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Nouveau-Brunswick

Village of McAdam 2020-01-09 16:16:10 39772265  
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K. Stannix  
Registrar-Conservateur

**BY-LAW 58**

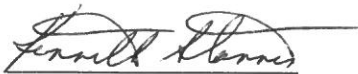
**A BY-LAW TO ADOPT THE VILLAGE OF MCADAM RURAL PLAN**

Under the authority vested in it by Section 33(1) of the *Community Planning Act*, the Municipal Council of the Village of McAdam, duly convened, enacts as follows:

1. The area of land lying within the territorial limits of the Village of McAdam, as described by Subsection 73(2) of Regulation 85-6 under the *Local Governance Act* and as outlined on the map attached as "Schedule A", entitled Village of McAdam Zoning Map is designated for the purpose of the adoption of the Rural Plan and is the area to which this By-law applies;
2. The rural plan of the Village of McAdam, setting out policies, proposals and zoning provisions designed to guide, control and encourage the orderly economic, social and physical development of the Village, is hereby adopted;

FIRST READING BY TITLE: August 29, 2019  
SECOND READING IN ITS ENTIRETY: August 29, 2019  
THIRD READING BY TITLE AND ENACTMENT: December 5, 2019

In witness whereof McAdam had caused its corporate seal to be hereunto affixed to this By-law the 17<sup>th</sup> day of December, 2019.



Ken Stannix

Mayor


Ann Donahue

Clerk

APPROVED pursuant to the  
Community Planning Act  
APPROUVÉ En application de la  
loi sur l'urbanisme



for - Minister / pour le/la Ministre  
Environment and Local Government  
Environnement et Gouvernements locaux

January 6, 2020  
Date

I, **Ann Donahue**, of the Village of McAdam, in the County of York and Province of New Brunswick, Village Clerk, DO SOLEMNLY DECLARE:

THAT I am the Clerk of the Village of McAdam, a municipal corporation, and have personal knowledge of the facts herein declared.


THAT the requirements of Sections 33, 110 and 111 of the *Community Planning Act* have been complied with in respect to By-law No. 2019-5, being the Rural Plan By-law for the Village of McAdam.

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 Village of McAdam in the County of

York and Province of New

Brunswick, this 17<sup>th</sup> day of December A.D. 2019.

  
\_\_\_\_\_

COMMISSIONER OF OATHS

  
\_\_\_\_\_

Ann Donahue, Clerk

**Connie E. M. Klein**  
A Commissioner of Oaths  
My Commission expires:  
December 31, 2024

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## **PART A: GENERAL**

### **1.1 Title**

This By-law may be cited as the Village of McAdam Rural Plan.

### **1.2 Area Designation**

The area of land lying within the territorial limits of the Village of McAdam, as described by Subsection 67(2) of Regulation 85-6, under the *Municipalities Act* and as outlined on the map attached as Schedule A, entitled "Zoning Map", is designated for the purposes of the adoption of this Rural Plan and is the area to which this By-law applies.

### **1.3 Purpose**

The Rural Plan sets out Council's long-term policies and proposals to guide future land use development. The Plan is intended for use by Council and residents to guide day-to-day decisions with respect to land use development and capital expenditures. The Plan should be reviewed every five years in accordance with the provisions of the *Community Planning Act*. Periodic amendments to the Plan may be required. These should be undertaken with due process, including public consultation, as outlined in the *Community Planning Act* for Plan amendments.

The adoption of a Rural Plan does not commit the Village or Province to undertake any proposal therein stated (as per Section 27 of the *Community Planning Act*), but shall prevent the undertaking of any development that is inconsistent or at variance with:

- (a) In the case of the Village, any proposal or policy so outlined or suggested; or
- (b) In the case of the Province or a person, any policy or proposal so outlined or suggested

For clarification, in this Rural Plan, a Policy is a statement reflecting community objectives and outlining a means to achieve them. Policies are the foundation of the Plan. All other components of the Rural Plan, including the zoning and development standards, as well as any amendments thereto, are to conform to the intent of these policies. Proposals are actions that are desirable, but not essential to meeting the objectives of the Rural Plan. While Council is not required to undertake any stated Proposal, it cannot enact measures that are contrary to a Proposal.

#### **1.4 Organization**

The contents of this plan include:

- (a) Part A, which outlines the title, area designation, contents and purpose of the plan;
- (b) Part B, which outlines the policies and proposals of Council; and
- (c) Part C, which contains the zoning provisions intended to assist with implementation of the policies and proposals. Part C also contains the legal zoning map that accompanies and illustrates the zoning provisions.

## 2.0 Administration

### 2.1 Repeal of Existing By - Laws

The following by-laws are hereby repealed:

- (a) By-law No. 31 Village of McAdam Basic Planning Statement By-law
- (b) By-law No. 36 Village of McAdam Zoning By-law

### 2.2 Amendments

- (1) A person who seeks to have this By-law amended shall:
  - (a) address a written and signed application to the Development Officer; and
  - (b) pay a fee of \$400, payable to the Village of McAdam.
- (2) Council may, if it deems fit, return all or any part of the fee mentioned in Subsection 2.2 (1) (b).
- (3) An application under this Section shall include such information as may be required by Council or Advisory Committee or Development Officer for the purpose of adequately assessing the desirability of the proposal.
- (4) Where an application for rezoning of a property has been refused within the previous twelve months, Council will not entertain an application to reZone the same property unless the proposed *use* is substantially different from the previous application.

### 2.3 Variances

- (1) The Advisory Committee may permit, subject to such terms and conditions as it considers fit:
  - (a) a proposed *use* of land or a *building* that is otherwise not permitted under the Rural Plan if, in its opinion, the proposed *use* is sufficiently similar to or compatible with a *use* permitted in the Rural Plan for the Zone in which the land or *building* is situated, or
  - (b) such reasonable variance from the requirements of the Zone provisions falling within Subsection 53(2)(a) of the *Community Planning Act* as, in its opinion, is desirable for the development of a parcel of land or a *building* or *structure* and is in accord with the general intent of the By-law and any plan or statement hereunder affecting such development.
- (2) Where requested to permit a proposed *use* or *variance* under Subsection 2.3(1), the Development Officer may give notice to owners of land in the immediate neighborhood:

- (a) describing the land;
- (b) describing the *use* proposed or variance requested; and/or
- (c) giving the right to make representation to the Advisory Committee within the time limit set out in the notice.

