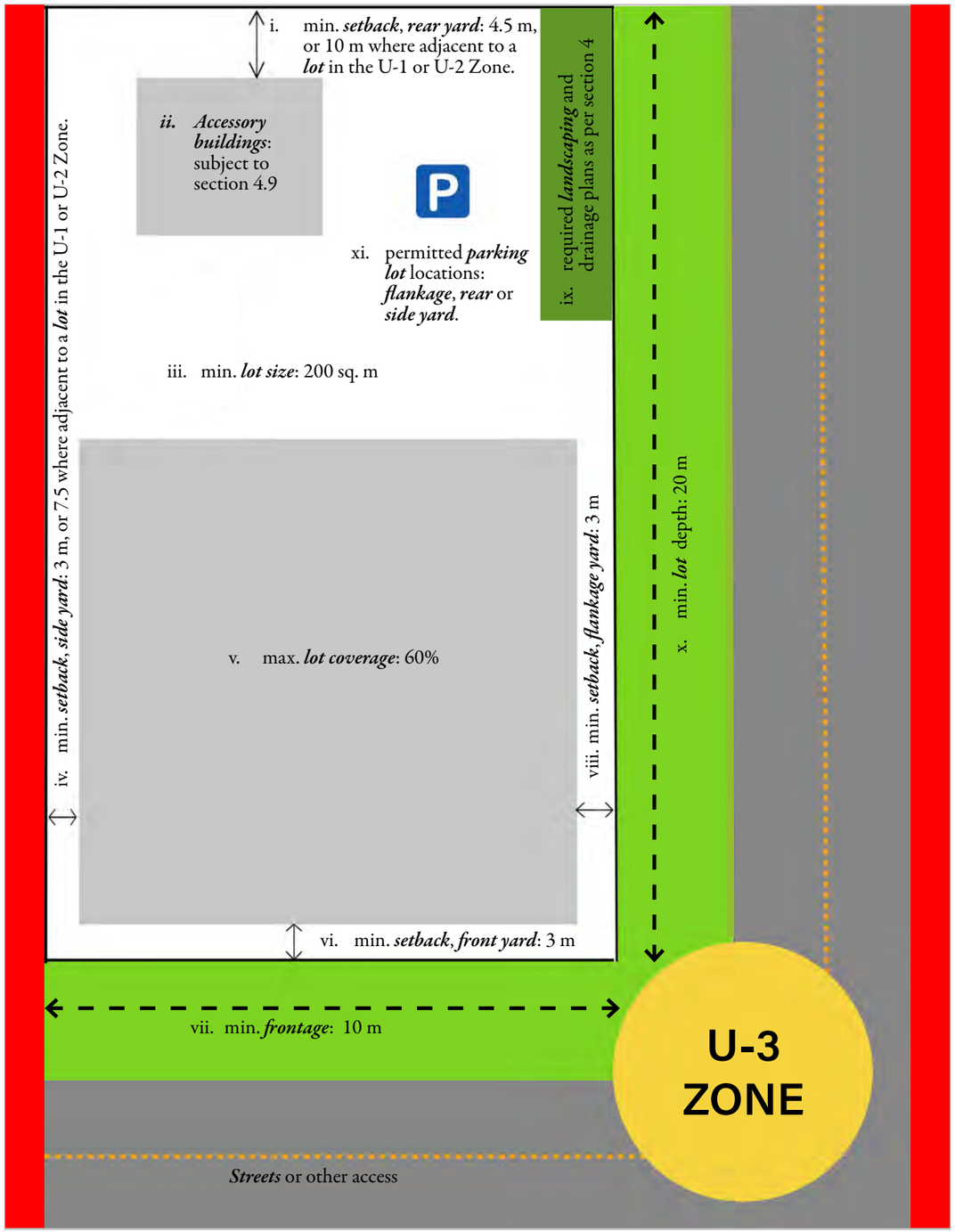


FIGURE 18. SITE REQUIREMENTS



5.10 Summary of Permitted Uses by Zone

5.10.1 Quick Reference Table

Table 3.1

Uses	C-1	C-2	R-1	R-2	R-3	U-1	U-2	U-3	I
Utility Use	(*) public ***utility use***	(*) public ***utility use***	(*) public ***utility use*** <= 200m2	(*) public ***utility use***		(*) public ***utility use*** <= 200m2	(*) public ***utility use***	(*) public ***utility use***	
Conservation									
Parks & Open Space Use									
Dwellings									
Residential Care Facility			<= 200m2			< =200m2			
Mini-home									
Accessory Dwelling Unit									
Home based business	(*) within a ***pre-existing use***					< =200m2			
Institutional Use			<= 200m2			< =200m2			
Short-term Rental	(*) within a ***pre-existing use***								
Residential Cluster Dev.									
Camp									
Agriculture (Large Livestock)			<= 200m^2	<= 500m^2					
Forestry			< =200m^2	<= 500m2					
Small-scale Commercial Use			<= 200m2	<= 500m^2			<= 200m2		
Medium-scale Commercial Use				<= 500m^2					
Resource Excavation Use									
Campground						(*) if owned by ***municipality***	(*) if owned by ***municipality***	(*) if owned by ***municipality***	
Large-scale Commercial Use				<= 500m^2					
Pre-existing Use									
Industrial									

LEGEND	
Main use permitted in Zone - Green	
Use permitted in Zone only as a secondary use to a permitted main use - Yellow	
Use not permitted in Zone - Red	

6.0 SPECIAL ZONES

6.1 Integrated Development (ID) Zone

6.1.1 ID Zone Permitted Uses

1. No ***development*** shall be permitted nor shall any land, ***building*** or ***structure*** be used on a ***lot*** within the ID Zone except in conformity with a specific proposal adopted by Council pursuant to Section 58 and 59 of the *Community Planning Act*.

6.1.2 ID Zone Standards

