



Town of
Salisbury
Zoning By-Law No. 17

BY-LAW TO ADOPT A ZONING BY-LAW

BY-LAW NO.17

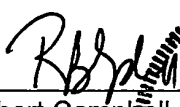
Under the Authority vested in by Section 53 of the *Community Planning Act*, the Municipal Council of the Town of Salisbury enacts as follows:

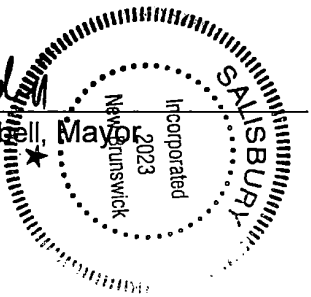
1. This By-law may be cited as the "Town of Salisbury Zoning By-law";
2. The document entitled "Town of Salisbury Zoning By-law" By-law No. 17 along with Schedule A, the Zoning Map and Schedule B, the Hydrographic Map, attached hereto, is enacted;
3. By-law No. 51, entitled "Town of Salisbury Zoning By-law", enacted on the 14th day of December, 2020, is repealed together with all amendments and development agreements, except for the following amendments:
 - i) By-law 31-2 Rezoning terms and Conditions set by Resolution
 - ii) By-law 31-11 Integrated Development by Development Agreement
 - iii) By-law 31-14 Rezoning with Development Agreement
 - iv) By-law 43-6 Rezoning with Development Agreement
 - v) By-law 43-10 Integrated Development by Development Agreement
 - vi) By-law 43-12 Rezoning with Development Agreement
 - vii) By-law 51-4 Rezoning with Conditions
 - viii) By-law 51-5 Rezoning with Conditions
4. The area of land shown on the map forming Schedule 'A' of Ministerial Regulation 21-WAP-069-00, enacted on September 6th, 2022, now forming part of the Town of Salisbury, is hereby repealed.

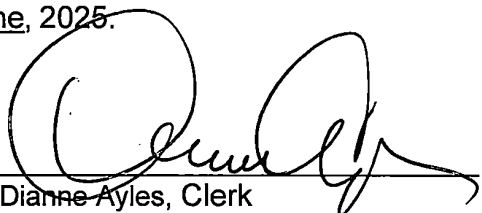
Read a first time this 12th day of May, 2025.

Read a second time this 12th day of May, 2025.

Read a third time and passed this 10th day of June, 2025.


Robert Campbell, Mayor




Dianne Ayles, Clerk

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

I certify that this instrument is registered or filed in the Westmorland County Registry Office, New Brunswick

2025-07-09 15:58:44 4624475
date/heure number/numero
K. Shatt
Registral-Conservateur

SOLEMN DECLARATION

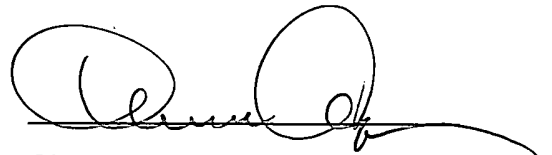
VILLAGE OF SALISBURY ZONING BY-LAW NO. 17


I, Dianne Ayles, of the Town of Salisbury, in the County of Westmorland and the Province of New Brunswick, Clerk, DO SOLEMNLY DECLARE:

1. THAT I am the Clerk of the Village of Salisbury, a Municipal Corporation, and have personal knowledge of the facts herein declared;
2. THAT the requirements of Section 25, 110, and 111 of the *Community Planning Act* have been complied with in respect to By-law No 16, a By-law to Adopt the Municipal Plan By-law, which was passed by the common Council of the Town of Salisbury on June 10, 2025;

AND, I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

Declared before me at the)
Town of Salisbury, County of)
Albert)
Westmorland and Province of)
New Brunswick, this 11th day)
Of June, A.D., 2025.)


Clerk


Commissioner of Oaths

SUSAN J. BAMPTON
COMMISSIONER OF OATHS
MY COMMISSION EXPIRES
DECEMBER 31, 2027

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Town of Salisbury Zoning Map (Schedule A)

Town of Salisbury Hydrographic Map (Schedule B)

PART 1 - DEFINITIONS

1.1 In this By-law all words shall have the meaning or meanings which are assigned to them in accepted English dictionaries except for the words which are defined below.

Abattoir means slaughterhouses and any place where cattle, sheep, swine, poultry, or other animals are killed for use as food.

Accessory Building means a detached subordinate building, not used for human habitation, located on the same lot as the main building, structure or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure.

Act means the *Community Planning Act, SNB 2017, c 19*, including all its related regulations and amendments thereto.

Adapted Development means a building or structure constructed in a way to reduce the potential impacts of climate change and sea level rise.

Adult Entertainment means a night-club, bar, restaurant, or similar establishment that regularly features live performances characterized by the exposure of specific body parts.

Agricultural Use means an agricultural operation as defined in the *Agricultural Operation Practices Act*, as well as the production of maple products.

Agricultural Uses, Passive means agricultural activities that have limited impact on the land, such as perennial forage and pastureland, and require no structures.

Alter means, in relation to a building or structure, to make any structural or other change that is not for purposes of maintenance only.

Amusement Park means a facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment including rides, booths for the conduct of games or sale of items, as well as buildings for shows and entertainment.

Aquaculture means the use of land, building or a structure to hatch, raise and breed fish or other aquatic plants or animals for sale or personal use (may also be considered a fisheries use).

Bare-land Condominium means a property containing more than one detached residential building, other than a mini home park, and registered under the *Condominium Property Act*.

Bed & Breakfast/Tourist Home means a single unit dwelling in which rooms are provided for overnight accommodation, with or without meals to the traveling public.

Buffer means a spatial separation or setback between a defined use and a property line.

Building means a building as defined in the Code.

Camp means a building designed for overnight accommodation which may or may not provide separate culinary and sanitary facilities, having less than 56.08 m² that is exclusively intended for temporary seasonal recreational use.

Campground means an area of land, managed as a unit, providing short-term accommodation for two or more sites containing such things as tent trailers, travel trailers, recreational vehicles, cottage clusters, campers, yurts, tents, and other nature-based accommodation structures. A campground may include one or more of the following secondary uses: a convenience store, a laundromat, washroom facilities, an office for the campground, a daycare, a park or playground, a canteen, and cultural and recreation facilities, subject to the requirements of this By-law.

Cannabis means cannabis as defined by the Government of Canada, pursuant to the *Cannabis Act*.

Cannabis Production Facility, Indoor means the use of a building or structure for the cultivation, processing, testing, or research of cannabis authorized by a license issued by Health Canada.

Cannabis Production Facility, Outdoor means the use of land for the cultivation of cannabis authorized by a license issued by Health Canada and does not take place inside a building or structure.

Carport means a building or structure, which is designed for the parking and storage of motor vehicles and is opened on at least two ends to provide unobstructed access to the rear.

Car Wash means a building or part of a building in which vehicles are washed for commercial gain.

Cemetery means land primarily used for internment of human or animal remains and where chapels, churches, funeral homes, crematoria and related facilities may be incorporated as accessory uses.

Code means the National Building Code of Canada adopted by the Province at the time of a permit application and all its related regulations.

Commercial Use, Intensive means commercial enterprises that are likely to create a significant impact on the surrounding land uses such as increased traffic congestion, size of building, outdoor storage, excessive noise, and lighting. Such uses include, but are not limited to, service stations, large-scale retail or office uses, self-storage units, warehousing, transportation centres, and vehicle sales.

Commercial Use, Light means a commercial enterprise that is not likely to create a significant impact on the surrounding area but is purely commercial in nature (i.e., not associated with a residential use). Such uses include, but are not limited to: restaurants, retail, wholesale bakery, professional trades, offices, service shops, veterinarian clinics, service station, tourism uses, landscaping businesses and event venues.

Commission means the Southeast Regional Service Commission.

Committee means the Commission's Planning Review and Adjustment Committee.

Conservation Use means an activity or area set apart for the purpose of the conservation or preservation of natural and/or cultural values.

Convenience Store means a building or part of a building which is intended to serve the needs of residents in the immediate area with a variety of goods for sale.

Daycare, Neighbourhood means an establishment, which is secondary to a single unit dwelling, for the provision of care and supervision to children and regulated under the *Early Childhood Services Act, SNB 2010, c E-0.5*, containing no more than 25 children.

Daycare Centre, Commercial means an establishment for the provision of care and supervision to children, regulated under the *Early Childhood Services Act, SNB 2010, c E-0.5*.

Development means development as defined in the Act.

Development Officer means the Regional Planning Director or a person appointed under the Act.

Drive Thru means an establishment that is designed to provide services or products to customers while in their vehicle.

Dwelling means a building containing one or more dwelling units, but not including camps, campers or recreational vehicles designed for seasonal and non-permanent occupation.

Dwelling Group means two or more buildings containing dwelling units located on a single lot or adjoining lots that have been designed as a unified development with respect to the placement of the main buildings and any associated accessory buildings or structures, amenity spaces, driveways, landscaping, or parking areas and may include such uses as mini home parks, cottage clusters, tiny home developments, or bare-land condominiums.

Dwelling Unit means a structure used or intended for use by one or more individuals living as a single housekeeping unit, usually containing a separate kitchen and sanitary facilities.

Dwelling Unit, Accessory means a dwelling unit which is secondary to the main dwelling unit, either contained within or attached to the main dwelling.

Dwelling, Single Unit means a dwelling other than a mini home containing one dwelling unit.

Dwelling, Two Unit means a building containing two dwelling units, including duplexes.

Dwelling, Multiple Unit means a building containing three or more dwelling units.

Dwelling, Semi-detached means a dwelling unit attached to another dwelling unit by a common above grade wall with each dwelling located on a separate lot.

Entertainment Use means a use that involves gatherings of the public in indoor or outdoor venues which involves entertainment, amusement or relaxation including but not limited to a theatre, tavern, nightclub, or other beverage room, an arcade or amusement centre, including a casino and a pool or billiard hall, but does not include high impact entertainment uses or adult entertainment.

Entertainment use, High Impact means a use that involves gatherings of the public in indoor or outdoor venues that are likely to create a significant impact on the surrounding

land uses such as increased traffic congestion, excessive noise, and light pollution. Such uses include, but are not limited to amusement parks, racetracks, and outdoor concert venues, but does not include adult entertainment.

Erosion Protection Work means shoreline stabilization, riprap, and bank protection projects.

Event Venue means commercial use of a building, or part of a building, or land as a place of assembly by the public for special events such as weddings, performances, and cultural gatherings, but does not include sporting events. An event venue is considered a light commercial use as well as an assembly use.

Existing means a use legally in existence on the date of the passing of this By-law.

Farm Market means the use of land, buildings or structures or part thereof for the purpose of selling produce and homemade products to the public.

Forestry Use means the general growing and harvesting of trees and, without limiting the generality of the foregoing, shall include the growing, and cutting of fuel wood, pulp, wood, lumber, Christmas trees and other products. Forestry use includes a sawmill and woodworking shop.

Funeral Home means an institutional use in a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for cremation or the preparation of the dead human body for internment.

Garden Nursery means the use of land, a building or structure for the growing of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation and may also include the sale of related accessory supplies, including landscaping material.

Gross Floor Area means the aggregate of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building.

Habitable Part means an area in a structure for living, sleeping, eating, or cooking. Maintenance or utility space, parking garages and similar areas are not considered habitable space.

Height means the vertical distance between the finished average ground level and the highest point of the roof surface and/or in a Sea Level Rise Overlay Zone, "height" means the vertical distance between the minimal elevation level as identified on Schedule A of this By-law, to the highest point on the roof surface.

Home-based Business means a home occupation that takes place entirely within a dwelling.

Home Industry means a home occupation that takes place within an accessory building.

Home Occupation means a business activity carried out within a residence or accessory building that:

- a) is secondary to the use of the dwelling unit as a private residence,
- b) does not create a change to the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than a sign erected in accordance with the zoning provisions, and
- c) does not create or become a public nuisance with respect to noise, traffic, or parking.

Hotel, Motel, or Inn means a commercial building providing temporary accommodation for travelers on a year-round basis and may have a public dining room and convention room.