#### 2.4 Fees for Planning Services

The following planning services are associated with the applicable fees:

- (a) zoning confirmation letter (stating the current zoning on subject lands), \$100;
- (b) zoning compliance letter (indicating whether the *use* of the subject land, *building* or *structure* is in compliance with the Village of McAdam Rural Plan), \$200;
- (c) processing and considering applications under Subsection 53(2)(h) of the *Community Planning Act* (temporary uses), \$250;
- (d) processing and considering requests under Section 35 of the *Community Planning Act* (dimensional variances, similar uses, non-conforming uses, conditional uses), \$200; and
- (e) processing and considering requests for rezoning, \$400

## **PART B: POLICIES AND PROPOSALS**

### **3.0 Goals**

- (1) To ensure that sufficient land is reserved for future residential expansion at convenient locations within the Village. This should include land set aside for multiple dwelling units, smaller homes for rent, and starter homes, and a mini-home park as well.
- (2) To encourage commercial activity for the community which will provide much-needed jobs and a stronger tax base.
- (3) To ensure that basic commercial conveniences will be available to the population.
- (4) To reduce conflicts between all types of land use, particularly between industrial uses and the rest of the Village.
- (5) To take steps to combat pollution of drinking water supplies and of the main bodies of water in the community.
- (6) To maintain and improve existing sewage and water services.
- (7) To ensure that educational institutions meet the needs of the population.
- (8) To preserve existing parkland and add more parkland. In addition, McAdam Pond should be protected and the McAdam Railway Station should be preserved as a heritage site.
- (9) To adopt Zoning By-laws defining clearly the various Zones in the Village.

### **3.1 Policies and Proposals**

#### **3.1.1 General Development**

##### *Policies*

- (1) It is a policy that growth and settlement patterns be orderly and efficient.
- (2) It is a policy to encourage development that makes efficient use of existing infrastructure and public services.

#### **3.1.2 Residential**

##### *Policies*

- (1) It is a policy to promote good-quality, orderly, and efficient residential development within the Village.
- (2) It is a policy to acquire land for residential growth to match and encourage population growth.

##### *Proposal*

- (3) It is proposed to limit the placement of mini-homes to designated mini-home Zones or to allow them subject to standards established in the zoning provisions, and restrict their placement on certain public streets.

#### **3.1.3 Commercial**

##### *Policy*

- (1) While existing commercial uses outside of the core area have also been designated "Commercial", it shall be the policy of Council to encourage new commercial development to locate within the core area.
- (2) It is a policy to encourage commercial ventures that are compatible with the Village's goals.

##### *Proposals*

- (3) It is proposed to allow Artisan Manufacturing in Commercial Zones pursuant to Section 59 of the *Community Planning Act*.

#### **3.1.4 Institutional**

##### *Policy*

- (1) It is a policy to encourage the provision of institutional land uses and medical services that serve the current and future needs of the local community, such as, community meeting places, recreation facilities, health centers, and special care homes.

### **3.1.5 Parks, Recreational, Open Space**

#### *Policies*

- (1) It is a policy to preserve and expand existing parkland and trails.
- (2) It is a policy to preserve open spaces and wilderness.

#### *Proposal*

- (3) It is proposed to reserve 5% of land in any new residential subdivision for parkland.

### **3.1.6 Industrial**

#### *Policy*

- (1) It is a policy to locate new industrial development in areas where conflicts with existing land uses will be minimized.

### **3.1.7 Transportation**

#### *Policies*

- (1) It is a policy to require safe access for new development.
- (2) It is a policy to extend sidewalks wherever possible.
- (3) It is a policy to pave unpaved roads when possible.

### **3.1.8 Heritage Buildings and Sites of Historical or Archaeological Interest**

#### *Policy*

- (1) It is a policy to encourage the preservation, rehabilitation, and maintenance of historic buildings, areas of archaeological interest, structures, and monuments and to encourage compatible development in the vicinity of historic buildings.

### **3.1.9 Resource Uses**

#### *Policies*

- (1) It is a policy to preserve and protect prime natural resource lands to ensure the viability and future development potential of important resource industries and to reduce the loss and degradation of wildlife habitat.
- (2) It is a policy to recognize the dynamic nature of modern farming and to promote the long-term viability of agricultural operations and local food production, while minimizing conflict with the non-agricultural uses of land.
- (3) It is a policy to optimize the use of aggregate resource lands while minimizing the environmental and social impacts of excavation operations.

### **3.1.10 Conservation of the Physical Environment**

#### *Policies*

- (1) It is a policy to permit recreational land uses that conserve or improve fish and wildlife habitats, in McAdam Pond, Wauklehegan Lake, floodplains, streams, and wetlands.
- (2) It is a policy to control development in areas that are environmentally sensitive or hazardous due to wet or unstable soils.

### **3.1.11 Protection of Water Supplies**

#### *Policies*

- (1) It is a policy to protect groundwater supplies for the use of existing and future residents by discouraging the types of developments which may potentially degrade or deplete the resource.
- (2) It is a policy to help protect existing and future surface and groundwater sources to ensure adequate quantity and quality for human consumption and to ensure ecological health and vitality in the area

### 3.2 Implementation

This Rural Plan is intended to guide development over the coming years. In order to put the intentions of the Plan into effect, the future decisions of the Village, through legislation, public works, or other means, should conform to the policies and provisions of this Plan. Therefore, the major means of implementing the Rural Plan will be the zoning provisions, Subdivision By-law, Building By-law and through public works.

(1) Zoning Provisions

The Village shall ensure that its comprehensive zoning provisions, which implements and regulates the land use, is in accordance with the policies set out in this Rural Plan.

(2) Subdivision By-law

- (a) Any subdivision of land shall conform to the land use designations of this Rural Plan.
- (b) The subdivision of land shall be carried out under a filed subdivision plan except when it is exempted under conditions set out in the *Community Planning Act*.

(3) Building By-law

Standards for building, relocating, demolishing, altering or replacing a building or structure may be prescribed in the Building By-law.

(4) Public Works

It is recommended that the construction of all public works, including storm drainage, and public parks, etc., shall be carried out in accordance with the provisions of this Rural Plan.

### 3.3 Interpretation

(1) Amendments

It is intended that any major change or deviation from a policy or proposal, either in the text or on the attached Schedule "A" will necessitate an amendment to this Rural Plan.