1. Notwithstanding any provision in this By-law, any land, ***building*** or ***structure*** may be developed within the ID Zone in conformity with specific terms and conditions adopted in development agreement or resolution of Council. Those terms and conditions may establish zoning standards for the design or dimensional requirements of ***main buildings***, ***accessory buildings***, building ***height***, ***lot size***, ***lot coverage***, lot depth, lot ***frontage***, yards, ***setbacks***, ***driveway access***, and any other zoning requirement that Council applies to the specific ***development*** proposal. See Figure 19. for an example of site-specific zoning requirements.

FIGURE 19. Example of a specific development proposal that does not fit within any of the other zones. A development in the ID Zone requires a rezoning application but a proponent can propose unique zoning standards that the Council can approve after a public hearing.

6.2 HISTORIC BUSINESS DISTRICT OVERLAY (O-HBD) Zone

6.2.1 O-HBD Zone Provisions

1. The O-HBD Zone applies as a overlay zone to all land within the 'Historic Business District' as shown in Schedule D of this By-law.
2. Other than an interior ***alteration*** or change in permitted use of an existing ***building*** or ***structure*** in accordance with sections 5.8.1 or 5.9.1 and 6.2.2 of the *Zoning By-law,* or a type of ***development*** exempt from having to obtain a development approval, or the installation of a permitted mechanical equipment, stairs, deck, fence, or signage, or the repair and maintenance for the preservation and continued use of existing ***buildings*** or ***structures***, or the alteration to an existing ***building*** or ***structure*** consistent with a permit issued under a *Heritage Conservation Act* by-law, or the alteration to an existing ***building*** or ***structure*** for the purpose of providing accessibility under the *Barrier-free Regulation - Building Code Administration Act*, or a demolition required under a *Dangerous or Unsightly Premises By-law*, all ***development*** in the O-HBD Zone shall be subject to a Development Scheme By-law adopted by Council, as per section 101 and 102 of the *Community Planning Act*.