Household Pet means a domestic animal customarily kept within a dwelling or in an outside pen or accessory building for the sole purpose of pleasure rather than utility, and includes dogs, cats, rabbits, small birds, and rodents but does not include cattle, sheep, horses, pigs, poultry, bees, goats and animals customarily kept as farm and exotic animals.

Industrial Use, Light means a use that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair, packaging, warehousing, wholesaling, and/or distribution of finished products, predominantly from previously prepared or refined materials (or from raw materials that do not need refining).

Industrial Use, Heavy means a use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in the storage of or manufacturing processes using flammable or explosive materials, or potentially hazardous or commonly recognized offensive conditions.

Institutional Use means the use of land, buildings or structures for a public or not-for-profit purpose including, but not limited to, schools, residential care facilities, places of worship, indoor or outdoor recreational facilities, cemeteries, cultural or community centres, hospitals, and government offices.

Kennel means any premises where animals, excluding livestock, are kept, boarded, or bred as a commercial service.

Livestock means pigs, horses, cattle, poultry, sheep, goats, llamas, and any other animal prescribed by the *Livestock Operations Act*.

Livestock Facilities mean a building used or intended to be used to confine or house livestock, or a confined non-grazing livestock area, and includes a structure or area used or intended to be used to store manure.

Loading Space means an area of land provided and maintained upon the same lot or lots upon which the main use is located, which is used for the temporary parking of a commercial vehicle while merchandise and materials are being loaded or unloaded from the vehicles.

Lot means any parcel of land which is contained as a separate lot description in a deed of land or as shown as an approved lot on an approved plan of subdivision filed in the registry office.

Lot, Corner means a lot situated at the intersection of, and abutting on, two or more streets.

Lot Coverage means the percentage of a lot's surface area occupied by main buildings and accessory buildings and structures.

Lot Frontage means the distance between the intersections of the side lot lines and measured from the front yard setback.

Lot Line means a common line between a lot and an abutting lot, lane or street, or a lot line as designated and registered as the legal boundaries at the registry office.

Lot Line, Flankage means a lot line which abuts the street on a corner lot other than a front lot line.

Lot Line, Front means the cumulative lines common to a lot on an abutting street. In the case of a corner lot, the shorter side shall be considered the front.

Lot Line, Rear means the lot line farthest from or opposite to the front lot line.

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

Lot, Through means a lot bounded on two opposite sides by streets or highways provided, that if any lot qualifies as being both a corner lot and a through lot as defined herein, such lot shall be deemed to be a corner lot for the purpose of this by-law.

Main Building means the building designed or used for the principal use on the lot.

Main Wall means the exterior front, side or rear wall of a building or structure.

Mini Home premanufactured dwelling unit having an average width of less than 6.1 m. (20 ft.), not including appurtenances such as porches, entries, etc., and is equipped with the necessary service connections and made to be readily movable as a unit and designed to be used as a dwelling unit with or without a permanent foundation. Also commonly referred to as a mobile home.

Mini Home Park means a parcel of land under single ownership, which has been planned for the placement of ten or more mini homes, but does not include a campground.

Office means a room or group of rooms used for conducting the affairs of a business, a practice of a profession, service or government, including but not limited to data processing and data storage operations, real estate, investment, architecture, legal, or business management.

Ordinary High Water Mark (OHWM) is the boundary between the land of a waterfront property owner and Provincial Crown lands. The OHWM is defined as the mean or average of the normal high tides at a given location. A licensed New Brunswick Land Surveyor can formally delineate the OHWM.

Outdoor Display Area means an area of land where goods are displayed which are available for sale to the public from a retail outlet located on the same lot, such as but not limited to, the display of vehicles, trailers, construction material, landscaping materials, and prefabricated buildings or structures.

Outdoor Storage means an area on a lot, other than an outdoor display area, for the storage of merchandise, goods, inventory, materials or equipment or other items.

Outdoor Wood-Burning Furnace means an accessory building or structure which operates as a heat source for associated main and/or accessory buildings.

Park means an area generally composed of open spaces, which may include a recreational area, a playground, a playing field, conservation uses, nature trail, or rest stop, or any similar use, but not including a campground or mini-home park.

Passive Uses means those activities that require minimal permanent development, or changes to landscape.

Personal Service Shop means a building or a part of a building in which persons are employed in furnishing direct services and otherwise directly administering to the individual and personal needs including such establishments as hair salons, massage therapy, pet grooming, shoe repair shops, tailor shops, dry cleaning, and laundry depots, but excludes the manufacturing or fabrication of goods for retail or wholesale distribution.

Public Road means a road owned and maintained by the Town of Salisbury or the Province of New Brunswick.

Quarry means a resource extraction operation that uses explosives to extract consolidated rock.

Reconstruction means the replacement of a building using an existing foundation.

Recreational Use means a use, either privately or publicly held which is designed and equipped for the conduct of sports, leisure activities and other customary recreational activities. Recreational uses may include, but are not limited to, parks, trails and indoor or outdoor recreation facilities together with necessary and accessory buildings and structures, but do not include commercial campgrounds, shooting ranges or tracks for the racing of any form of motorized vehicles or animals.

Recreation Use, Passive means a recreation area which has limited disturbance of the natural environment and has low impact recreation uses such as, but not limited to, trails, and scenic vistas, and interpretation panels, play parks, sports fields, and open space which require minimal visitor facilities.

Recreational Vehicle means any vehicle, whether towed or driven that is capable of being used on a short-term recreational basis for living, sleeping, or eating accommodation of

persons, and includes travel trailers, pop-up trailers, campers, motorized campers, motorized homes or other similar vehicles.

Recycling Depot means a building that is used for the deposit, collection and handling of wastepaper, rags, bottles or other materials, which are to be delivered wholesale to other locations for reclamation, processing or salvage.

Residential Care Facility means an institutional use that may include a family shelter, group care facility, special care home, or similar facility for 24-hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

Resource Extraction means any excavation of sand, gravel, clay, shale, limestone or other deposit for a development or for purposes for the sale or other commercial use of the material excavated, but excluding rock quarries, oil, gas, and mining.

Resource-Related Use means activities related to agriculture, forestry or aquaculture uses, and may include biomass production for energy, commercial uses associated with resource production, but does not include activities related to aggregate extraction.

Restaurant means a building or part of a building where food is offered for sale or sold to the public for consumption on site or for takeaway, and may be licensed for the sale of alcohol, but does not, unless otherwise specified, include a drive thru.

Retail Store means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public and may include minor food processing and packaging in connection with the sale of food products but does not include a heavy equipment sales establishment or an automobile sales establishment.

Retaining Wall means a structure constructed to hold back or support an earthen bank.

Scrap Yard means a building, warehouse, yard or other premises licensed by the Province of New Brunswick in which secondhand, used, discarded or surplus metals, bottles or goods, unserviceable, discarded or junked motor vehicles, bodies, engines or other component parts of a motor vehicle, and articles of every description, are stored or kept pending resale or delivery to another person.

Screening means a spatial separation or setback between a defined use and a property line which may include open spaces, landscaped areas, hedges, trees, fences, walls, berms or any combination thereof used to visually and/or audibly separate areas or uses.

Self-Storage means a commercial building containing self-contained storage units for individual rent by the public.

Service Industry means a use whose primary function is to provide products and services and without limiting the generality of the forgoing, may include a wholesale bakery, an automobile engine and body repair shop, printing establishments, a laundry or cleaning business, professional trades and similar uses.

Service Shop means a building or part of a building used for the sale and repair of household articles and shall include glass replacement shops, radio, television and appliance repair shops but shall not include industrial uses or manufacturing or motor vehicle repair shops and shall not include vehicles designed and intended to serve as industrial vehicles, heavy equipment or tractor trailers.

Service Station means an establishment used for the repair and service of motor vehicles, as well as the sale and installation of car parts and accessories.

Shipping Container/Sea Can means any transport container so constructed that is suitable for being attached to a motor vehicle or train, and is capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is on blocks or that its running gear is removed.

Shooting Range refers to a location designed or developed for the safe and structured regular use of firearms for target shooting or shooting competitions, in accordance with the *Canadian Firearms Act*.

Sight Triangle means the triangular area on a corner lot defined by a diagonal line connecting 2 points 6 metres (19.5 feet) from the streets' point of intersection. It is prohibited to erect a fence, sign or any other structure, or to grow or cause to grow a hedge, bush, shrub or any other vegetation to a height between 0.75 metre (2.5 feet) and 2.5 metres (8.2 feet) above grade of the streets that abut the lot.

Sign means any object, device, light, display, painting or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to any object, person,

institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols fixtures, colors, illumination or projected images, except any “sign” which is affixed to the inside of a window or glass door.

Sign Area, means the area of the triangle, rectangle, circle or semicircle which can wholly enclose the surface area of the sign. Only one side of a multi-faced sign shall be used to determine sign area. The sign area of individual letters or figures, which are attached or painted on a surface, shall be the triangle, rectangle, circle, or semicircle, which can wholly enclose all of the letters, numbers or insignia.

Sign Types include:

Canopy Sign means a sign painted, stamped, perforated, stitched or otherwise applied on the valance of an awning.

Freestanding Sign means a sign supported independently of a building and permanently fixed to the ground.

Illuminated Sign means a sign lighted by or exposed to artificial lighting by lights inside the sign.

Portable Sign means any sign which is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed foundation for its structural support, and without limiting the generality of the foregoing, includes signs commonly known as “Sandwich Signs” or “Mobile Sign”, or “Inflatable” device tethered to any building, structure, vehicle, or other device.

Projecting Sign means a sign, which is wholly or partially dependent upon a building for support and which projects more than 30 cm (11.8 inches) beyond such building.

Wall Sign means a single faced sign placed flat against the outside wall of a building.

Street means the entire width between the boundary lines of a street, road or highway vested in either the Province of New Brunswick or the Town of Salisbury.

Street Line means the boundary line of a street.

Structure means anything that is erected, built, or constructed of parts joined together or

any such erection, including but not limited to a fence, deck, dock, or monument, but does not include a building, flagpole, or utility.

Swimming Pool means a tank or body of water, other than an existing natural body of water or stream, either above or below ground, which has a possible maximum depth greater than 91 cm (36 inches) intended to be used for diving, swimming or wading.

Telecommunication Towers means a structure that is intended to send or receive wireless signals for communications purposes and may include an equipment shelter containing related electronic equipment.

Tourism Use means the commercial use of land to attract and serve people visiting an area for recreation and vacations, including overnight accommodation.

Use means the purpose for which any land, building or structure is utilized, occupied, maintained, or leased.

Use, Accessory means a use incidental to and exclusively devoted to a main use of land, building or structure and located on the same lot.

Use, Secondary means a use other than a main or an accessory use that is conducted entirely within a building containing the main use unless otherwise specified.

Utility means a public or private system, works, plant or equipment or services that are intended for the use of the public including but not limited to water, wastewater, storm drainage, natural gas, treatment facilities, lift stations, pumping stations, and power, telephone and cable.

Vehicle Sales Establishment means a licensed dealer providing for the sale of more than five vehicles on a single lot.

Veterinary Clinic means a facility for the medical care and treatment of animals, including provisions for their overnight accommodation but does not include outdoor facilities such as kennels, pet runs and enclosures.

Warehousing/Storage means a building used primarily for the commercial storage of goods and materials for distribution or customer personal use.

Watercourse means watercourse as defined in the *Clean Water Act, S.N.B.1989, c. C-6.1*.

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

Wholesale Establishment means a building or structure in which commodities in quantity are offered for sale in bulk, primarily for resale or business use.

Wind Energy System, Commercial means one or more wind turbines developed for commercial purposes that are connected to the Provincial power network in order to sell energy to NB Power or a third party.

Wind Energy System, Domestic means a wind turbine that is accessory to the main use on a lot, which is not operated for commercial purposes.

Wind Turbine means a machine for producing power by flow of air.

Wind Turbine Height means the height above grade to the tip of the rotor blade at its highest point.

Yard means the part of a lot required to be unoccupied by buildings or structures.