## **PART C: ZONING PROVISIONS**

### **4.0 Zoning Provisions**

Council of the Village of McAdam, under authority vested in it by Subsection 35(2)(d) of the *Community Planning Act*, enacts as follows:

#### **4.1 Interpretation**

(1) In this By-law,

“Advisory committee” means the planning advisory committee established by Council or the Regional Service Commission as the case may be ;

“alter” means to make any change, structurally or otherwise, in a building or structure which is not for purpose of maintenance only;

“bachelor apartment” means a dwelling unit in a multiple dwelling, consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities;

“building” means a roofed erection with solid shelter for persons, animals or chattels;

“building, accessory” 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;

“building, main” means a building in which is conducted the main or principle use of the lot on which the building is located;

“dwelling” means a main building, or a portion thereof, containing one or more dwelling units;

“dwelling, multiple” means a dwelling containing more than two dwelling units;

“dwelling, single-family” means a dwelling containing only one dwelling unit;

“dwelling, terrace” means a dwelling containing at least three and no more than six dwelling units, such units being constructed adorningly with common walls, and not one above the other, with individual entrances from the street level directly;

“dwelling, two-family” means a dwelling containing two dwelling units;

“dwelling unit” means a room or suite of two or more rooms designed or intended for use by an individual or family, in which culinary facilities and sanitary conveniences are provided for the exclusive use of such individual or family;

“erect” means to construct, build, assemble or relocate a building or structure, and any physical operations preparatory thereto;

“family” means one or more persons, not necessarily related, occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel or boarding or rooming house;

“garage, public” means any building, space or enclosure in which motor vehicles or power boats are stored for use (as opposed to being stored for sale) or repaired, whether for the public, for business purposes or for hire;

“garage, private” means any building, space or enclosure in which motor vehicles or power boats are stored or repaired for personal use;

“grade” means the finished level of the ground at the exterior walls of a building or structure;

“height” means, in relation to a building or structure, the vertical distance as measured from mean grade to the highest point on such building or structure;

“home occupation” means a secondary use conducted in a dwelling and described in sub-section 5.14.4;

“house, boarding” means a dwelling or part thereof in which rooms and meals are provided to lodgers for compensation;

“house, rooming” means a dwelling or part thereof in which rooms are provided to lodgers for compensation;

“lot” means a parcel of land or two or more adjoining parcels held by the same owner and used or intended to be used as the site for a building or structure or an appurtenance thereto;

“lot, corner” means a lot having two or more adjacent sides fronting on two or more intersecting or intercepting streets, and “lot, interior” means a lot other than a corner lot;

“lot line” means a common line between a lot and an abutting lot, lane or street;

“lot line, rear” means the lot line extending along the rear of the lot;

“lot line, side” means a lot line extending from the street line to the rear of the lot;

“Manufacturing, Artisan” means the shared or individual production of goods by the use of hand tools or small-scale, light mechanical equipment, and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods, food and bakery products; alcoholic and non-alcoholic beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

“mini-home” means a dwelling, other than a manufactured dwelling or mobile home, fabricated in an off-site manufacturing facility for installation or assembly at the building site, is provided with a CSA approved stamp and number and/or meeting the requirements of the National Building Code of Canada.

“service station” means a building or space where gasoline, oil, grease, anti-freeze, tires and accessories for motor vehicles are stored or kept for sale and where minor repairs of motor vehicles are performed;

“sign” means any display of advertisement, placard, boarding, bill board or other form or means or device whatsoever of public notice or announcement, whether erected, pasted or painted, and any such form or means or device intended, suitable or adaptable for such purpose whether or not it is at the time used for such purpose;

“storey” means;

- i. that portion of a building between the surface of any floor and surface of the floor next above it or, if there is no floor above it, then the space between such floor and the ceiling next above it, or
- ii. a basement or cellar, if the average vertical distance from grade to the ceiling thereof is over 1.5 m (5 ft.) or such basement or cellar is used for business purposes or for dwelling purposes by other than a janitor (whether including his family or not);

“street line” means the common line between a street and lot;

“structure” means an erection other than a building or a power or telephone pole or lines;

“use” means the purpose for which land or a building or structure, or any combination thereof; is designated, arranged, erected, intended, occupied, or maintained;

“use, accessory” means a use, other than human habitation, of land or a building or structure which is naturally or customarily incidental and complementary to the main use of the land, building or structure, which is located on the same lot as the main use and which is not a secondary use;

“use, secondary” means a use, other than a main use permitted in a dwelling;

“width: means, in relation to a lot,

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

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

“yard, front” means, in relation to a main building, structure or use on a lot, that part of the lot between such building, structure or use and the street line at the front of the lot;

“yard, rear” means, in relation to any building, between such building, structure or use and the rear lot line; and

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

## **4.2 Scope**

- (1) This By-law,
  - (a) divides the Village into Zones;
  - (b) prescribes, subject to powers reserved in the Advisory Committee,
    - i. the purpose 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;
  - (c) prohibits the use, placement, erection or alteration of land, buildings or structure other than in conformity with purposes and standards mentioned in Subsection 4.2(1)(b).

## **4.3 Administration**

### **4.3.1 Powers of Council**

- (1) No building may be erected in the Village in respect of which, in the opinion of Council, satisfactory arrangements have not been made for the supply of electric power, water, sewerage, streets or other services or facilities.
- (2) When, in its opinion, a building or structure is dilapidated, dangerous or unsightly, Council may
  - (a) require the improvement, removal or demolition of such building or structure at the expense of the owner thereof, or
  - (b) acquire the parcel of land on which such building or structure is located.
- (3) Subject to Subsection 4.3.1 (5), within any Zone mentioned herein, Council

may

- (a) designate land to be used for the location or erection of any installation for the supply of electricity, water, sanitary and storm sewerage, or the treatment or disposal of sewerage wastes; and
  - (b) use land designated under Subsection 4.3.1(3)(a) for a purpose therein mentioned.
- (4) Notwithstanding any other provision of this By-law, Council may, in its discretion, allow a developer of a building or structure to pay to the Village the sum of \$200.00 per parking space in lieu of providing the off-street parking spaces otherwise required hereunder.
- (5) No land may be designated or used for the purposes of Subsection (3) unless, in the opinion of Council,
- (a) such land is essential to the operation of the service concerned; and
  - (b) any development therein in an R Zone is adequately screened from public view.

#### **4.3.2 Special Powers of the Advisory Committee**

- (1) No building or structure may be erected on any site where it would otherwise be permitted under this By-law, when in the opinion of the Advisory Committee, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.
- (2) The Advisory Committee may, subject to such terms and conditions as it considers fit,
- (a) authorize, for a temporary period not exceeding one year, a development otherwise prohibited by this By-law; and
  - (b) require the termination or removal of a development authorized under Subsection 4.3.2(2)(a) at end of the authorized period.