6.2.2 O-HBD Zone Standards

1. Notwithstanding the U-2 or U-3 zone standards of sections 5.8.2 or 5.9.2, no ***development*** shall be undertaken nor shall any land, ***building*** or ***structure*** be used within the O-HBD overlay zone unless the following standards are met:
   a. The O-HBD Zone standards as numbered on the diagram 'Figure 20. Building Height and Facade Requirements' are complied with;
   b. The O-HBD standards as numbered on the diagram 'Figure 21. Site Requirements' are complied with.

FIGURE 20. BUILDING AND FAÇADE REQUIREMENTS

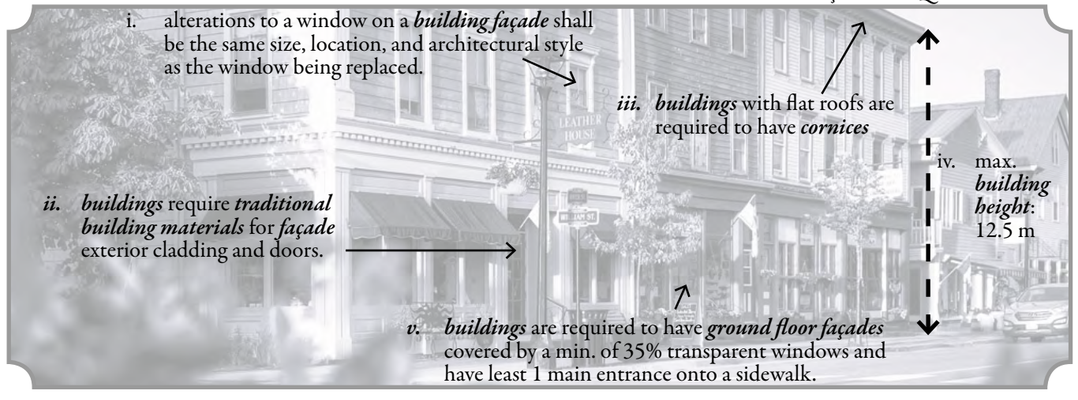
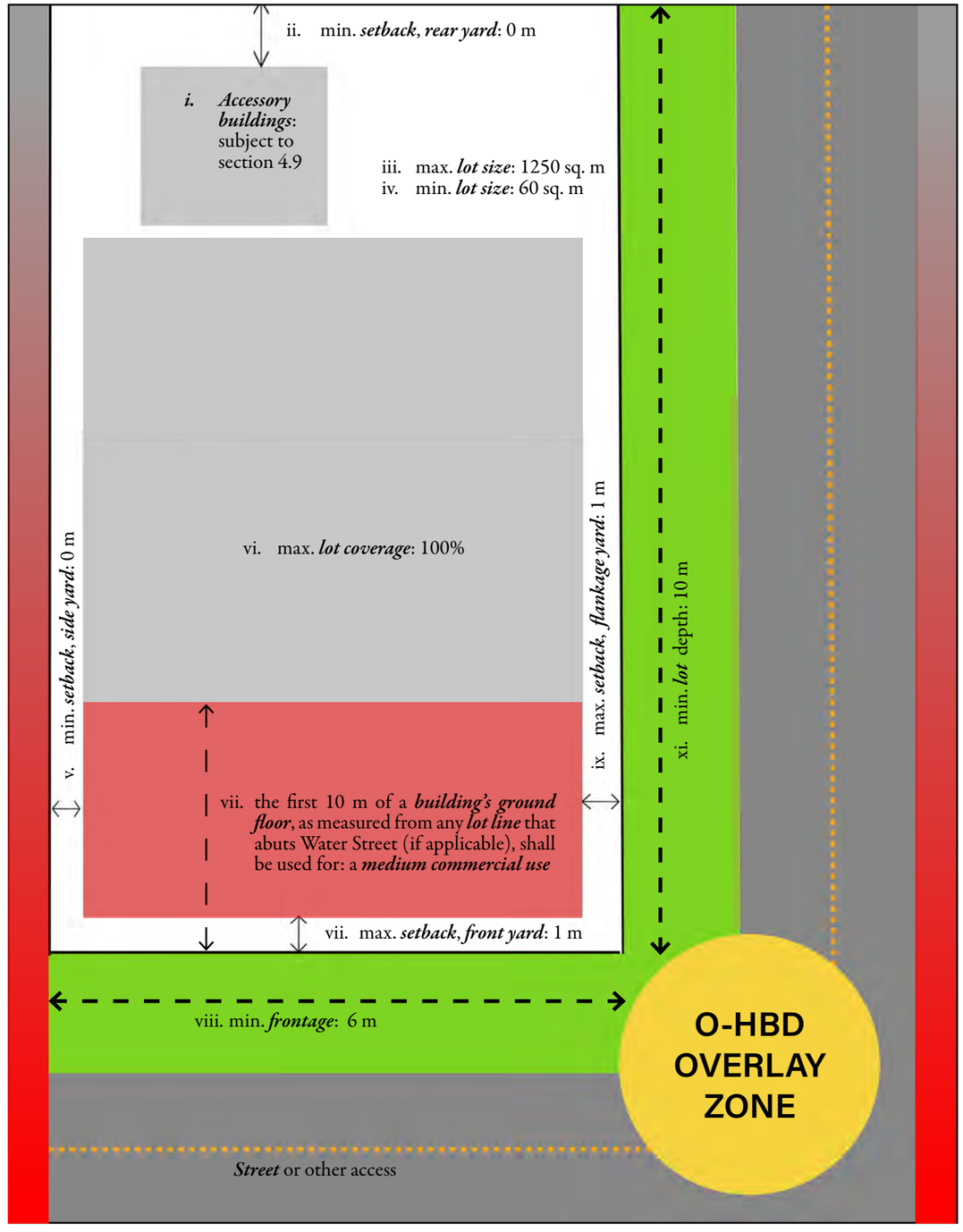