Yard, Flankage means the side yard of a corner lot, which side yard abuts a street.

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

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

Yard, Required means the minimum setback required for a front, side or rear yard as established in this By-law.

Yard, Side 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.

PART 2 - ADMINISTRATION

2.1 Title

This By-law may be cited as the “Town of Salisbury Zoning By-law”, By-law No. 17.

2.2 Purpose

The purpose of this By-law, enacted under the provision of Section 53 of the *Community Planning Act*, is to prohibit, regulate and control the use and development of lands and buildings within the Town of Salisbury, and to facilitate the orderly and economic development of land in accordance with the policies set forward in the Town of Salisbury Municipal Plan. This By-law:

- a) divides the Municipality into zones as delineated on the Zoning Map, Schedule A, and forming part of this By-law;
- b) prescribes, subject to powers reserved in the Planning Review and Adjustment Committee:
 - i) the purposes for which land, buildings and structures in any zone may be used; and
 - ii) standards to which land use, and the placement, erection, alteration and use of buildings and structures must conform; and
- c) prohibits the use, placement, erection or alteration of land, buildings or structures other than in conformity with the purposes and standards mentioned in Subsection b).

2.3 Scope

- a) No person shall undertake a development without having obtained a development permit and no development permit shall be issued unless the applicable administrative fees have been paid, satisfactory arrangements have been made for sewage disposal (where applicable), access to the development has been approved and the proposed development conforms to this By-law.

- b) All new main buildings on public roads require an access permit issued by the Province of New Brunswick, except those roads and streets under the ownership or authority of the local government.
- c) A development permit issued under this By-law shall remain valid for a period of one (1) year from the date of issuance or until the development has been completed or work is discontinued for a period of one (1) year.
- d) When a permit has expired pursuant to subsection b), it may be reinstated by the development officer under the same terms as the original permit if the scope of the work has not changed and is still permitted under this By-law.
- e) A development permit may be revoked if the development undertaken does not conform or exceeds the scope of the work authorized under the development permit.
- f) No buildings or structures shall be erected, or altered (including demolition), nor the use of any building, structure or lot be changed unless a development and/or a building permit has been issued. No development and/or building permit shall be issued unless all the provisions of this By-law are satisfied.
- g) Nothing in this By-law shall exempt any person from complying with the requirements of the National Building Code, Building By-law, Subdivision By-law, or any other by-law in force within the Town or to obtain any license, permission, permit, authority or approval required by this or any other by-law of the Municipality, or other lawful authority.
- h) Where the provisions of this By-law conflict with those of any other municipal or provincial regulation, by-law or code including regulations pertaining to onsite sewage disposal systems, the higher or more stringent requirements shall prevail.
- i) Where there is a conflict between a Municipal Plan and a Zoning or Subdivision By-law, the Municipal Plan shall prevail.
- j) A review of this By-law shall follow, or be conducted along with, the regular ten (10) year review of the Municipal Plan as required under the *Community Planning Act*.

2.4 Powers of Council

- a) No building 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 and other services and facilities.
- b) Where, in its opinion, a building or structure is dilapidated, dangerous or unsightly, the Council may:
 - i) require the improvement, removal or demolition of such building or structure at the expense of the owner; or
 - ii) acquire the parcel of land on which such building or structure is located.
- c) Subject to section 2.3 a) and e), the Council may, within any zone designate the land to be used for the location or erection of any utility installation including, but not limited to, the supply of electricity, telephone, water, television, sanitary and storm drainage, and the disposal of sanitary wastes.
- d) No land may be designated or used for the purposes mentioned in subsection c) unless:
 - i) such land is essential to the operation of the service concerned; and
 - ii) any development thereon in a residential zone is adequately buffered from public view.

2.5 Special Powers of the Planning Review and Adjustment Committee

- a) 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 Planning Review and Adjustment Committee, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.
- b) The Planning Review and Adjustment Committee may, subject to such terms and conditions as it considers fit:
 - i) authorize, for a temporary period not exceeding one (1) year, a development otherwise prohibited by this By-law;

- ii) to authorize, for an additional temporary period not exceeding one (1) year, a development otherwise prohibited by this By-law if:
 - a) the applicant holds an authorization under subparagraph (i) that is to expire or has expired,
 - b) an application with respect to the land has been made to amend the Zoning By-law, and
 - c) the Planning Review and Adjustment Committee has received a resolution from Council confirming that Council will consider the application referred to in clause (B); and
- iii) require the termination or removal of a development authorized under subsection i) or ii) at the end of the authorized period.

2.6 Amendments

- a) Any person who seeks to have this By-law amended shall:
 - i) submit a written and signed application to Council through the Commission. Where the application involves the rezoning of land which is not owned by the applicant, the registered property owner shall sign the application or complete a landowner declaration acknowledging that an application has been made;
 - ii) pay the administration fee as stated in section 2.7 to Council through the Commission; and
 - iii) submit an application under this section shall include any information deemed necessary by the Commission for the purposes of adequately assessing the desirability of the proposal.
- b) Before giving its views to the Council with respect to an application under this section, the Planning Review and Adjustment Committee may carry out such investigations as it deems necessary.
- c) Unless, upon the advice of the Planning Review and Adjustment Committee, the Council is of the opinion there is valid new evidence or a change in conditions, where an

application under this section has been refused by the Council, no further application may be considered by the Council for one (1) year.

2.7 Administrative Fees

Anyone wishing to obtain services from the Commission is subject to the following fee schedule:

Service	Fee
Development Permit	\$25
Document Approval	\$100
Zoning Confirmation letter	\$100
Zoning Confirmation/Compliance letter	\$200
Temporary Use	\$250
Similar or Compatible Use	\$250
Variance/Adjustment/PRAC Terms and Conditions	\$250
Rezoning/Amendments	\$2,000

2.8 Conversion

Where both the metric and imperial measurements have been used for convenience purposes the metric measurement shall prevail.

2.9 Zone Boundaries

Boundaries between zones shall be determined as follows:

- a) where a zone boundary is indicated as following a street or highway, or a street or road has undergone a street closure process, the boundary shall be the centre line of such street or highway;

- b) where a railway, electrical transmission line right-of-way or watercourse is included on the Zoning Map (Schedule A) and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse shall be considered the boundary between zones unless specifically indicated otherwise; and
- c) the Zoning Map (Schedule A) may be amended to utilize any zone in this By-law, regardless of whether or not such zone has previously appeared on any zoning map. Such amendments shall be carried out in accordance with the requirements of the *Community Planning Act* and shall be in conformity with the policies of the Town of Salisbury Municipal Plan.

2.10 Permitted Uses

Uses permitted within any zone shall be determined as follows:

- a) if a use is not listed as a permitted use, secondary use or accessory use within any zone, it shall be deemed to be prohibited in that zone, unless deemed a similar or compatible use by the Planning Review and Adjustment Committee;
- b) if any use is listed subject to any special requirements or terms and conditions, it shall be permitted subject to fulfilling such conditions or requirements as determined by the Planning Review and Adjustment Committee;
- c) where any land or building is used for more than one use, all provisions of this By-law relating to each use shall be satisfied, except as otherwise provided; and
- d) in any zone, all development on Crown land must comply with Section 129 of the Act.

PART 3 - GENERAL PROVISIONS FOR ALL ZONES

3.1 Frontage on a Street

- a) No development permit shall be issued unless the lot intended for development fronts on a publicly owned and maintained street, unless otherwise specifically provided for in a zone or the lot is located on such other access as approved by the Planning Review and Adjustment Committee.
- b) Notwithstanding subsection a), a development permit may be issued for a mini home park or other dwelling group containing privately owned streets.
- c) Frontage is determined based on the required front yard setback for that zone.
- d) When the front lot line of any lot is a curved line or when the side lot lines are not parallel, the frontage is determined by measuring the horizontal distance between the side lot lines at the front yard setback.

3.2 Sight Triangle

- a) On a corner lot, a building, fence, sign, hedge, shrub, bush or tree or any other structure, vegetation or landscaping such as a berm, shall not be erected or permitted to grow to a height more than 0.6 metres (2 feet) within the sight triangle.
- b) Provisions of subsection a) shall apply to lots which abut a railway crossing.

3.3 Size of Dwellings

- a) No dwelling may be placed, erected or altered so that it has a floor area less than 45 m² (484 sq ft).
- b) For the purposes of this section, floor area or floor area does not include garages, carports, porches, or decks.

3.4 Existing Buildings and Lots

- a) Where a building has been constructed on a lot having less than the required frontage or area, front yard, side yard, rear yard or height required in this By-law, the building may be enlarged reconstructed, repaired or renovated provided that:
 - i) the enlargement, reconstruction, repair or renovation does not further reduce any setback that does not conform to this By-law; and
 - ii) all other applicable provisions of this By-law and any other applicable Provincial regulations are satisfied.
- b) Where a lot having less than the minimum required frontage, area, or both is in existence at the time of enactment of this By-law, the lot may be used provided:
 - i) that the use of such lot is permitted in the zone in which the lot is located; and
 - ii) all other applicable provisions of this By-law and any other applicable Provincial regulations are satisfied.
- c) Nothing in this By-law shall prevent the enlargement of an existing undersized lot, notwithstanding that it may still have less than the minimum frontage or area required by this By-law, provided that the contributing lot is not further reduced in area or frontage than the minimum required in this By-law.

3.5 Existing Front Or Flankage Yards

Notwithstanding any minimum front or flankage yard requirement a building may be placed, erected or altered so that it is as close to the street line as follows:

- a) where there is a building on both sides and within 48.8 metres (160 feet) thereof, the mean distance between the street line and the adjacent buildings or structures; or
- b) where there is a building within 48.8 metres (160 feet) of one side only thereof, the mean of the front or flankage yard distance and the distance between the street line and the adjacent building, so long as it does not intrude into the corner sight triangle as outlined in section 3.2 of this By-law.

3.6 One Dwelling Per Lot

No developer shall construct more than one dwelling on a lot in the Residential Serviced or the Rural or Rural Residential zones. More than one dwelling on a lot shall be permitted in the Town Centre, Residential Neighbourhood Service or Dwelling Group zones provided that:

- a) the number of combined units does not exceed the maximum number set in the zone;
- b) the minimum zone requirements are complied with; and
- c) the dwellings maintain a minimum separation distance of 3.0 metres (10 feet).

3.7 Permitted Encroachments

Any yard setback required by this By-law shall be open and unobstructed by any building or structure, unless otherwise indicated in this By-law, except to permit uses or encroachments subject to the following provisions:

- a) reduced mobility ramps, lifting devices or steps may be located in any yard to provide access to the first storey entrance;
- b) there may be erected or maintained in any yard, the projections of sill, cornices, eaves, gutters, chimneys, pilasters, canopies, window bays or other architectural features, provided that no such structure or feature shall project more than 0.6 metres (2 feet) into any required yard;
- c) exterior staircases shall be permitted to project a maximum of 2 metres (6.5 feet) into any required front, flankage or rear yard;
- d) the parking provisions of section 3.13 shall not restrict the location of ornamental planting or landscaping in any yard, with the exception of the sight triangle provision of this By-law, unless otherwise indicated in this By-law;
- e) as set out in section 3.19, a public utility may be located in any yard; and
- f) signs may be located in the front or flankage yard as set out in section 3.25.

3.8 Accessory Buildings

- a) Accessory buildings and structures shall be permitted in any zone but shall not:
- i) be used for human habitation;
 - ii) be built closer to the front or flankage yard than the minimum distance required by this By-law for the main building of the lot;
 - iii) be located closer than 1.2 metres (4 feet) from any building or side or rear yard;
 - iv) exceed 6.7 metres (22 feet) in height in any residential zone or the Town Centre Zone, or the height of a main building on the same lot in any other zone,
 - v) exceed 84 square metres (900 sq feet) in area in any residential zone;
 - vi) be used for the keeping of animals other than household pets, unless otherwise provided within this By-law; and
 - vii) be constructed prior to the construction of the main building to which it is accessory, unless a permit for the main building has been issued, or prior to the establishment of the main use of the land where no main building is required.
- b) Notwithstanding subsection a), accessory building height and size limits do not apply in the Agricultural, Rural Area, Resource Development, or Intensive Resource Development Zones.