#### **4.3.3 Amendments**

- (1) A person who seeks to have this By-law amended shall;
- (a) address a written and signed application in duplicate therefore to Council or the Advisory Committee; and
  - (b) pay a fee of \$400.00 to Council.
- (2) Council may, if it deems fit, return all or part of the fee mentioned in Subsection 4.3.3(1).

- (3) An application under this Section shall include such information as may be required by Council or the Advisory Committee for the purpose of adequately assessing the desirability of the proposal.
- (4) Council may refuse to consider an application under this Section if such application;
  - (a) seeks to re-Zone an area of land from one type of zoning to another;  
and
  - (b) has not been signed by the owner or owners of each property sought to be re-Zoned.
- (5) Before giving its views to Council with respect to an application under this Section, the Advisory Committee may carry out such investigation as it deems necessary.
- (6) Unless, upon the advice of the Advisory Committee, Council is of the opinion there is valid new evidence or change in conditions, where an application under this Section had been refused by Council, no further application may be considered by Council for one year if such application;
  - (a) in the case of re-zoning, is in respect of the same area of land with which the original application was concerned; or
  - (b) not being in relation to re-zoning is similar to the original application.

## 5.0 ZONES

### 5.1 Classification

(1) For the purposes of this By-law, the Village is divided into Zones delineated on the plan attached as Schedule "A", entitled "Village of McAdam Zoning Map" and dated August, 2019 .

(2) The Zones mentioned in Subsection 5.1(1) are classified and referred to as follows:

|     |                                   |       |        |
|-----|-----------------------------------|-------|--------|
| (a) | single and two-family residential | R1    | Zones; |
| (b) | rural or green belt               | G     | Zones; |
| (c) | multiple residential              | R3    | Zones; |
| (d) | mini-home residential             | RMH   | Zones; |
| (d) | community commercial              | C1    | Zones; |
| (e) | artisan manufacturing             | C2    | Zones; |
| (f) | business/industrial park          | I     | Zones; |
| (h) | institutional                     | Inst. | Zones; |
| (i) | railway                           | Rly   | Zones; |
| (j) | park or open space                | P     | Zones; |
| (k) | warehousing                       | W     | Zones; |
| (l) | integrated development            | ID    | Zones; |

Collectively

(A) R1, R3, and RMH Zones are referred to as R Zones

(B) C1 and C2 Zones are referred to as C Zones

(3) In any Zone, all land shall be used, and all buildings or structures, or parts thereof, shall be place, erected, altered or used, only in conformity with the requirements of, except as otherwise provided, the part of this By-law pertaining to such Zone.

## 5.2 R1 ZONE Single and Two-Family Residential

### 5.2.1 Permitted Uses

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

- (a) one of the following main uses
  - i. a single-family dwelling
  - ii. a two-family dwelling
  - iii. a day nursery,
  - iv. a park or playground,
  - v. a school, or
  - vi. a small corner store, provided it is situated one half mile from any other store, and the floor area does not exceed 92.9 sq. m. (1000 sq. ft.), and
  - vii. a mini-home, subject to Subsection 5.14.10, except where the lot has access and shares an abutting property line with the following public right of ways:
    - A. that portion of Route 4 north of the intersection of Farm Road to that portion west of the NB Southern railway crossing;
    - B. Georgia Pacific Drive;
    - C. Foster Court;
    - D. Wauklehegan Court;
    - E. St. Croix Street; and,
    - F. Modsley Court.
- (b) one of the following main uses subject to terms and conditions:
  - i. a private garage
- (c) one or more of the following secondary uses:
  - i. a boarding or rooming house or tourist home, or
  - ii. subject to Subsection 5.14.4, a home occupation; and
- (d) any accessory building, structure or use incidental to the main or secondary use of the land, building of structure if such main or

secondary use is permitted by this Section.

### 5.2.3 Lot Sizes

- (1) No building or structure may be placed, erected or altered on a lot unless the lot has and contains
  - (a) for single-family dwelling served with municipal water and sewer,
    - i. a width of at least 18.3 m. (60 ft.),
    - ii. a depth of at least 30.5 m. (100 ft.), and
    - iii. an area of at least 557.4 sq. m. (6,000 sq. ft.).
  - (b) for single-family dwelling served with municipal sewer only,
    - i. a width of at least 22.9 m. (75 ft.),
    - ii. a depth of at least 30.5 m. (100 ft.), and
    - iii. an area of at least 696.8 sq. m. (7,500 sq. ft.).
  - (c) for two-family dwellings,
    - i. a width of at least 27.4 m. (90 ft.),
    - ii. a depth of at least 30.5 m. (100 ft.), and
    - iii. an area of at least 836.1 sq. m. (9,000 sq. ft.).

### 5.2.4 Size of Dwellings

- (1) No single-family dwelling may be placed, erected or altered so that it has a ground floor area less than
  - (a) 74.3 sq. m. (800 sq. ft.), in the case of a one-storey dwelling;
  - (b) 65 sq. m. (700 sq. ft.), in the case of a one and one-half storey dwelling;  
or
  - (c) 55.7 sq. m. (600 sq. ft.), in the case of a two-storey dwelling.
- (2) No single-family dwelling may be placed or erected or altered to become a two-family dwelling has a ground floor area of not less than,
  - (a) 65 sq. m. (700 sq. ft.), in the case of a one-storey dwelling
  - (b) 55.7 sq. m. (600 sq. ft.), in the case of a one and one-half storey or two-

storey unit.

- (3) For the purposes of this Section, ground floor area does not include garages, carports, porches, verandas, breezeways, approach halls or, except for those completely contained in a dwelling unit, stairways.

#### **5.2.5 Yards for a Main Building or Structure**

- (1) Subject to Subsection 5.14.2, no main building, structure or mini-home may be placed, erected or altered so that it is
  - (a) within 7.6 m. (25 ft.) of a street line;
  - (b) within 1.8 m. (6 ft.) of a side lot line; or
  - (c) within 7.6 m. (25 ft.) of a rear lot line.
- (2) A public utility shall not be located so that any part of it is closer to the street line than the building line of neighbouring houses, plus 7.6 m. (25 ft.).

#### **5.2.6 Height of a Main Building or Structure**

- (1) No main building or structure may exceed 8.5 m. (28 ft.) in height.

#### **5.2.7 Accessory Buildings and Structures**

- (1) No accessory building or structure may
  - (a) exceed 6.4 m. (21 ft.) in height; or
  - (b) be placed, erected or altered so that it is within
    - i. the front yard of the main building or structure, or
    - ii. 1.5 m. (5 ft.) of a side lot or rear lot line.

#### **5.2.8 Lot Occupancy**

- (1) Buildings and structures on a lot shall not occupy more than 30 per cent of the area of the lot.