FIGURE 21. SITE REQUIREMENTS



6.3 Natural Hazard Overlay, High Risk (O-NH-1) Zone

6.3.1 O-NH-1 Zone Provisions

1. The O-NH-1 Zone, as delineated in Schedule B of this By-law, is intended to limit the ***development*** of intensive uses in areas subject to high risks related to ***sea level rise***;
1. Notwithstanding any provision in this By-law, ***development*** within the O-NH-1 Zone is limited to the following types of uses of land, ***buildings***, or ***structures*** where it is permitted by the zone that the ***development*** is located within:
   - ***a.*** ***accessory structures*** under 55 square meters (592 sq. ft.) in gross floor area not designed for overnight accommodation;
   - ***b.*** ***accessory use(s)*** of land;
   - ***c.*** ***alteration***, repairs, change of use, to existing ***buildings*** or ***structures*** that do not increase the ***gross floor area***, including new exterior wheelchair ramps, stairs, decks, and stairwells;
   - ***d.*** ***conservation use***;
   - ***e.*** ***green shore protection works***;
   - ***f.*** ***parks & open space use***;
   - ***g.*** ***shore protection works*** that do not change the elevation of the existing ground by either the cutting or filling to a depth of less than 1m (3.28 ft);
   - ***h.*** ***utility use***, with the exception of electrical substations, municipal water facilities, and wastewater lagoons.

