



## **St-Pierre-Jolys Zoning By-law**

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January 2022

**By-Law No. 2021-11**



## St-Pierre-Jolys Zoning By-law No. 2021-11

A by-law of the Village of St-Pierre-Jolys to regulate the use and development of land within the Planning Area of the Village.

WHEREAS, Section 68 of The Planning Act requires a Council adopt a Zoning By-law that applies to the municipality and that is generally consistent with the development plan by-law and any secondary plan by-law in effect.

NOW THEREFORE BE IT RESOLVED THAT the Village of St-Pierre-Jolys Council in meeting duly assembled, enacts as follows:

1. The Zoning By-law attached in Schedules A, B and C is hereby adopted.
2. The By-law shall be known as the St-Pierre-Jolys Zoning By-law No. 2021-11.
3. By-law No. 2010-6 for the Village of St-Pierre-Jolys: as amended, are repealed.
4. This By-law shall come into force on [this date].

DONE AND PASSED by the Village of St-Pierre-Jolys Council duly assembled at the [Name of Location] in the Province of Manitoba, this [Date] of [Month], [Year].

Signature(s)

READ A FIRST TIME this fourteenth day of July, 2021.

READ A SECOND TIME this fifteenth day of September, 2021.

READ A THIRD TIME this [Date] day of [Month], [Year].



# Table of Contents

## Schedule A: Zoning By-law

<b>1</b>	<b>Scope and Applicability</b> .....	<b>1</b>
1.1	Title .....	1
1.2	Scope .....	1
1.3	Application .....	1
1.4	Compliance .....	1
1.5	Transition from Previous By-law .....	2
1.5.1	Zoning By-Law Transitions .....	2
<b>2</b>	<b>Zoning Regulations: Effecting Site Areas, and Governing Land-Uses</b> .....	<b>4</b>
2.1	<b>Access and Frontage</b> .....	<b>4</b>
2.1.1	Public Right-Of-Way .....	4
2.1.2	Land Locked Parcels Permitted .....	4
2.1.3	Future Public Roads .....	5
2.1.4	Access to Provincial Highways .....	5
2.2	<b>Water and Wastewater Infrastructure Connections</b> .....	<b>5</b>
2.3	<b>Moving and Demolition Structures</b> .....	<b>5</b>
2.4	<b>Excavation, Stripping, and Grading</b> .....	<b>5</b>
2.5	<b>Lands Subject to Flooding</b> .....	<b>6</b>
2.6	<b>Lands Subject to Erosion or Bank Instability</b> .....	<b>6</b>
2.7	<b>Setbacks</b> .....	<b>7</b>
2.7.1	Setbacks along Water Bodies .....	9
2.7.2	Setbacks from Provincial Trunk Highways and Roads .....	9
2.7.3	Setbacks from Public Services .....	9
2.7.4	Setbacks Reduced by Subdivision .....	9
2.7.5	Setbacks for Planned Unit Developments (PUD) and Consolidated Lots .....	9
2.7.6	Setbacks for Infill Dwellings .....	9
2.7.7	Setbacks for Corner Lots .....	10
2.7.8	Setbacks for Reverse Corner Lots .....	10
2.7.9	Setbacks Corner Lot Sight Triangle Area .....	11
2.7.10	Setbacks for Through Lots .....	12
2.7.11	Setbacks for Flag Lots .....	12
2.7.12	Setbacks for Commercial or Industrial near Residential Land-Uses .....	13
2.8	<b>Permitted Projections into Setbacks</b> .....	<b>14</b>
2.9	<b>Permitted Projections Above the Height Limit</b> .....	<b>17</b>
2.10	<b>Temporary Buildings, Structures, and Uses</b> .....	<b>17</b>
2.10.1	Temporary Buildings Use Specific Standards .....	18
2.10.2	Permit Required for Temporary Buildings and Uses .....	18
2.10.3	Permit Exemptions for Temporary Buildings and Uses .....	19
2.10.4	Cover-all Buildings and Fabric Buildings .....	19
2.10.5	Shipping Containers (Sea Cans) .....	19
2.11	<b>Accessory Buildings, Structures and Uses</b> .....	<b>20</b>
2.11.1	Attached to Principal Building .....	20
2.11.2	Construction Before Principal Building or Structure .....	20
2.11.3	Performance Standards for Accessory Building, Structure or Use .....	21
2.11.4	Location on the Lot for Accessory Building, Structure or Use .....	21
2.11.5	Height of Accessory building, Structure or Use .....	22
2.11.6	Building Coverage of Accessory building, Structure or Use .....	22

<b>2.12</b>	<b>Garages and Carports</b> .....	<b>22</b>
2.12.1	Location on the Lot .....	22
2.12.2	Attached to Principal Building .....	23
2.12.3	Performance Standards for Garages and Car Ports .....	23
<b>2.13</b>	<b>Home Enterprises</b> .....	<b>23</b>
2.13.1	Requirements for all Home Enterprises .....	23
2.13.2	Home Occupations .....	24
2.13.3	Home Based Businesses .....	25
<b>2.14</b>	<b>Fences and Hedges</b> .....	<b>26</b>
2.14.1	Fence Design Standards .....	27
<b>2.15</b>	<b>Decks, Patios, Balconies, Patio Covers, Sunrooms, Screen Enclosures</b> .....	<b>27</b>
<b>2.16</b>	<b>Pools and Hot Tubs</b> .....	<b>28</b>
<b>2.17</b>	<b>Lighting</b> .....	<b>29</b>
2.17.1	Prohibited Lighting .....	29
<b>2.18</b>	<b>Livestock</b> .....	<b>29</b>
2.18.1	Animal Keeping, Livestock Operations .....	29
2.18.2	Private Stables .....	31
2.18.3	Apiculture (Beekeeping) .....	31
<b>3</b>	<b>Parking and Loading</b> .....	<b>32</b>
<b>3.1</b>	<b>Minimum Parking Requirements</b> .....	<b>32</b>
3.1.2	Existing Use .....	33
3.1.3	Parking Requirements Based on Floor Area .....	33
3.1.4	Minimum Visitor Parking .....	33
<b>3.2</b>	<b>Parking Reductions</b> .....	<b>33</b>
3.2.1	Main Streets and Heritage Resource Uses .....	33
3.2.2	Combination of Uses .....	34
<b>3.3</b>	<b>Parking Stall Widths and Lengths; and Aisle Specifications</b> .....	<b>34</b>
3.3.1	Accessible Parking Spaces .....	36
<b>3.4</b>	<b>Loading Space Requirements</b> .....	<b>37</b>
<b>3.5</b>	<b>Surfacing of Parking and Loading Areas</b> .....	<b>38</b>
<b>3.6</b>	<b>Drive-Through Facility</b> .....	<b>38</b>
<b>4</b>	<b>Storage and Signage</b> .....	<b>40</b>
<b>4.1</b>	<b>Outside Storage</b> .....	<b>40</b>
<b>4.2</b>	<b>Outside Storage of Hazardous Uses [Dangerous Goods]</b> .....	<b>40</b>
<b>4.3</b>	<b>Signage Regulations</b> .....	<b>41</b>
4.3.1	Signs Not Requiring a Development Permit .....	42
4.3.2	Accessory Signs .....	43
<b>5</b>	<b>Provisions for Infill Residential Housing</b> .....	<b>48</b>
<b>5.1</b>	<b>Accessory Dwelling Units</b> .....	<b>48</b>
5.1.1	Requirements for All Accessory Dwelling Units .....	48
5.1.2	Secondary Suites .....	48
5.1.3	Garage Suites .....	49
5.1.4	Garden Suites .....	50
<b>5.2</b>	<b>Conversion of Residential Buildings</b> .....	<b>50</b>
<b>5.3</b>	<b>Dwellings on Corner Lots</b> .....	<b>51</b>
<b>5.4</b>	<b>Rooming and Boarding Houses</b> .....	<b>51</b>
<b>5.5</b>	<b>Community Care Facilities</b> .....	<b>52</b>
<b>5.6</b>	<b>Flag Lots</b> .....	<b>52</b>
<b>5.7</b>	<b>Splitting Attached Dwellings on to Separate Lots</b> .....	<b>53</b>
<b>5.8</b>	<b>Bungalow Clusters</b> .....	<b>55</b>
<b>5.9</b>	<b>Bungalow Courts</b> .....	<b>55</b>
<b>5.10</b>	<b>Dwelling Unit, Live-Work</b> .....	<b>57</b>

5.11	Dwelling Units, Commercial Zones .....	57
5.12	Dwelling Units, Industrial and Institutional Zones .....	57
5.13	Mobile Homes and Mobile Units .....	58
5.14	Not Considered Dwelling Unit .....	59
<b>6</b>	<b>Zoning Land and Land Uses .....</b>	<b>60</b>
6.1	Classification of Uses .....	60
6.2	Land-Use Lexicon: Uses of Land Defined .....	60
<b>7</b>	<b>Zoning Districts .....</b>	<b>75</b>
7.1	Establishing Zones for Land-Uses .....	75
7.2	Allowable Uses: Permitted and Conditional .....	75
7.3	Bulk Regulations .....	75
7.4	Planned Development Overlay Districts .....	75
	7.4.1 Planned Development Overlay - 1 (PDO-1) .....	76
	7.4.2 Planned Development Overlay – 2 (PDO-2) [Special Site] .....	77
7.5	Permitted Uses .....	78
7.6	Open Space – OS .....	81
	7.6.1 Table 13: “OS” Bulk Standards .....	81
7.7	Institutional – IN .....	81
	7.7.1 Table 12: “IN” Bulk Standards .....	81
7.8	Residential Standard – RS .....	81
	7.8.1 Table 14: “RS” Bulk Standards .....	81
7.9	Residential Compact – RC .....	82
	7.9.1 Table 15: “RC” Bulk Standards .....	82
7.10	Residential Mixed-Use – RMU .....	83
	7.10.1 Table 16: “RMU” Bulk Standards .....	83
7.11	Commercial Main Street – CM .....	83
	7.11.1 Table 17: “CM” Land Use .....	84
	7.11.2 Performance Standards .....	84
7.12	Commercial Highway – CHW .....	84
	7.12.1 Table 18: “CHW” Bulk Standards .....	84
7.13	Industrial General – M .....	85
	7.13.1 Table 19: “M” Bulk Standards .....	85
7.14	Future Growth – FG .....	85
	7.14.1 Table 20: “FG” Bulk Standards .....	85
	<b>Schedule B: Maps .....</b>	<b>86</b>
	Map 1 – Zoning Districts .....	86
	Map 2 – Control Areas .....	86
	Map 3 – Planned Development Overlay – Mobile Home Area .....	86
	<b>Schedule C: PDO – Mobile Home Area .....</b>	<b>87</b>
	<b>Schedule D: Servicing Standards for Design and Construction .....</b>	<b>88</b>

# 1 Scope and Applicability

## 1.1 Title

This by-law shall be known as the St-Pierre-Jolys Zoning By-law and may be cited by its long title (St-Pierre-Jolys Zoning By-law), its short title (“Zoning By-law” or “ZBL”, or its by-law number (“By-law No. 1-2021”), and any such citation is to be taken as meaning this by-law as amended.

## 1.2 Scope

- (1) This By-law shall apply to all the lands in the Village of St-Pierre-Jolys as indicated on Map 1 of Schedule B of this By-law.
- (2) This By-law does not apply within public roads, public lanes, public paths or pathways, or public walks opened as legal rights-of-ways within a zoning district.
- (3) This By-law does not apply to the construction, maintenance, or operation of public service works within a public utility right-of-way.
- (4) This By-law does not apply to Provincial Parks designated by the Legislative Assembly of Manitoba, Manitoba Hydro works as defined under The Manitoba Hydro Act, National Parks designated by Parliament, railway activities and railway lands operated by a railway company under the legislative authority of Parliament, pipelines as defined in the National Energy Board Act R.S.C., 1985, c. N-7, and reserve lands as defined in the Indian Act.

## 1.3 Application

- (1) This by-law implements the planning policies of the St-Pierre-Jolys Development Plan By-law 2021.
- (2) This by-law regulates:
  - a. The construction, erection, or placement of buildings, structures, and mobile or modular homes.
  - b. The enlargement, alteration, or conversion of buildings and structures.
  - c. The establishment, change, extension, and enlargement of uses of sites, buildings, and structures.

## 1.4 Compliance

### USE AND DEVELOPMENT OF LAND AND BUILDINGS MUST COMPLY

- (1) No land, building, or structure shall be used or occupied, and no building or structure shall be used, occupied, constructed, erected, altered, enlarged, relocated, removed, demolished, or placed except in accordance with this Zoning By-law.



- (3) No development or use of land or a building may take place or be maintained except in conformity with this By-law and with any development agreement, variance, conditional use approval, condition or permit issued under this By-law.
- (4) The duty to comply with this By-law is imposed on the owner of a parcel or a building and on any person who has charge or control of the parcel or building, whether as lessee, tenant, occupier, agent or otherwise.
- (5) The approval of a development application, the issuance of a development permit, the approval of drawings and specifications, or completion of inspections does not relieve a person from the responsibility to comply with this By-law or any other by-law.
- (6) Buildings, structures, and uses which were lawfully in existence before this by-law, or before an amendment to it came into effect, may continue to exist in accordance with the provisions of *The Planning Act*.

## **RESTRICTIONS IN OTHER BY-LAWS OR FEDERAL AND PROVINCIAL LAWS**

- (7) Whenever a provision of another by-law, or an agreement with the Village or a law or regulation of the Provincial or Federal Governments, contains a restriction governing the same subject matter contained in this Zoning By-law, or imposes contradictory regulations with respect to uses, buildings, or structures, the most restrictive or highest standard shall prevail.
- (8) Nothing in this Zoning By-law shall exempt any person from complying with the requirements or from obtaining any license, permission, permit, authority, or approval required by this by-law or any other by-law of the Village or any law of Canada or the Province of Manitoba. Where requirements in this by-law are in conflict with those of other municipal, provincial, or federal requirements, the more stringent regulations shall prevail.
- (9) A declaration by a court of competent jurisdiction that a section, clause or provision of this Zoning By-law, including anything shown on the Zoning Map is invalid, shall not affect the validity of the By-law or any part of the By-law other than the section, clause, or provision, or part of the Zoning Map declared to be invalid.

## **1.5 Transition from Previous By-law**

### **1.5.1 Zoning By-Law Transitions**

- (1) Development permits for buildings or structures that were in compliance with the previous Zoning By-law prior to the effective date of this By-law shall be permitted if acted upon within 12 months of issuance.
- (2) The adoption of this by-law shall not prevent any actions to abate, nor pending or future prosecution of, violations under the former zoning by-law, provided said violations are also violations of this By-law.
- (3) A Variance Order or Conditional Use Order issued more than two years and one day prior to the effective date of this By-law is hereby repealed unless the order contains one or more conditions that remain in effect.
- (4) Any use of land or a building lawfully in existence under applicable laws, plus a Variance or Conditional Use Order or both, upon enactment of this By-law and repeal of that order or orders shall be deemed to comply with this By-law to the extent and for the period of time authorized by such order(s).
- (5) Any use lawfully in existence prior to this By-law, which did not require a Conditional Use

Order prior to this By-law, but that would require a Conditional Use Order to comply with this By-law, shall be deemed to have a Conditional Use Order sufficient to create compliance with this By-law provided that no addition, enlargement or expansion is approved as a Conditional Use under this By-law.

- (6) A development for which final approval was granted prior to the effective date of this By-law may be completed in accordance with the provisions of the Zoning By-law under which it was approved, or the approved plan, subdivision documents, and any other approved order, permits and conditions.

## 2 Zoning Regulations: Effecting Site Areas, and Governing Land-Uses

### 2.1 Access and Frontage

All development applications are subject to the regulations established in Schedule D: Servicing Standards for Design and Construction.

#### 2.1.1 Public Right-Of-Way

- (1) Uses allowed under this By-Law shall only be established, erected or constructed on lands that have frontage on, and unobstructed, safe and convenient access to:
  - a. Registered Road – a registered road allowance is a public road that is developed as an all-weather road and is maintained year-round.
  - b. Proposed Road – a proposed road allowance is an unimproved public road that is to be registered or is already registered, which will be developed as an all-weather road and maintained year-round, for which a road development agreement has been entered into with the Village for the construction of the proposed road.
  - c. Condominium Plan – where the units created through a bare land condominium plan have a common element, as defined in The Condominium Act (Manitoba), as the private access route connected to either (a) or (b) above.

#### 2.1.2 Land Locked Parcels Permitted

- (1) Notwithstanding access and frontage requirements listed herein, developments may be allowed on lands without direct access or frontage:
  - a. Where the land has access onto a public road being provided by way of a caveat or master or declaratory easement registered and maintained in perpetuity on title in favour of the subject land with the owners of other lands so as to ensure cross-access at all times by motor vehicles.
  - b. Where the land is deprived of frontage on a public road as a result of land acquisition or expropriation by an authority having the power of expropriation or acquisition, or authorization pursuant to *The Planning Act*, subject to access onto a registered road being provided by way of an existing private right-of-way registered on title in favour of the subject lot.
  - c. Where the land abuts lands held by the Village or the Province for future road-widening, public reserve or land drainage requirements, subject to access onto a registered road being provided by way of an existing private right-of-way registered on title in favour of the subject lot, and subject to compliance with other applicable requirements of this Zoning By-law as if said future road allowance was already in existence.

- d. Where the land is intended to be held by the Village or the Province for future road-widening, future road allowance, existing heritage resource use, as a development control strip or for public reserve purposes.
- e. Where the land abuts a navigable waterway, or is adjacent to a water body only being separated by land held by the Village, the Province or is a road allowance.

### **2.1.3 Future Public Roads**

- (1) No building or structure shall be erected upon any proposed road allowance that is to be registered and developed under a Development Agreement. Any development adjacent to a proposed road allowance shall comply with the requirements of this By-law as if the future public road was already physically in existence.

### **2.1.4 Access to Provincial Highways**

- (1) All development proposed adjacent to Provincial Trunk Highways and Provincial Roads shall comply with the regulations and controls stipulated in the *Transportation Infrastructure Act* and other policies established by Manitoba Infrastructure and set out in the St-Pierre-Jolys Development Plan.

## **2.2 Water and Wastewater Infrastructure Connections**

- (1) All principal buildings, and all dwelling units constructed or erected on land served by municipal wastewater management systems, shall be connected to such systems.
- (2) Wastewater management system connections shall be made within the time limit specified in a Development Agreement or a by-law.
- (3) Where wastewater management systems are not available or cannot be extended in a fiscally sound manner as determined by the Development Officer, private services may be permitted.
- (4) All principal buildings, and all dwelling units constructed or erected shall be connected to an existing private or shared well system, or are required to construct a new private well or private drinking water system based on *Manitoba's Groundwater and Water Well Act*.

## **2.3 Moving and Demolition Structures**

- (1) No person shall move any structure or part thereof off his/her property to any other location unless that structure or part is made to conform to the provisions of this By-law applicable to the zone to which it is to be moved.
- (2) Before moving a building or portion to a new off-site location, the owner shall obtain a development permit and if required by the Development Officer enter into an agreement with the Village containing an undertaking of the owner to pay all damages arising out of the move and such other terms and conditions as a Development Officer deems necessary.
- (3) Upon completion of the removal of a building from a site, the old foundation shall be removed, any excavation shall be filled, the ground shall be leveled, and the site shall be put in a safe condition to the satisfaction of the Development Officer.

## **2.4 Excavation, Stripping, and Grading**

- (1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposes, including but not limited to, sand and gravel mining, topsoil stripping, and construction of artificial water bodies.

- (2) The removal of topsoil, or other organic surface material on lands designated for agricultural use shall not be permitted unless approval has been granted by the Development Officer. This is not intended to restrict excavation for the purposes of water control works, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.
- (3) A person wishing to excavate, strip or grade land **in any zone** shall provide the following details in a development application:
  - a. The location and area of the site on which the excavation, stripping or grading is to take place;
  - b. The existing land use and vegetation;
  - c. The type and dimensions of the excavation to be made, and the effect on existing drainage patterns; and
  - d. The condition in which the excavation is to be left when the operations is complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening the creation of erosion or dust from the land.
- (4) The Development Officer and Council shall consider every application for a permit to excavate land, and shall not issue a permit unless he or she is satisfied that:
  - a. The operation will be carried out so as to create a minimum of dust and environmental disturbance;
  - b. The operation will not affect the integrity of water control features, such as a drainage ditch; and
  - c. The operations are one which, in the opinion of the Development Officer, is reasonably necessary for the use and development of the land in question.

## **2.5 Lands Subject to Flooding**

- (1) No building or structure shall be erected upon lands subject to flooding, which means lands that:
  - a. Is inundated by floods up to and including the 200-year flood, or the flood of record, whichever is greater;
  - b. Has a known history of flooding; or
  - c. Experiences flooding during a flood event of a magnitude specified by the Province in areas protected by flood control works.

## **2.6 Lands Subject to Erosion or Bank Instability**

- (1) No building or structure shall be constructed upon lands subject to erosion or bank instability, which is measured horizontally landward from the toe of the slope to a distance equal to three times the height of the slope, plus a minimum erosion allowance of 50 feet (15 meters), which ultimately affect lands that:
  - a. Over a 50-year period, would be eroded or become unstable due to the action of water

contained in an adjacent water body; or

- b. Endure actual effects of such hazards have occurred, are occurring, or have been predicted by engineers to occur.