#### **5.2.9 Landscaping**

- (1) Subject to this Section, the owner of a lot developed for residential

purposes shall landscape

- (a) the front yard of the main building; and
  - (b) that part of the lot within 1.5 m. (5 ft.) of any building thereon.
- (2) The content of landscaping required under Subsection 5.2.9(1) is a minimum of lawn and ornamental shrubs; and
  - (a) may include paths, patios, walkways and trees.
- (3) Notwithstanding Subsection 5.2.9(1), the front yard mentioned therein may be used to a reasonable degree for the purpose of walks and driveways for access to the main building or other use on the lot.

### **5.3 R3 ZONES MULTIPLE RESIDENTIAL**

#### **5.3.1 Permitted Uses**

- (1) Any land, building or structure may be used for the purpose of, and for no other purpose than,
  - (a) a multiple dwelling, as a main use, and a building, structure or use incidental and accessory thereto.

#### **5.3.2 Lot Sizes for a Multiple Dwelling**

- (1) No multiple dwelling may be placed, erected or altered on a lot unless the lot is serviced by municipal sewer system and has and contains
  - (a) a width of at least 30.5 m. (100 ft.), plus 3 m. (10 ft.) for each dwelling unity therein in excess of two;
  - (b) a depth of at least 30.5 m. (100 ft.); and
  - (c) an area of at least 929 sq. m. (10,000 sq. ft.) plus 116.1 sq. m. (1,250 sq. ft.) for each dwelling unit therein in excess of two.
- (2) Where a lot mentioned in Subsection 5.3.2(1) contains a terrace dwelling, or is intended for such purpose, it may be subdivided under the subdivision By-law if each lot created thereby has and contains, provided the outside lots also incorporate the required side yards,
  - (a) a width of at least 6.1 m. (20 ft.),
  - (b) a depth of at least 30.5 m. (100 ft.); and
  - (c) an area of at least 185.8 sq. m. (2,000 sq. ft.).

### **5.3.3 Size of Dwelling Units in a Multiple Dwelling**

- (1) Subject to Subsection 5.3.3(2), no multiple dwelling may be placed, erected or altered so that it contains a dwelling unit with a floor area less than 65 sq. m. (700 sq. ft.).
- (2) a multiple dwelling may contain one dwelling unit with a floor area less than mentioned in Subsection 5.3.3(1), if such unit contains at least
  - (a) 32.5 sq. m. (350 sq. ft.), in the case of a bachelor apartment;
  - (b) 41.8 sq. m. (450 sq. ft.), in the case of a one-bedroom dwelling unit; or
  - (c) 58 sq. m. (625 sq. ft.), in the case of a two-bedroom dwelling unit.
- (3) For the purposes of this Section, floor area does not include garages, carports, porches, verandas, breezeways, approach halls or, except for those completely contained in a dwelling unit, stairways.
- (4) A dwelling unit in a terrace dwelling shall not be less than 6.1 m. (20 ft.) in width.

### **5.3.4 Yards for a Multiple Dwelling**

- (1) The provisions of Subsection 5.2.5 with respect to yards for a main building or structure apply *mutatis mutandis* to a multiple dwelling under this Part.

### **5.3.5 Height of a Multiple Dwelling**

- (1) A multiple dwelling shall not exceed 12.2 m. (40 ft.) in height.

### **5.3.6 Buildings and Structures Accessory to a Multiple Dwelling**

- (1) The provisions of Subsection 5.2.7 with respect to accessory buildings and structures apply.

### **5.3.7 Lot Occupancy**

- (1) Where a multiple dwelling is the main use of a lot, buildings and structures thereon shall not occupy more than 50 per cent of the area thereof.

### **5.3.8 Landscaping**

- (1) The provisions of Subsection 5.2.9 with respect to landscaping apply.

## **5.4 MINI HOME RESIDENTIAL ZONE ( RMH)**

### **5.4.1 Permitted Uses**

- (1) Any land, building or structure may be used for the purposes of and for no other purpose than,
  - (a) one of the following main uses:
    - i. mini-home park
    - ii. mini-home site; and
    - iii. trails, a playground or ballfield.
  - (b) one of the following secondary uses:
    - i. home-based business in a single-family or two-family dwelling, in accordance with Subsection 5.14.4
  - (c) an accessory building, structure or use secondary to the main use.

### **5.4.2 General Provisions**

- (1) Any building or structure shall not be used for a purpose mentioned in Subsection 5.4.1 unless such land, building or structure is serviced by public water supply and sewage collection systems.

### **5.4.3 Lot Sizes**

- (1) No mini-home may be located on a mini-home site unless such site has and contains:
  - (a) a width of at least 15.2 m. (50 ft.);
  - (b) a depth of at least 30.5 m. (100 ft.); and
  - (c) an area of at least 464.5 sq. m. (5000 sq. ft.).

### **5.4.4 Size of Dwellings and Dwelling Units**

- (1) No mini-home may be located on a mini-home site unless such dwelling unit has a gross floor area of at least 46 sq. m. (495 sq. ft.).

### **5.4.5 Location of Main Buildings and Structures**

- (1) No mini-home may be located on a mini-home site so that it is within
  - (a) 7.6 m. (25 ft.) of the boundary of a street; and

(b) 1.5 m. (5 ft.) of a property line other than a street boundary.

**5.4.6 Height of Main Buildings and Structures**

(1) No main building or structure may exceed 6.1 m. (20 ft.) in height.

**5.4.7 Accessory Buildings and Structures**

(1) The provisions of Subsection 5.2.7 apply to accessory buildings and structures.

**5.4.8 Landscaping**

(1) The provisions of Subsection 5.2.9 shall apply with respect to landscaping.

## **5.5 G ZONES RURAL OR GREEN BELT**

### **5.5.1 Permitted Uses**

- (1) Any land, building or structure may be used for the purposes of, and for no other purpose than,
  - (a) one of the following main uses
    - i. a single-family dwelling,
    - ii. a summer cottage,
    - iii. a woodlot,
    - iv. a farm, including the raising of livestock and the growth of farm and forest produce,
    - v. a municipal installation or use, or
    - vi. a campground;
  - (b) any accessory building, structure or use incidental to the main or secondary use of the land, building or structure if such main or secondary use is permitted by this Section.
  - (c) The following main use subject to terms and conditions, and Subsection 5.14.10:
    - i. a mini-home.