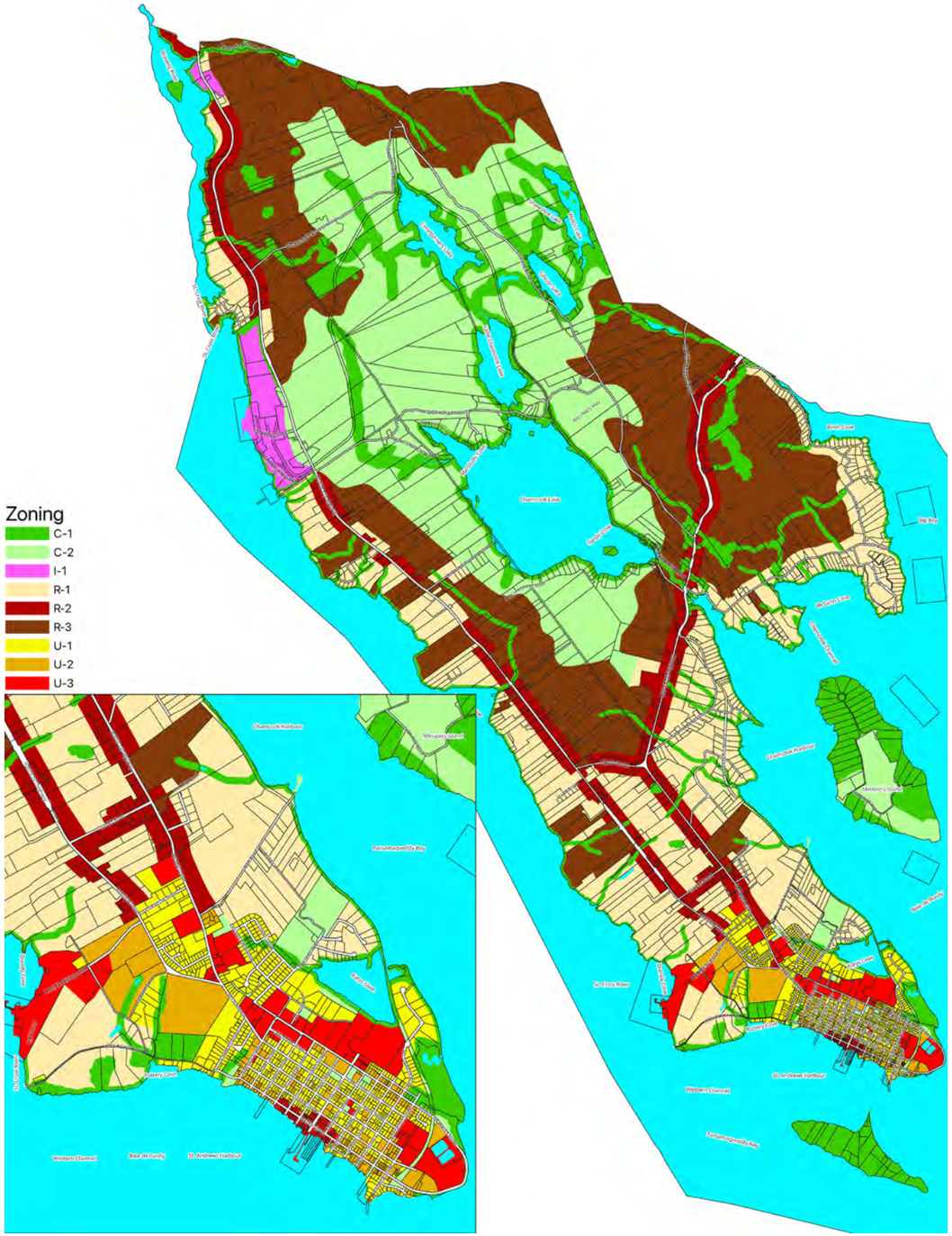
6.4 Natural Hazard Overlay, Low Risk (O-NH-2) Zone