## 2.7 Setbacks

General regulations for setbacks to land features, specific uses and property lines for each lot type are provided in **Table 1: Setback Provisions** below. Detailed regulations for these provisions can be found in the subsequent sections, along with figures to help identify respective lot types.

Table 1: Setback Provisions

Setback Parameter / Lot Type	Setback Provisions
Riparian	100 feet (30 meters) setback unless determined otherwise by a qualified engineer investigation, geotechnical report.
Flood/erosion hazard	Setback measured horizontally landward from the toe of the slope to a distance equal to three times the height of the slope, plus a minimum erosion allowance of 50 feet (15 meters).
Lagoon	984 Feet (300 meters)
Planned Unit Developments and Consolidated Lots	Setbacks are only applied to external lot lines of the overall Planning Area.
Infill Dwellings (Interior Lots)	Front yard setback must be consistent with the average of the existing front yards facing the same public road and on the same side of the block.
Corner Lots	The Development Officer may require two front yards on a subject corner lot if necessary.
Reverse Corner Lots (and Key Lot)	The front yard setback of the adjacent interior lot (or <b>Key Lot</b> ) determines the exterior side yard setback of the reverse corner lot for up to 20 feet. It then reverts to the side yard setback measurement as noted in Section 6 for the respective zoning category.
Corner Lot Sight Area	Corner lots must provide a triangular buffer area at the corner of the property closest to the public road, where nothing taller than 2.5 feet can be placed.
Through Lots	Through lots are subject to front yard setback requirements on both frontages if the lot is not a corner lot. If the through lot is also a corner lot, the shorter lot line will be the frontage. If both lines are same length, the lot line where the main access to the lot is provided will be the frontage.
Flag Lots	Front yard setbacks for Flag lots shall exclude the access corridor portion (i.e. the pole portion) when measuring.
Commercial/Industrial near Residential	A buffer area must be provided where any commercial or industrial zone shares a lot line with a residential land use.

- Lot A: Interior Lot
- Lot B: Corner Lot
- Lot C: Reverse Corner
- Lot D: Key Lot
- Lot E: Through Lot



Figure 1: Lot Type Examples

### **2.7.1 Setbacks along Water Bodies**

Notwithstanding other sections of this by-law, the following provisions apply:

- (1) In areas where the specific flood, erosion and bank instability hazards have not been determined, new principal buildings and structures shall be set back from all water bodies at a distance an engineering investigation shows that these limits should be established, and at the discretion of the local planning authority, and the applicable provincial authority.
- (2) The setbacks limiting development adjacent to water bodies established above may be reduced subject to geotechnical, engineering or environmental assessment by a professional engineer, and at the discretion of the local planning authority, and/or the applicable provincial authority.
- (3) Where a lot is separated from a water body by land owned by the Village or the Province, the lot shall be considered for the purpose of permitted land uses and required setbacks in this Zoning By-law as if it abuts the water body.

### **2.7.2 Setbacks from Provincial Trunk Highways and Roads**

- (1) Any structure/construction above, below or at ground level within 125 feet from the edge of the right-of-way of Provincial Trunk Highway 59 (Rue Sabourin) may require a permit from Manitoba Infrastructure.

### **2.7.3 Setbacks from Public Services**

Notwithstanding other sections of this by-law, the following provisions shall apply:

- (1) No new residential developments should be located within 984 feet (300 meters) of the boundary line of a public wastewater treatment lagoon.

### **2.7.4 Setbacks Reduced by Subdivision**

- (1) Where an existing building or structure's setback is reduced or proposed to be reduced by a subdivision of land, and the proposed new setback for the building contravenes the required setback regulations of this By-law, a variance shall be required.

### **2.7.5 Setbacks for Planned Unit Developments (PUD) and Consolidated Lots**

- (1) Where two or more abutting lots owned by the same entity are consolidated for the purpose of development, the internal lot lines of the original lots shall not be interpreted as lot lines for the purposes of any zoning regulations, provided that development on the consolidated lots complies with all applicable regulations of this By-law.
- (2) Where a comprehensive Planned Unit Development has received draft plan approval, the lands shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions for building setbacks to the lot lines shall apply only to the external lot lines of the overall PUD, not to internal lines resulting from the registration of any phase of a PUD.

### **2.7.6 Setbacks for Infill Dwellings**

Notwithstanding other sections of this By-law, the following provisions shall apply:

- (1) Where any new dwelling as a principal building, or addition to any type of dwelling in a principal building is proposed within a street block where at least 80 percent of the lots have been developed with dwelling units in principal structures, and the front yard setback required by the regulations for the underlying zoning district is inconsistent with the majority of existing front yard setbacks for the developed dwellings on the street block:
  - a. In the case of interior lots, the new structure shall be developed with a front yard



consistent with the average of the existing front yards facing the same public road and within the same side of the block the new dwelling is being erected.

- b. In the case of a corner lot, the average of the front yard setback for the two nearest lots on each side of the reverse corner lot; or for corner lots all the lots facing the same public road on the same block may be used for calculating the allowed setback.

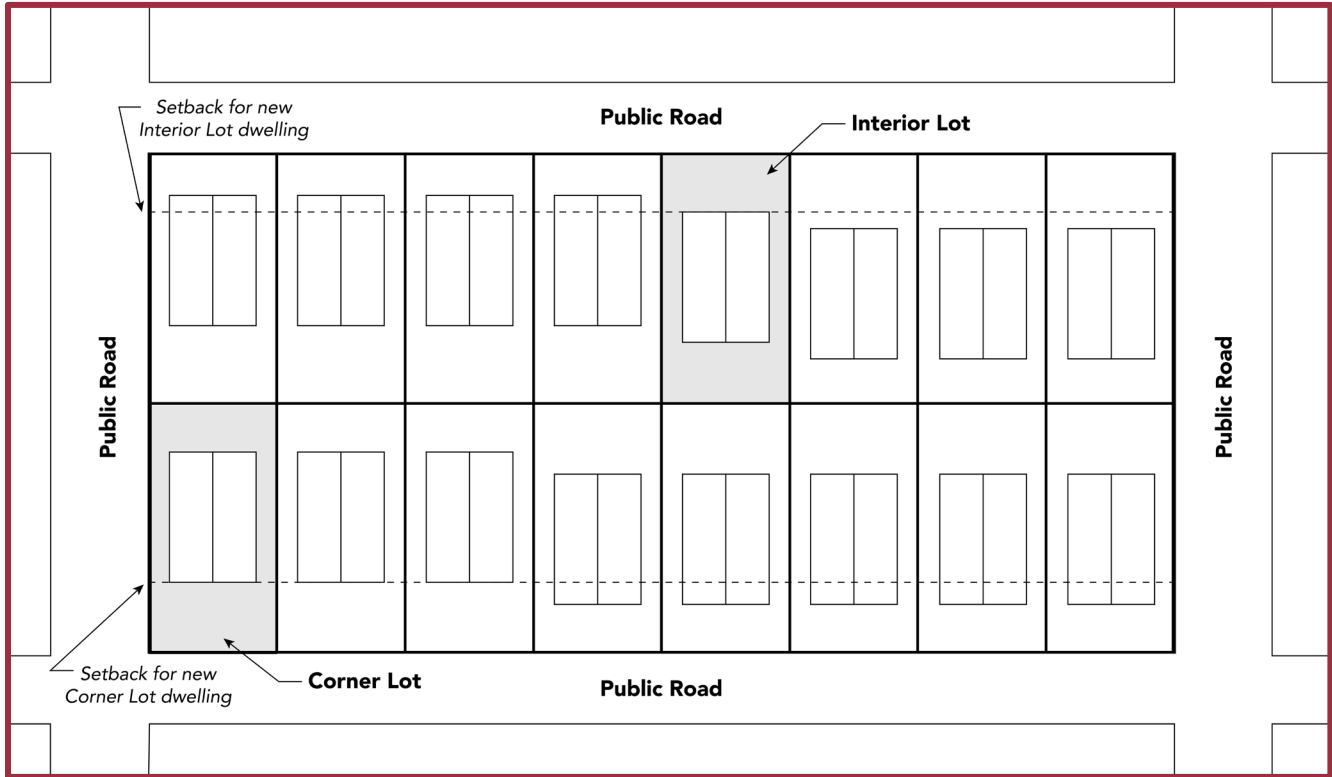


Figure 2: Front Yard Setbacks for Infill Dwellings

### 2.7.7 Setbacks for Corner Lots

Notwithstanding other sections of this By-law, the following provisions shall apply:

- (1) In the case of a corner lot, the shorter lot line abutting a public road shall be the front lot line:
  - a. Where the lot lines abutting a public road have the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
- (2) Notwithstanding Clause (1) above, the Development Officer may require any corner site to provide an additional Front Yard or Yards other than that required, having regard to the orientation and access of any development, and the Front Yard requirements of adjacent properties.

### 2.7.8 Setbacks for Reverse Corner Lots

- (1) The front yard setback of the key lot (interior lot adjacent to a reverse corner lot) shall denote the exterior side yard setback of the reverse corner lot for a distance of 20 ft from the edge of the common property line. After 20 ft, the setback will revert to the rear yard setback.

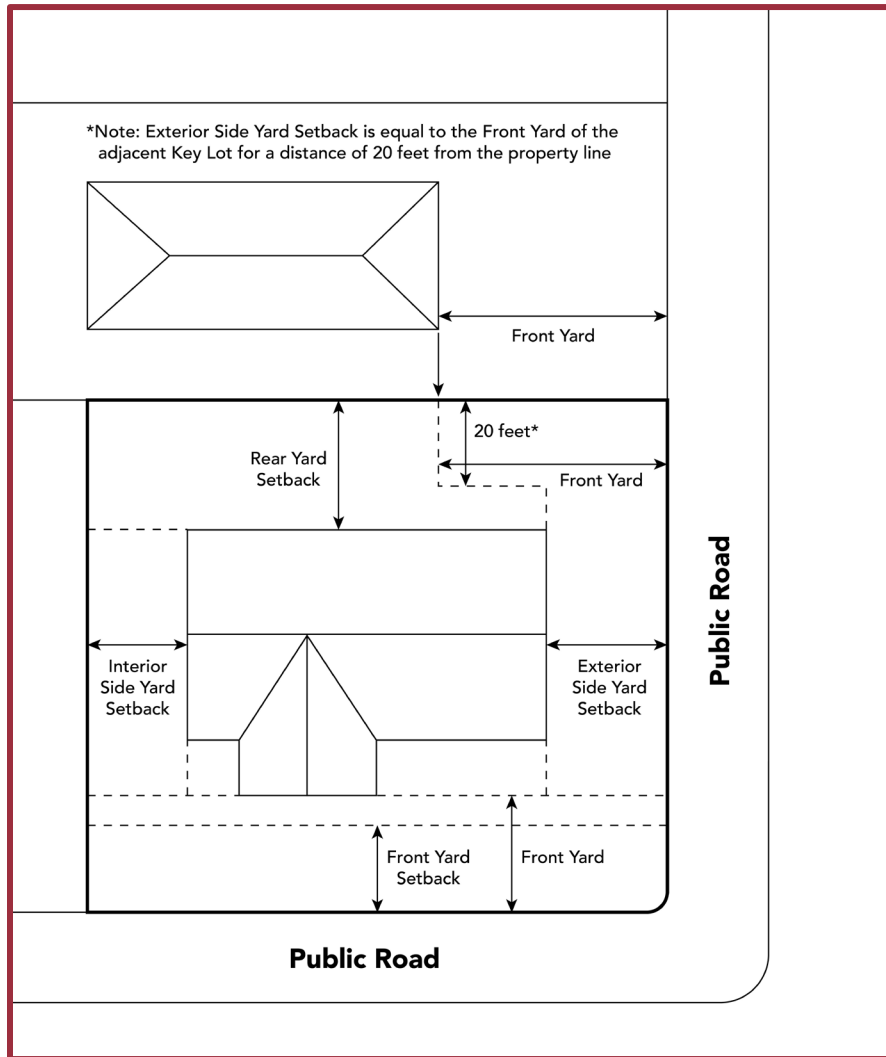


Figure 3: Front Yard Setbacks for Reverse Corner Lots

### 2.7.9 Setbacks Corner Lot Sight Triangle Area

Notwithstanding other sections of this Zoning By-law, the following provisions shall apply to all zones excluding the CM zone:

- (1) On any corner lot, no building or structure shall be erected, and no fence, hedge, shrub, bush, tree or other plant shall be permitted to a height greater than 2.5 ft above the grade of the roadways that abut the lot, within a triangular area formed by the part of the lot lines measured along each property line from the intersection of those lines at the corner of the property closest to the public road corner and a line joining points on the property lines at a distance of 20 ft from the point of intersection.

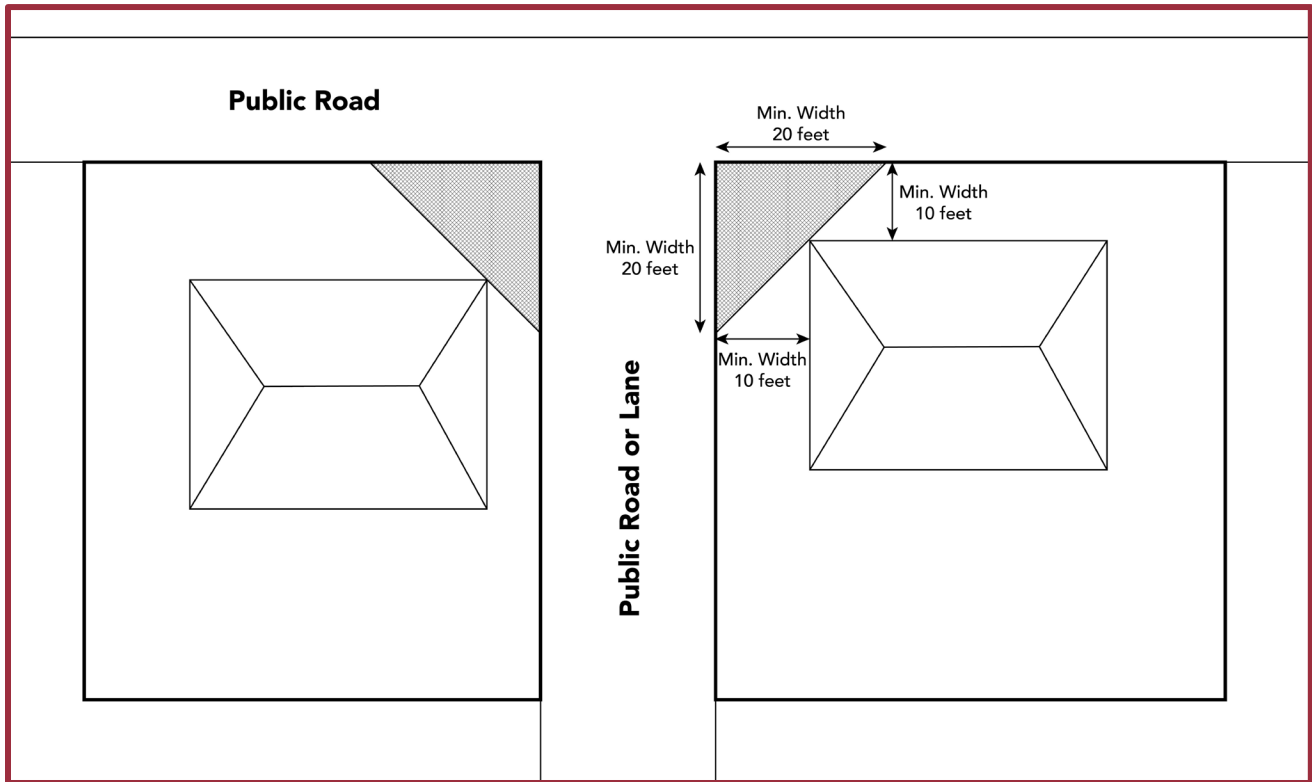


Figure 4: Corner Lot Sight Triangles

### 2.7.10 Setbacks for Through Lots

- (1) Notwithstanding any other provisions in this Zoning By-law, for any through lot that is not also a corner lot, the minimum required front yard setback applies on each public road in accordance with the provisions of the zone in which the lot is located and the minimum required rear yard setback does not apply.
- (2) Where a through lot is also a corner lot:
  - a. The shorter lot line abutting a public road shall be the front lot line; and
  - b. Where the lot lines abutting a public road have the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line, and the exterior side yard setback, rear yard setback and the sight triangle provisions apply.

### 2.7.11 Setbacks for Flag Lots

- (1) Notwithstanding other sections of this by-law, the front yard setback for the flag portion of the lot shall be measured from a 20-foot access corridor of the pole portion of the lot where the access corridor is not included in the distance measurement.

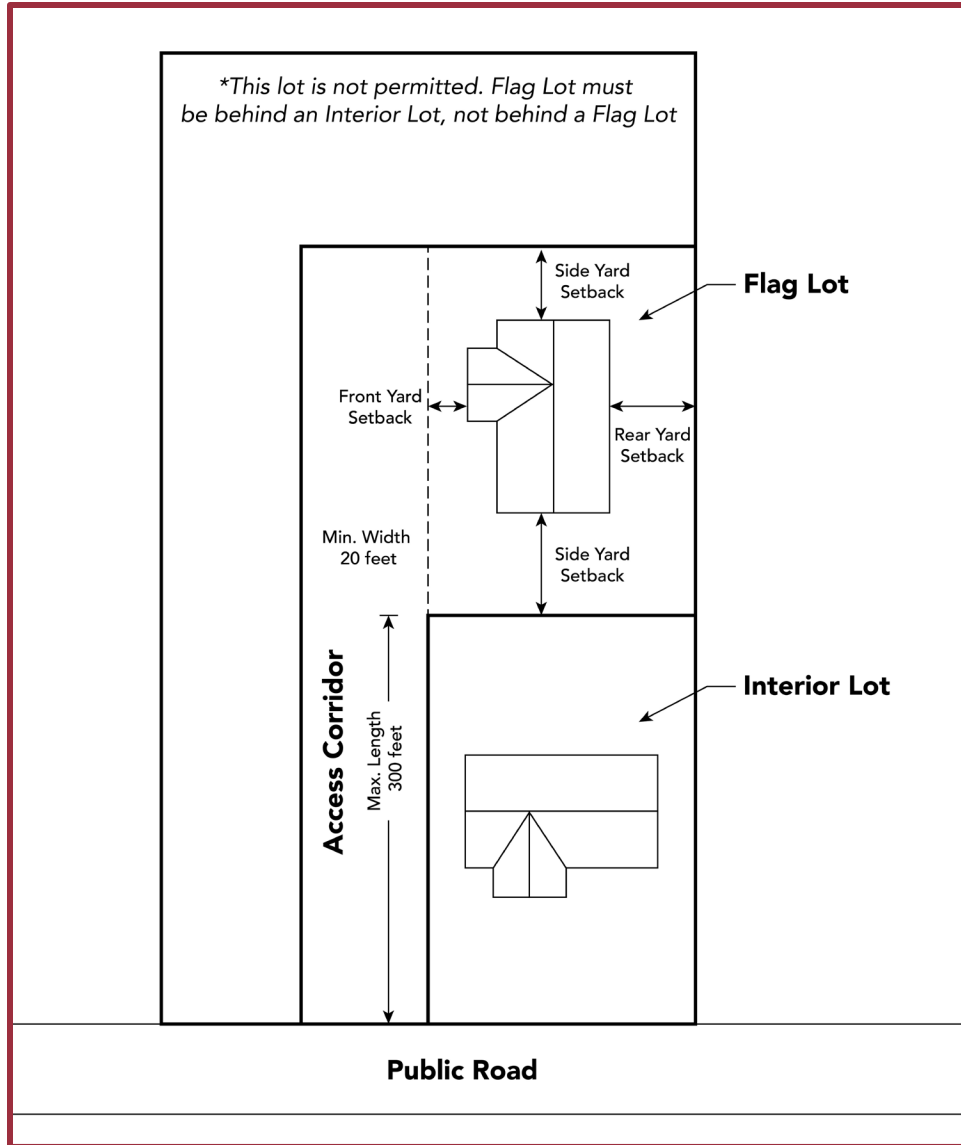


Figure 5: Flag Lot Setbacks

### 2.7.12 Setbacks for Commercial or Industrial near Residential Land-Uses

The following shall not apply to residential land-uses in industrial or commercial zones, and shall not apply to the Chaboillé District:

- (1) Notwithstanding any other provisions of this By-law, where a lot in any Commercial Zone or Industrial Zone shares a common property line abutting a residential land-use, the following provisions shall apply:
  - a. A setback of 20 feet must be provided along the common lot line in the commercial zoning district.
  - b. A setback of 30 feet must be provided along the common lot line in the industrial zoning district.

- c. If the adjoining residential land-use front yard setback requirement is greater than the underlying commercial or industrial zoning district front yard setback, the minimum front yard setback shall be the same as the front yard requirement for the adjoining residential land-use, for a minimum distance of 25 feet from the common property line.
  - d. The required yard setbacks must be landscaped and must not be used for parking areas or loading areas, outside storage, garbage enclosures, or commercial or industrial activities of any kind.
  - e. Notwithstanding the above, an enclosed portion of a principal building on lands zoned commercial or industrial may extend to the common property lines if the underlying zoning standards for setbacks provide for such.
- (2) Notwithstanding any other provisions of this By-law, where a lot in any Commercial Zone or Industrial Zone is adjacent to a residential land-use, separated only by a public right-of-way, the following provisions shall apply:
- a. A setback of 5 feet must be provided along the property line in the commercial zoning district that is adjacent to the residential land use.
  - b. The setback must be landscaped and must not be used for parking areas or loading areas, outside storage, garbage enclosures, or commercial or industrial activities of any kind.
  - c. Notwithstanding the above, an enclosed portion of a principal structure on lands zoned commercial or industrial may extend to the property line, if the underlying zoning standards for setbacks provide for such.