### **5.5.2 Lot Sizes**

- (1) No single or two-family dwelling may be placed, erected or altered on a lot unless the lot has and contains
  - (a) a width of at least 54.9 m. (180 ft.);
  - (b) a depth of at least 45.7 m. (150 ft.);
  - (c) an area of at least 4,046.9 sq. m. (43,560 sq. ft.).

### **5.5.3 Size of Dwellings and Dwelling Units**

- (1) The provisions of Subsection 5.2.4 with respect to size of dwellings apply.
- (2) No summer cottage may be placed, erected or altered so that it has a ground floor area of less than 44.6 sq. m. (480 sq. ft.).

#### **5.5.4 Yards for a Main Building or Structure**

- (1) The provisions of Subsection 5.2.5 with respect to yards for a main building or structure apply.

#### **5.5.5 Height of a Main Building or Structure**

- (1) The provisions of Subsection 5.2.6 with respect to height for a main building or structure apply.

#### **5.5.6 Accessory Buildings and Structures**

- (1) No accessory building or structure may exceed 15.2 m. (50 ft.) in height.

#### **5.5.7 Lot Occupancy**

- (1) Buildings and structures on a lot shall not occupy more than 25 per cent of the area of the lot.

#### **5.5.8 Landscaping**

- (1) The provisions of Subsection 5.2.9 with respect to landscaping apply.

## 5.6 C1 ZONES COMMUNITY COMMERCIAL

### 5.6.1 Permitted Uses

- (1) Any land, building or structure may be used for the purposes of, and for no other purpose than,
  - (a) one or more of the following main uses:
    - i. an automobile salesroom or sales lot,
    - ii. a bank or other financial institution,
    - iii. a hotel or motel,
    - iv. a municipal or government building,
    - v. a museum or library,
    - vi. an office or office building,
    - vii. a retail store or service shop, or
    - viii. a service station or public garage; and
  - (b) one or more of the following secondary uses:
    - i. a dwelling, or
    - ii. a rooming or boarding house; and
  - (c) any accessory building, structure or use incidental to the main or secondary use of the land, building or structure if such main or secondary use is permitted by this Subsection.
- (2) The following main or secondary uses of land or buildings are permitted only if approved by the Advisory Committee and only on compliance with such terms and conditions as may be imposed by such Committee:
  - (a) a bus or other public transportation terminal;
  - (b) a laundry, bakery, dairy, printing establishment or a cleaning or dyeing establishment;
  - (c) a place of amusement or entertainment;
  - (d) a building, structure or use customarily incidental and accessory to a use mentioned in this Subsection.
- (3) Except for gasoline pumps at a service station or public garage, or for a parking lot or automobile sales lot, no use permitted under this Section may be established or conducted other than in a completely enclosed building.

- (4) A secondary use mentioned in Subsection 5.6.1(1)(b)(i) shall not be located below the second storey of a building.

#### **5.6.2 Lot Sizes**

- (1) The provisions of Subsection 5.5.2 with respect to lot sizes for single-family dwellings apply to lot sizes for commercial uses under this Part.

#### **5.6.3 Size of a Main Building**

- (1) No main building may be placed, erected or altered so that it has a ground floor area less than 55.7 sq. m. (600 sq. ft.).

#### **5.6.4 Size of Dwelling Units**

- (1) The provisions of Subsections 5.3.3(1), 5.3.3(2), and 5.3.3(3) with respect to size of dwelling units apply.

#### **5.6.5 Yards for a Main Building or Structure**

- (1) The provisions of Subsection 5.2.5 with respect to yards for a main building or structure apply to free standing buildings.
- (2) Buildings may be joined with a common or party wall and side yards therefore are not required provided that the party wall is constructed as a fore wall.

#### **5.6.6 Height of a Main Building or Structure**

- (1) No main building or structure may exceed 12.2 m. (40 ft.) in height.

#### **5.6.7 Accessory Buildings and Structures**

- (1) The provisions of Subsection 5.2.7 with respect to accessory buildings and structures apply.

## 5.7 C2 ZONES ARTISAN MANUFACTURING

### 5.7.1 Permitted Uses

- (1) Any land, building or structure may be used for the purposes of, and for no other purpose than,
  - (a) one or more of the following main uses:
    - i. an automobile salesroom or sales lot,
    - ii. a bank or other financial institution,
    - iii. a hotel or motel,
    - iv. a municipal or government building,
    - v. a museum or library,
    - vi. an office or office building,
    - vii. a retail store or service shop, or
    - viii. a service station or public garage;
    - ix. an artisan manufacturing use; and
  - (b) one or more of the following secondary uses:
    - i. a dwelling, or
    - ii. a rooming or boarding house; and
  - (c) any accessory building, structure or use incidental to the main or secondary use of the land, building or structure if such main or secondary use is permitted by this Subsection.
- (5) The following main or secondary uses of land or buildings are permitted only if approved by the Advisory Committee and only on compliance with such terms and conditions as may be imposed by such Committee:
  - (a) a bus or other public transportation terminal;
  - (b) a laundry, bakery, dairy, printing establishment or a cleaning or dyeing establishment;
  - (c) a place of amusement or entertainment;
  - (d) a building, structure or use customarily incidental and accessory to a use mentioned in this Subsection.
- (6) Except for gasoline pumps at a service station or public garage, or for a parking lot or automobile sales lot, no use permitted under this Section may

be established or conducted other than in a completely enclosed building.

- (7) A secondary use mentioned in Subsection 5.7.1(b)(1) shall not be located below the second storey of a building.

#### **5.7.2 Lot Sizes**

- (1) The provisions of Subsection 5.5.2 with respect to lot sizes for single-family dwellings apply to lot sizes for artisan manufacturing uses under this Part.

#### **5.7.3 Size of a Main Building**

- (1) No main building may be placed, erected or altered so that it has a ground floor area less than 55.7 sq. m. (600 sq. ft.).

#### **5.7.4 Size of Dwelling Units**

- (1) The provisions of Subsections 5.3.3(1), 5.3.3(2), and 5.3.3(3) with respect to size of dwelling units apply.

#### **5.7.5 Yards for a Main Building or Structure**

- (1) The provisions of Subsection 5.2.5 with respect to yards for a main building or structure apply to free standing buildings.
- (2) Buildings may be joined with a common or party wall and side yards therefore are not required provided that the party wall is constructed as a fore wall.

#### **5.7.6 Height of a Main Building or Structure**

- (1) No main building or structure may exceed 12.2 m. (40 ft.) in height.

#### **5.7.6 Accessory Buildings and Structures**

- (1) The provisions of Subsection 5.2.7 with respect to accessory buildings and structures apply.