3.9 Height Regulations

The maximum height of buildings and structures provided in a particular zone in this By-law, unless otherwise indicated, shall not apply to church spires, lightning rods, water tanks, elevator enclosures, silos, flagpoles, television, telephone or radio antennae, ventilators, chimneys, cornices, utility poles/structures, clock towers, or wind turbines.

3.10 Vehicles and Vehicle Bodies

- a) A motorized vehicle, trailer, recreational vehicle, bus, rail car, caboose, shipping container and any vehicle drawn, propelled or driven by any kind of power, shall not constitute a dwelling unit, accessory building, nor shall they be used as a commercial building.
- b) Notwithstanding subsection a), shipping containers may be used as accessory buildings in the Rural, Agricultural, Resource Development, Intensive Resource Development, and Industrial Zones, provided that all applicable requirements for accessory buildings and zone standards including those relating to setbacks, buffers and landscaping are respected.
- c) Notwithstanding subsection a), a recreational vehicle may be used for temporary overnight accommodation in a campground.
- d) The required front or flankage yard in any residential zone shall not be used for the storage or display of any recreational vehicle.

3.11 Temporary Construction Uses and Seasonal Vending Facilities

- a) Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure which is accessory to construction in progress, such as a work camp or construction camp, mobile sales or rental office, tool or maintenance shed or scaffold, provided that a development permit has been issued and the temporary building or structure is discontinued and removed within 30 days following completion of construction.
- b) Temporary vending facilities for the sale of seasonal products such as, but not limited to, outdoor garden centers and ice cream vendors shall be permitted in commercial zones provided that:
 - i) the vending facilities are readily moveable;
 - ii) the vendor has obtained the necessary approvals from all relevant government departments; and
 - iii) the vending facilities shall be located so that they do not obstruct sight visibility from entering or exiting the property, or be located in the corner sight triangle.

3.12 Development Near Watercourses, Wetlands or Waterbodies

- a) No development shall be permitted within 30 metres (100 feet) of a watercourse, waterbody or wetland.
- b) Passive recreational uses such as trails and parks, including associated signage, shall be permitted within the required 30 metres subject to a Watercourse and Wetland Alteration Permit issued under the *Clean Water Act*.
- c) If it can be demonstrated through ground-truthing by a professional trained in wetland and watercourse delineation that the waterbody mapping is inaccurate, development may be permitted as per Municipal Plan policy 7.6.7 and subject to all other zoning provisions for that zone.

3.13 Parking

The following provisions shall apply to all parking requirements:

- a) no building or structure shall be placed, erected, altered or used unless vehicular off-street parking spaces are provided and maintained in accordance with the requirements of this section, except where any parking requirement is specifically included elsewhere in this By-law;
- b) all parking shall be provided on the same lot as the use for which parking is required;
- c) where a combination of uses are located on a lot, the minimum parking requirements shall be equal to the combined total of the minimum requirements for each use. Where a fraction of a space is required, the number of spaces shall equate to requiring an additional parking space;
- d) an off-street parking space shall measure 5.5 metres (18 feet) in length and 2.7 metres (9 feet) in width and be readily accessible from a public street;
- e) off street parking spaces by use, shall be provided as follows:

Use	Parking Spaces
One or two-unit dwelling and mini home	1 per dwelling unit
Multiple unit dwellings	1.25 per dwelling unit
Residential care facility	0.25 per bed
Bed and breakfast/tourist home	1 per rented bedroom
motel/hotel/inn	1 per unit
Retail stores, service and personal service shops	1 per 36.1 square metres (388.6 square feet) of gross floor area
Banks and offices	1 per 46.5 square metres (500.5 square feet) of gross floor area
Restaurants and bars	the greater of: 1 per 4 seats or 1 space per 10 square metres (107.6 square feet) of gross floor area;
Theatres	1 per 5 seats;
Institutional uses/ Assembly buildings (churches, funeral parlors, arenas, rinks, etc.)	the greater of: 1 per 10 square metres (107.6 square feet) of gross floor area or 1 per 4 persons
Schools	1 per classroom
Day care facilities	1 for the first 2 employees, plus 0.5 per additional employee + 1 per 10 children
Medical clinics and offices	3 per consulting room;
Warehouses, transport terminals and industrial use	the greater of 1 per 46.5 square metres (500.5 square feet) of gross floor area or 1 per 4 employees
Any use not specified above	1 per 31 square metres (333.4 square feet) of gross floor area

- f) where parking space requirements are determined based on floor area in subsection 3.13 e), areas dedicated to storage are excluded from the parking space requirements;
- g) in addition to subsection 3.13 e), accessible parking spaces shall be provided as per the requirements of the Barrier-Free Design Building Code Regulation 2021-3 or any amendment thereto;
- h) where a parking lot for more than 10 vehicles, is required or proposed for a development within the Town Centre, Residential Neighbourhood Service, Highway Commercial or Industrial Zone, the following provisions apply:

- i) the parking lot, entrances and exits, and aisles shall be paved;
- ii) parking lots shall be accessible by a maximum of 2 entrances/exits (driveways) with each having a minimum width of 6 metres (20 feet). No driveway shall meet the travelled portion of the street at an angle of less than 60-degrees;
- iii) parking lot aisles shall maintain a minimum width of 6 metres (20 feet) if parking spaces are 90-degree angles, or 3.5 metres (12 feet) if parking spaces are angled at 45-degrees;
- viii) all parking lots shall contain clearly delineated parking spaces;
- ix) the location of approaches or driveways shall be a minimum of 15.2 metres (50 feet) from the limits of the right-of-way at a street intersection;
- x) all entrance/exits and parking lot aisles shall be located at least 3 metres (9.8 feet) from the rear lot line or side lot line;
- xi) no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;
- xii) the parking lot shall be graded and drained in such a manner as to ensure that the surface water is directed to the Town's storm water system or will not drain onto neighboring lands or public streets or sidewalks;
- x) the parking lot shall have a 1.5 metre (5 feet) wide buffer strip along any public right-of-way;
- xi) if the parking lot is in a residential zone, parking shall be provided in the side or rear yard of the lot, but shall not be located in the front yard; and
- i) off-street loading space requirements shall be provided for every building or structure used for commercial, industrial or institutional uses within the Serviceable Boundary which require the use of vehicles for the receipt or distribution of materials and shall measure not less than 9.2 metres (30 feet) long and 3.7 metres (12 feet) wide and overhead clearance of 4.3 metres (14 feet) shall, be provided as follows:

Total Floor Area	Number of Spaces
Up to 1,858.0 sq m (20,000 sq ft)	1
1,858.1 to 4,645.0 sq m (20,000 to 50,000 sq ft)	2
For each additional 4,645.1 sq m (50,000 sq ft)	1

3.14 Drive Thru Queuing Spaces

Where permitted, a drive thru shall incorporate the following design standards:

- a) for drive thru restaurants and automated car washes:
 - i) 6 in-bound queuing spaces for vehicles approaching the drive-up service area, and
 - ii) 1 outbound queuing space on the exit side of each service position located so as not to interfere with service to the next vehicle;
- b) for drive thru banks and retail stores:
 - i) 5 in-bound spaces shall be provided, and
 - ii) 1 out-bound space shall be provided;
- c) all queuing spaces shall be a minimum of 6.5 metres (22.5 feet) long and 3 metres (9.5 feet) wide. Queuing lanes shall provide sufficient space for turning and maneuvering and shall not occupy any portion of a designated fire lane;
- d) queuing lanes shall be clearly defined by raised curbs, landscaping or other traffic devices to ensure traffic separation between drive thru lanes and general on-site traffic areas such as but not limited to parking lots, laneways and accesses; and
- e) queuing lane exits shall ensure clear visibility for vehicles exiting the site.

3.15 Fences

Notwithstanding any other provisions of this By-law, a fence may be located in any yard subject to the following:

- a) except for a security fence in a commercial or industrial zone which shall not exceed 3.1 metres (10 feet) and as noted in section 3.2, no fence shall exceed 1 metre (3 feet) in the required front or flankage yard setback);
- b) be a maximum of 2.4 metres (8 feet) in height in any other yard in a residential zone;
- c) setback a minimum of 0.6 metres (2 feet) from any lot line, but may be located on the lot line where all owners affected by the proposed fence have signed the permit application;
- d) except for Agricultural, Rural Area, Resource Development, or Intensive Resource Development zones, no fence may be electrified or incorporate barbed wire or other dangerous material in its construction; and
- e) where a fence is located on top of a retaining wall, the height of the fence shall include the height of the retaining wall, unless the fence is necessary for public safety reasons, a fence shall not exceed 1 metre (3 feet) in height above the retaining wall; and
- f) Fences for agricultural uses are exempt from fencing provisions in this section.

3.16 Enclosure for Swimming Pools

Where a swimming pool is located on a lot, it shall:

- a) be enclosed by a fence, or by the wall of a building or structure or a combination thereof, having a minimum height of 1.5 metres (5 feet) measured at grade;
- b) where a portion of a wall of a building forms part of an enclosure:
 - i) no main or service entrance to the building may be located therein, and
 - ii) any door therein, other than a door to a dwelling or dwelling unit, shall be self-closing and equipped with a self-latching device at least 1.1 metres (3.6 feet) above the ground;

- c) where a fence forms an enclosure or part thereof, the fence shall:
 - i) be constructed of a chain link material with galvanized, vinyl or other coating or of wood or of other materials, and shall not have rails, bracing or other attachments on the outside thereof that would facilitate climbing,
 - ii) be located:
 - a) a minimum of 1.2 metres (4 feet) from the edge of the swimming pool,
 - b) a minimum of 1.2 metres (4 feet) from any condition, structure or ground elevation that would facilitate being climbed from the outside, and
 - c) so that the bottom of the fence is elevated by no more than 10.28 centimetres (4 inches) above grade;
 - iii) in the case of a chain link construction:
 - a) no greater than 50 millimetres (2 inches) diamond mesh,
 - b) 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, and
 - c) at least 38 millimetres (1.49 inches) diameter steel posts set below frost in an envelope of concrete and spaced not more than 2.4 metres (8 feet) apart, with a top horizontal rail of at least 32 millimetres (1.25 inches) diameter steel; or
 - iv) in the case of wood construction:
 - a) vertical boarding, not less than 2.5 centimetres by 10.28 centimetres (1 inch by 4 inches) finished dimensions, spaced not more than 3.9 centimetres (1.5 inches) apart, attached to supporting members and arranged in such a manner as not to facilitate climbing on the outside, and
 - b) supporting posts at least 10.3 centimetres (4 inches) square or round with a diameter of 10.3 centimetres (4 inches), set below frost and spaced not more

than 2.4 metres (8 feet) apart, with the portion below grade treated with a wood preservative, and with a top horizontal rail of at least 5 centimetres by 10.16 centimetres (2 inches by 4 inches) finished dimensions;

- v) in the case of construction with materials, and in a manner other than described in subsection iii) and iv) hereof, the material used and construction shall be of a rigidity and design equal to the specifications set forth herein;
- vi) gates forming part of the enclosure shall:
 - a) be equivalent to the fence in content, manner of construction and height,
 - b) be supported on substantial hinges,
 - c) be self-closing and equipped with a self-latching device at least 1.1 metres (3.6 feet) above the grade, and
 - d) be located so that the bottom of the gate be elevated by no more than 10.28 centimetres (4 inches) above grade;
- vii) enclosures shall:
 - a) not exceed 2.4 metres (8 feet) in height,
 - b) not be located in the required front and/or flankage yards;
- d) the walls of an above ground swimming pool may form part of the enclosure if:
 - i) the vertical walls of an above ground pool are at least 1.5 metres (5 feet) in height and do not possess any horizontal members that may facilitate climbing, and
 - ii) the ladder area, or deck, which provides access to the above ground pool, is enclosed by a gated enclosure which complies with the requirements for enclosures set out in this By-law.