## 2.8 Permitted Projections into Setbacks

- (1) Despite any other provision to the contrary, the following features are permitted to project into required yard setbacks as specified in **Table 1**.
- (2) This section does apply to:
- a. The projection of any listed feature into the minimum required building setback from **Water Bodies, Public Services, Railways, Pipelines, Transportation and Transmission Lines; and Accessory Buildings**.
- (3) This section does not apply to:
- a. Setbacks for Corner Lot Sight Triangle Area;
  - b. Setbacks for Commercial and Industrial near Residential Land-Uses; and
  - c. Setbacks from Provincial Trunk Highways and Roads.
- (4) Should the projection exceed the size allowed for that type of projection, the projection is then considered to be the principal building when attached to the principal building; and the dimensional standards of detached accessory structures apply when the projection is detached from the principal building, as such, variances are required to alleviate compliance with the setback regulations.
- (5) Permitted Projections. Despite any other provision to the contrary, the following features are permitted to project into a required setback in accordance with **Table 2**.

Table 2: Permitted Projections into Required Setbacks

Feature	Projections Permitted		
	Front Yard	Side Yard	Rear Yard
a) Alcoves, bay, oriel windows, vestibules, and similar additions creating livable floor area, limited to one storey	5 feet	Maximum 4 feet, but no closer than 1 foot to the property line	5 feet
b) Air conditioning units, Pool filters, pumps and heaters	<b>NOT PERMITTED</b>	<b>PERMITTED</b> only in interior side yards and a minimum 10 feet measured laterally from operable window of a habitable room on an adjoining lot	<b>PERMITTED</b> and a minimum 10 feet measured laterally from operable window of a habitable room on an adjoining lot
c) Balconies	5 feet	5 feet but no closer than 1 foot to the property line	5 feet
d) Open arbours, trellises, landscape architectural features, flag poles, lighting fixtures and lamp posts	<b>PERMITTED</b> , but no closer than 1 foot to all property lines		
e) Basketball hoops	<b>PERMITTED</b>		
f) Clotheslines, clothesline poles	<b>NOT PERMITTED</b>	<b>PERMITTED</b>	
g) Cantilevers	No more than 3 feet projection and no more than 10 feet along a building wall		
h) Chimneys/chases, and fireplaces	No more than 3 feet projection provided that any projection is not closer than 1 foot from the side or rear site line		
i) Fences and Hedges	<b>PERMITTED</b>		
j) Eaves and eaves trough	2 feet [1 foot for an eave and 1 foot for an eavestrough]		
k) Exterior wall finishes including brick and stone facing	1 foot		
l) Garbage Enclosures (Commercial and Multi-Family Developments)	<b>NOT PERMITTED</b>	<b>NOT PERMITTED</b>	<b>PERMITTED</b> when adjacent to a lane and less than 5 feet in height
m) Ornamental structures: or similar incidental building architectural features	3 feet but no closer than 1 foot to side lot line		

n) <b>Parking Spaces, Parking Aisleways, Queuing spaces</b>	<b>NOT PERMITTED</b> except in Commercial Highway zone		<b>PERMITTED</b>
o) <b>Open Patios and Decks</b>	<b>PERMITTED</b> , when height is 2 feet or less		
p) <b>Pools And Hot Tubs</b>	<b>NOT PERMITTED</b>	No closer than 2 feet to side or rear lot line	
q) <b>Roofs over exterior entrances (may not be enclosed except by railing)</b>	5 feet but no closer than 1 foot from side lot line		
r) <b>Unclosed walks, wheelchair landings and ramps</b>	<b>PERMITTED</b>		
s) <b>Unenclosed stoops, porches, landings, steps, landings, and fire escapes</b>	Maximum depth = 5 feet unless maximum height equal to or less than 2 feet	No closer than 2 feet to side lot line if height exceeds 2 feet. <b>PERMITTED</b> if 2 feet in height or less	<b>PERMITTED</b> if 2 feet in height or less
t) <b>Wind Energy Generating System, On-Site Use</b>	<b>NOT PERMITTED</b>	<b>NOT PERMITTED</b> , and 15 feet from the exterior side lot line of corner lot	<b>NOT PERMITTED</b>

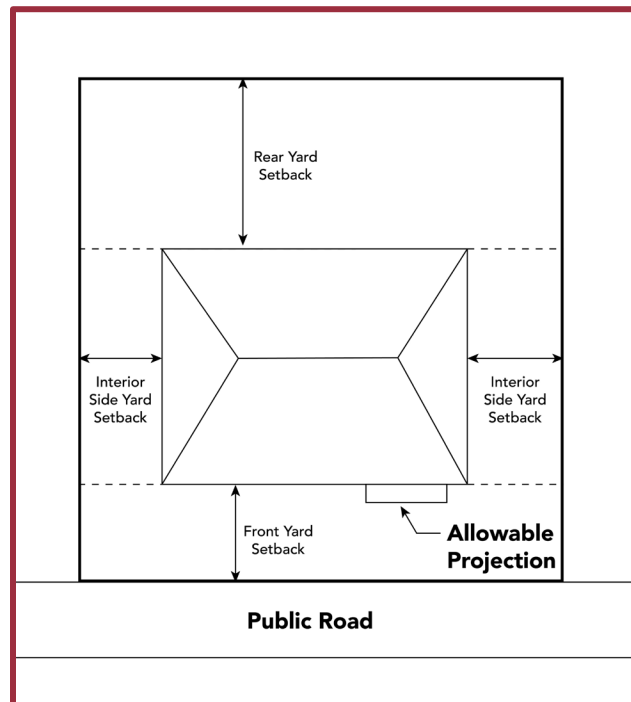


Figure 6: Example of an Allowable Projection into Required Yards

## 2.9 Permitted Projections Above the Height Limit

- (1) The maximum height limits do not apply to the structures listed below or to any other similar structures that may require a height in excess of maximum height limits in order to serve their intended purpose, unless otherwise specified in this By-law and provided these structures are erected only to such height or area as is necessary to accomplish the purpose they are to serve:
  - a. Barn, silo, or other accessory buildings or structures associated with an agricultural operation;
  - b. Chimney, smokestack or flues;
  - c. Clock tower, church spire, steeple or belfry;
  - d. Construction equipment during the construction process;
  - e. Mechanical and service equipment or penthouse, elevator or stairway penthouses not exceeding 10 feet above the roof deck;
  - f. Flagpole with a flag of a country or government;
  - g. Grain elevators, terminals, feed mills, seed plants;
  - h. Hydro and other utility transmission and distribution towers or poles including high voltage transmission lines;
  - i. Landscaped areas, roof-top gardens and terraces and associated safety guards and access structures;
  - j. Ornamental dome, skylight, cupola, gables or parapet not exceeding 5 feet above the roof deck;
  - k. Television, radio or telecommunication antenna, excluding a satellite dish or tower antenna accessory to a permitted use in a residential zone;
  - l. Water tower; and
  - m. Rooftop Energy, Generation Systems no more than 15 feet above the rooftop.

## 2.10 Temporary Buildings, Structures, and Uses

- (1) Temporary buildings, structures or uses may be permitted in all zones on a non-permanent basis for up to 12 months subject to the issuance of a development permit under the following conditions:
  - a. A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council.
  - b. Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than 12 months and may not be renewed for more than two successive periods at the same location.
- (2) The following temporary buildings, structures or uses shall be permitted in all Zones when the use specific standards are met:



- a. Temporary buildings, structures, and uses are permitted on a site in connection with construction or development on the site, provided that a development permit is issued and valid for the construction and development of the site, and only for the following purposes:
    - i. Office space for the contractor, developer, or project supervisor;
    - ii. Temporary accommodation for a caretaker, security guard or construction workers;
    - iii. Temporary accommodation for the landowner and family during the construction of a dwelling unit on the same site for a maximum 12-month period; or
    - iv. Storage of construction materials and equipment.
  - b. Temporary uses including garage sales, fundraising events, outdoor car washes, real estate sales offices and model sales homes, and Temporary Emergency Residence.
- (3) The following temporary buildings, structures or uses shall not be permitted in any Residential Zones:
- a. Temporary uses including farmers' markets, special events, and seasonal sales.
- (4) Temporary building used as a classroom is permitted only on a site where an elementary or secondary schools land-use already exists.

#### **2.10.1 Temporary Buildings Use Specific Standards**

- (1) Temporary buildings, structures, and uses shall not be detrimental to public health, safety, convenience, and general welfare.
- (2) The temporary buildings, structures, and uses must not result in permanent alterations to the site.
- (3) All temporary signs associated with the temporary use or structure must be removed when the activity ends.
- (4) The temporary use or structure must not violate any applicable conditions of approval that apply to a principal use on the site.
- (5) Temporary buildings, structures, and uses established under this By-law in connection with construction or development of a site, shall be removed within one (1) month of the completion of construction or development on the site unless otherwise noted in this By-law.
- (6) Temporary buildings and structures shall not exceed 1,000 square feet in gross floor area and 15 feet in height.
- (7) The temporary building, structure or use shall be located in compliance with the setback requirements as specified in this By-law for accessory buildings except:
  - a. Temporary buildings, structures or uses may be located in the front yard of a principal building with a minimum setback of 3 feet from the front property line; and
  - b. Temporary buildings, structures or uses may be located on a site with no principal buildings and with a minimum setback of 3 feet from the front property line.
- (8) Temporary buildings or structures used as Real Estate Sales Offices and Model Sales Homes shall not be used as a dwelling during the time it is being used as a real estate sales office or model home.

#### **2.10.2 Permit Required for Temporary Buildings and Uses**

- (1) A development permit for a temporary building, structure or use shall be subject to such terms

and conditions as required by Council or the Development Officer and approval pursuant to the Development Procedures Section of this By-law.

- (2) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than 12 months.

### **2.10.3 Permit Exemptions for Temporary Buildings and Uses**

- (1) The following temporary uses are exempt from the requirement for development permit approval, provided that the proposed temporary use complies with the **Use Specific Standards** of temporary buildings, structures, and uses:
  - a. Garage, rummage or yard sales up to a maximum of 2 weekends per year, for a maximum of 3 days each.
  - b. Outdoor car washes lasting no more than 2 consecutive days, 7 times per year.
  - c. Outdoor special events (carnival, circus, fair, outdoor performing artists, festivals, sports competitions, or similar events) lasting no more than 3 consecutive days, 4 times per year.
  - d. Fundraising events lasting no more than 2 consecutive days, 7 times per year.
  - e. Seasonal Sales such as Christmas trees, flags, kites, or arts and crafts that are limited to a maximum of 60 days in each calendar year.
  - f. Farmer's Market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as specialized lines of food products, fresh produce, seasonal fruits, fresh flowers, arts and crafts items, or food and beverages dispensed from booths located on-site, limited to between April 1 to October 31.
  - g. Temporary Emergency Residence where interim lodging is provided to persons who are displaced from their homes due to fire, flood or natural disaster, limited to a maximum of 60 days.

### **2.10.4 Cover-all Buildings and Fabric Buildings**

- (1) Cover-all buildings and fabric buildings are allowed for agricultural operations and residential garages or car ports (as defined in Section 2.12), but otherwise shall be considered as temporary buildings for all other uses and zoning districts.
- (2) The size of the structure shall be counted in determining the maximum development allowed on a lot.

### **2.10.5 Shipping Containers (Sea Cans)**

- (1) Shipping containers mean an intermodal container designed and built for intermodal freight transport and shall only be permitted where outdoor storage, rail terminals and rail yards, truck terminals are permitted by right; and are allowed for commercial, institutional, and agricultural operations.
- (2) Shipping containers may serve as temporary buildings or structures on a site in connection with construction management, seasonal sales, farmer's markets, emergency, health and community services including outdoor special events.
- (3) A shipping container when used as a temporary structure shall:
  - a. Be used exclusively for the storage of goods and materials and shall not be used as a

garage, or as human habitation.

- b. Meet the setback requirements for temporary structures.
  - c. Require Site Plan Approval by the Development Officer and Council, prior to the issuance of any permits, for the on-site location and design. The exterior design must not be detrimental to the character of the surrounding area and shall be maintained to the satisfaction of the Development Officer.
- (4) Shipping containers shall not be permanently stored or used on a residential zoned lot.

## **2.11 Accessory Buildings, Structures and Uses**

- (1) Accessory building, structure or use means a subordinate building, structure or use which is incidental and accessory to the principal building, structure or use, and located on the same site as the principal building, structure or use.
- (2) A development permit for an accessory buildings or structures shall be required unless otherwise noted in this By-law, and subject to such terms and conditions as required by Council.
- (3) An accessory use is allowed in any zone if:
  - a. It is on the same lot as the principal use to which it is accessory; and
  - b. It exists to aid and contribute to the principal use to carry out the function of that principal use.
- (4) Accessory developments are permitted when accessory to a permitted use.
- (5) Accessory developments are conditional when accessory to a conditional use.
- (6) If a question arises as to whether a particular accessory use or structure is included within the land use categories or use types of this Zoning By-law, the Development Officer must make the determination as described in the section Classification of Uses.
- (7) Detached accessory buildings, structures or uses shall cease to be allowed on a site when a principal building or land-use also ceases, unless otherwise provided in this By-law as a temporary building or use.

### **2.11.1 Attached to Principal Building**

- (1) Where the accessory building or structure is attached to the principal building by a roof, floor (except slab on grade or foundation), or an open or enclosed structure, the accessory building shall be located in compliance with the setback requirements for the principal building as specified in the bulk table for each zone.

### **2.11.2 Construction Before Principal Building or Structure**

- (1) Detached accessory buildings or structures may be constructed before construction of the principal building, structure or use on the same site, subject to:
  - a. The accessory building being fully finished on the exterior in a manner that is compatible with the character of the surrounding area;
  - b. The number of accessory buildings or structures being limited to one (1) before construction of the principal building, structure or use; and
  - c. The detached accessory buildings or structures remains without the principal building or

use for not longer than one (1) year.

- (2) Detached accessory buildings or structures constructed before the development of the principal building, structure or land-use may be used for the following uses:
  - a. As a temporary building for uses in connection with construction or development on the site as outlined **Temporary Buildings, Structures and Uses**.
  - b. Parking of motor vehicles;
  - c. Storage of domestic equipment and supplies;
  - d. Storage required for an agricultural operation;
  - e. Private wastewater management system; or
  - f. Private drinking water system.
- (3) Detached accessory buildings or structures being used as temporary buildings in connection with construction or development on a site, shall not be subject to removal within one (1) month of the completion of construction or development of a principal use or building, but shall cease to be used as a temporary building.

### **2.11.3 Performance Standards for Accessory Building, Structure or Use**

- (1) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.
- (2) With the exception of garages and carports as permitted in 2.12.4.(2), cover-all buildings and fabric buildings shall not be allowed as detached accessory buildings and structures in residential zones; and shall not be allowed as attached to principal buildings and structures in residential zones.

### **2.11.4 Location on the Lot for Accessory Building, Structure or Use**

#### **Building Separation from Principal Building**

- (1) Detached accessory buildings, excluding detached decks, above ground pools and hot tubs, shall be located a minimum of 10 feet clear of all projections from the principal building.

#### **Building Separation from Accessory Building**

- (2) Detached accessory buildings, excluding detached decks, above ground pools and hot tubs, shall be located a minimum of 3 feet clear of all projections from other detached accessory buildings.

#### **Easement or Right-of-Way**

- (3) Detached accessory buildings and structures shall not be located within a dedicated easement or right-of-way.

#### **Setbacks from Lot Lines**

- (4) Detached accessory buildings and structures shall be located in accordance with the following:
  - a. Shall not be permitted in the front yard setback of a principal building.

- b. When a detached accessory buildings or structures built to the rear of the principal structure, it shall not come closer than 5 feet to the side property line and 5 feet from the rear property lines, unless the rear property line abuts a rear public lane in which case the rear yard setback shall be 3 feet.
  - c. The cumulative gross floor area for all detached accessory structures on the lot shall not exceed 12.5% of the total building coverage area of the lot.
  - d. A one (1) foot overhang is permitted within the required setbacks from the property lines to the wall of the detached accessory structures. Eavestrough may be added to the permitted one (1) foot overhang.
- (5) If a detached accessory structure is not located to the rear of the rear wall of the principal building, the minimum setbacks of the principal building apply to that portion of the structure not to the rear of the rear wall of the principal building.
- (6) For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.

#### **2.11.5 Height of Accessory building, Structure or Use**

- (1) Detached accessory buildings and structures shall not exceed 14 feet in height except in association with a **Garage Suite** or with agricultural operations.

#### **2.11.6 Building Coverage of Accessory building, Structure or Use**

- (1) Detached accessory buildings and structures shall not exceed 10% coverage of the total lot area except in association with agricultural operations where this regulation does not apply.

### **2.12 Garages and Carports**

Garages and carports are detached accessory buildings or structures that shall be constructed as follows:

- (1) Where a driveway leads from the public road to a garage or carport located on the front facade of a dwelling, such driveway must be a minimum of 18 feet in length. Driveway length is measured between the garage door or the edge of the carport closest to the public road and the front property line.
- (2) Individual driveways leading from a shared private lane to each dwelling unit must be at least 20 feet long, as measured between the front of the garage or carport and the closest pavement edge of the shared private lane.
- (3) The maximum height allowable for a garage, carport or any accessory structure is 13 feet as determined for different roof style as shown in this By-law.
- (4) The cumulative gross floor area of garages, carports and any other accessory structures on the lot cannot exceed 12.5% of the total area of the lot.

#### **2.12.1 Location on the Lot**

- (1) Garages and carports shall be located in accordance with the following:
  - a. When a garage or carport is built to the rear of the principal structure, it shall not come closer than 5 feet to the side property line and 5 feet to the rear property line unless the rear property line abuts a public lane in which case the rear yard setback shall be 3 feet.
  - b. A one (1) foot overhang is permitted within the required setbacks from the property lines to

the wall of the garage or carport posts. Eavestrough may be added to the permitted one (1) foot overhang.

- c. Garage or carport may be located in the front of a principal building where a lot has frontage on a navigable waterway.

### **2.12.2 Attached to Principal Building**

- (1) Where the garage or carport is attached to the principal building by a roof, floor (except slab on grade or foundation), or an open or enclosed structure, the garage or carport shall be located in compliance with the setback requirements for the principal building as specified in the bulk table for each zone except for the driveway length requirements as stated above in this section.
- (2) Where the garage or carport is not located to the rear of the rear wall of the principal building, the minimum setbacks of the principal building apply to that portion of the structure not to the rear of the rear wall of the principal building.

### **2.12.3 Performance Standards for Garages and Car Ports**

- (1) The design of the exterior finishing materials, and construction of garages and carports shall be to the satisfaction of the Development Officer or Council who shall require, as far as reasonably practicable, that materials will be used which ensure that the standard of the garage or carport will be similar to, or better than, the standard of surrounding principal buildings.
  - a. Plans showing the location and the exterior design of the accessory buildings and driveways shall be submitted, reviewed and approved by the Development Officer.
- (2) Cover-all buildings and fabric buildings shall only be allowed as garages or carports in residential zones when it is a reasonable size and is intended to serve 1 or 2 vehicles.

## **2.13 Home Enterprises**

Home Enterprises are accessory land-uses to the principal land-use, a dwelling unit, and are regulated in such a manner to ensure the scale of the home enterprise does not dwarf the primary land-use.

### **2.13.1 Requirements for all Home Enterprises**

- (1) Shall be operated by an occupant of the dwelling unit.
- (2) The exterior residential character of the dwelling unit should not be altered or changed in any way as a result of the home enterprise.
- (3) The home enterprise shall not create or become a nuisance by way of noise, fumes, dust, odour, traffic or otherwise interfere with the enjoyment of the residential amenities of the surrounding neighbourhood.
- (4) Where a home enterprise is located completely below the first storey of a dwelling unit (other than stairways or a common landing), the below grade floor area (excluding the area covered by stairways) shall not exceed the gross floor area of the first storey of the associated principal dwelling.
- (5) Where a home enterprise is developed completely or partially above grade, the floor area (excluding the area covered by stairways) of the home enterprise in the principal structure shall not exceed 25% of the gross floor area of the building containing the associated principal dwelling, nor 400 square feet whichever is the lesser.
- (6) Where a home enterprise is developed in a detached accessory building, the floor area of the

home enterprise shall not exceed the building envelope of a detached accessory building allowed on the site.