6.4.1 O-NH-2 Zone Provisions

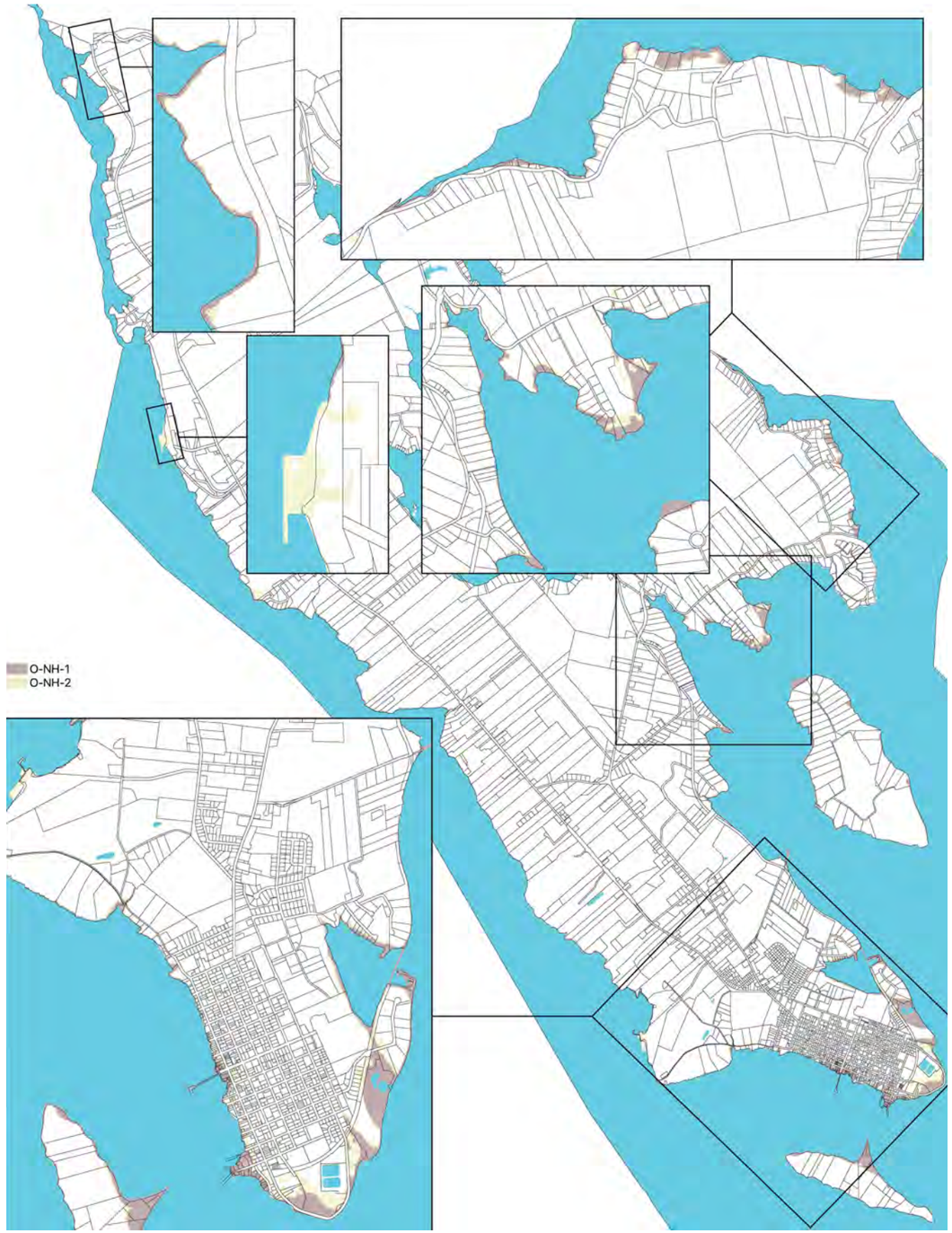
1. The O-NH-1 Zone, as delineated in Schedule B of this By-law, is intended to set standards for ***development*** to adapt to ***sea level rise*** where a lower risk is currently present;
2. Notwithstanding any provision in this By-law, ***development*** of a permanent new ***main building*** within the O-NH-2 Zone is subject to the following additional condition:
   a. prior to the issuance of a development approval, engineered plans shall be provided to the ***development officer*** which ensure that the elevation of the ***habitable*** part of the proposed ***building***, including all electrical, mechanical, and plumbing are at least 60 cm above projected ***sea level rise***.