3.17 Retaining walls

- a) In any zone, retaining walls under 1 metre (3 feet) in height shall be constructed of decorative blocks or wood, or other suitable material, specifically designed for a residential area.
- b) Retaining walls exceeding 1 metre (3 feet) in height shall be designed by a New Brunswick Licensed Engineer.
- c) Retaining walls shall be setback by a minimum of 0.6 metres (2 feet) from any lot line but may be located on the lot line where all owners affected by the proposed retaining wall have signed the permit application.

3.18 The Making of Land by Cutting and Filling

- a) In any zone, development which is for the purpose of making land involving the cutting and filling to a depth in excess of 1 metre (3 feet), shall obtain a development permit.
- b) Subsection a) does not apply to the extraction or filling of land directly related to the construction of buildings or structures for which a development permit has been issued or is not required.
- c) Except where provided for within this By-law, no person may strip, excavate or otherwise remove topsoil for sale or for use from a lot or other parcel of land.
- d) Except for works undertaken by the Crown, Municipality, or an agent acting on their behalf, erosion protection works exceeding 1 metre (3 feet) in height in all zones shall obtain a development permit.
- e) Notwithstanding subsection b), in the Serviceable Boundary where a walkout basement will change the existing grade of a property by more than 1 metre (3 feet), an engineered drainage plan shall be required to ensure that construction will not have a negative impact on adjacent lots.

3.19 Utilities

Utilities are permitted in all zones. Telecommunication antennas are subject to the siting review process as specified in the Southeast Regional Service Commission Antenna System Siting Protocol.

3.20 Development Near a Lagoon or Treatment Plant

Notwithstanding any other provision of this By-law, no dwelling or mini home shall be located within 90 metres (295 feet) of a sewage lagoon or treatment plant.

3.21 Development Near a Railway

Where residential development is proposed next to an active railway line, the following shall apply:

- a) any new residential dwelling shall be setback a minimum distance of 30 metres (98 feet) from the railway right-of-way,
- b) vacant lots in existence at the time of enactment of this By-law that are unable to meet railway setbacks may be developed for residential purposes, and
- c) residential dwellings in existence at the time of enactment of this By-law, may be repaired, renovated and expanded provided all other applicable provisions of this By-law are satisfied.

3.22 Garages and Carports

Where a garage or carport is attached to or incorporated in a dwelling, it becomes part of the main building for purposes of determining the required yards.

3.23 Home Occupations

- a) Where a home occupation is permitted under this By-law, a home occupation is subject to the following requirements:
 - i) no change shall be made to the external appearance of the dwelling which would

- indicate that a home occupation is being conducted therein, except for one (1) non-illuminated home occupation sign which shall not exceed 1.5 square metres (16 square feet).
- ii) no goods or services other than those directly pertaining to the home occupation are supplied or sold therein or there from,
 - iii) no external or outside storage of materials, equipment, or containers in connection with a home occupation to indicate that any part of the property is being used for any purpose other than a residential use,
 - iv) there shall be no outside animal enclosures,
 - v) the home occupation shall not become a nuisance to surrounding landowners,
 - vi) one (1) additional off-street parking space shall be provided, in addition to the parking space requirements of this By-law, and
 - vii) it may have one employee other than those residing in the residence engaged in the business.
- b) Home-Based Business
- i) The maximum area of the dwelling devoted to a home-based business shall not exceed the lesser of 35 percent of the total floor area of the dwelling or a maximum of 40 square metres (430 square feet) of the dwelling.
- c) Home Industry
- i) A home industry may occupy the entirety of an accessory building provided the accessory building:
 - a) is not located in required front yard,
 - b) is set back 10m (32.8 ft) from property lines, and
 - c) has a maximum area of 94 sq m (900 sq ft) in any residential zone and a maximum area of 160 square metres (1722 sq ft) in all other zones.

- ii) A service station may be considered a home industry only in the Rural Zone provided that vehicle fluids be stored and disposed of in compliance with all provincial regulations.

3.24 Landscaping Requirements

- a) In any residential zone:
 - i) the owner shall landscape the front yard of the main building and any yard that abuts a street, and any part of the lot within 3 metres (10 feet) of each building thereon,
 - ii) in the case of a multiple unit dwelling, the owner shall landscape the front yard of the main building and any yard that abuts a street, and any part of the lot within 4.5 metres (15 feet) of each building thereon,
 - iii) the landscaping mentioned in i) and ii):
 - a) may include partial devotion to driveways, paths, patios, walkways, ornamental shrubbery or trees, and
 - b) shall be completed not later than one (1) year from the date of the expiration of the building permit for the main building located thereon.
- b) In any commercial and industrial zone:
 - i) the developer shall landscape the total area of the lot, except for that part devoted to buildings and structures, including the paving of parking lots and driveways;
 - ii) an outdoor display area shall conform to the following standards:
 - a) be located a minimum of 2 metres (6.5 feet) from any street right-of-way, and
 - b) the area between the outdoor display area and street line shall be landscaped;
 - iii) areas not dedicated to parking lots, driveways or buildings or storage areas shall be grassed and trees and/or shrubs shall be planted at a minimum rate of 1 tree or shrub for each 20 metres (65.5 feet) of street frontage. Where possible, existing trees and shrubs shall be maintained;

- iv) where a lot in a commercial or industrial zone abuts a residential use, such lot shall not be developed for a commercial or industrial use unless a buffer, such as an earth berm, hedge or fence or a combination thereof, is provided and maintained along the common property lines; and
 - v) all landscaping shall be completed not later than one (1) year from the date of the expiration of the building permit for the permitted use.
- c) A storm water management plan prepared by a licensed New Brunswick Engineer shall be provided for all commercial, institutional, industrial and medium and high-density residential development.

3.25 Signs

- a) The following signs shall be permitted in all zones and no development permit shall be required for their erection:
- i) any sign which has a maximum area of 0.75 square metres (8 square feet) and which identifies the name and address of a resident;
 - ii) any sign which has a maximum area of 0.45 square metres (4.8 square feet) and which regulates the use of property and “no trespassing” signs;
 - iii) any non-illuminated real estate sign which has a maximum area of 0.75 square metres (8 square feet) in any residential zone or 2.2 square metres (23.6 square feet) in any other zone;
 - iv) any sign which has a maximum area of 0.75 square metres (8 square feet) and which relays instructions, directions or provides information relative to the premises to which it is located;
 - v) any sign which has a maximum area of 4.6 square metres (49.5 square feet) and which is incidental to construction;
 - vi) any sign erected by, or under the direction of, a government body such as, but not limited to, public buildings, providing public information or regulating traffic or safety;
 - vii) any flag, insignia, notice or advertising of any charitable, religious or fraternal

- organization and government agency with a maximum area of 1.7 square metres (18 square feet);
- viii) any memorial sign, plaque or tablet of the municipality, province or federal government;
 - ix) any sign that announces a candidate for public office in a municipal, provincial or federal election; and
 - x) any sign on the inside of a window.
- b) No person shall erect or maintain a sign which:
- i) may create a hazard to public safety or health;
 - ii) may, for any reason, obstruct the vision of drivers leaving a roadway or driveway, or detract from the visibility or effectiveness of any traffic sign or control device on public streets;
 - iii) obstructs ingress to or egress from a fire escape door, window or other required exit;
 - iv) except a sign erected by a government agency, no sign shall be located in a public right-of-way or near a sharp road curve or below the crest of a hill;
 - v) uses words, other than a traffic control sign erected by a government, such as "STOP", "LOOK", "DANGER", "ONE WAY" or "YIELD" or any similar words, phrases, symbols, lights or characters used in a manner which may mislead, confuse or otherwise interfere with traffic along a public road;
 - vi) is painted on a natural object;
 - vii) incorporates flashing, pulsating, oscillating, traveling or moving parts; and
 - viii) advertises an activity, business, product or service no longer conducted on the premises on which the sign is located, or at another location mentioned on the sign, and shall be removed by the owner or occupant of the property upon which they are erected, within sixty (60) days of the date of discontinuance of the business or product sold.

- c) Except for the signs referred to in subsection a), no sign as defined in this By-law shall be erected, displayed, altered, or enlarged until a development permit has been issued.
- d) The following specific sign provisions shall be as follows:
 - i) freestanding signs are permitted in the Residential Neighbourhood Service, Town Centre, Community Use, Highway Commercial, Industrial, Rural Area, Agricultural, Resource Development and Intensive Resource Development zones provided that no sign shall:
 - a) exceed the maximum height of a building or structure allowed in the zone, except in the Highway Commercial and Industrial zone where the maximum height is 30 metres (98 feet);
 - b) exceed 18.6 square metres (200 square feet) in area;
 - c) exceed a maximum of one in number for every 30 metres (98 feet) of lot frontage plus one additional sign for each additional 30 metres (98 feet) of lot frontage;
 - d) be located closer to any street line than 2 metres (6.5 feet);
 - e) in the case of a corner lot, be located closer to the street line of intersecting or intercepting streets than 4.6 metres (15 feet);
 - f) one freestanding sign is permitted on a property in a Rural Area (RA) zone, provided that:
 - i) it shall not exceed a total gross surface area of 9 square metres (96.8 square feet) for all sides indicating the name of a farm; and
 - ii) one sign identifying a business carried on therein or a sign located on a farm advertising the sale of products produced thereon provided such sign does not exceed a total gross surface area of 1.5 square metres (16 square feet) for all sides displaying symbols, images and text;
 - ii) a projecting sign is permitted in all zones except Residential zones, provided that no sign shall:

- a) exceed a maximum of 1.9 square metres (20 square feet) in area;
 - b) project more than 1.1 metres (3.5 feet) from the building wall and no sign shall be located so that any part of it is less than 2.5 metres (8 feet) above the ground;
 - c) project over a property lines;
 - d) exceed one in number for each business carried on therein; nor
 - e) project more than 30 centimetres (12 inches) above the roof of a building;
- iii) a wall sign is permitted in all zones, except Residential zones, provided that no sign shall:
- a) be painted upon or cover a fence or roof;
 - b) cover more than 0.6 square metres (6.4 sq feet) per linear metre (3.28 feet) of wall upon which the sign is affixed and shall not extend beyond the wall of the building upon which the sign is displayed with proportional allocation for each business in case of a multiple occupancy building;
- iv) a canopy sign shall be permitted in all zones except Residential zones, provided that no canopy sign shall:
- a) be placed, erected or altered unless the sign is attached to, painted or placed upon a marquee, a canopy or an awning;
 - b) exceed the length of the wall of the building upon which the canopy or awning is placed;
 - c) project over a street line; nor
 - d) be placed, erected or altered unless the canopy or awning is placed on the building at a height of at least 2.5 metres (8 feet) above grade;
- v) a portable sign shall be permitted in the Town Centre zone, provided that the sign shall:
- a) be located at least 2 metres (6.5 feet) from any street line and be anchored to prevent falling or becoming a hazard.

- e) No person shall allow a sign, or any of a signs components, to become unsightly, dilapidated or unsafe.
- f) Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed in compliance with any Building By-law requirement and relevant fire and electrical code. A sign, which in the opinion of the Council has become unsightly, or is in such a state of disrepair as to constitute a hazard, may be required to be removed.

3.26 Illumination

No person shall illuminate any area, or erect any illuminated sign, unless all glaring lights are directed away from adjacent properties or the travelling public on any street or public right-of-way.

3.27 Outdoor Wood-Burning Furnace

An outdoor wood-burning furnace or structure containing an outdoor wood-burning furnace shall:

- a) only be permitted in the Rural Area, Agricultural, Resource Development, Industrial and Highway Commercial zones as an accessory use; and
- b) be setback a minimum of 30 metres (98 feet) from an abutting lot line except where the abutting lot is a commercial, community use, or residential zone, in which case the minimum setback shall be 60 metres (197 feet).