- (7) Where a home enterprise is developed in a detached accessory building, any overhead doors visible from an adjacent lot or site containing a residential use must remain closed when not being used for entry or exit of vehicles.
- (8) Shall not include adult entertainment; dating and escort service; body modification; on-site auto body painting, body repairs, or other repairs to automobiles, trucks, boats, trailers, or motorized vehicles; vehicle towing operations; dispatch centres for auto-oriented services; sales of firearms or ammunition; sales of cannabis; any business utilizing radio transmission equipment; and any business engaged in the sales and rental of automobiles, light trucks or motorcycles.
- (9) Shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- (10) Two or more home enterprises per dwelling unit may be allowed, and shall be deemed as a single home enterprise subject to all the applicable regulations for a single home enterprise.
- (11) Should a home occupation and a home-based business both be established in a dwelling unit where the underlying zoning allows such uses, the regulations of each type of home enterprise shall apply though the cumulative above grade floor area shall not exceed the maximum restrictions of a home-based business.
- (12) May allow greenhouse, nursery and floriculture production including Food crops grown under cover; Other food crops grown under cover; Nursery and floriculture production; Nursery and tree production; Floriculture production but shall not allow Mushroom production.
- (13) Cannabis production or cultivation shall not be permitted as a home enterprise.

### **2.13.2 Home Occupations**

- (1) Where home occupations are permitted subject to the individual zones, the following shall apply:
  - a. The maximum size of a home occupation, above grade in both principal and accessory structures is 25% of the gross floor area of the principal building.
  - b. Must not have non-resident employees.
  - c. There shall be no goods, wares or merchandise, other than arts and crafts produced on the premises, or offered for sale on the premises.
  - d. There shall be no outside storage or display of materials, containers, or finished products, and no mechanical equipment used except that of a type used for housekeeping purposes and/or recreational hobbies.
  - e. There shall be no signage, other than one (1) non-illuminated sign of less than 6 square feet in size, attached to the principal building, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.
  - f. No business-related materials, including machinery, shall be visible at any time on any lot upon which a home occupation is carried out, nor shall any machinery be stored on the lot unless completely enclosed within a building.
  - g. Work or activity must be conducted entirely within the principal building or accessory building.

- h. Where a home occupation is a Home-Based Child Care that cares for more than four (4) children, the use must comply with the following requirements:
  - i. The provider must be a resident, and be licensed by the Province of Manitoba as a home-based childcare provider.
  - ii. Limited to no more than 12 persons being cared for.
  - iii. Limited to a single-detached dwelling.
  - iv. Two non-resident assistants may operate in and from the dwelling.
  - v. An outdoor play space may be provided which shall be completely enclosed by a fence with a minimum height of 5 ft and any gates in the fencing shall be self-closing with a lockable latch to prevent unauthorized exiting.
  - vi. Any in-ground or above-ground pools and hot tubs must be fenced separately from the outdoor play space, and have a locked gate, or other locked device.
  - vii. Must provide a pick-up/drop-off area, which may be a driveway, sufficient to ensure the safety of people when entering and leaving the premises.
  - viii. Home-Based Child Care facilities are not subject to the maximum floor area restrictions of home occupations.
- i. Where a home occupation is a bed and breakfast, the use must comply with the following requirements:
  - i. The bed and breakfast shall form part of a single detached dwelling, either in the principal or accessory building.
  - ii. A new bed and breakfast shall meet the provisions of the zone in which it is located. A bed and breakfast shall only be operated by a live-in owner with a
  - iii. maximum of four (4) guest rooms.
  - iv. A bed and breakfast shall not change the residential character of an existing dwelling unit.
  - v. Bed and breakfast facilities are not subject to the maximum floor area restrictions of home occupations.

### **2.13.3 Home Based Businesses**

- (1) Where home-based businesses are allowed subject to the underlying zone, the following shall apply:
  - a. The maximum size of a home-based business, above grade in both principal and accessory structures, and outside of the structures shall be a cumulative 5% or 8,000 square feet, which is lesser, of the total lot area.
  - b. A maximum of three non-resident employees shall be permitted on site.
  - c. Sales areas are restricted to within the principal dwelling unit and accessory buildings only with no outside display.
  - d. A maximum 2% of the total lot shall be permitted to be used for outdoor storage associated with the home-based business.
  - e. Outdoor storage shall be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the



wall with the facade facing the fronting public road.

- f. Outdoor storage shall be screened from view from any abutting public road or abutting property with an opaque screen or fence, with a minimum height of 6 feet.
- g. A maximum 2% of the total lot area shall be permitted to be used for outdoor activities associated with the home-based business.
- h. Outdoor activities shall be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.
- i. Outdoor activities shall be screened from view from any abutting public road or abutting property with an opaque screen or fence, with a minimum height of 6 feet.
- j. The hours of operation of outdoor activities shall be limited to between 9:00 am and 6:00 pm; six (6) days a week.
- k. Customers may attend the home-based business only five (5) days a week.
- l. Not more than two (2) customers may attend the home-based business at one time.
- m. There shall be no signage, other than one (1) non-illuminated sign of less than 8 square feet in size, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.
- n. No part of any garage or accessory building used for a home-based business shall be located closer than 32 feet to any residential use on another lot, or to the side lot line if the neighbouring lot is not developed with a residential use.

## **2.14 Fences and Hedges**

- (1) Fences shall not include barbed wire fences except in agricultural, industrial and Commercial Highway zones where three (3) strands of barb wire are permitted on-top of the allowable fence height; and shall not include electric fences except in agricultural zones.
- (2) Fences and horticulture landscape features including hedges that create a fence like effect, shall be permitted in all yard setbacks and shall be limited in height in the setbacks for corner lot site triangles as prescribed elsewhere in this By-law.
- (3) Fences in residential areas shall not be higher, measured from the general ground level 1 foot back of the property line of the site on which the fence is to be constructed, than:
  - a. 2.5 feet in a required front yard; and
  - b. 6 feet in a required side or rear yard.
- (4) Fences in any Industrial and Commercial District shall not be higher, measured from the general ground level 1 foot back of the property line of the site on which the fence is to be constructed, than:
  - a. 4 feet in a required front yard;
  - b. 6.6 feet in a required side yard; and

c. 8 feet in a required rear yard.

- (5) Notwithstanding the above, the maximum height of a fence located in an Institutional District, Open Space District, public utility service site, hazardous use, or public park shall be 10 feet.

#### **2.14.1 Fence Design Standards**

- (1) A snow fence is allowed to be erected on a temporary basis between November 1 and April 15 provided the snow fence is properly maintained.
- (2) No fence shall be maintained or caused to be maintained in a damaged or disrepair state or condition by reason of fire, decay or otherwise; and all fences shall be constructed or caused to be constructed in a sound manner and shall be maintained painting or other suitable means and shall be straight and true.
- (3) No fence shall be maintained or caused to be maintained such that it encroaches on or over a public right-of-way or sidewalk thereby creating a hazard to or impede the passage of pedestrians or vehicular traffic.

#### **2.15 Decks, Patios, Balconies, Patio Covers, Sunrooms, Screen Enclosures**

- (1) Unenclosed decks, patios and balconies, shall be permitted in any front, side yard or rear yard setback when 2 feet or less in height as measured from the ground to the deck floor.
- (2) Covered decks, patios and balconies shall be permitted in any front, side yard or rear yard setback when 2 feet or less in height as measured from the ground to the deck floor.
- (3) Enclosed decks, patios and balconies with sunroom or screen enclosures shall have the dimensional standards of the principal building apply when attached to the principal building; and the dimensional standards of detached accessory structures apply when detached from the principal building.

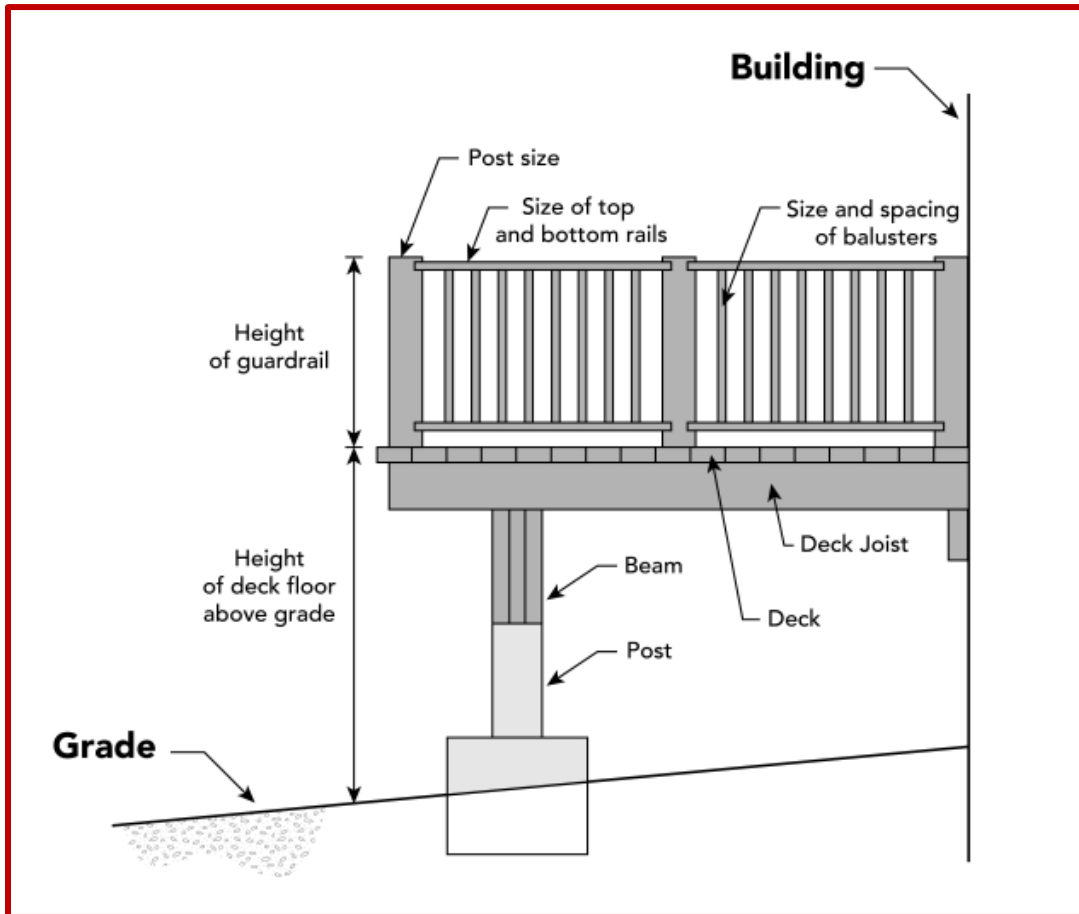


Figure 7: Typical Deck Elevation Plan

## 2.16 Pools and Hot Tubs

- (1) Private swimming pools and hot tubs shall comply with the regulations listed hereunder.

### Encircling Fence

- (2) Shall be completely enclosed by a fence with a minimum height of 6 feet, a sunroom, or a lockable cover.
- (3) A principal or accessory building may be utilized to effectively enclose any pool.
- (4) Any gates in the fencing shall be a minimum height of 5 feet and shall be self-closing with a lockable latch a minimum of 2 feet above ground to prevent unauthorized entry.
- (5) Fencing and gates must be constructed in a manner to prevent a child from crawling underneath to access the yard.
- (6) Fencing shall be so constructed that all horizontal or diagonal structural members shall be located on the inside or pool side of the fence.
- (7) A hedge shall not be used as or considered to be a fence for the purpose of this section.

### Location on Site

- (8) Shall provide a minimum of 2 foot rear and side yards setbacks.

### **Setbacks for Pool Equipment**

- (9) Pool filters, pumps and heaters and the like may project into any side or rear yard setback provided that the projection is not closer than 1 foot from the side or rear site line, and the minimum distance from filters, pumps, heaters, or related equipment to an operable window of a habitable room on an adjoining lot is 10 feet (measured laterally).

## **2.17 Lighting**

- (1) Lighting requirements are:
  - a. Wall mounted lights must have fully shielded luminaries to direct light downward;
  - b. No owner may install or maintain a light source that is directed outward toward property boundaries or adjacent rights-of-way;
  - c. Lighting must be directed downward except for low-voltage architectural, landscape and decorative lighting, which is subject to subsection below;
  - d. Architectural, landscape and decorative lighting may be directed upward to illuminate flags, statues or any other objects but must use a narrowly directed light whose light source does direct light onto adjacent residential properties;
  - e. All light sources must be shielded to prevent glare; and
  - f. Lighting used to illuminate accessory off-street parking areas shall be arranged and shielded so as not to reflect directly onto residential lots.

### **Heights of Light Standards**

- (2) Within any residential zoning district, the maximum permitted height of light poles is 20 feet.
- (3) Within any commercial or manufacturing zoning district, the maximum permitted height of light poles is 25 feet when within 50 feet of residential uses.

#### **2.17.1 Prohibited Lighting**

- (1) No person shall install or maintain strobe lights that are visible from another property, unless required by a governmental aviation authority.
- (2) No person shall install or maintain red, blue, or yellow rotating lights designed to imitate lighting on police, fire, or emergency vehicles that are visible from another property.

## **2.18 Livestock**

### **2.18.1 Animal Keeping, Livestock Operations**

This sub-section is presented as the regulations for the hobbyist or small-scale farmer on the management of small herds and flocks of farm animals; and is not intended as a regulation for large-scale or commercial livestock operations.

- (1) For the section on 'Animal Keeping', the following applies for calculating the number of animals in the categories of livestock as well as other farm animals:
  - a. Four (4) Farm Animal equals:
    - i. Thirty-Two (32) Chickens.

- ii. Twelve (12) Turkeys.
  - iii. Four (4) Horses.
  - iv. Two (2) Cattle
  - v. Four (4) Sheep.
  - vi. Thirty-Two (32) Ducks.
  - vii. Thirty-Two (32) Geese.
  - viii. Eight (8) Goats.
- (2) A maximum of four (4) Farm Animals as prescribed above consisting of Chickens, Turkeys, Horses, Cattle, Sheep, Ducks, Geese or Goats; or a combination thereof, shall be allowed on a lot size equal to or more than 5.0 acres.
  - (3) No Farm Animals as prescribed above consisting of Chickens, Turkeys, Horses, Cattle, Sheep, Ducks, Geese or Goats; or a combination thereof, shall be allowed on a lot size less than 5.0 acres.
  - (4) Any ground-level structure intended for the keeping of Farm Animals or waste storage areas shall maintain a minimum setback distance of 164 feet from any dwelling unit (other than a dwelling of the owner or occupant), 50 feet from the site boundary and 164 feet from a public road.
  - (5) Farm Animal feed must be properly stored in enclosed vessels, and areas or enclosures intended for the keeping of animals must be properly cleaned and maintained to prevent odours from spreading onto abutting properties.
  - (6) Farm Animals (with the exception of household pets) shall be kept enclosed by fences or corrals, which may be non-opaque.
  - (7) Farm Animal enclosures or corrals shall maintain a minimum setback distance of 164 feet from any dwelling unit (other than a dwelling of the owner or occupant).
  - (8) Animal Keeping with Farm Animals may be allowed in association with a *Home Enterprise*.

**2.18.2 Private Stables**

- (1) Private stables for horses may be allowed as an accessory structure subject to the following conditions:
  - a. The maximum number of horses shall be one horse per two and a half acres of site area to a maximum of 10 acres or 4 horses.
  - b. The animal shelter (stable) and the manure storage area shall be separated a distance of 164 feet from any dwelling unit (other than a dwelling of the owner or occupant), 50 feet from the site boundary and 164 feet from a public road;
  - c. Horses shall be kept enclosed by fences or corral, which may be non-opaque.
  - d. The paddock or animal exercising yard or enclosure shall be a minimum 15 feet from any site boundaries.

**2.18.3 Apiculture (Beekeeping)**

This sub-section is presented as the regulations for the hobbyist or backyard farmer or apiarists on the management of small number of bee colonies; it is not intended as a regulation for large-scale or commercial beekeeping operations.

- (1) The maximum density of bee colonies shall be relative to lot size using **Table 3: Recommended Maximum Density of Bee Colonies**.
- (2) No bee colony hives shall be allowed on zoning lots less than 1.0 acres
- (3) In addition to the regulations set forth in the *Bee Act of Manitoba*, the following requirements must be met for Beekeeping:
  - a. Beehives, also known as apiaries, shall only be sited in the rear yard surrounded by a six (6) foot fence and secured with a gate.
  - b. Hives must be set back 20 feet (6.1 metres) from any property line unless the fence:
    - i. Is solid and opaque, or
    - ii. Includes hedge or other vegetative obstruction at least 5 feet in height that covers entire length of fence
  - c. A principal or accessory building may be utilized as a part of the encircling fence to enclose the beekeeping structures.
  - d. May be allowed in association with a Home Enterprise.

Table 3: Recommended Maximum Density of Bee Colonies

Lot/Acreage	Number of Bee Colonies
Zoning lots between 1.0 acre and 4.99 acres	2 hives plus 1 nucleus hive
Zoning lots equal to or more than 5.0 acres	4 hives plus 1 nucleus hive

## 3 Parking and Loading

### 3.1 Minimum Parking Requirements

- (1) Accessory off-street parking spaces shall be provided according to the minimum number of spaces as calculated for uses within the Zones and Use Categories indicated in **Table 4** by taking the number of units for residential uses; the number of classrooms; or the floor area and multiplying by the required number of parking stalls.
- (2) All accessory off-street parking spaces shall be located on the same site as the principal use, unless specifically permitted to locate elsewhere.
- (3) There are no parking requirements for zones or land-uses not included in **Table 4**.

Table 4: Required Off-Street Parking Stalls

Zoning District	Number of Parking Stalls Required
<b>Institutional (IN)</b>	a) <b>Elementary School:</b> 1.5 per classroom (includes portables) plus 1 for each 100 sq. ft. of floor area devoted to public use b) <b>Secondary School:</b> 4 per classroom (includes portables) c) <b>Other Educational:</b> 1.5 per classroom plus 1 for each 100 sq. ft. of floor area devoted to public use d) <b>Hospitals:</b> 1 per 1,000 square feet of gross floor area e) <b>Community Care Facilities and Nursing and Residential Care Facilities:</b> 0.25 per sleeping unit or 4 beds, plus 1 per 1,000 square feet of floor area used for medical, health or personal services
<b>Residential Standard (RS)</b>	f) 1 per unit
<b>Residential Compact (RC)</b>	g) 1 per unit
<b>Residential Mixed-Use</b>	h) 1 per unit i) <b>Community Care Facilities and Nursing and Residential Care Facilities:</b> 0.25 per sleeping unit or 4 beds, plus 1 per 1,000 square feet of floor area used for medical, health or personal services
<b>Commercial Main Street</b>	j) 1 per 1,000 square feet of lot area

<b>Highway Commercial</b>	k) 1 per 1,000 square feet of gross floor area
<b>Industrial General</b>	l) 1 per 1,000 square feet of gross floor area

### 3.1.2 Existing Use

- (1) Where an existing building is enlarged or altered, or a change in use occurs that results in a more intensive use, adjustments for parking shall be made accordingly.
- (2) Where a building or use lawfully existed before enactment of this By-law, the existing provision of parking spaces shall not be affected by enactment of this zoning unless a change as per (a) above occurs, at which time adjustments for parking spaces shall be made according to the requirements contained herein.

### 3.1.3 Parking Requirements Based on Floor Area

- (1) Where parking requirements are based on the “floor area” of the use, the term “floor area” in this section means the gross floor area of the principal building, excluding:
  - a. Any area used for parking within the principal building.
  - b. Any area used for incidental service storage, mechanical equipment, or similar uses.
  - c. Any area used for bicycle parking.
  - d. Residential dwelling units.

### 3.1.4 Minimum Visitor Parking

- (1) Visitor parking shall be provided for the following:
  - a. **Multi-Family Dwellings, Bungalow Clusters, and Bungalow Courts** with 14 or more dwelling units on one lot shall provide a minimum visitor parking of 0.3 spaces per dwelling unit.
  - b. **Community Care Facilities and Nursing and Residential Care Facilities** where the minimum visitor parking shall be 0.2 spaces per dwelling unit or for every 4 sleeping units when there are 14 or more required parking stalls.

## 3.2 Parking Reductions

The following may be used to reduce the required number of parking spaces:

### 3.2.1 Main Streets and Heritage Resource Uses

The area designated ‘**Chaboillé District**’ in the Development Plan; and buildings, structures or land-uses identified as **Heritage Resource Uses** may reduce the required parking spaces as follows:

- (1) When any building, structure, or use in existence prior to the adoption of this By-law is subsequently damaged or destroyed, and is reconstructed, re-established, or repaired, the accessory off-street parking or loading spaces maintained at the time of such damage or destruction may be restored or continued in operation.
- (2) When a new use commences in an existing building, no additional parking is required.
- (3) When a new building is erected or an existing building’s gross floor area is expanded, no additional parking is required.



- (4) When a new building is erected on a parking area in existence at the time of this By-law the former land users dependent on said parking area shall not be required to meet the minimum parking requirements and shall not need to provide any new parking areas.
- (5) Parking, loading and service areas shall be located to the rear of the rear wall of the principal building.
- (6) If possible, where a surface parking area abuts a public road in a corner lot or a fronting public road, the owner should screen the perimeter of the service area or parking spaces from public view with an opaque fence and shrubs (minimum mature height of 2.5 feet). Shrubs should be planted one every 2 feet on centre in a 4 feet wide planting bed which extends the length of the parking area public road frontage.
  - a. Where, because of conditions not conducive to good horticultural practices, a screen planting cannot reasonably be expected to survive, the Development Officer may require a masonry wall, wood fence or earth berm, or combination thereof, to be substituted for the requirements above.
- (7) Except as otherwise provided in this section, all development, redevelopment, expansion, demolition, signage or exterior alteration of parking areas and principal buildings visible from public rights-of-way is subject to Site Plan Approval by the Development Officer, as provided in this section, prior to commencement.