ZONING MAPS

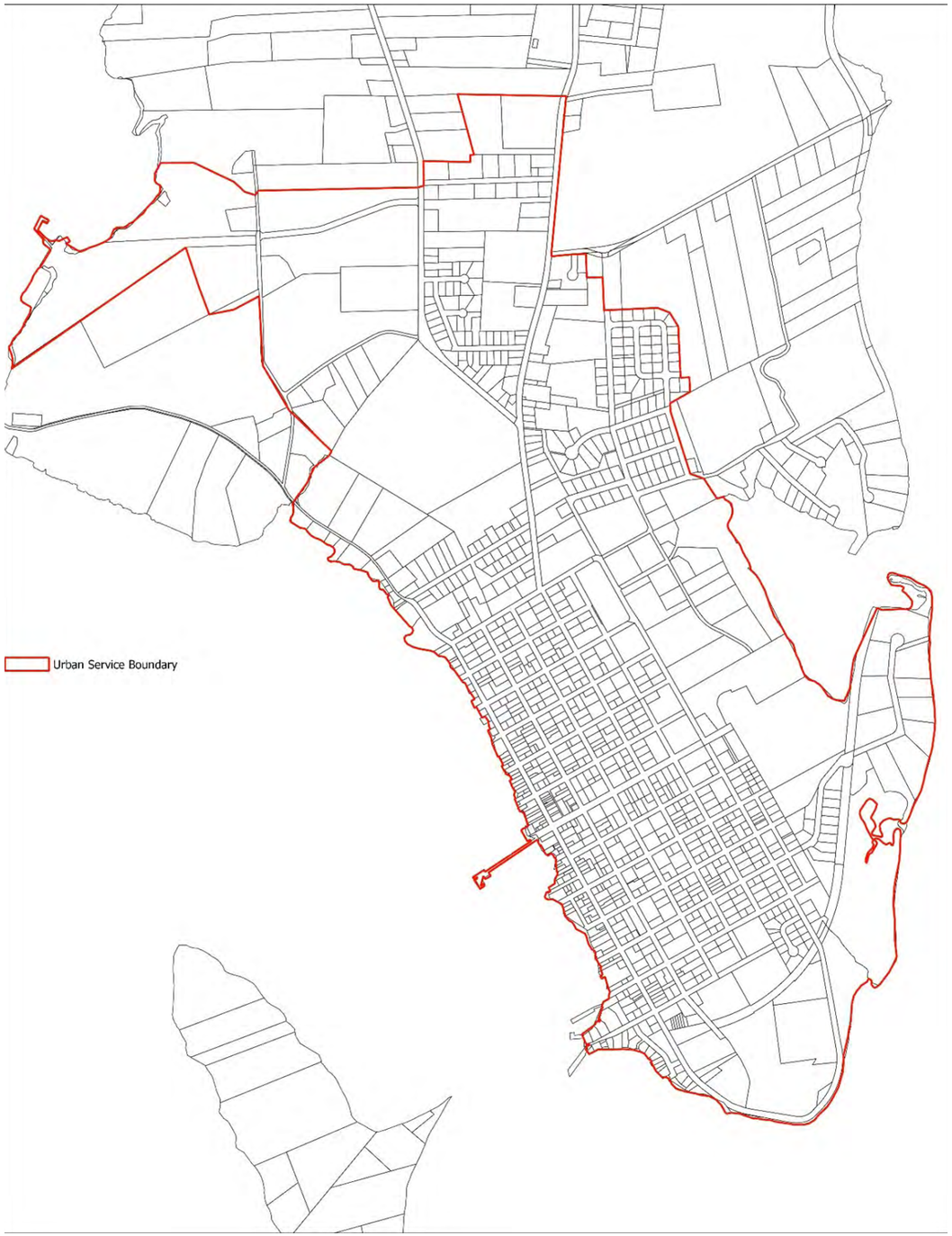