3.28 Domestic Wind Energy System

Domestic wind energy systems shall be permitted as an accessory use in all zones, subject to the following provisions:

- a) the lot shall have a minimum lot area 0.2 ha (0.5 acres);
- b) the tower shall not exceed the maximum height of 45 metres (150 feet);
- c) only one domestic wind energy turbine shall be permitted per lot;

- d) shall be setback, at minimum, 1.5 times the wind turbine height from the rear, front and side lot lines, dwellings, transmission lines, and public right-of-ways;
- e) Any climbing apparatus shall be a minimum of 3 metres (9.8 feet) above grade;
- f) subject to the National Building Code, a domestic wind energy system under 6 metres (19.6 feet) may be mounted on or attached to another structure;
- g) anchor points for guy wires shall be located on the same property that the system is located. The minimum setback for the guy wire anchors shall be 3 metres (9.8 feet) from all property lines;
- h) there shall be no signs, advertisements or objects attached to or added to the turbine;
- i) in addition to the application for a development permit, the following information is required:
 - i) provide the manufactures information regarding the type of turbine, total height, rotor diameter, rated output, and Canadian Safety Certification;
 - ii) provide a site plan, drawn to scale, showing the location of the domestic wind energy system in relation to lot lines, dwelling and distance from adjacent dwellings;
 - iii) submit authorization documents from Transport Canada and Nav Canada; and
- j) the owner shall remove the domestic wind energy system and all supporting structures from the lot following one year of inactivity. A new application shall be submitted and approved before a new turbine is installed or a wind turbine is restarted after the expiration of the one (1) year period.

3.29 Camps

Where camps are a permitted use, a camp must be setback a minimum distance of 30 metres (100 feet) from a public road.

3.30 Kennels

- a) The lot used for a kennel shall be a minimum of 4,000 square metres (43,056 sq ft) in area.
- b) No shelter, building or structure used to accommodate animals shall be located in the required front yard.

3.31 Campgrounds

New campgrounds and expansions to existing campgrounds are subject to the following requirements including:

- a) establish one or more accesses suitable to accommodate emergency vehicles;
- b) design entrances and exits for vehicles in such a way as to minimize any conflict between vehicles and pedestrians and to not interfere with traffic flow on roadways or pathways;
- c) establish buffers, whether natural or artificial, between the development and adjacent properties;
- d) preserve the natural state of the site by minimizing the removal of trees and soil;
- e) meet all the necessary requirements in terms of public health and safety, and the outdoor development meets all considerations related to fire protection and access;
- f) undergo a water test to ensure a safe and adequate water supply is available for the development; and
- g) provide proof of Environmental Impact Assessment (EIA) approval or exemption.

3.32 Accessory Dwelling Units

- a) Where a single unit dwelling is a permitted main use, an accessory dwelling unit shall be permitted provided it:
 - i) does not exceed the lesser of 35% of the dwelling's gross floor area or 80 square metres (861 sq ft); and
 - ii) is contained within the single unit dwelling.

3.33 Development in Agricultural Areas

- a) New dwellings must be set back a minimum of 15 metres (50 feet) from the property line of an adjacent property zoned as Agriculture.
- b) Livestock facilities:
 - i) All new livestock facilities must receive a site plan determination from the provincial Registrar of Livestock Operations prior to issuance of a development permit.
 - ii) All new livestock facilities that are determined to be exempt from the *Livestock Operations Act* shall be set back no less than 20 metres (65 feet) from any lot line.

PART 4 – ZONE CLASSIFICATIONS

For the purpose of this By-law, the zones shown on the Zoning Map (Schedule A) fall under the following designations of the Municipal Plan and are referred to as follows:

Town of Salisbury Zones	
Residential Designation	
Residential Services	RS
Residential Neighbourhood Service	RNS
Town Centre Designation	
Town Centre	TC
Commercial Designation	
Highway Commercial	HC
Industrial Designation	
Industrial	I
Special Entertainment	SE
Rural Designation	
Rural Area	RA
Rural Residential	RR
Resource Development	RD
Intensive Resource Development	IRD
Agriculture	A
Open Space Conservation Designation	
Open Space Conservation	OSC
Non-specified Designation	
Community Use	CU
Dwelling Group	DG
Integrated Development Zone	ID
Sea Level Rise Overlay Zone	SLR
Infill Overlay	IF

PART 5 - RESIDENTIAL SERVICED (RS) ZONE

5.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One of the following main uses:
 - i) single unit dwelling
 - ii) two unit dwelling
 - iii) semi-detached dwelling
 - iv) park, passive recreation use
- b) One of the following secondary uses in conjunction with a permitted single unit dwelling:
 - i) home-based business, subject to the requirements of section 3.23b)
 - ii) bed and breakfast/tourist home
 - iii) neighbourhood daycare
- c) Any accessory building or structure, subject to the requirements of section 3.8, which is incidental to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) institutional use
 - ii) residential care facility
 - iii) recreational use
 - iv) home industry, subject to section 3.23c)

5.2 Zone Requirements

- a) Any permitted use, or new lot, in the Residential Use zone shall comply with the following regulations:

Residential Serviced (RS) Zone	Single Unit Dwelling	Two Unit Dwelling, Residential Care Facilities, Institutional & Recreation Uses	Semi-detached Dwelling
Minimum Lot Area	1207.7 m ² (12,999.68 ft ²)	1363 m ² (14,671.3 ft ²)	681.5 m ² (7,335.6 ft ²)
Minimum Lot Frontage	30.5 m (100 ft)	30.5 m (100 ft)	15.25 m (50 ft)
Minimum Front or Flankage Yard	12 m (39.3 ft)	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard one side other side	3 m (9.8 ft) 1.2 m (4 ft)	4.6 m (15 ft) 1.2 m (4 ft)	4.6 m (15 ft) 0m (common wall)
Maximum Building Height	11 m (36 ft)	11m (36 ft)	11 m (36 ft)
Maximum Lot Coverage	50%	50%	50%

- b) Notwithstanding subsection a), the following zoning requirements shall apply to buildings and structures on existing undersized lots at the time of enactment of this By-law:

Residential Services (RS) Zone Existing Undersized Lots	Single Unit / Two Unit Dwelling	
	Well Front Yard	Well Rear/Side Yard
Minimum Front or Flankage Yard	12 m (39.3 ft)	5 m (16.4 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard one side other side	2.5 m (8.2 ft) 1.2 m (4 ft)	4.6 m (15 ft) 1.2 m (4 ft)
Maximum Building Height	11 m (36 ft)	11 m (36 ft)
Maximum Lot Coverage	50%	50%

- c) All lots shall be serviced by the public sewer system.

PART 6 - RESIDENTIAL NEIGHBOURHOOD SERVICE (RNS) ZONE

6.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) single unit dwelling
 - ii) two-unit dwelling
 - iii) semi-detached dwelling
 - iv) veterinarian clinic
 - v) medical and health office
 - vi) personal service shop
 - vii) recreational use
 - viii) funeral home
 - ix) institutional use
 - x) convenience store
 - xi) restaurant
 - xii) garden nursery
 - xiii) roadside stand for the sale of agricultural produce
- b) One of the following secondary uses in conjunction with a permitted single unit dwelling:
 - i) bed and breakfast/tourist home

- ii) neighbourhood daycare
 - iii) home-based business subject to section 3.23b)
 - iv) accessory dwelling unit subject to section 3.32
- c) Any accessory building or structure, subject to the requirements of section 3.8, which is incidental to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
- i) multiple-unit dwelling;
 - ii) residential care facility
 - iii) commercial daycare centre
 - iv) home industry, subject to section 3.23c)
 - v) hotels, motels, or inns

6.2 Zone Requirements

- a) Any permitted use, or new lot, in the Residential Neighbourhood Service zone shall comply with the following regulations:

Residential Neighbourhood Service (RNS) Zone	Single Unit Dwelling	Two Unit Dwelling & Residential Care Facilities	Semi-detached Dwelling	Multiple Unit Dwelling	Commercial, Institutional & Recreational Use
Minimum Lot Area	1207.7 m ² (12,999.68 ft ²)	1363 m ² (14,671.3 ft ²)	681.5 m ² (7,335.6 ft ²)	1545 m ² (16630.4 ft ²)+ 102m ² (1,097.9 ft ²)/ dwelling unit over 4	1363 m ² (14,671.3 ft ²)
Minimum Lot Frontage	30.5 m (100 ft)	30.5 m (100 ft)	15.25 m (50 ft)	36 m (118 ft) + 1.5 m (4.9 ft)/dwelling unit over 4	30.5 m (100 ft)
Minimum Front or Flankage Yard	12 m (39.3 ft)	12 m (39.3 ft)	12 m (39.3 ft)	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard one side	3 m (9.8 ft)	3 m (9.8 ft)	3 m (9.8 ft)	4.6 m (15 ft) or ½ height of the main building (the greater of)	4.6 m (15 ft)
other side	1.2 m (4 ft)	1.2 m (4 ft)	0 m (common wall)	4.6 m (15 ft) or ½ height of the main building (the greater of)	4.6 m (15 ft)
Maximum Building Height	11 m (36 ft)	11m (36 ft)	11 m (36 ft)	15 m (50 ft)	15 m (50 ft)
Maximum Lot Coverage	50%	50%	50%	50%	50%

- b) Notwithstanding subsection a), the following zoning requirements shall apply to buildings and structures on existing undersized lots at the time of enactment of this By-law:

Residential Neighbourhood Service (RNS) Zone Existing Undersized Lots	Single Unit / Two Unit Dwelling	
	Well Front Yard	Well Rear/Side Yard
Minimum Front or Flankage Yard	12 m (39.3 ft)	5 m (16.4 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard one side	2.5 m (8.2 ft)	4.6 m (15 ft)
other side	1.2 m (4 ft)	1.2 m (4 ft)
Maximum Building Height	11 m (36 ft)	11 m (36 ft)
Maximum Lot Coverage	50%	50%

- c) The lot shall be serviced by the public sewer system.
- d) No commercial use parking lots shall be located in the required front yard.

PART 7 – TOWN CENTRE (TC) ZONE

7.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) single unit dwelling
 - ii) two-unit dwelling
 - iii) semi-detached dwelling
 - iv) office
 - v) retail store or service industry
 - vi) restaurant including a drive thru
 - vii) service shop or a personal service shop
 - viii) financial institution
 - ix) hotel, motel, inn
 - x) automobile sales room or sales lot
 - xi) outdoor market
 - xii) recreation and assembly use
 - xiii) commercial daycare centre
 - xiv) institutional uses
 - xv) funeral home

- xvi) parks
- xvii) tourism use
- b) One of the following secondary uses in conjunction with a permitted single unit dwelling:
 - i) neighbourhood daycare
 - ii) bed and breakfast/tourist home
 - iii) home-based business, subject to the requirements of section 3.23b)
- c) Any accessory building or structure, subject to the requirements of section 3.8, which is incidental to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) multiple unit dwelling
 - ii) sales of equipment classified as “compact, utility, or mini” involving outdoor storage
 - iii) residential care facility
 - iv) service station
 - v) home industry subject to 3.23c)

7.2 Zone Requirements

- a) Any permitted use, or new lot, in the Town Centre zone shall comply with the following regulations:

Town Centre (TC) Zone	Single Unit Dwelling	Two Unit Dwelling & Residential Care Facilities	Semi-detached Dwelling	Multiple Unit Dwelling	Commercial, Institutional & Recreational Use
Minimum Lot Area	1207.7 m ² (12,999.68 ft ²)	1363 m ² (14,671.3 ft ²)	681.5 m ² (7,335.6 ft ²)	1545 m ² (16,630.4 ft ²)+ 122 m ² (1,313.2 ft ²)/ dwelling unit	1207.7 m ² (12,999.68 ft ²)
Minimum Lot Frontage	30.5 m (100 ft)	30.5 m (100 ft)	15.25 m (50 ft)	36 m (118 ft) + 1.5 m (4.9 ft)/ dwelling unit over 4	30.5 m (100 ft)
Minimum Front or Flankage Yard	12 m (39.3 ft)	12 m (39.3 ft)	12 m (39.3 ft)	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard one side	3 m (9.8 ft)	3 m (9.8 ft)	4.6 m (15 ft)	4.6 m (15 ft) or ½ height of the main building (the greater of)	4.6 m (15 ft)
other side	1.2 m (4 ft)	1.2 m (4 ft)	0 m (common wall)	4.6 m (15 ft) or ½ height of the main building (the greater of)	4.6 m (15 ft)
Maximum Building Height	11 m (36 ft)	11m (36 ft)	11 m (36 ft)	15 m (50 ft)	15 m (50 ft)
Maximum Lot Coverage	50%	50%	50%	50%	50%

- b) Notwithstanding subsection a), the following zoning requirements shall apply to buildings and structures on existing undersized lots at the time of enactment of this By-law:

Village Centre (TC) Zone	Single Unit / Two Unit Dwelling	
	Well Front Yard	Well Rear/Side Yard
Minimum Front or Flankage Yard	12 m (39.3 ft)	5 m (16.4 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard		
one side	2.5 m (8.2 ft)	4.6 m (15 ft)
other side	1.2 m (4 ft)	1.2 m (4 ft)
Maximum Building Height	11 m (36 ft)	11 m (36 ft)
Maximum Lot Coverage	50%	50%

- c) The lot is serviced by a sewer system for public use.
- d) All residential multiple unit dwellings require a water study by a New Brunswick licensed engineer.
- e) Except for a single- or two-unit dwelling, no parking space shall be located closer than 3 metres (9.8 feet) from a lot line of a property, except where a fence or other physical barrier is provided, in which case, no parking spaces shall be located within 1 metre (3.28 feet) of an adjoining property line.