### **3.2.2 Combination of Uses**

- (1) Where more than one type of principal use is located within a single building (for example: retail and service uses in a hotel or office building, or offices combined with warehousing uses), the number of parking spaces required is reduced to 80% of the aggregate of the accessory off-street parking spaces required for each use established on the zoning lot.

## **3.3 Parking Stall Widths and Lengths; and Aisle Specifications**

- (1) All off-street parking areas and spaces and below grade parking areas and spaces shall be designed, constructed and maintained in accordance with **Table 5** and the following provisions:
  - a. Each regular or angled parking space shall have a minimum width of 8 feet and a minimum length of 20 feet, and shall be visibly designated and marked except:
    - i. Parking stalls abutting side-by-side with a fence, property line or wall shall be a minimum of width of 10 feet.
    - ii. A maximum of 25% of the total number of parking stalls without direct access to a public lane for non-residential uses, and a maximum of 33% of the total number of parking stalls without direct access to a public lane for multi-family residential uses, may be reduced in length to 16 feet and designated for small cars only.
  - b. Each parallel parking space shall have a minimum width of 8 feet and a minimum length of 23 feet.
  - c. Driveways used for ingress and egress shall be clearly marked.

Table 5: Parking Stall Widths and Lengths; and Aisle Specifications

Angle of Parking Spaces	Parking Space Width (minimum feet)	Parking Space Length (minimum feet)	Aisle Width (minimum feet)
a) 61 – 90 degrees	8	20	20
b) 46 – 60 degrees	8	20	18
c) Less than 45 degrees	8	20	12
d) Parallel	8	23	10

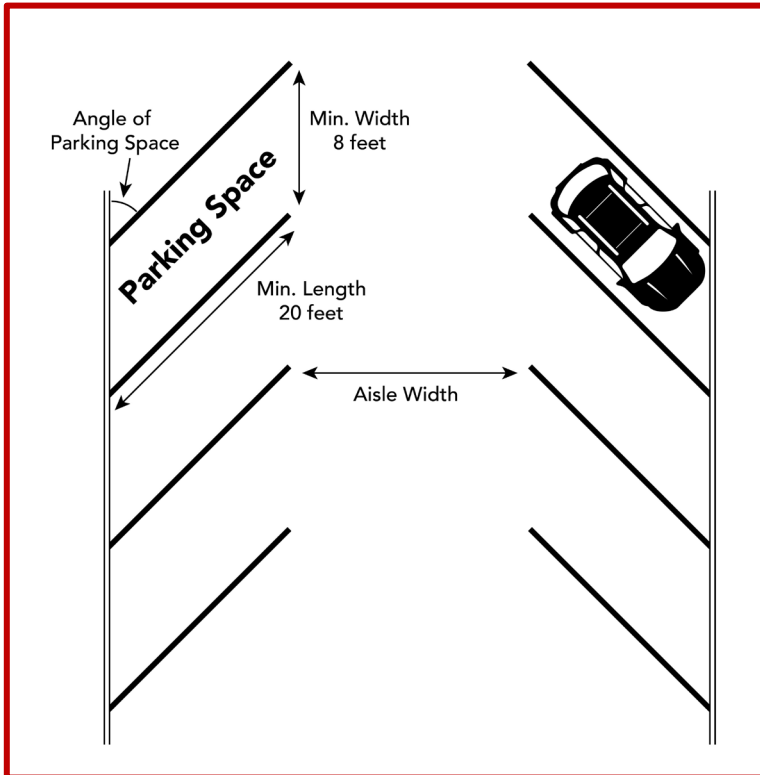


Figure 8a: Parking Stall and Aisle Way Dimensions, Angled

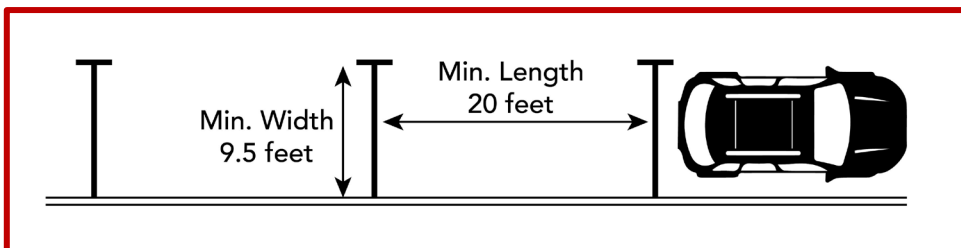


Figure 8b: Parking Stall and Aisle Way Dimensions, Parallel

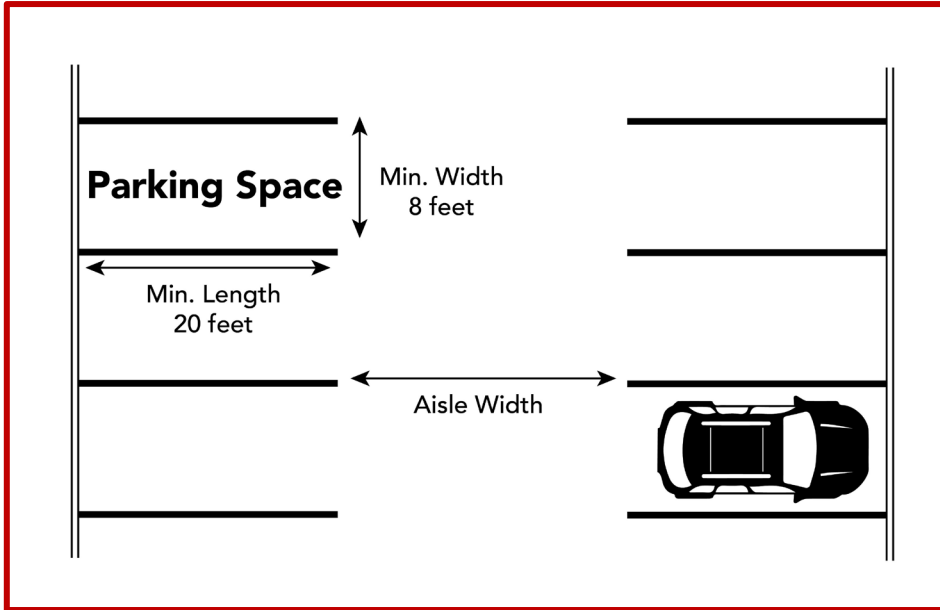


Figure 8c: Parking Stall and Aisle Way Dimensions, 90-degree

### 3.3.1 Accessible Parking Spaces

- (1) Accessible parking spaces shall be provided for all land-uses [except RS, and RC] when vehicle parking is being provided voluntarily with 11 or more parking stalls; or when vehicle parking is provided as a requirement under this By-law.
- (2) The provision of accessible parking spaces shall be counted towards the required number of parking spaces when vehicle parking is required as per this By-law.
- (3) The number of accessible parking spaces shall be in accordance with the minimum number of spaces specified by **Table 6**.
- (4) Each accessible parking space shall have a minimum width of 10 feet and a minimum length of 20 feet.
- (5) Accessible parking spaces shall be located within 200 feet of the principal building's main entrance normally used by employees, or the public.
- (6) Accessible spaces must be clearly marked and reserved for the exclusive use of people with mobility issues.
- (7) At least 1 curb ramp must be located within 200 horizontal feet of the auto parking space closest to each entrance to a principal or accessory building that is not a service entrance.

Table 6: Parking Stall Widths and Lengths; and Aisle Specifications

Capacity of Public Parking Area (Number of Parking Spaces)	Minimum Number of Accessible Parking Spaces
a) 1 – 10	0
b) 11 – 25	1
c) 26 – 50	2
d) 51 – 75	3
e) 76 – 100	4
f) More than 100	3% total to a maximum of 10 spaces

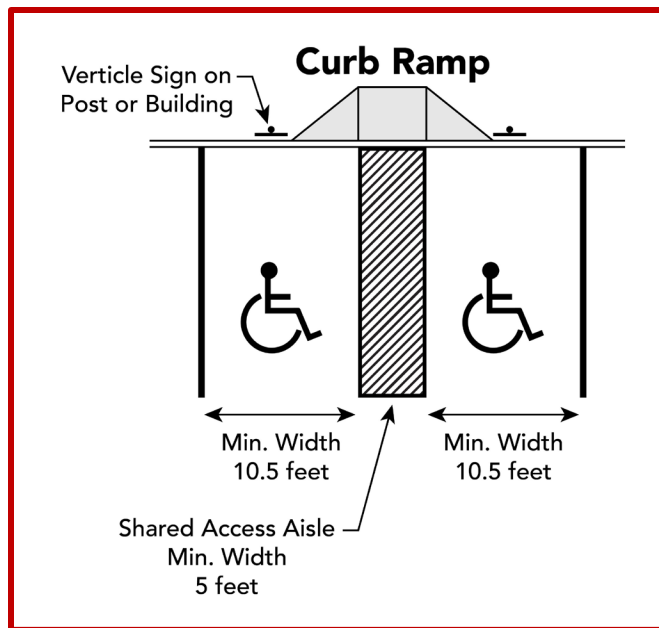


Figure 8: Accessible Parking Stall and Walk Aisleway Dimensions

### 3.4 Loading Space Requirements

- (1) All loading spaces shall be designed, constructed and maintained in accordance with the following provisions:
  - a. Each loading space shall have a minimum width of 12 feet, a minimum length of 33 feet and a minimum vertical clearance of 14 feet, and each space shall be visibly designated and marked.
  - b. Driveways used for ingress and egress shall be clearly marked.
  - c. Loading spaces shall not be located within any required front or exterior side yards, and shall not overlap with any required parking spaces, driveways, or aisleways.

- d. Where a loading space is located in any yard abutting a residential zone, the loading space(s) must be screened from the residential area by an opaque fence or hedgerow of at least 6.5 feet in height.
  - e. Where a loading space is located in any yard abutting public right-of-way(s), the loading space(s) must be screened from the public right-of-way(s) by an opaque fence or hedgerow of at least 6.5 feet in height, except in a corner sight triangle area where the height of the screening and fencing shall not exceed 2.5 feet.
- (2) The following table indicates the required loading spaces for all commercial and industrial uses:

Table 7: Loading Space Requirements for Commercial and Industrial Uses

Floor Area of Building	Minimum Number of Loading Spaces
Up to and including 5,000 square feet	1
5,001 square feet up to and including 15,000 square feet	2
15,001 square feet up to and including 40,000 square feet	3
Over 40,000 square feet	1 parking space for each additional 25,000 square feet or portion thereof

### 3.5 Surfacing of Parking and Loading Areas

- (1) All accessory off-street parking and loading areas, including the entrances and exits, aisleways and maneuvering areas, shall be maintained with a stable hard surface such as crushed stone, gravel, crushed brick or tile, cinders, paving stones, asphalt or concrete.
- (2) Off-street parking and loading spaces provided in front of the principal building shall have the same or similar hard surfacing as the abutting public right-of-way the site abuts.
- (3) Off-street parking when a Parking Lot, shall have the same or similar hard surfacing as the abutting public right-of-way the site abuts.
- (4) When off-street parking and loading spaces are gravel surfaces, the gravel surface shall be treated with bio-degradable herbicide and dust inhibitor to limit the generation of weeds and dust, and shall be maintained thereafter to the satisfaction of the Development Officer.

### 3.6 Drive-Through Facility

- (1) Where a drive-through facility is allowed, off-street motor vehicle queuing spaces must be provided for that drive-through facility leading both to and from each service bay, window, kiosk or booth for the uses specified and at the rate set out in **Table 8**.
- (2) All drive through facilities and queuing spaces shall be designed, constructed and maintained in accordance with **Table 8** and the following provisions:
  - a. Each queuing space shall be a minimum of 10 feet in width and 18 feet in length.
  - b. No queuing line, drive-through window or order board may be located within 10 feet of any lot line abutting a residential zone.
  - c. Where a queuing line, drive-through window or order board is located 10 feet or more from a residential zone, but is still within a yard abutting a residential zone, it must be screened

from view from that residential zone by an opaque screen of fencing or hedges with a minimum height of 5 feet.

Table 8: Required Loading Spaces

Use	Minimum Queuing Space	Measured From
a) <b>Car Wash – Automatic</b>	3	2 before the entrance to wash, plus one between vehicle exit from each bay and the point of vehicle egress to the public street
b) <b>Car Wash – Self-Service</b>	2 per bay	One before the entrance to each bay, plus one between vehicle exit from each bay and the point of vehicular egress to the public street
c) <b>Finance and Insurance with automated teller machine (ATM)</b>	3 before each ATM / 1 after each ATM	Teller window or ATM
d) <b>Restaurant with drive-through facility</b>	6 per order line	3 before order box / 3 between order box and pick-up window
e) <b>Other uses with accessory drive-through facility</b>	2	Pick-up Window

## 4 Storage and Signage

### 4.1 Outside Storage

- (1) No rubbish, salvage materials, junk, hazardous waste materials, including inoperable vehicles and parts thereof and any combustible matter shall be openly stored, allowed to accumulate or kept in the open unless the underlying zoning allows for such a use and the outside storage is screened from view from any public roadway, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.
- (2) A portion of a site or an entire site with storage of goods or vehicles outside of enclosed structure shall be surrounded by a fence of solid opaque materials of not less than 6.5 feet and up to a maximum height of 8 feet where such property abuts or is adjacent to a residential zone when the underlying zoning allows outside storage.
- (3) If an outside storage area is used only for outside storage, and not for operations and maintenance related to the principal use or structure, the outside storage area must be located to the rear of a line adjacent to and parallel with the front wall of the principal building.
- (4) If the outside storage area is also used for operations and maintenance related to the principal use or the structure, then the outside storage area must be located to the rear of a line adjacent to and parallel with the rear wall of the principal building.
- (5) Outside storage of sand, gravel, soil, or other loose aggregate is prohibited within 300 feet of the boundary of any residential zoning district.
- (6) Outside storage areas shall be surfaced with the same or similar material of the public right-of-way to which the outside storage area takes access from.
- (7) When outside storage areas are gravel surfaces, the gravel surface shall be treated with biodegradable herbicide and dust inhibitor to limit the generation of weeds and dust, and shall be maintained thereafter to the satisfaction of the Development Officer.
- (8) Outside storage is not permitted in any required yard setbacks.
- (9) All loading, service, garbage and recycling, outside storage areas, and approach aprons in industrial and commercial zones shall be located to the rear or sides of the principal building, and shall be screened from view from any public roadway, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these.
- (10) The size, location, screening and landscaping of the outdoor storage areas for a principal or accessory use shall be subject to the approval of the Development Officer, who shall ensure that development of the site is compatible with the appearance of Site design of surrounding developments.

### 4.2 Outside Storage of Hazardous Uses [Dangerous Goods]

- (1) No commercial-related or industrial-related dangerous goods, including Anhydrous Ammonia Facilities, shall be stored in significantly large quantities in a location within the following Measurement of Distances:

- a. 5,000 feet from the lot line of a property with any building that has an evacuation-sensitive occupancy;
  - b. 5,000 feet from wells;
  - c. 5,000 feet from the boundaries of an Urban Policy Area, and Natural Lands Policy Areas as defined in the Development Plan;
  - d. 5,000 feet from the boundaries of the Joubert Creek;
  - e. 1,640 feet from a building with habitable spaces; and
- (2) In this section, the **Measurement of Distances** means the distance is to be measured from:
- a. The dangerous goods storage container to the boundary of the designated areas; or
  - b. When applicable, the dangerous goods storage container to the nearest residential, commercial, institutional or industrial building.
- (3) For sites that do not meet separation requirements above, the operators must engage annually with the Development Officer regarding emergency preparedness sessions, and any further expansion or enlargement shall require a conditional use.
- (4) Notwithstanding other provisions of this by-law, all sites with the outside storage of dangerous goods shall be encircled with a minimum 6.5 foot high chain link fence with three strands of barbed wire, and shall provide means of emergency egress and be locked when the site is not in use.
- (5) All sites with the storage of dangerous goods shall have some form of outdoor security lighting.
- (6) All sites with the storage of dangerous goods must be posted with a Dangerous Goods warning signage located at the entrance to the storage operation that includes the following:
- a. Warn of the presence of dangerous goods;
  - b. 24 hour contact for the company;
  - c. 24 hour contact for emergency services; and
  - d. Nearest Location of a publicly available phone.

### 4.3 Signage Regulations

The following provisions shall apply to all signs erected or maintained within the area covered by this Zoning By-law, except wherein otherwise stated:

- (1) Signs and sign structures may be allowed as accessory uses in accordance with **Table 9**.
- (2) All signs shall comply with the minimum yard setback requirements for accessory signs as provide in this by-law for the zoning district in which the signs are to be located or erected.
- (3) Billboards and other signs directing attention to a business, commodity or message offered elsewhere than upon the same zoning lot on which that sign is located may only be allowed in zones where Advertising Signs are allowed. Such signs must also be constructed in accordance with **Table 9**, and subject to the issuance of a development permit.
- (4) All new **digital signs** must be given Council approval and include the following additional



requirements:

- a. Limited to a total surface area of 16 ft<sup>2</sup> per zoning lot;
  - b. Should be allowed for elementary and secondary schools, community centres, golf courses, places of worship, Hospitals, Stadiums/Arenas, and civic buildings;
  - c. Must be turned off from 10:00 pm to 7:00 am every day of the week; and
  - d. Must utilize automatic dimming.
- (5) No sign or sign structure shall be erected at any location where it may interfere with or obstruct the view of any street, intersection or railroad grade crossing, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display.
  - (6) No sign may contain flashing lights or digital images unless specifically allowed in **Table 9** or allowed by the Development Officer and Council. All signs with flashing lights or digital images should be prohibited within 100 feet of Residential Zones.
  - (7) No sign or sign structure shall be erected or maintained on, over or above any land belonging to the Village without a development permit, unless expressly permitted in this By-law and in accordance with the conditions of such permission as set out in this By-law.
  - (8) The placing of signs within the controlled areas of a Provincial Road or Provincial Trunk Highway shall require a permit from the applicable provincial authority.
  - (9) All signs and sign structures shall be kept in good repair and in a proper state of preservation.

#### **Abandoned Signs**

- (10) Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair or have become abandoned signs, shall be repaired, removed or relocated within 30 days following notice by the Development Officer.
- (11) No sign shall obstruct a required parking space, or impede any fire escape, fire exit, functional door, false door, functional window, false window, scuttle, skylight, flue or air intake or exhaust so as to prevent or impede the free access of emergency personnel to any part of the premises including fire department Siamese connections and fire hydrants.

#### **4.3.1 Signs Not Requiring a Development Permit**

The following signs shall not require a development permit. However, they must still comply with any applicable standards in this By-law:

- (1) Signs posted by duly constituted public authorities in the performance of their public duties.
- (2) Identification signs for Place of Worship, Elementary and Secondary Schools, Community Centre, Child Day-Care Services, Community Gardens and Waste Disposal Grounds that do not exceed 32 square feet per site.
- (3) Flags or emblems of a national, provincial, political, civic, educational or religious organization, or government.
- (4) Commemorative or memorial signs, tablets, or cairns.
- (5) Public Information Signs.
- (6) Temporary signs not erected for not more than 30 consecutive days that are non-illuminated and

less than 32 square feet include: **community special events, public information signs**, real estate signs, construction signs, garage sale signs and similar located, erected or displayed with the consent of the property owner.

- (7) Election signs during Federal, Provincial, Municipal, and School Board election periods and up to 7 days after the election date.
- (8) Window signs, unless such signs occupy more than 50% of a window surface (calculated between mullions) on any facade of the principal building in which case they are treated like a fascia sign.
- (9) Mural signs.
- (10) Awning signs with signage incorporated in the design or awning material.
- (11) Residential on-site identification signs [Building Address Sign] or warning signs (such as "Private Property" signs and similar) not exceeding two (2) square feet each in surface area.
- (12) Signs as regulated and provided under Home Enterprises that identify a home occupation or a home-based business on a private property or premises.
- (13) Signs required for direction and convenience of the public, including signs identifying restrooms, parking entrances, loading areas not exceeding 5 feet in sign surface area to a maximum 6 feet above the curb or grade.
- (14) Warning signs for Dangerous Goods provided the sign surface area does not exceed 32 square feet.

#### **4.3.2 Accessory Signs**

- (1) The owner may erect and maintain accessory signs, except billboards, to all sites and uses other than RS and RC subject to the following standards:

##### **Location**

- (2) Each free-standing accessory sign must be set back from each side lot line of an adjoining use a distance equal to at least 50% of the height of that sign; setback from the front lot line to at least 50% of the height of that sign; and shall not project into the required setback for corner lot triangles and Setbacks for Commercial or Industrial Near Residential Land-Uses.

##### **Roof Signs**

- (3) Roof signs, other than signs on mansard style roofs, are not permitted. On mansard roofs, roof signs may be attached to the sloping portions of the roof, but must not extend beyond the parapet height, and must not be located on the horizontal portion of the roof.

##### **Fascia Signs**

- (4) Fascia signs may have an emblem, logo, or other unique features projecting above the building wall if the sign projection is not more than 2 feet above the building wall or parapet wall and the total projection does not exceed 25 square feet. The area of the projection must be counted towards the total sign area allowed.

##### **Freestanding Signs**

- (5) Up to 10% of the maximum permitted sign area of any freestanding sign may be installed on the support structure for the sign face.