## **5.8 I ZONES INDUSTRIAL**

### **5.8.1 Permitted Uses**

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

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

- i. a manufacturing industry
- ii. a service industry,
- iii. a storage plant, including plant for bulk oil storage,
- iv. a warehouse, and
- v. an accessory building, structure or use incidental to the use of the main building.

### **5.8.2 Yards for a Main Building or Structure**

(1) The provisions of Subsection 5.2.5 with respect to yards for a main building or structure apply.

### **5.8.3 Height of Main Building or Structure**

(1) No main building or structure may exceed 18.3 m. (60 ft.) in height unless approval has been obtained from Council.

### **5.8.4 Accessory Building and Structures**

(1) No accessory building or structure may exceed 12.2 m. (40 ft.) in height unless approval has been obtained from Council. Height of buildings, in Subsections 5.8.3 and 5.8.4 which have been approved by Council, such height, shall not be exceeded unless the extra height has additional Council approval.

## **5.9 INST. ZONES INSTITUTIONAL**

### **5.9.1 Permitted Uses**

- (1) Any land, building or structure may be used for the purposes of, and for no other purpose than,
  - (a) one or more of the following main uses:
    - i. a school,
    - ii. a church, church hall or church building,
    - iii. a hospital or health building,
    - iv. a community institution or recreational club,
    - v. a municipal or governmental building; and
  - (b) any accessory building, structure or use incidental to the main use of the land, building or structure if such main use is permitted by this Section.

### **5.9.2 Height of Buildings**

- (1) Subject to Subsection 5.9.2(2), no building may exceed 15.2 m. (50 ft.) in height.
- (2) a religious institution building may not exceed in height
  - (a) for the main portion, 18.3 m. (60 ft.); and
  - (b) for spires, belfries, or other subsiding features, a distance equal to twice the height of the main portion of the building.

### **5.9.3 Setback**

- (1) No building or structure may be placed, erected or altered so that such building or structure is closer to a street line than 9.1 m. (30 ft.).
- (2) No building or structure may be placed, erected or altered so that such building or structure is closer to a side lot line than 6.1 m. (20 ft.), or a rear lot line than 9.1 m. (30 ft.).

## **5.10 RLY ZONES RAILWAY ZONE**

### **5.10.1 Permitted Uses**

- (1) No land, building or structure, or any part thereof, may be used for purposes other than railway and accessory uses.

## **5.11 P ZONES PARK OR OPEN SPACE**

### **5.11.1 Permitted Uses**

- (1) Any land, building or structure may be used for the purposes of, and for no other purpose,
  - (a) one or more of the following main uses:
    - i. public open space for the aesthetic or other use of the general public, or
    - ii. a park or playground; and
  - (b) subject to Subsection 5.11.1(2), any accessory building, structure or use incidental to the main use of the land, building or structure if such main use is permitted by this Section.
- (2) A use permitted under Subsection 5.11.1(1)(b) is permitted only if approved by the Advisory Committee and only on compliance with such terms and conditions as may be imposed by such committee.

## **5.12 W ZONES WAREHOUSING**

### **5.12.1 Permitted Uses**

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

(a) one of the following main uses:

- i. storage in connection with a transport industry;
- ii. a storage plant, not including plant for bulk petroleum storage;
- iii. a trailer or truck depot; or
- iv. a warehouse

### **5.12.2 Standards**

(1) No building or structure may

(a) be placed, erected or altered so that such building or structure is closer

- i. to a street line than 9.1 m. (30 ft.),
- ii. to a side lot line than 4.6 m. (15 ft.),
- iii. to a rear lot line than 6.1 m. (20 ft.), or
- iv. be over 12.2 m. (40 ft.) in height

### 5.13 ID ZONES INTEGRATED DEVELOPMENT

- (1) An integrated development shall be carried out, subject to such terms and conditions which comply with Section 59 of the *Community Planning Act*.

## **5.14 GENERAL PROVISIONS**

### **5.14.1 Number of Main Buildings or Structures on a Lot**

- (1) Except as herein provided, no more than one main building or structure may be placed or erected, and no building or structure may be placed or erected, and no building or structure may be altered to become a second main building or structure, on a lot.

### **5.14.2 Building and Structure Projections**

- (1) The requirements of this By-law with respect to placing, erecting or altering a building or structure in relation to a lot line or street line apply to all parts of the building or structure except for projections which do not protrude into required yards in excess of
  - (a) 15.2 cm. (6 inches), for sills, leaders, belt courses or similar ornamental features;
  - (b) 45.7 cm. (18 inches), for chimneys, smoke stacks or flues;
  - (c) 61 cm. (24 inches), for cornices or eaves;
  - (d) 101.6 cm. (40 inches), for window or door awnings, or open or lattice-enclosed fore balconies or fire escapes; or
  - (e) subject to Subsection 5.14.2(2),
    - i. 1.2 m. (4 ft.), for steps or unenclosed porches, or
    - ii. 1.8 m. (6 ft.), for balconies of upper storeys of multiple dwellings which are not enclosed above a normal height.
  - (f) air conditioning or heat pump units may project up to 0.6 m. (2 ft.) into a required side yard;
- (2) Projections mentioned in Subsection 5.14.2(1)(e) may not extend into a required side yard to a greater extent than one-half the required width of the yard.

### **5.14.3 Parking Requirements**

- (1) Subject to this Section, no building or structure may be placed, erected, altered or used unless vehicular off-street parking spaces are provided in accordance with the requirement of this Section.
- (2) Off-street vehicular parking spaces mentioned in Subsection 5.14.3(1) shall be provided on the following basis:
  - (a) for dwelling units, not less than one space for each dwelling unit;

- (b) for a church or church hall, not less than one space for every 10 fixed seats, or not less than one space for each 9.3 sq. m. (100 sq. ft.) of gross floor area, whichever is the greater;
- (c) for retail stores and service shops, not less than one space for every 13.9 sq. m. (150 sq. ft.) of retail sales floor space; or
- (d) for schools, not less than one space for every classroom and, where an auditorium or place of assemble is included therein, an additional space for every 9.3 sq. m. (100 sq. ft.) of auditorium or assembly area.

(3) A parking space shall be

- (a) an area of not less than 6.1 m. (20 ft.) in length and not less than 3 m. (10 ft.) in width;
- (b) readily accessible from the nearest street; and
- (c) not more than 152.4 m. (500 ft.) from the building which it serves.