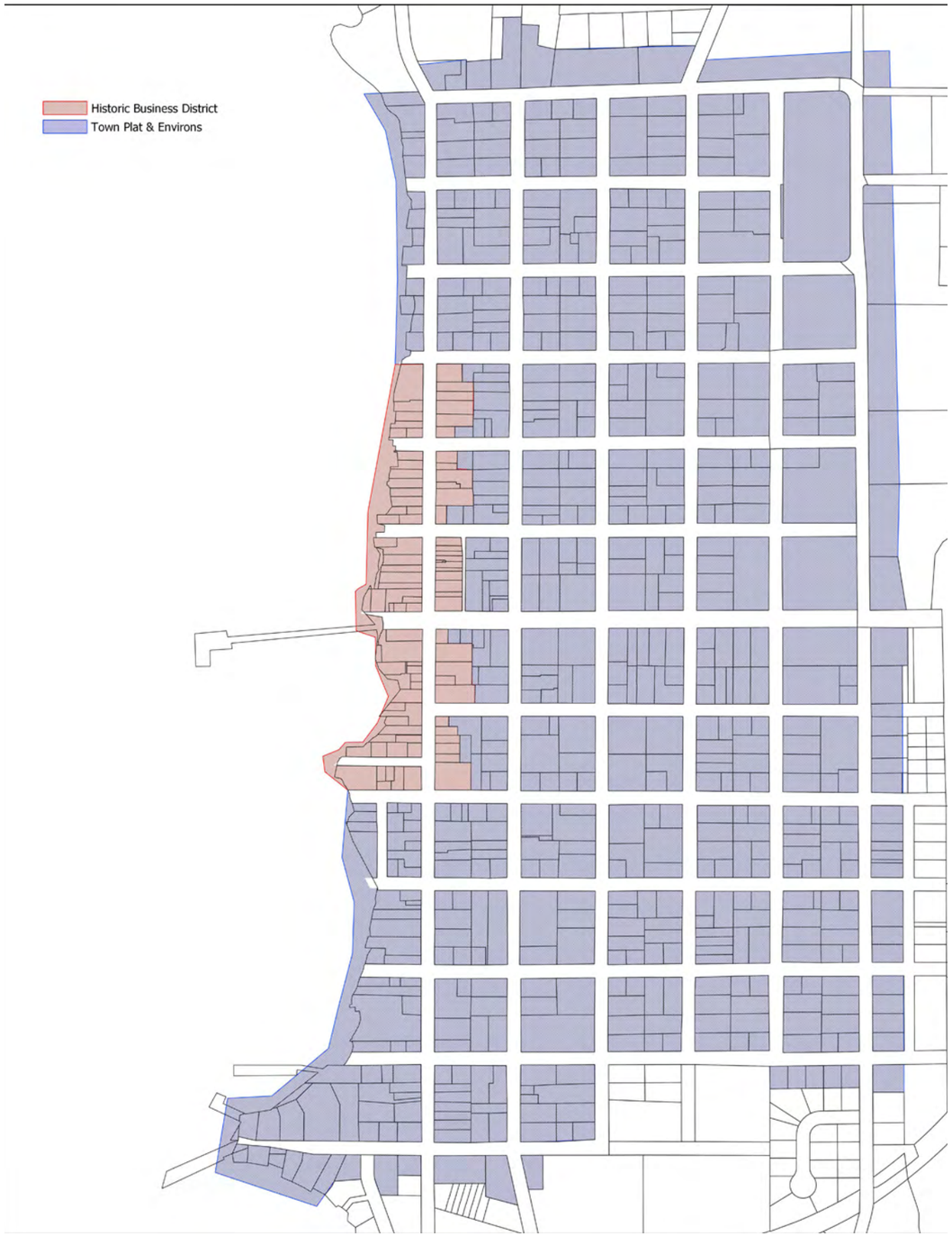
SCHEDULE A



SCHEDULE B



SCHEDULE C



SCHEDULE D