### Projecting Signs

- (6) The minimum height above-grade to the bottom edge of projecting signs must be 9 feet.
- (7) Billboard Poster Signs
- (8) A billboard poster sign must not face an abutting or adjacent residential use unless the billboard sign is not visible from the abutting or adjacent residential use.
- (9) If the billboard poster sign is attached to a building or is free standing within 5 feet of a building, the maximum permitted height of the billboard sign is the height of the building wall.
- (10) The maximum height of a billboard poster sign shall be 30 feet and the maximum sign surface area shall be 200 square feet.
- (11) A billboard poster sign is not considered in the calculations of **Permitted Surface Area per Zoning Lot** for freestanding signs.

### District-Specific Regulations

- (12) All signs, accessory to any use, must be consistent with the standards shown in **Table 9**, the first column indicates a zoning district or districts. The second column indicates the sign type. The third and fourth columns indicate dimensional requirements for each sign type. Signs must comply with all dimensional standards applicable to the zoning district where the property is located. Signs are not permitted for zones or land-uses not included in **Table 9**, unless provided for elsewhere in this By-law.

### Signs Attached to Building

- (13) Signs “Attached to Buildings” include fascia signs, projecting signs, awning signs, marquee signs, and canopy signs.
- (14) Signs “Attached to Building” surface area is calculated as follows:
  - a. Sign surface area includes the entire area of the smallest rectangle that encloses the extreme limits of any writing, representation or emblem forming part of the display, and also includes 10% of the area of the wall outside of that rectangle where a colour or material is applied that is a colour or material in that fascia sign.
  - b. Sign surface area does not include non-illuminated signs visible through windows in the building facade, provided that such signs do not exceed 30% of the glazed surface on any facade of the building. Allowable window signage is not transferable to the glazed surface on another facade of the building.
  - c. In calculating wall area for purposes of determining maximum sign surface area, only the first storey or 15 feet (whichever is lower) of the building may be used. Allowable sign surface area is not transferable to another wall.

### Free-Standing and Mobile Signs

- (15) Sign surface area is calculated as follows for free-standing and mobile signs:
  - a. Sign surface area includes the entire area of the smallest rectangle that encloses the extreme limits of any writing or symbol, background colour or material, and any embellishment of the supporting structure forming part of the display;
  - b. Sign surface area includes the total area of all faces exhibited or intended for display, except where two faces are parallel and located back-to-back, sign surface area includes

the area of only one such face, and if the two parallel, back-to-back faces are not equal, then the sign surface area is the larger of such faces.

Table 9: District Specific Sign Regulations

Zone	Type	Maximum Height	Permitted Surface Area per Zoning Lot	Requirements
OS, IN	Free-Standing	20 ft. above grade	96 ft <sup>2</sup>	
	Wall Sign	Wall Height	Maximum 25% of building wall	Must not project more than 6.5 ft from the wall to which the sign is affixed.
	Inflatable	18 ft. from grade	10	<p>Only one inflatable sign shall be permitted per site.</p> <p>Only allowed as a temporary sign that may be displayed for no more than 15 days within a 6-month period.</p> <p>Must be setback 3 ft from front line, 15 ft from corner site lines, and 10 ft from driveway entrances.</p>
CM	Free-Standing	8 ft. above grade	48 ft <sup>2</sup> maximum	Digital signs require Council approval
	Wall Sign	Wall Height	10% of building wall to a maximum of 323 ft <sup>2</sup>	<p>Must not project more than 5 ft from the wall to which the sign is affixed.</p> <p>Digital signs require Council approval</p>
CH	Free-Standing	35 ft. above grade	323 ft <sup>2</sup>	<p>Maximum of one sign per lot</p> <p>Digital signs require Council approval</p>
	Wall Sign	Wall Height	Maximum 25% of building wall	<p>Must not project more than 6.5 ft from the wall to which the sign is affixed.</p> <p>Digital signs require Council approval</p>
	Mobile Sign	10 ft. above grade	48 ft <sup>2</sup> maximum area for a single face	<p>Must not include any flashing lights including digital.</p> <p>Maximum of one sign per lot.</p> <p>Only allowed to occupy one parking space where there is no practical alternative.</p> <p>Erected for not more than 30 days during each calendar year unless extended for an additional 30 days with a Conditional Use.</p>

St-Pierre-Jolys Zoning By-law 2021-11

				Must be setback 3 ft. from front line, 15 ft. from corner site lines, and 10 ft. from driveway entrances.
	Inflatable	18 ft. from grade		<p>Only one inflatable sign shall be permitted per site.</p> <p>Only allowed as a temporary sign that may be displayed for no more than 15 days within a 6 month period.</p> <p>Must be setback 3 ft from front line, 15 ft from corner site lines, and 10 ft from driveway entrances.</p>
	Billboard Poster Signs	30 ft. maximum height from grade	Maximum sign surface area shall be 200 ft <sup>2</sup>	A billboard poster sign must not face an abutting or adjacent residential use unless the billboard sign is not visible from the abutting or adjacent residential use.
<b>M</b>	Free-Standing	8 ft. above grade	1.25 ft <sup>2</sup> per foot to a maximum of 323 ft <sup>2</sup>	<p>Not permitted in a required yard abutting a residential zone.</p> <p>Digital signs require Council approval</p>
	Wall Sign	Wall Height	Maximum 25% of building wall	<p>Must not project more than 6.5 ft from the wall to which the sign is affixed.</p> <p>Digital signs require Council approval</p>

## 5 Provisions for Infill Residential Housing

### 5.1 Accessory Dwelling Units

An accessory dwelling unit (ADU) is a second dwelling unit created on a lot with a single-detached dwelling. The second unit is created auxiliary to, and is smaller than, the main dwelling. ADUs can be created in a variety of ways, including conversion of a portion of an existing single-detached dwelling, addition to an existing single-detached dwelling, conversion of a portion of an existing garage, conversion of an existing garage or the construction of an entirely new detached accessory building

#### 5.1.1 Requirements for All Accessory Dwelling Units

- (1) All accessory dwelling units must meet the following:
  - a. Location of entrances. Only one entrance may be located on the façade of the single-detached dwelling facing the fronting public road, unless the single-detached dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks; and entrances that face a side public road on a corner lot. Detached accessory dwelling units are exempt from this standard.
  - b. Parking. No additional parking spaces are required for the accessory dwelling unit. Existing required parking for the single-detached dwelling must be maintained or replaced on-site.
  - c. The minimum livable floor area for a Secondary Suite shall not be less than 320 square feet.
  - d. Only one of a Secondary Suite, a Garage Suite or Garden Suite may be developed in conjunction with a principal dwelling.
  - e. Shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

- (2) Accessory dwelling units shall not be included in the calculation of densities in this By-law.

#### 5.1.2 Secondary Suites

An accessory dwelling unit may be constructed within and accessory to a **Single Detached Dwelling**, including an attached garage, subject to the following standards:

- (1) The maximum livable floor area of the Secondary Suite shall be as follows:
- (2) Where a Secondary Suite is located completely below the first storey of a Single Detached Dwelling (other than stairways or a common landing), the below grade floor area (excluding the area covered by stairways) shall not exceed the ground floor area of the associated principal dwelling.
- (3) Where a Secondary Suite is developed completely or partially above grade, the livable floor area (excluding the area covered by stairways) shall not exceed 40% of the gross floor area of the

building containing the associated principal Dwelling, nor 800 square feet whichever is the lesser.

- (4) Must have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing, or directly from the side or rear of the structure.

### 5.1.3 Garage Suites

- (1) An accessory dwelling unit may be constructed above a detached Garage (above grade); or a single-storey attached to the side or rear of, a detached Garage (at-grade) that is accessory to a **Single Detached Dwelling**, subject to the following Standards:
- (2) The maximum livable floor area of the Garage Suites shall be as follows:
- (3) Where above a detached Garage, the livable floor area (excluding the area covered by stairways) shall not exceed 640 square feet.
- (4) Where attached to the side or rear of a detached Garage, the livable floor area (excluding the area covered by stairways) shall not exceed 530 square feet.
- (5) Must be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road
- (6) Detached accessory buildings with Garage Units must meet the development standards for detached accessory structures in this By-law, except the above grade Garage Suites may be in an accessory building with a maximum height of 22 feet
- (7) Roof top decks and balconies shall be allowed as part of a Garage Suite developed above a detached Garage only where the deck or balcony faces a lane or a flanking public road.
- (8) Windows contained within the Garage Suite portion of the detached Garage shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
- (9) Off-setting window placement to limit direct views of abutting rear or side yard amenity spaces, or direct view into a Garage Suite window on an abutting site;
- (10) Strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
- (11) Placing larger windows such as living room windows, to face a lane, a flanking public road, or the larger of any side yard abutting another property.
- (12) Must have an entrance separate from the motor vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.
- (13) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.



### 5.1.4 Garden Suites

An accessory dwelling unit may be located in a detached accessory structure to a **Single Detached Dwelling**, subject to the following standards:

- (1) The maximum livable floor area of the Garden Suite shall be 530 square feet.
- (2) Must be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.
- (3) Detached accessory buildings with Garden Suites must meet the development standards for detached accessory structures in this By-law.
- (4) Windows contained within the Garden Suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
  - (5) Off-setting window placement to limit direct views of abutting rear or side yard amenity spaces, or direct view into a Garden Suite window on an abutting site;
  - (6) Strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
  - (7) Placing larger windows such as living room windows, to face a lane, a flanking public road, or the larger of any side yard abutting another property.
- (8) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

## 5.2 Conversion of Residential Buildings

- (1) Converted dwellings may be created from a single detached dwelling in the RS zone into Duplex Dwellings, and Triplex dwellings; or in the RC zone into Duplex Dwellings, Triplex dwellings, Multi-Family Dwellings, Rooming and Boarding Houses, or Community Care Facilities subject to the following:
  - (2) The Single Detached Dwelling shall have existed prior to the passing of this By-law;
  - (3) Shall be subject to the provisions of the bulk standards of the underlying zoning district for dwelling types and the parking requirements;
  - (4) Shall only be located on a corner lot with direct access to a rear public lane for parking subject to the requirements of the section on **Dwellings on Corner Lots**; and
  - (5) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

### 5.3 Dwellings on Corner Lots

- (1) **Duplex Dwellings**, and **Triplex Dwellings** may be allowed in RS on corner lots subject to the following:
- (2) Corner lots should have, where possible, two active frontages that provide opportunities to have entrances on both sides;
- (3) Each dwelling unit shall have a minimum livable floor area of at least 800 square feet;
- (4) The building's parking area should have direct access to a rear public lane from which parking stalls can be directly accessed;
- (5) The parking area shall have a minimum interior side yard of 2 feet, and a minimum exterior side yard of 4 feet that shall provide screening such as a fence or hedge a minimum of 3 feet in height; and
- (6) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.
- (7) Duplex Dwellings, Triplex Dwellings, Multi-Family Dwellings, Rooming and Boarding Houses, and Community Care Facilities may be allowed in RC zones on corner lots subject to the following:
- (8) Corner lots should have, where possible, two active frontages that provide opportunities to have entrances on both sides;
- (9) Each dwelling unit shall have a minimum livable floor area of at least 800 square feet;
- (10) The building's parking area should have direct access to a rear public lane from which parking stalls can be directly accessed;
- (11) The parking area shall have a minimum interior side yard of 2 feet, and a minimum exterior side yard of 4 feet that shall provide screening such as a fence or hedge a minimum of 3 feet in height; and
- (12) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

### 5.4 Rooming and Boarding Houses

**Rooming and Boarding Houses** shall comply with the following regulations:

- (1) The maximum occupancy shall be 4 residents.
- (2) Shall be developed as either a purpose-built freestanding structure, part of an **Apartment Dwelling** development, or **Single Detached Dwelling** converted for this purpose subject to the provisions of the **Conversion of Residential Buildings**.
- (3) Shall only be located in a Zone where **Rooming and Boarding Houses** are allowed,
- (4) Shall require all units operated by a single provider when a **Duplex Dwelling** or **Triplex Dwelling** is converted for the purpose of **Rooming and Boarding Houses**.

- (5) Sleeping Units shall be limited in food preparation facilities to bar fridge, mini-sink, and microwave.
- (6) No **Home Enterprises, Secondary Suite, or Garage Suite** shall be permitted as part of a **Rooming and Boarding Houses** development or on the site of such development.
- (7) Where a **Rooming and Boarding Houses** is designed as a freestanding structure it shall be of a size, scale, and outward appearance that is typical of surrounding area subject to:
- (8) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Office

## 5.5 Community Care Facilities

**Community Care Facilities** in RC zones shall comply with the following regulations:

- (1) The maximum occupancy shall be 4 residents in the RC Zone for **Community Care Facilities**.
- (2) Shall be developed as either a purpose-built freestanding structure or a **Single Detached Dwelling** converted for this purpose subject to the provisions of the **Conversion of Residential Buildings**.
- (3) No **Home Enterprises, Secondary Suite, or Garage Suite** shall be permitted as part of the development or on the Site of such development.
- (4) Where designed as a freestanding structure, it shall be of a size, scale, and outward appearance that is typical of surrounding area subject to;
- (5) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

## 5.6 Flag Lots

- (1) The creation of new flag lots is prohibited unless:
- (2) The lands proposed for flag lot access are located in a residential standard zoning district;
- (3) The proposed flag lot has access to a navigable waterway or a public right-of-way; or
- (4) The Development Officer determines that there is no feasible alternative way to provide access to such lands for the following instances:
  - i. when reasonably necessary to eliminate access onto thoroughfares;
  - ii. when necessary to make reasonable use of parcels with severe topography or other physical constraints;
  - iii. when a flag lot would provide greater protection of natural resources areas (e.g. streams); or

- iv. when necessary to accommodate the function of hiding or concealing utility buildings/substation, or radio, television or communication towers.
- (5) Approved flag lots are subject to the following requirements:
- (6) The flagpole portion that is the access corridor of the lot shall not be built upon with a structure, or used to calculate lot area, lot width, lot depth, lot coverage or building setbacks, and the flagpole portion may not be used to provide off-street parking;
- (7) The minimum width of the strip of land used to provide the access corridor to the buildable portion of the flag lot shall be 20 feet with a minimum of 3 feet of landscaping on either side of a driveway that is a minimum of 10 feet in width;
- (8) The access corridor to the buildable portion of the flag lot shall not exceed 300 feet in length;
- (9) A common driveway for all dwelling units shall be encouraged with the preferred location for the driveway on the flagpole portion of the flag lot, with the interior lot granted a cross access easement over the flagpole;
- (10) The flagpole must be part of the flag lot, connect to a public road and be under the same ownership as the flag portion of the lot. Access easements to allow for use of the pole by another lot may be required;
- (11) Adequate vehicle turn-around space on the flag portion of the lot shall be provided to discourage vehicles from backing out from the site; and
- (12) Within the access corridor on the pole portion of the lot, the owner must erect and maintain a property address sign for the dwelling on the flag portion of the lot, said address sign meeting the standards of this By-law for building addresses.

## **5.7 Splitting Attached Dwellings on to Separate Lots**

- (1) The owner of a lot that has a semi-detached dwelling or a multiple attached dwelling may split the lot to allow each dwelling unit on its own lot provided that:
- (2) The new lot line must be a straight line between the front and rear lot lines, located in such a manner that the party wall of the semi-detached dwellings and any applicable accessory structure must form part of the new lot line, and where the new lot line is unable to form a straight line due to the irregular shape of the lot or the structure, the location of that new lot line must be determined by the conditions of any subdivision approval issued;
- (3) Each of the lots created must have frontage on a public road;
- (4) The permitted use of each lot created must be for a semi-detached dwelling unit and permitted accessory uses and structures only;
- (5) Each lot created must provide one parking space with access to this required parking space being directly from either a public lane or a public road; however, the parking space must not be in the front yard leading to the front of the principal structure;
- (6) Any parking in a side yard shall be accommodated in side yard with a minimum width of 10 feet; and
- (7) Each lot created must provide the required side yard setbacks for the underlying zoning district minimum setback requirements; except that the minimum side yard setback along the new lot line that falls along the party wall may be zero feet.

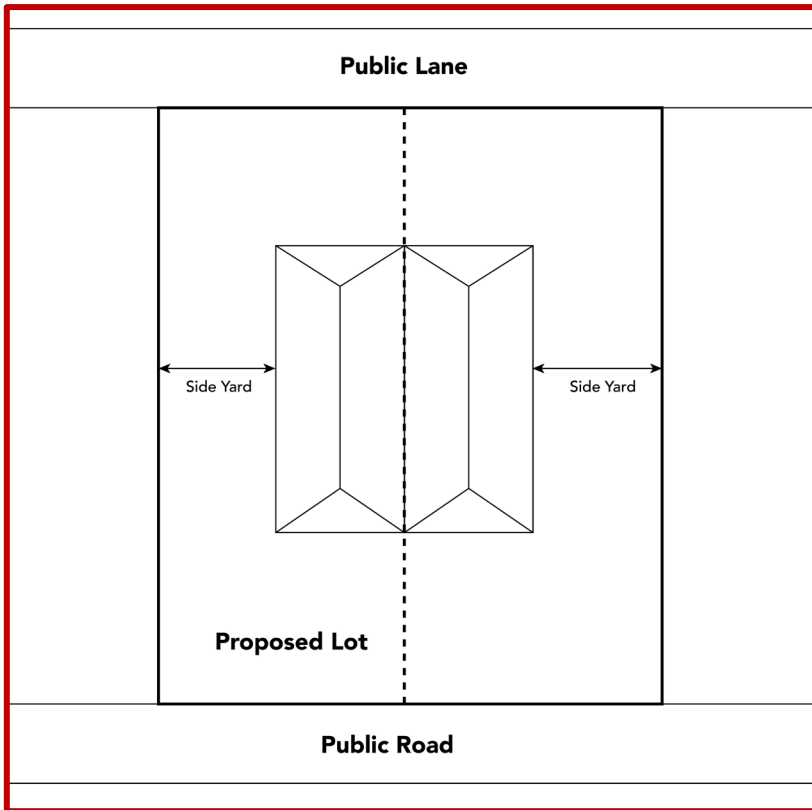


Figure 9: Splitting Semi-Detached Dwellings On Two Separate Lots

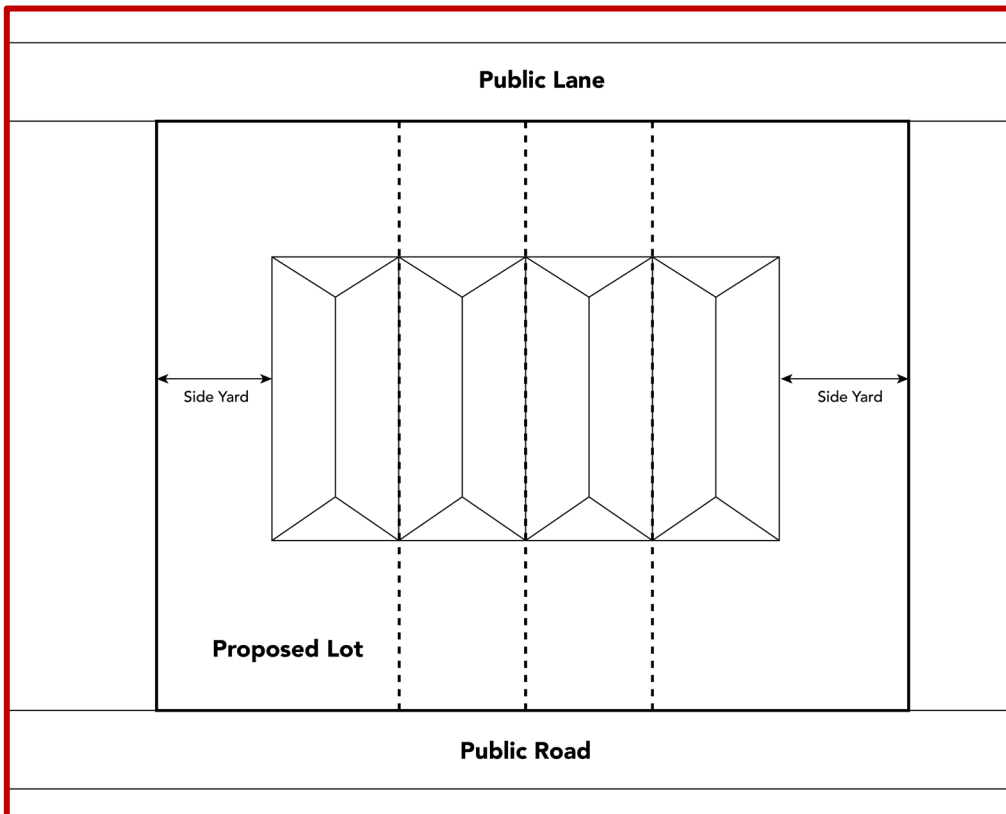


Figure 10: Splitting Semi-Detached Dwellings On Two Separate Lots

## 5.8 Bungalow Clusters

- (1) May include Single Detached Dwellings, Duplex Dwellings (Horizontal), Townhouses, Mobile Homes, and Mobile Units organized around a private green open space on lands zoned RMU.
- (2) The minimum spatial separation between detached dwellings as measured from building face to building face shall be 4 feet, unless the detached dwellings are semi-detached and sharing a common party wall.
- (3) The minimum spatial separation between the front wall of the detached dwellings and the common area that contains the open green space shall be 3 feet.
- (4) The minimum width of the common area open green space shall be 15 feet.
- (5) Zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to internal lot lines resulting from the registration of any phase of a Planned Unit Development.
- (6) Proposed Bungalow Cluster developments are subject to Minimum Parking Requirements as defined in Table 4 under Section 3.1.