#### 5.14.4 Home Occupations

(1) Subject to Subsection 5.14.4(2), where a home occupation is permitted under this By-law, one of the following occupations may be conducted as a home occupation in the main dwelling:

- (a) an occupation as a doctor, dentist, architect, artist, designer, accountant, lawyer or professional engineer in an office or studio therein;
- (b) an insurance salesman;
- (c) dressmaking;
- (d) a day nursery or kindergarten;
- (e) the teaching of dancing or music to not more than 4 students at a time; or
- (f) a barber shop or beauty parlour.

(2) A home occupation is subject to the requirements that

- (a) not more than one person is engaged therein in addition to members of the family resident in the dwelling unit in which it is located;
- (b) it is confined to the dwelling unit mentioned in Subsection 5.14.4(2)(a), and no part of it is located in an accessory building or structure;
- (c) the floor area of the dwelling unit which is devoted to it does not exceed the greater of

- (i) 20 percent of the floor area of the dwelling unit, or
- (ii) 27.9 sq. m. (300 sq. ft.);
- (d) no change, except for a sign permitted under Subsection 5.14.6(2), is made in the outside appearance of the building which would indicate that a home occupation is being conducted therein;
- (e) no goods or services other than those directly pertaining to the home occupation are supplied or sold therein or therefrom;
- (f) no equipment or material used therein is stored other than in dwelling unit mentioned in Subsection 5.14.4(a);
- (g) two off-street parking spaces are provided in excess of those required under Subsection 5.14.3.

#### **5.14.5 Stripping of Top Soil**

- (1) Subject to this Section, no person may strip, excavate or otherwise remove top soil for sale or for use from a lot or other parcel of land.
- (2) Where, in connection with the construction of a building or structure, there is an excess of top soil other than that required for grading and landscaping on the lot, such excess may be removed for sale or for use.
- (3) Notwithstanding Subsection 5.14.5(1), the farming of sod may be carried on where the owner of the land has entered into an agreement with Council making arrangements satisfactory to Council for the rehabilitation of the land.

#### **5.14.6 Signs**

- (1) Other than a traffic control device as defined by the *Motor Vehicle Act*, a legal notice or a store window sign advertising goods for sale therein, the placing, erecting or displaying of a sign not expressly permitted by this Section is permitted only if approved by the Advisory Committee and only on compliance with such terms and conditions as may be imposed by such committee.
- (2) Subject to Subsection 5.14.6(3), in any Zone, a non-illuminated sign may be placed, erected or displayed on any land, building or structure if such sign
  - (a) advertises the sale, rental or lease of such land, building or structure;
  - (b) identifies by name the property or the residents thereof;
  - (c) indicates a home occupation permitted hereunder; or
  - (d) warns against trespass.

(3) Unless otherwise provided by this Section, a sign mentioned in Subsection 5.14.6(2) shall not exceed

- (a) in number, one for each purpose mentioned therein; or
- (b) in size,
  - i. 0.6 sq. m. (6 sq. ft.), for a sign mentioned in Subsection 5.14.6(3)(a) thereof, or
  - ii. 0.2 sq. m. (2 sq. ft.), for a sign mentioned in Subsections 5.14.6(2)(b), 5.14.6(2)(c) or 5.14.6(2)(d) thereof.

(4) In a C Zone or I Zone, the following signs may be placed, erected or displayed:

- (a) a sign placed flat against the front of a building indicating the ownership or nature of the business carried on therein, provided the gross surface area of such sign does not exceed
  - i. 5.6 sq. m. (60 sq. ft.), in the case of a non-illuminated sign, or
  - ii. 2.8 sq. m. (30 sq. ft.), in the case of an illuminated sign; or
- (b) a free-standing sign not exceeding 3.7 sq. m. (40 sq. ft.) in gross surface area, in the case of a service station.

(5) In a G Zone the following signs may be placed, erected or displayed:

- (a) one sign not exceed 3.7 sq. m. (40 sq. ft.) in gross surface area indicating the name of a farm; and
- (b) one sign not exceeding 1.7 sq. m. (18 sq. ft.) in gross surface area indicating the sale or rental of the property on which it is placed.

(6) No sign may

- (a) be an imitation of a traffic control device or contain the words "stop", "go", "go slow", "caution", "danger", "warning" or similar words;
- (b) have a size, location, movement, content colouring or manner of illumination which may be confused with, construed as, or tend to hide from view any traffic control device; or
- (c) advertise an activity, business, product or service no longer conducted on the premises on which the sign is located.

#### **5.14.7 Fences**

(1) Notwithstanding any other provision of this By-law, subject to this Section, of fence may be placed or located in a yard.

(2) No fence in a required front yard may exceed 0.8 m. (2.5 ft.) in height.

(3) Subject to Subsection 5.14.7(2), no fence may exceed a height of

- (a) 1.2 m. (4 ft.), in a R Zone; or
- (b) 1.8 m. (6 ft.), in a Zone other than an R Zone.

#### **5.14.8 Line of Vision at an Intersection**

(1) No building, structure, fence, shrub or tree foliage may obstruct the line of vision at a street intersection between the heights of 0.9 m. (3 ft.) and 3 m. (10 ft.) above the grade of the streets within an area bounded by the center lines thereof and a line joining a point on each center line 24.4 m. (80 ft.) from their intersection.

#### **5.14.9 Lighting Facilities and Illuminating Devices**

(1) No lighting facilities or illuminating device for any purpose may be arranged in such manner as to cause a nuisance.

#### **5.14.10 Mini-Homes**

- (1) A mini-home situated upon a lot must be on a concrete foundation below the frost line or an engineered slab and anchored and skirted to the satisfaction of the Development Officer; All foundation or slab work shall conform to the National Building Code of Canada, as defined by the Metric Conversion Act.
- (2) A mini-home situated upon a lot must conform to the setback requirements of Subsection 5.2.5(1) of this By-law.
- (3) A mini-home must be placed, erected or altered, in accordance with the following:
  - i. the longest side of the mini-home shall be parallel to the front lot line; or,
  - ii. where the mini-home is proposed to not be in conformity with Section 5.14.10 (3)(i.), it is subject to terms and conditions as established by the Advisory Committee.
- (4) the mini-home shall have at least been manufactured in:
  - i. the previous ten years; or,
  - ii. where the mini-home is proposed to not be in conformity with Section 5.14.10 (4)(i.), it is subject to terms and conditions as established by the Advisory Committee.
- (5) Notwithstanding Subsections 5.14.10(1), 5.14.10(2), and 5.14.10(3), a mini-home may be approved for location in the Residential Mini-Home (RMH) Zone in conformance with that Zone's standards.

### **6.0 Consolidation**

(1) This By-law consolidated as of xxxx, 2019.

SCHEDULE "A"

Village of McAdam Zoning Map