PART 8 – HIGHWAY COMMERCIAL (HC) ZONE

8.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) automobile, recreational vehicle, farming equipment and general transportation and heavy equipment sales and services;
 - ii) service station which allows repair and storage of commercial vehicles
 - iii) entertainment use
 - iv) recreation and assembly use
 - v) institutional use
 - vi) veterinary clinic
 - vii) farm market
 - viii) garden nursery
 - ix) hotel, motel, inn
 - x) restaurant including drive thru
 - xi) office
 - xii) retail store or service industry
 - xiii) commercial daycare centre

- b) Any accessory building or structure, subject to the requirements of section 3.8, which is incidental to the main use of the land, building or structure.

c) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:

- i) car wash

8.2 Zone Requirements

a) Any permitted use, or new lot, in the Highway Commercial zone shall comply with the following regulations:

Highway Commercial (HC) Zone	Serviced (public sewer)	Unserviced
Minimum Lot Area	2414 m ² (25,984.3 ft ²)	4704 m ² (50,633.8 ft ²)
Minimum Lot Frontage	30.5 m (100 ft)	54 m (177 ft)
Minimum Front or Flankage Yard	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	6 m (19.68 ft)	6 m (19.68 ft)
Minimum Side Yard		
one side	4.6 m (15 ft)	4.6 m (15 ft)
other side	4.6 m (15 ft)	4.6 m (15 ft)
Maximum Building Height	15 m (50 ft)	15 m (50 ft)
Maximum Lot Coverage	50%	50%

b) Any fence or other physical barrier constructed along any lot line which abuts a residential zone or use shall:

- i) maintain a minimum separation distance of 6 metres (19.6 feet) between the highway commercial use and the lot line of any adjacent residential use; and
- ii) no parking space may be located so that any part of it is within 1.2 metres (3.9 feet) of the fence or barrier mentioned in subsection i).

c) Except for an automobile/vehicle sales operation, where any permitted main use includes outdoor storage the land used for such storage shall be screened from the street by a wall or solid board fence not less than 2 metres (6.5 feet) and not more than 2.5 metres (8.2 feet) in height. No material shall be piled higher than the height of the surrounding fence.

PART 9 – INDUSTRIAL (I) ZONE

9.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) warehousing and wholesale establishment
 - ii) moving and storage establishment
 - iii) manufacturing/processing/assembly
 - iv) service industry
 - v) retail store
 - vi) recycling depot or scrap yard, subject to section 9.2 c)
 - vii) indoor recreational use
 - viii) scientific and technology establishment
 - ix) automobile, recreational vehicle, farming equipment and general transportation and heavy equipment sales and services
 - x) service station which allows repair and storage of commercial vehicles
 - xi) entertainment use
 - xii) recreation and assembly use
 - xiii) institutional use
 - xiv) veterinary clinic

- xv) farm market
 - xvi) garden nursery
 - xvii) hotel and motel
 - xviii) restaurant including drive thru
 - xix) office
 - xx) indoor cannabis production facility
 - xxi) outdoor cannabis production facility
 - xxii) High Impact entertainment use
- b) Any accessory building or structure, subject to the requirements of section 3.8, which is incidental to the main use of the land, building or structure.
- c) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
- i) car wash

9.2 Zone Requirements

- a) Any permitted use, or new lot, in the Industrial zone shall comply with the following regulations:

Industrial (I) Zone	Serviced (public sewer)	Unserviced
Minimum Lot Area	2414 m ² (25,984.3 ft ²)	4704 m ² (50,633.8 ft ²)
Minimum Lot Frontage	30.5 m (100 ft)	54 m (177 ft)
Minimum Front or Flankage Yard	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	6 m (19.68 ft)	6 m (19.68 ft)
Minimum Side Yard		
one side	4.6 m (15 ft)	4.6 m (15 ft)
other side	4.6 m (15 ft)	4.6 m (15 ft)
Maximum Building Height	15 m (50 ft)	15 m (50 ft)
Maximum Lot Coverage	50%	50%

- b) All landscaping requirements are subject to section 3.24 b).
- c) Where land is used for a recycling depot or scrap yard, the following standards shall apply:
- i) the whole operation shall be surrounded by an opaque fence, not less than 3 metres (9.8 feet) and not greater than 5 metres (16.4 feet) in height, unpierced except for gates necessary for access;
 - ii) the fence shall be located at least 6.1 metres (20 feet) from the front lot line and 1.5 metres (4.9 feet) from the side or rear lot lines, and the land between the fence and any lot line shall be landscaped except for land required for entrance and exit driveways; and
 - iii) no material shall be piled higher than the height of the surrounding fence.

PART 10 – SPECIAL ENTERTAINMENT (SE) ZONE

10.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) An adult entertainment use
- b) Any accessory building or structure, subject to the requirements of section 3.8, which is incidental to the main use of the land, building or structure if such main use is permitted by this subsection.

10.2 Zone Requirements

- a) Any permitted use, or new lot, in the Special Entertainment zone shall comply with the following regulations:

Special Entertainment (SE) Zone	
Minimum Lot Area	4704 m ² (50,633.8 ft ²)
Minimum Lot Frontage	54 m (177 ft)
Minimum Front or Flankage Yard	12 m (39.3 ft)
Minimum Rear Yard	7.5 m (24.6 ft)
Minimum Side Yard	
one side	4.6 m (15 ft)
other side	4.6 m (15 ft)
Maximum Building Height	11 m (36 ft)
Maximum Lot Coverage	50%

- b) a minimum separation distance of 1000 metres (3,280 feet) shall be maintained between adult entertainment uses;
- c) adult entertainment uses, or related signage, shall not be permitted within 200 metres (656 feet) of a property containing any of the following existing uses:
 - i) a residential use

- ii) a school
 - iii) daycare centre or neighbourhood daycare
 - iv) motel or hotel
 - v) medical and health office
 - vi) community use
 - vii) residential care facility
 - viii) public park/recreational use
- d) An opaque fence a minimum of 2 m in height shall be erected as a visual barrier along all sides and rear property lines.

PART 11 – RURAL AREA (RA) ZONE

11.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) agricultural use subject to section 3.33
 - ii) forestry use
 - iii) aquaculture use
 - iv) veterinary clinic
 - v) kennel subject to section 3.30
 - vi) resource-related use
 - vii) recreation use
 - viii) single unit dwelling or mini home
 - ix) camp, subject to section 3.29
 - x) light commercial use subject to section 11.3
 - xi) institutional use
 - xii) domestic wind turbines subject to section 3.28
 - xiii) a campground subject to 3.31
- b) The following secondary uses in conjunction with a permitted single-unit dwelling:
 - i) home-based business, subject to the requirements of section 3.23b)

- ii) an accessory dwelling unit subject to 3.32
- c) Any accessory building or structure, including an outdoor wood-burning furnace, subject to the requirements of section 3.8 and 3.27 which is incidental to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) residential care facility

11.2 Zone Requirements

- a) Any permitted use, or new lot, in the Rural Area zone shall comply with the following regulations:

Rural Area (RA) Zone	
Minimum Lot Area	2 ha (4.9 acres)
Minimum Lot Frontage	150 m (492 ft)
Minimum Front or Flankage Yard	
Arterial or collector highway	15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)
Minimum Side Yard	
one side	3 m (9.8 ft)
other side	3 m (9.8 ft)
Maximum Building Height	11 m (36 ft)
Maximum Lot Coverage	50%

11.3 Light Commercial Use Standards in Rural Areas

The following standards shall apply for light commercial uses:

- a) a maximum of five vehicles may be displayed for sale;
- b) light commercial uses are limited to a maximum gross floor area of 500 square metres (5,382 sq ft).
- c) Where any parking lot abuts a residential use, a 2 metre (6.5 feet) tall opaque fence or other visual and physical barrier, including the planting of trees, is required; and
- d) Outdoor storage related to the main use shall be located in the rear yard and shall be screened from adjacent residential uses with a 2 metre (6.5 feet) tall opaque fence.

PART 12 – RURAL RESIDENTIAL (RR) ZONE

12.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) single unit dwelling or mini home
- b) The following secondary uses in conjunction with a permitted single-unit dwelling:
 - i) Home-based business, subject to the requirements of section 3.23b)
 - ii) an accessory dwelling unit subject to 3.32
 - iii) domestic wind turbines subject to section 3.28
- c) Any accessory building or structure, including an outdoor wood-burning furnace, subject to the requirements of section 3.8 and 3.27 which is incidental to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) residential care facility
 - ii) institutional uses

12.2 Zone Requirements

- a) Any permitted use, or new lot, in the Rural Area zone shall comply with the following regulations:

Rural Residential (RR) Zone	Single Dwelling Unit on Public Sewer	All other lots/uses
Minimum Lot Area	1207.7 m ² (12,999.68 ft ²)	4000 m ² (1 acre)
Minimum Lot Frontage	30.5 m (100 ft)	54 m (177 ft)
Minimum Depth	30 m (98.4 ft)	38 m (124.6 ft)
Minimum Front or Flankage Yard		
Arterial or collector highway	15 m (49.2 ft)	15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard		
one side	3 m (9.8 ft)	3 m (9.8 ft)
other side	3 m (9.8 ft)	3 m (9.8 ft)
Maximum Building Height	11 m (36 ft)	11 m (36 ft)
Maximum Lot Coverage	50%	50%

PART 13 – RESOURCE DEVELOPMENT(RD) ZONE

13.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) forestry use;
 - ii) agricultural use subject to 3.33
 - iii) resource extraction, subject to section 13.3
 - iv) resource-related uses
 - v) recreation uses
 - vi) aquaculture uses
 - vii) a camp subject to 3.29
 - viii) single unit dwelling subject to zone standards established in section 13.2
 - ix) campground subject to 3.31
 - x) shooting range
- b) One or more of the following secondary uses:
 - i) mobile asphalt plant as a secondary use to a resource extraction use;
 - ii) a home-based business or home industry subject to section 3.23
- c) One or more buildings, structures, or accessory uses related to the main use of the land, building, or structure.

13.2 Zone Requirements

- a) Any permitted use, or new lot, in the Resource Development Zone shall comply with the following regulations:

Resource Development (RD) Zone	
Minimum Lot Area	2 ha (4.9 acres)
Minimum Lot Frontage	150 m (492 ft)
Minimum Front or Flankage Yard	
Arterial or collector highway	15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)
Minimum Side Yard	
one side	3 m (9.8 ft)
other side	3 m (9.8 ft)
Maximum Building Height	11 m (36 ft)
Maximum Lot Coverage	50%

13.3 Resource Extraction

- a) All pits and site plans must meet the following standards:
- i) No extraction shall be undertaken:
 - a) Within 30 metres (100 feet) of any hydrographic source;
 - b) Below the groundwater table;
 - b) The extraction site shall be of a minimum distance of 30 metres (100 feet) from the property limits, 100 metres (328 feet) from the street, and 150 metres (492 feet) from any existing dwelling;
 - c) The operator shall keep the access routes and streets free of dust while transporting the materials;

- d) The main entrances to the site shall have a barrier to control access to the site;
- e) For public safety, signs shall be placed at each entrance (main entrance, secondary entrance, tracks and/or trails, etc.) bearing the word "Danger", the nature of the operation and a no trespassing. Fencing may be required around part, or all of the site or pit extraction area;
- f) The operation shall maintain safety slopes at 35% or less, unless it is demonstrated that the ground can be stabilized in such a way as to prevent landslides and erosion;
- g) All surface water shall either be contained within the site limits, or pass through a sedimentation basin before running outside site limits.