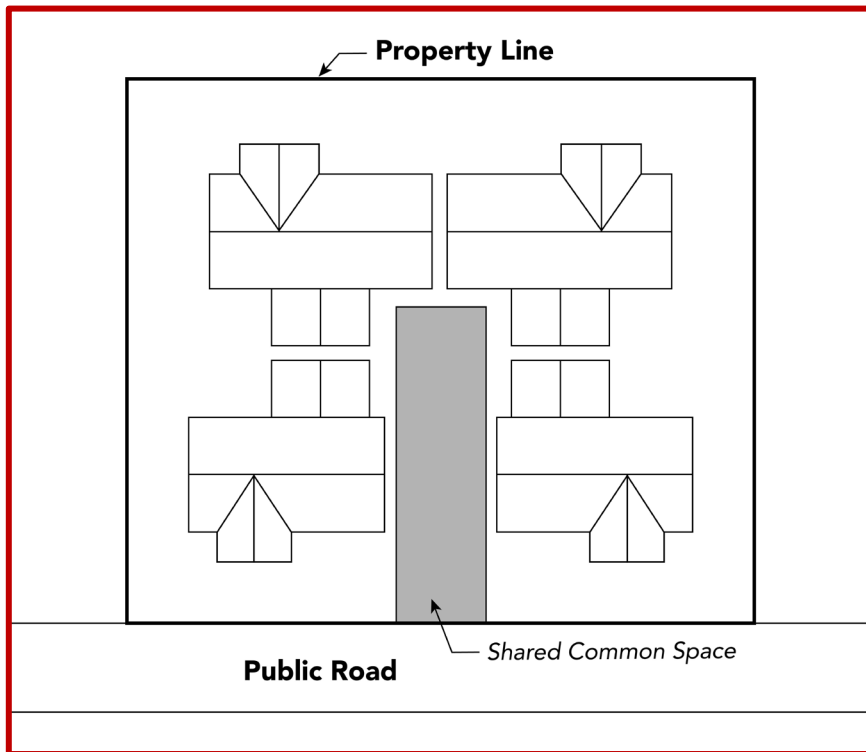


Figure 11: Bungalow Cluster

## 5.9 Bungalow Courts

- (1) May include Single Detached Dwellings, Duplex Dwellings (Horizontal), Townhouses, Mobile Homes, and Mobile Units organized around a private green open space on lands zoned RMU.
- (2) The roadway surface of the private lane must be hard surfaced with concrete, asphalt, or paving stone, or a combination of those materials.
- (3) The design of the private lane, loop street, and/or frontage street shall be subject to review and approval by the municipal engineer.

- (4) The roadway surface of the private lane must be at least 20 feet wide for two-way traffic and 15 feet for one-way traffic.
- (5) The common area surrounded by the roadway surface must be at least 5 feet wide on each side.
- (6) Individual driveways leading from a shared private lane to each dwelling unit must be at least 20 feet long, as measured between the front of the garage or carport and the closest pavement edge of the shared private lane.
- (7) The design of the private lane must permit a passenger motor vehicle to back out of an individual driveway and turn 90 degrees.
- (8) The minimum spatial separation between detached dwellings as measured from building face to building face shall be 6 feet, unless the detached dwellings are semi-detached and sharing a common party wall.
- (9) The minimum spatial separation between the front wall of the buildings and the common area that contains the roadway shall be 5 feet.
- (10) Zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to internal lot lines resulting from the registration of any phase of a plan of condominium.
- (11) The two (2) approaches of a loop lane connecting to the public road shall be a minimum of 18.2 m (60 ft) apart.
- (12) Proposed Bungalow Court developments are subject to Minimum Parking Requirements as defined in Table 4 under Section 3.1.

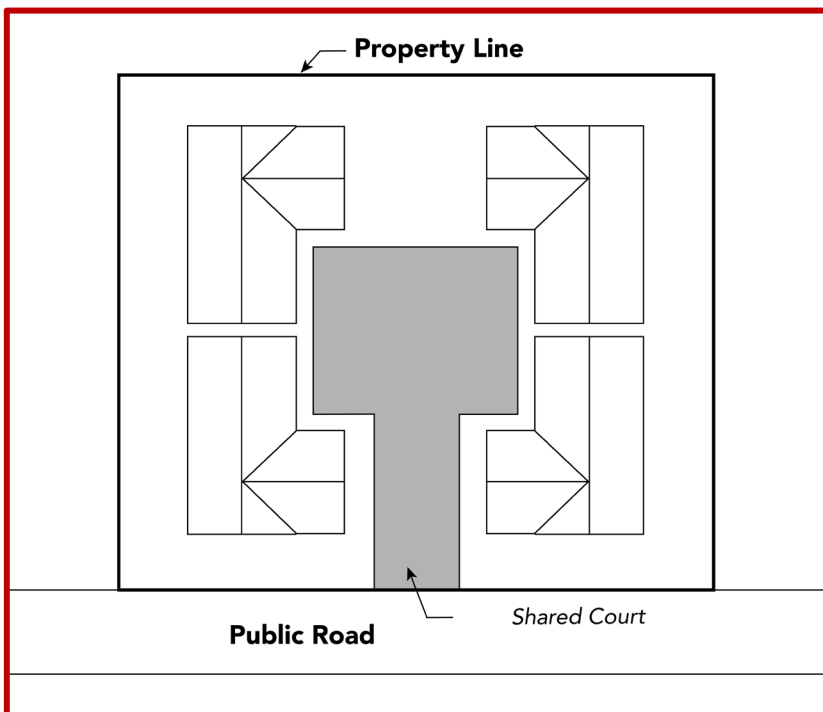


Figure 12: Bungalow Court

### 5.10 Dwelling Unit, Live-Work

- (1) The Dwelling and work components of the Live-Work Unit shall not be legally separated through a subdivision or condominium conversion.
- (2) The Dwelling associated with a Live-Work Unit shall not contain a Home Enterprise.
- (3) There may be internal access between the Dwelling and the work components of the Live-Work Unit.
- (4) For Live Work Units located at Grade, the Live-Work Unit shall contribute to the pedestrian-oriented character of the street or immediate area with an **active frontage**.
- (5) Neither the Dwelling nor the work component of the Live-Work Unit shall be less than 25% of the total floor space of the Live-Work Unit

### 5.11 Dwelling Units, Commercial Zones

- (1) Residential dwelling units are permitted in all **Commercial Zones** with the following provisions:
- (2) Dwelling units shall only be located above or to the rear, but within the same building, of one or more permitted commercial uses that occupy the first floor of the principal building.
- (3) Shall have bathroom and kitchen facilities that are separate from the non-residential use.
- (4) Shall have a building entrance that is separate from the non-residential use unless a Live Work Unit.
- (5) In one-storey buildings, residential dwelling units are permitted, provided that:
  - i. Commercial uses occupy the front of the building;
  - ii. Each permitted dwelling unit shall have a minimum livable floor area of 400 square feet; and
  - iii. Livable floor areas comprise no more than 40% of the gross floor area of the building
- (6) Shall contribute to the pedestrian-oriented character of the street, the immediate area, or the high visibility of the highway with an **active frontage**.
- (7) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer

### 5.12 Dwelling Units, Industrial and Institutional Zones

- (1) A maximum of one dwelling unit shall be permitted all **Industrial and Institutional Zones** as an accessory use to any permitted use with the following provisions:
- (2) The dwelling unit must be occupied by on-site workers, the business owner, caretaker, security guard or similar employee(s).
- (3) Shall have bathroom and kitchen facilities that are separate from the non-residential use.
- (4) Shall have a building entrance that is separate from the non-residential use unless a Live Work Unit.
- (5) May be detached from the principal building such as mobile home or mobile unit.



- (6) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

### 5.13 Mobile Homes and Mobile Units

- (1) No person shall use lands zoned land RS or RC for the purpose of permanently erecting or placing thereon a mobile unit or mobile home: a portable dwelling unit that is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached for transportation purposes, whether or not such structure actually has at any time such wheels, or is jacked up or skirted.
- (2) **Mobile homes** may be allowed as dwelling units and a principal structure on lands zoned RMU in Bungalow Clusters and Bungalow Courts; and as dwelling units as an Accessory Dwelling in lands zoned M. The overall character of areas containing mobile homes must remain consistent, to the satisfaction of the Development Officer.
- (3) A **mobile home park** must meet the following standards:
  - a. more than one mobile home may be permitted on an approved mobile home park site
  - b. a mobile home park must provide a roadway with a driving surface a minimum of [five] meters ([16.5] feet) wide with an all-weather surface that serves all dwellings [that meets the municipal roadway lighting and surface water drainage standards]
  - c. a mobile home park must provide clear identification of each dwelling space and its boundaries
  - d. a mobile home park may provide a centrally located common park space or recreation area equivalent to a minimum area of [40] square meters (430 square feet) per dwelling space
  - e. shall require site plan approval by the Development Officer and Council for the on-site location of the site boundaries; foundations, pads, or mobile home sites; accessory buildings; internal roads; sidewalks and active transportation paths; vehicle parking; and systems supplying electrical power, water and sewage disposal. All of which shall be maintained to the satisfaction of the Development Officer.
- (4) **Mobile homes** or **mobile home parks** require a development permit. No mobile home located in the in the Village shall receive a development permit unless it complies with the following regulations:
  - a. all mobile homes, even those constructed outside the municipality, must meet the structural standards in The Buildings and Mobile Homes Act.
  - b. a mobile home, when located permanently on a site, shall:
    - i. be connected to municipal sewer services and private drinking water system when such services are available on the site
    - ii. be placed and anchored on a permanent foundation
    - iii. have skirting that screens the view of the foundation supports or wheels

- c. shall require site plan approval by the Development Officer and Council for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

#### **5.14 Not Considered Dwelling Unit**

- (1) No truck, bus, shipping container, coach or other vehicle, whether or not the same is maintained on wheels, shall not be used for habitation as a dwelling unit either as an accessory dwelling unit or a principal dwelling unit on residentially zoned lands.

## 6 Zoning Land and Land Uses

### 6.1 Classification of Uses

- (1) The list of land-uses in this By-law is not exhaustive, nor is it intended to be exhaustive. New types of land-uses will develop, and forms of land-uses not anticipated may seek to locate in the Planning Area. Any person may apply to the Development Officer for an interpretation as to whether a proposed land-use falls within any of the land-use categories or use types in this By-law, and, if so, which one. The North American Industry Classification System (NAICS) Canada should provide a valuable resource in determining land-uses into classes and zones since version (2017 V 2.0) was used extensively to define each of the land-uses.
- (2) The Development Officer must provide the interpretation in writing, and shall take into account the nature of the proposed land-use and its potential impacts, including but not limited to: whether it involves dwelling units, sales; processing, type of product, storage and amount, and nature thereof; enclosed or open storage; anticipated employment; transportation requirements; excessive noise, odour, fumes, dust, toxic material, and vibration likely to be generated; and the general requirements for public services.
- (3) The Development Officer shall have the authority to provide an interpretation of a land-use but shall not have the authority to add a new permitted or conditional use to this By-law without the appropriate public hearing for an amendment to the text of this By-law.
- (4) An appeal of the Development Officer's interpretation may be made to Council.

### 6.2 Land-Use Lexicon: Uses of Land Defined

The North American Industry Classification System (NAICS) was jointly created by the Canadian, US, and Mexican governments to ensure common analysis across all three countries. The NAICS is used extensively to define and classify land-uses in this By-law. The following are the land-uses that are classified into the zoning districts in this By-Law:

**Agri-Business** means establishments primarily engaged in providing goods and services to Agriculture Operations including:

- a. Wholesaling merchandise, generally without transformation, and rendering services incidental to the sale of merchandise that includes mainly land-uses under 'Agricultural supplies merchant wholesalers' includes:
  - Agricultural feed merchant wholesalers
  - Seed merchant wholesaler
  - Agricultural chemical and other farm supplies merchant wholesalers
  - Storage and distribution of fertilizers such as retailers of anhydrous ammonia
- b. Retailing fuels (except heating oil and liquefied petroleum gas) via direct selling in large quantities or to large vehicles [Bulk Fuel Sales Depot].
- c. Storage of petroleum products or other flammable liquids legally stored within a structure or establishment [Bulk Fuel Storage].

- d. Support activities for crop production includes:
- Agricultural product sterilization service
  - Crop dusting and spraying service, with or without fertilizing
  - Crop harvesting service
  - Crop planting or seeding services
  - Farm labour contractors
  - Farm management service (crop production)
  - Farm product (crop) sorting, grading or packing service (for the grower)
  - Fertilizer application service
  - Fruit picking service, hand (e.g., apple, strawberry, blueberry, cherry)
  - Grain drying service
  - Soil preparation services (e.g., hoeing, ploughing, rototilling, weeding), agricultural
  - Threshing service, agricultural crop and plant
- e. Support activities for animal production includes:
- Artificial insemination services, animal specialties and livestock
  - Breeding services for livestock
  - Cattle registration service
  - Farriers (horseshoeing)
  - Horses, boarding (except racehorses)
  - Milk testing for butterfat• Sheep dipping and shearing services
- f. Farm product merchant wholesalers primarily engaged in wholesaling livestock, grain and other farm products includes:
- Live animal merchant wholesalers
  - Auctioning livestock
  - Livestock merchant wholesalers
  - Oilseed and grain merchant wholesalers
  - Nursery stock and plant merchant wholesalers
  - Other farm product merchant wholesalers
- g. Farm, lawn and garden machinery and equipment merchant wholesalers engaged in wholesaling new or used farm, lawn and garden machinery, equipment and parts.
- h. Live animal merchant wholesaler establishments primarily engaged in wholesaling live animals including auctioning livestock, with own facilities, and livestock merchant wholesaler.
- i. Farm product warehousing and storage means establishments primarily engaged in operating farm product warehousing and storage facilities, except refrigerated including grain elevators (storage only), and farm product warehousing and storage.

**Agri-Manufacturing** means establishments primarily engaged in producing food for human or animal consumption in a manufacturing process using agricultural products provided by an agricultural operation. Also includes the production of food crops and non-food crops grown under cover inside greenhouses or warehouses. Land-uses includes:

- Animal food manufacturing
- Grain and oilseed milling

- Flour milling and malt manufacturing
- Oilseed processing
- Fat and oil refining and blending
- Fruit and vegetable preserving and specialty food manufacturing
- Frozen food manufacturing
- Fruit and vegetable canning, pickling and drying
- Dairy product manufacturing
- Fluid milk manufacturing
- Butter, cheese, and dry and condensed dairy product manufacturing
- Meat product manufacturing
- Animal slaughtering and processing
- Rendering and meat processing from carcasses
- Poultry processing
- Bakeries and tortilla manufacturing
- Bread and bakery product manufacturing
- Commercial bakeries and frozen bakery product manufacturing
- Cookie and cracker manufacturing
- Flour mixes, dough, and pasta manufacturing from purchased flour
- Snack food manufacturing
- Coffee and tea manufacturing
- Beverage and tobacco product manufacturing including Breweries,
- Greenhouse, nursery and floriculture production including: Food crops grown under cover; Mushroom production; Other food crops grown under cover; Nursery and floriculture production; Nursery and tree production; and Floriculture production

**Auction House/Yard** means a building, portion of a building, or place used for the public sale of goods, merchandise, vehicles or heavy equipment, other than livestock, to the highest bidder.

**Automobile Dealers** means establishments primarily engaged in retailing new and used automobiles, sport utility vehicles, and light-duty trucks and vans, including mini-vans. Excludes retailing recreational vehicles (RV), watercraft, motorcycles and snowmobiles.

**Automotive Repair and Maintenance** means establishments primarily engaged in repairing and maintaining motor vehicles, such as cars, trucks, vans and commercial trailers. Includes automotive mechanical and electrical repair and maintenance; general automotive repair; and car washes.

**Bed and Breakfast** means establishments primarily engaged in providing short-term lodging in facilities known as bed and breakfast homes. Bed and breakfast homes are characterized by a highly personalized service, and usually the inclusion in the room rate, of a full breakfast, served by the owner or owner-supervised staff.

**Bungalow Clusters [Planned Unit Development]** are dwellings units organized around a defined private open green space held as a common area that is shared, and where the zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to the internal lot condominium unit lines resulting from the registration of any phase of a plan of condominium.

**Bungalow Courts [Planned Unit Development]** are dwellings units organized around a defined private

lane held as a common area that is shared for vehicle access to a public right-of-way, and where the zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to the internal lot condominium unit lines resulting from the registration of any phase of a plan of condominium.

**Car Washes** means an establishment primarily engaged in washing and cleaning motor vehicles including: auto detail shop, automobile washing and polishing, mobile wash unit (trucks, autos), waxing and polishing. Considered as Automotive Repair and Maintenance.

**Cannabis** means cannabis as defined in the Cannabis Act (Canada).

**Cannabis Distributor** means a person who holds a cannabis distributor license issued under the Liquor, Gaming and Cannabis Control Act.

**Cannabis Cultivation** means the small-scale or large-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.

**Cannabis Nursery** means the growing of cannabis plants to produce starting material (seed and seedlings) and associated activities.

**Cannabis Processing** means the small-scale or large-scale manufacturing, packaging and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities.

**Cannabis Retail Store** means the premises specified in a retail cannabis license where the retail sale of cannabis is authorized.

**Cemeteries** means establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains.

**Child Day-Care Services** means establishments primarily engaged in providing day-care services for infants or children and does not include home-based child care services. These establishments may care for older children when they are not in school and may also offer pre-kindergarten educational programs.

**Community Care Facilities** means establishments primarily engaged in providing residential and personal care services for persons who are unable to fully care for themselves or who do not desire to live independently. In some instances, these establishments provide skilled nursing care for residents in separate on-site facilities. Includes the provision of room, board, supervision and assistance in daily living services such as housekeeping.

**Community Centre** means a multi-purpose facility for recreational, social, day care, or cultural uses where patrons are primarily participants, and any spectators are incidental and attend on a non-recurring basis. Examples include recreation and leisure centres, hockey and skating rinks, curling, and community halls.

**Community Garden** means a communal garden provided for the sole use of or consumption by the individual or individuals working the garden.

**Community Health Centres** means establishments, with medical staff, primarily engaged in general out-patient care, which provides the services of a variety of health practitioners within the same establishment. These establishments are often referred to as clinics or centres and must not be confused with the offices of health practitioners.

**Community Housing Services** means establishments primarily engaged in providing short-term shelter for

victims of domestic violence, sexual assault or child abuse; temporary residential shelter for the homeless, runaway youths, and patients and families caught in medical crisis; and transitional housing for low-income individuals and families.

**Contractor Service** means a place of business for persons employed in trades such as construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support services areas shall be accessory to the principal Contractor Service use.

**Crematorium** means establishments fitted with the proper appliances for the purposes of the cremation of human or animal [not including livestock] remains.

**Cultural Centre** means a building or portion of a building dedicated to the celebration and promotion of heritage or cultural groups. A cultural centre is distinct from a private club on the basis of a broader range of uses typically available to customers and guests, including restaurants, interpretive galleries, retail sales, personal services, theatres, and banquet halls. In addition, customers and guests are not required to be members of a non-profit organization.

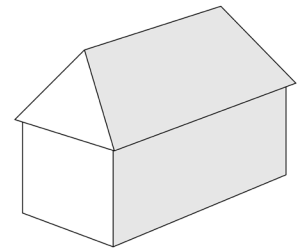
**Drinking Places** (alcoholic beverages) means establishments, known as bars, taverns or drinking places, primarily engaged in preparing and serving alcoholic beverages for immediate consumption. Includes bars, beer parlours or taverns, brasseries, cocktail lounges, nightclubs.

**Drive-Through Facility** means establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in vehicles that are in designated stacking aisles. A drive-through facility may be in combination with other uses, such as a bank, credit union, restaurant or gas station.

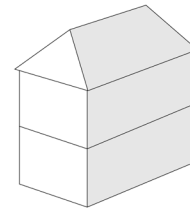
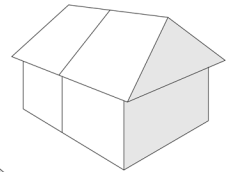
**Dwelling Unit** means a building or part of a building occupied or capable of being occupied, in whole or in part as the habitable space, home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or seasonally, irrespective of tenure or ownership, but shall not include recreational vehicle, camping tents, trailer or motor home. Dwelling Units include:

- a. **Dwelling Unit, Attached Accessory** which means a room or rooms in which kitchen, sanitary conveniences and sleeping quarters are provided for the exclusive use of the occupants and with a private entrance from outside the building or from a common corridor or stairway inside the building. Includes:
  - **Secondary Suites** means an accessory dwelling unit constructed within and accessory to a single detached dwelling, including an attached garage.