PART 14 – INTENSIVE RESOURCE DEVELOPMENT (IRD) ZONE

14.1 Permitted Uses

In an Intensive Resource Development zone, any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) resource-related use
 - ii) resource extraction, subject to section 13.3
 - iii) a quarry
 - iv) forestry use;
 - v) agricultural use subject to 3.33
 - vi) recreation use
 - vii) aquaculture use
 - viii) a camp subject to 3.29
 - ix) commercial wind farm subject to 14.3
 - x) an asphalt plant
 - xi) a water bottling operation
 - xii) an abattoir
 - xiii) shooting range
- b) One or more buildings, structures, or accessory uses related to the main use of the land, building, or structure.

14.2 Zone Requirements

- a) Any permitted use, or new lot, in the Intensive Resource Development Zone shall comply with the following regulations:

Intensive Resource Development (IRD) Zone	
Minimum Lot Area	2 ha (4.9 acres)
Minimum Lot Frontage	150 m (492 ft)
Minimum Front or Flankage Yard	
Arterial or collector highway	15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)
Minimum Side Yard	
one side	3 m (9.8 ft)
other side	3 m (9.8 ft)
Maximum Building Height	11 m (36 ft)
Maximum Lot Coverage	50%

14.3 Commercial Wind Energy Systems

- a) Activities related to a commercial wind energy system may be permitted provided:
- i) all towers are setback a minimum of 1.5 times the wind turbine height from the rear, front and side lot lines and public rights-of-way;
 - ii) any climbing apparatus shall be a minimum of 3 metres (9.8 feet) above grade;
 - iii) anchor points for guy wires shall be located on the same property that the system is located on. The minimum setback for the guy wire anchors shall be 3 metres (9.8 feet) from all property lines;
 - iv) there shall be no signs, advertisements or objects attached to or added to the turbine;
 - v) in addition to the application for a development permit, the following information is required:

- a) provide the manufactures information regarding the type of turbine, total height, rotor diameter, rated output, and Canadian Safety Certification;
- b) provide a site plan, drawn to scale, showing the location of the domestic wind energy system in relation to lot lines, dwelling and distance from adjacent dwellings; and
- c) submit authorization documents from Transport Canada and Nav Canada;
- vi) all turbines shall be setback a minimum of 600 m from any existing dwelling; and
- vii) the owner shall remove any turbine and all supporting structures from the lot following one year of inactivity. A new application shall be submitted and approved before a new turbine is installed or a wind turbine is restarted after the expiration of the one (1) year period.

PART 15 – AGRICULTURE (A) ZONE

15.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) agricultural use subject to section 3.33
 - ii) forestry use
 - iii) aquaculture use
 - iv) veterinary clinic
 - v) kennel subject to section 3.30
 - vi) resource-related use
 - vii) recreation use
 - viii) single unit dwelling or mini home
 - ix) camp, subject to section 3.29
 - x) institutional use
 - xi) domestic wind turbines subject to section 3.28
 - xii) a campground subject to 3.31
- b) One or more of the following secondary uses:
 - i) Home-based business or home industry, subject to the requirements of section 3.23
 - ii) an accessory dwelling unit subject to 3.32

- iii) light commercial use subject to section 11.3
- iv) an abattoir that is secondary to an agricultural use
- c) One or several accessory buildings, structures or uses, including an outdoor wood-burning furnace, subject to the requirements of section 3.27, related to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) residential use that is secondary to an agricultural use

15.2 Zone Requirements

- b) Any permitted use, or new lot, in the Agricultural Zone shall comply with the following regulations:

Agriculture (A) Zone	
Minimum Lot Area	2 ha (4.9 acres)
Minimum Lot Frontage	150 m (492 ft)
Minimum Front or Flankage Yard	
Arterial or collector highway	15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)
Minimum Side Yard	
one side	3 m (9.8 ft)
other side	3 m (9.8 ft)
Maximum Building Height	11 m (36 ft)
Maximum Lot Coverage	50%

PART 16 – OPEN SPACE CONSERVATION (OSC) ZONE

16.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) parks
 - ii) conservation areas and open space for natural, aesthetic or scientific interest, including interpretive uses or displays
 - iii) lands held in trust by conservation groups
 - iv) passive recreation uses
 - iv) Public works including municipal uses and flood control

16.2 Zone Requirements

- a) Any permitted use, or new lot, in the Open Space Conservation zone shall comply with the following regulations:

Open Space Conservation (OSC) Zone	Serviced (public sewer)	Unserviced
Minimum Lot Area	1207.7 m ² (12,999.68 ft ²)	4704 m ² (50,633.8 ft ²)
Minimum Lot Frontage	30.5 m (100 ft)	54 m (177 ft)
Minimum Front or Flankage Yard		
Arterial or collector highway		15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	3 m (9.8 ft)	7.6 m (25 ft)
Minimum Side Yard		
one side	3 m (9.8 ft)	3 m (9.8 ft)
other side	3 m (9.8 ft)	3 m (9.8 ft)
Maximum Building Height	11 m (36 ft)	11 m (36 ft)
Maximum Lot Coverage	50%	50%

- b) No buildings, other than buildings associated with Municipal infrastructure, shall be erected in the area identified as the potential flood area on the Hydrographic Map, Schedule B of this By-law.

PART 17 – COMMUNITY USE (CU) ZONE

17.1 Permitted Uses

Any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) lift stations, lagoons and other public works
 - ii) municipal facilities and buildings
 - iii) park, playground or recreational uses
 - iv) cultural establishment including a community centre, library, and museum
 - v) medical & health office
 - vi) institutional use
 - vii) cemetery
- b) Any accessory building or structure, subject to the requirements of section 3.8, which is incidental to the main use of the land, building or structure if such main use is permitted by this subsection.
- c) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) residential care facility
 - ii) campground subject to 3.31

17.2 Zone Requirements

- a) Any permitted use, or new lot, in the Community Use zone shall comply with the following regulations:

Community Use (CU) Zone	Serviced (public sewer)	Unserviced
Minimum Lot Area	1363 m ² (14,671.3 ft ²)	4704 m ² (50,633.8 ft ²)
Minimum Lot Frontage	30.5 m (100 ft)	54 m (177 ft)
Minimum Front or Flankage Yard		
Arterial or collector highway		15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Side Yard		
one side	4.6 m (15 ft)	4.6 m (15 ft)
other side	1.2 m (4 ft)	4.6 m (15 ft)
Maximum Building Height	15 m (50 ft)	15 m (50 ft)
Maximum Lot Coverage	20%	20%

PART 18 – DWELLING GROUP (DG) ZONE

18.1 Permitted Uses

In a Dwelling Group zone, any land, building or structure may be used for the purpose of, and for no other purpose:

- a) One or more of the following main uses:
 - i) Residential uses subject to 18.2 b)
 - ii) Recreation uses
 - iii) A mini home park subject to 18.2 c)
- c) One or more buildings, structures, or accessory uses related to the main use of the land, building, or structure.

18.2 Zone Requirements

- a) Any permitted use, or new lot, in the Dwelling Group (DG) Zone shall comply with the following regulations:

Dwelling Group (DG) Zone	
Minimum Lot Area	2 ha (4.9 acres)
Minimum Lot Frontage	150 m (492 ft)
Minimum Front or Flankage Yard	
Arterial or collector highway	15 m (49.2 ft)
All other streets and roads	12 m (39.3 ft)
Minimum Rear Yard	7.6 m (25 ft)
Minimum Side Yard	
one side	3 m (9.8 ft)
other side	3 m (9.8 ft)
Maximum Building Height	11 m (36 ft)
Maximum Lot Coverage	50%

- b) All residential use developments within the Dwelling Group Zone are subject to the following:
 - i) all onsite maintenance (e.g., garbage collection, snow removal) and infrastructure (e.g., accesses, fire hydrants) are the responsibility of the property owner(s);
 - ii) all condominium developments must be registered under the *New Brunswick Condominium Act*;
 - iii) all development must follow the National Building Code fire safety setbacks; and
 - iv) the approval of the local fire chief must be obtained regarding access for emergency vehicles.

- c) A Mini Home Park in the Dwelling Group Zone shall meet the following requirements:
 - i) a park shall be serviced by an internal roadway system having a width of at least 12 m;
 - ii) a park shall be serviced by common water and sewer facilities approved by appropriate provincial agencies;
 - iii) all mini home spaces shall:
 - a) have and contain a width and area of at least 12 m and an area of 375 m²;
 - b) abut the internal roadway system;
 - c) include parking for at least one vehicle;
 - iv) no mini home shall be located within:
 - a) 3 m of the internal roadway system;
 - b) 7.5 m of a boundary of the park, or of a service building within it,
 - c) 7.5 m of another mini home, except that, when two of them are placed end to end on adjoining spaces, this distance may be reduced to 4 m, or
 - v) all service buildings shall be permanent structures complying with the National Building Code of Canada, in effect at the time of this by-law.

PART 19 – INTEGRATED DEVELOPMENT (ID) ZONE

19.1 Permitted Uses

No development shall be undertaken nor shall any land, building or structure be used on a lot within any Integrated Development Zone unless Council has approved the development of a specific proposal under section 58 of the Act.

19.2 Zone Requirements

Standards or requirements for development in an integrated development zone shall be established by agreement entered into pursuant to section 59 of the Act.

PART 20 – SEA LEVEL RISE OVERLAY (SLR) ZONE

20.1 The Sea Level Rise Overlay Zone is intended to:

- a) promote sustainable development based on the precautionary principle;
- b) anticipate, prevent and work against the deterioration of the coastal environment;
- c) prevent serious and irreversible damages to the environment as well as to residents and their property;
- d) permit only developments that demonstrate an adaptation to the effects of sea level rise and storm surges in flood-risk zones; and
- e) establish minimal requirements for the prevention of the deterioration of the environment.

20.2 The permitted uses in the Sea Level Rise Overlay Zone shall be any use permitted in the underlying zone.

20.3 No main building may be erected, constructed or modified in a SLR zone unless it meets the following minimal requirements:

- a) in the case of a new building:
 - i) the minimal elevation of the habitable part shall be established in conformity with the sea level rise overlay zone section table on the Hydrographic Map Schedule B;
 - ii) any permit request must be accompanied by:
 - a) a plan demonstrating the elevation of the habitable part of the building;
 - b) a plan demonstrating the flood proofing of all electrical, mechanical and plumbing by design for the area below the required elevation;
- b) in the case of an existing building, the building may be expanded after the adoption of this By-law if:

- i) it does not reduce the existing elevation of the building;
- ii) it does not increase the non-adapted habitable portion of the building by the lesser of 25% or 23.2 square meters. A larger non-adapted expansion necessitates full adaptation in conformity with the sea level rise overlay zone section on the Hydrographic Map Schedule B;
- iii) a non-adapted expansion is limited to one per main building; and
- iv) the landowner signs a waiver acknowledging the risks associated with non-adapted development in the sea level rise overlay zone.

20.4 Section 20.3 does not apply to accessory structures, water-dependent uses, open space uses or temporary uses permitted under this By-law.

PART 21 – INFILL OVERLAY (IF) ZONE

- 21.1** The purpose of the Infill Overlay Zone is to identify areas within 75 metres (246 feet) of the public right of way where smaller lot sizes for residential uses may be accommodated as per section 12.2.
- 21.2** The permitted uses in the Infill Overlay Zone shall be any use permitted in the underlying zone.