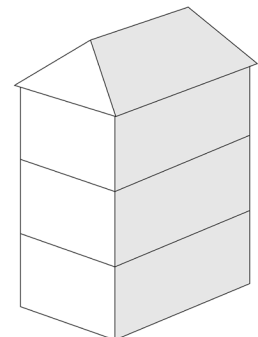
- b. **Dwelling Unit, Detached Accessory** means a dwelling unit that is in a separate building or structure which is accessory to and located on the same lot as the principal use, building or structure, but not including a building or structure which is used as a dwelling unless specifically permitted. Includes:
- **Garage Suites** means an accessory dwelling unit constructed above a detached Garage (above grade); or a single-storey attached to the side or rear of, a detached Garage (at-grade) that is accessory to a single detached dwelling.
  - **Garden Suites** means an accessory dwelling unit located in a detached accessory structure to a single detached dwelling.
- c. **Dwelling Unit, Live Work** means a unit that contains one Dwelling, in addition to dedicated floor space for the purpose of conducting a business. The work component may or may not be separate and distinct from the Dwelling. The Dwelling may be accessed through the business space. This Use does not include a Home-based Business.
- d. **Single Detached Dwelling** which means a detached building containing one dwelling unit only.



- e. **Duplex Dwelling** which means the whole of a two-storey building divided horizontally or vertically into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

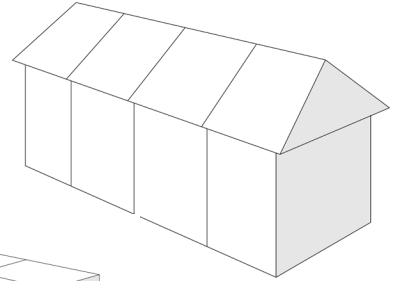
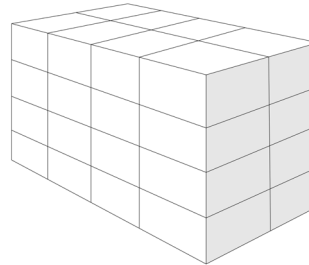
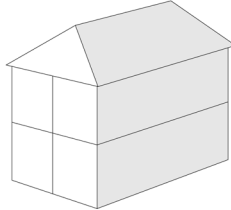
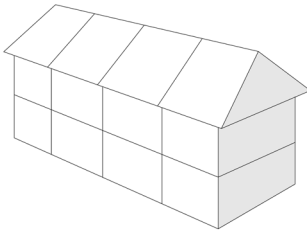


- f. **Triplex Dwelling** which means whole of a three-storey building divided horizontally into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.





- g. **Multi-Family Dwelling** which means the whole of a residential use building containing three or more dwelling units that are divided vertically and/or horizontally, each of which has an independent entrance. For the purpose of this By-law, it includes rowhouses, townhouses, and apartment dwellings that have a common entrance from street level and are served by a common corridor.



- h. **Converted Dwelling** which means a residential use building that has been altered, but not demolished and replaced, to increase the number of dwelling units to three or more.

**Educational Services** means establishments primarily engaged in providing instruction and training in a wide variety of subjects. This instruction and training is provided by specialized establishments, such as schools, colleges, universities and training centres. These establishments may be privately owned and operated, either for profit or not, or they may be publicly owned and operated. They may also offer food and accommodation services to their students.

**Equestrian Establishment** means an area of land which is used as an educational centre for horse training, handling, care, or for the lodging of horses.

**Fitness and Recreational Sports Centres** means establishments primarily engaged in operating health clubs and similar facilities featuring exercise and other active physical fitness conditioning, or recreational sports activities including athletic clubs, physical fitness facilities, gymnasiums, physical fitness centres or studios, and health spas.

**Funeral Homes** means establishments primarily engaged in preparing the dead for burial or interment and conducting funerals. Including funeral parlours, morticians or undertakers.

**Gasoline Stations** means establishments primarily engaged in retailing automotive motor fuels, whether or not the gasoline station is operated in conjunction with a convenience store, repair garage, restaurant or other type of operation. Establishments that operate gasoline stations on behalf of their owners and receive a commission on the sale of fuels are also included. Excludes retailing marine fuels at marinas.

**Gasoline Stations with Convenience Stores** means establishments primarily engaged in retailing automotive fuels combined with the retail sale of a limited line of merchandise, such as milk, bread, soft drinks and snacks in a convenience store setting.

**Health Care Offices** means establishments primarily engaged in providing health care by diagnosis and treatment. Includes Ambulatory health care services, Offices of physicians, dentists, chiropractors, optometrists, mental health practitioners, and physical, occupational, and speech therapists and audiologists; and other health practitioners.

**Heritage Institutions** means establishments primarily engaged in preserving and exhibiting objects, sites

and natural wonders of historical, cultural and educational value. Includes Non-commercial art museums and galleries, History and science museums, planetariums, halls of fame and wax museums.

**Heritage Resources** means a heritage site, a heritage object, and any work or assembly of works of nature or human endeavour that is of value for its archaeological, paleontological, prehistoric, historic, cultural, natural, scientific or aesthetic features, and may be in a form of sites or objects or combination of them.

**Heavy Equipment Sales, Rental and Servicing** means a facility that is engaged in the sales, rental or repair of heavy equipment typically used in agricultural, commercial or industrial operations, including tractors, trucks with a gross vehicle weight of over 15,000 pounds, Truck Tractor/Trailer Combinations, harvesters, loaders and tracked vehicles as well as sales of parts, whether new or used, for heavy equipment.

**Home Occupation** means an occupation, professions or business use secondary to a Dwelling Unit, and which is conducted entirely within the dwelling unit or accessory structure to a dwelling unit. No aspects of the business operations shall be detectable from outside the property.

**Home Based Business** means an occupation, professions or business use secondary to a Dwelling Unit, and which may generate more than one business associated visit per day. There may also be non-resident employees, and a limited use of unenclosed areas by the use.

**Hostels** means an establishment providing short-term semi-private accommodations for travelers.

**Hotel** means establishments primarily engaged in providing short-term lodging in facilities. These establishments provide suites or guest rooms within a multi-storey or high-rise structure, accessible from the interior only, and they generally offer guests a range of complementary services and amenities, such as food and beverage services, parking, laundry services, swimming pools and exercise rooms, and conference and convention facilities.

**Interpretive Centre** means a building or group of buildings that provides interpretation of a place of interest, such as the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include facilities such as a refreshment stand or gift shop.

**Libraries** means an establishment primarily engaged in maintaining collections and facilitating the use of such documents (regardless of its physical form and characteristics) as are required to meet the informational, research, educational or recreational needs of their users.

**Light Equipment Sales, Rental and Servicing** means a facility that is engaged in the sales, rental or repair of light machinery and equipment including automotive tools, cleaning equipment, concrete and masonry equipment, electric tools and accessories, gasoline generators, painting and decorating equipment, home and garden equipment, home appliances, plumbing tools and other similar tools and accessories.

**Animal Keeping, Livestock Operations with less than 10 Animal Units in size** means a facility such as a hobby farm, private stable or equestrian establishment as an accessory use on a property.

**Manufacturing** means establishments primarily engaged in the chemical, mechanical or physical transformation of materials or substances into new products. These products may be finished, in the sense that they are ready to be used or consumed, or semi-finished, in the sense of becoming a raw material for an establishment to use in further manufacturing. Related activities, such as the assembly of the component parts of manufactured goods; the blending of materials; and the finishing of manufactured products by dyeing, heat-treating, plating and similar operations are also treated as manufacturing activities.

Manufacturing establishments are known by a variety of trade designations, such as plants, factories or mills. Land-Uses includes:

- Textile product mills
- Clothing manufacturing
- Leather and allied product manufacturing
- Footwear manufacturing
- Wood product manufacturing
- Sawmills and wood preservation
- Veneer, plywood and engineered wood product manufacturing
- Paper manufacturing
- Printing and related support activities
- Petroleum and coal product manufacturing
- Chemical manufacturing
- Pharmaceutical and medicine manufacturing
- Plastics and rubber products manufacturing
- Non-metallic mineral product manufacturing
- Cement and concrete product manufacturing
- Primary metal manufacturing
- Fabricated metal product manufacturing
- Machinery manufacturing
- Computer and electronic product manufacturing
- Electrical equipment, appliance and component manufacturing
- Transportation equipment manufacturing
- Furniture and related product manufacturing
- Medical equipment and supplies manufacturing

**Micro-Brewery / Distillery / Winery** means an establishment completely contained within a structure where beer, wine or liquor produced on-site and sold to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer through carry-outs or on-site tap-room or restaurant sales.

**Mobile Food Services** means establishments primarily engaged in preparing and serving meals and snacks for immediate consumption from motorized vehicles or non-motorized carts without limiting the generality of the foregoing, wagons, trailers and trucks.

**Mobile Home** means a portable dwelling unit that is capable of being transported on its own chassis and running gear by towing or other means, or is placed on the chassis or body of a motor vehicle, or forms part of a motor vehicle, and is designated to be used as living quarters or as accommodation for travel, recreation or vacation purposes. This may include a portable or modular dwelling unit that was previously intended as a mobile home but all means of towing have been removed.

**Mobile Home Park** is a clustered area for mobile home units on a single zoning lot.

**Motel** means establishments primarily engaged in providing short-term lodging in facilities. These establishments provide suites or guest rooms within a low-rise structure, accessible from the exterior, and

generally offer guests a range of complementary services and amenities, such as food and beverage services, parking, laundry services, swimming pools and exercise rooms, and conference and convention facilities.

**Motorcycle, Boat and Other Motor Vehicle Dealers** means establishments primarily engaged in retailing new and used motorcycles, watercraft and other vehicles, such as snowmobiles, off-road all-terrain vehicles, utility trailers, and aircraft. These establishments also typically retail replacement parts and accessories, and provide repair services.

**Motor Vehicle Towing** means establishments primarily engaged in towing motor vehicles. Establishments engaged in providing light and heavy towing services, both local and long distance, to the general public, commercial, transportation and other sectors, are included. These establishments may offer incidental services, such as tire repair, battery boosting and other emergency road service.

**Municipal Fire-Fighting Services** means establishments of local governments primarily engaged in the prevention, investigation and extinction of fires.

**Nature Parks** means establishments primarily engaged in operating, maintaining and protecting nature parks, nature reserves or conservation areas. Included are conservation areas, national parks, provincial parks, nature reserves, and natural wonders.

**Nursing and Residential Care Facilities** means establishments primarily engaged in providing residential care combined with either nursing, supervisory or other types of care as required by the residents. In this sub-sector, the facilities are a significant part of the production process and the care provided is a mix of health and social services, with the health component being largely nursing services.

**Office** means uses focusing on professional, scientific and technical services primarily engaged in activities in which human capital is the major input and where the knowledge and skills of their employees, often on an assignment basis, are made available. Includes:

- Legal services
- Accounting
- Tax preparation
- Bookkeeping and payroll services
- Architectural, engineering and related services
- Specialized design services
- Computer systems design and related services
- Management, scientific and technical consulting services
- Insurance agencies and brokerages
- Real estate agents and brokers
- Scientific research and development services
- Advertising, public relations, and related services

Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Excludes banks, credit unions and health care offices.

**Off-Leash Dog Area** means an outdoor fenced facility where residents have the opportunity to exercise and socialize their dogs off leash within a controlled environment.

**Outside Display** means an outside display of goods and/or materials for sale, accessory to a retail principal

use. Merchandise may be directly available to the consumer for purchase.

**Outside Storage** means an unenclosed area where goods or materials including automobiles, equipment or supplies are stored. Includes storage of materials in a structure with a roof, but no walls, and storage of a shipping container is considered outside storage.

**Park** means a non-commercial, not-for profit site characterized by open space with natural vegetation or landscaping amenities that may be available to the public for recreational, educational, cultural, or aesthetic uses. May include recreational facilities or sports venues designed to serve the leisure and amateur competition of the community with accessory uses including clubhouses, maintenance facilities, concessions, and parking. May include school and religious institution's ballfields, football fields, and soccer fields. May include passive areas with woodlots and vegetation, and critical and significant wildlife habitat.

**Parking Lot** means a parking area that is the principal use on the lands and not accessory to any other principal building or land-use.

**Pavilion** means a non-habitable structure with a roof and no walls associated with a tourist area for the purpose of temporary sheltering people during events such as weddings, birthdays, and the like that may also contain enclosed within walls, bathrooms, or shower facilities.

**Picnic Shelter** means a non-habitable structure with a roof and support posts without walls that is used for the purposes of picnicking, lounging or food preparation, not for overnight accommodation or storage of chattels.

**Performing Arts Companies** means establishments primarily engaged in producing live presentations that involve the performances of actors and actresses, singers, dancers, musical groups and artists, and other performing artists. Examples of establishments in this industry group are theatre companies, dance companies, musical groups and artists, circuses and ice-skating shows.

**Personal and Household Goods Repair and Maintenance** means establishments primarily engaged in repairing and maintaining personal and household goods, such as home and garden equipment, appliances, furniture, footwear and leather goods, garments, watches, jewelry, musical instruments, bicycles and recreational boats.

**Personal Service Shops** means establishments used for the provision of personal services to an individual for personal grooming, or the cleaning and repair of personal effects. This use includes barbershops, hairdressers, beauty salons, tattoo and piercing parlours, spa, tanning salon, tailors, dressmakers, and dry cleaning establishments and laundromats. This Use does not include Health Care Offices.

**Pet Care Services** (except veterinary) means establishments primarily engaged in grooming, boarding and training pet animals. Including animal shelters, boarding kennel service, humane society facilities (animal shelters), pet grooming services, pet sitting services, and pet training services.

**Place of Worship** means development used for worship and related religious, philanthropic or social activities and includes Accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. Typical Uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

**Postal Service** means establishments primarily engaged in operating the postal service. Establishments of the Post Office, other than those primarily engaged in providing courier services, are classified in this industry, as well as establishments that carry on one or more functions of the postal service on a contract

basis, except the delivery of mail in bulk.

**Private Clubs** means development used for the meeting, social or recreational activities of members of non-profit philanthropic, civic, political, ethnic, retirement association, social service, athletic, business or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking and assembly.

**Private Stables** means a building in which horses are kept (also sometimes other livestock) can be maintained privately for an owner's own horses, or operated as a public business where a fee is charged for keeping other people's horses.

**Public Works Yard** means any land, building or structure operated by a government entity for the storage, manufacture, maintenance or repair of materials, equipment, heavy machinery or motor vehicles used in connection with public works such as roads or parks maintenance. Includes the outside storage of road maintenance material such as gravel or sand.

**Recreational and Vacation Camps** (except hunting and fishing) means establishments primarily engaged in operating overnight recreational camps, such as children's camps, family vacation camps, and outdoor adventure retreats that offer trail riding, white-water rafting, hiking and similar activities.

**Recreational Vehicle Dealers** means establishments primarily engaged in retailing new and used recreational vehicles (RVs), such as motor homes, recreational trailers and campers. These establishments also typically retail replacement parts and accessories, and provide repair services.

**Recreational Vehicle (RV) Parks and Campgrounds** means establishments primarily engaged in operating serviced or un-serviced sites to accommodate campers and their equipment. Includes tents, tent trailers, travel trailers and recreational vehicles being provided access to facilities, such as washrooms, laundry rooms, recreation halls and facilities, and stores and snack bars.

**Resorts** means establishments primarily engaged in providing short-term lodging in facilities known as resorts. These establishments feature extensive indoor and/or outdoor leisure activities on the premises on a year-round basis. Resorts are designed to accommodate vacationers and provide full-service suites and guest rooms, typically in a non-urban setting next to lakes, rivers or mountains. Establishments of this type often provide access to conference facilities. Include resorts with integrated health spa facilities.

**Restaurants** means establishments primarily engaged in providing food services to patrons who order and are served while seated and pay after eating, or who order or select items at a counter, food bar or cafeteria line (or order by telephone) and pay before eating. Includes Full-service restaurants; and limited-service eating places such as coffee shops, doughnut shops, fast food restaurants, ice cream parlour, take-out restaurants. Excludes Mobile Food Services.

**Retail Trade** means establishments primarily engaged in selling merchandise for personal and household consumption and rendering services incidental to the sale of merchandise.

**Retail Store** means establishments operating as a fixed point-of-sale location, located and designed to attract a high volume of walk-in customers. Typically sell merchandise to the general public for personal or household consumption, but some also serve businesses and institutions. The retailing process is the final step in the distribution of merchandise; retailers are therefore organized to sell merchandise in small quantities to the general public. Included are Retail Stores such as:

- Furniture and home furnishings stores
- Electronics and appliance stores

- Food and beverage stores
- Supermarkets and other grocery
- Convenience Stores
- Specialty Food Stores
- Fruit and vegetable markets
- Beer, wine and liquor stores
- Health and personal care stores
- Pharmacies and drug stores
- Cosmetics, beauty supplies and perfume stores
- Optical goods stores
- Clothing stores
- Sporting goods, hobby, book and music stores
- General merchandise stores
- Warehouse clubs
- Home and auto supplies stores
- Used merchandise stores

**Road Allowance** means a right of way surveyed for the purpose of a road by either the federal or provincial government survey and includes a right of way provided by a statute for the purpose of a road, a right of way dedicated to the public use as a highway, and a road allowance under the jurisdiction of a municipality.

**Rooming and Boarding Houses** means an establishment primarily engaged in operating rooming and boarding houses and similar facilities. A building or part of building, used for congregate living, containing Sleeping Units and four or more persons, and where there is no provision of on-site care, treatment or professional services of a physical or mental health nature. May provide complementary services, such as housekeeping, meals and laundry service; may provide temporary or longer-term accommodation, which, for the period of occupancy, may serve as a principal residence.

**Self-Storage Mini-Warehouses** means establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (rooms, compartments, lockers, containers or outdoor space) where clients can store and retrieve their goods.

**Sports Arena/Stadiums** facilities means establishments primarily engaged in operating sports stadiums and other sports facilities and organizing and promoting sports events or similar events held in these facilities. Includes:

- Promoting and presenting sports tournaments, in their own facilities
- Professional, semi-professional or amateur athletes primarily engage in performing before a paying audience
- Professional, semi-professional, or amateur sports clubs primarily engaged in presenting or participating in sporting events before a paying audience

**Surface improvement** means a structure of any kind and includes a well, railway, pipeline, flow line, roadway, and power line.

**Testing Laboratories** means establishments primarily engaged in providing physical, chemical and other analytical testing services. The testing activities may occur in a laboratory or on-site.

**Tourist Campsite** means...

**Truck Transportation** means establishments primarily engaged in the truck transportation of goods. These establishments may carry general freight or specialized freight. Specialized freight comprises goods that, because of size, weight, shape or other inherent characteristics, require specialized equipment for transportation. Establishments may operate locally, that is within a metropolitan area and its hinterland, or over long distances, that is between metropolitan areas.

**Utilities** means establishments primarily engaged in operating electric, gas and water utilities. These establishments generate, transmit, control and distribute electric power; distribute natural gas; treat and distribute water; operate sewer systems and sewage treatment facilities; telecommunications, and provide related services, generally through a permanent infrastructure of lines, pipes and treatment and processing facilities. Includes: Electric power generation, transmission and distribution; and Natural gas distribution.

**Veterinary Services** means establishments of licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals includes:

- Animal hospitals
- Consulting and visiting services, veterinary
- Herd inspecting and testing services, veterinary
- Surgery services, veterinary
- Veterinary practices or clinics
- Veterinary testing laboratories

**Warehousing and Storage** means establishments primarily engaged in operating general merchandise, refrigerated and other warehousing and storage facilities. Included in this sub-sector are third-party warehouses serving retail chains and wholesalers. Establishments in this sub-sector provide facilities to store goods for customers. They do not take title to the goods they handle. These establishments take responsibility for storing the goods and keeping them secure. They may also provide a range of services, often referred to as logistics services, related to the distribution of a customer's goods. Logistics services can include labelling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing and transportation arrangement. However, establishments in this sub-sector always provide storage services in addition to any logistics services. Furthermore, the storage of goods must be more than incidental to the performance of a service such as price marking.

**Waste Disposal Grounds** means a parcel of land that is used for the disposal of solid or industrial waste [Landfill].

**Wastewater Management System** means a system used to collect, store, treat, distribute and dispose of wastewater, and includes the facilities and services associated in the management of wastewater. [Sewage treatment facilities].

**Wholesale Trade** means establishments primarily engaged in wholesaling merchandise to retailers; to industrial, commercial, institutional, farm or professional business users. The wholesaling process is an intermediate step in the distribution of goods. Many wholesalers are organized to sell merchandise in large quantities. However, some wholesalers, in particular those that supply non-consumer capital goods, sell merchandise in single units to final users, which may include:

- Petroleum and petroleum products merchant wholesalers
- Food, beverage and tobacco merchant wholesalers
- Personal and household goods merchant wholesalers



## St-Pierre-Jolys Zoning By-law 2021-11

- Motor vehicle and motor vehicle parts and accessories merchant wholesalers
- Building material and supplies merchant wholesalers
- Machinery, equipment and supplies merchant wholesalers
- Building material and garden equipment and supplies dealers

## 7 Zoning Districts

### 7.1 Establishing Zones for Land-Uses

Land-uses in the planning area are regulated in accordance with the following zoning districts:

Table 10: Zoning Districts

Zoning District	Abbr.
Open Space	OS
Institutional	IN
Residential Standard	RS
Residential Compact	RC
Residential Mixed-Use	RMU
Commercial Main Street	CM
Commercial Highway	CHW
Industrial General	M
Future Growth	FG
Planned Development Overlay - 1	PDO-1
Planned Development Overlay - 2	PDO-2

### 7.2 Allowable Uses: Permitted and Conditional

The permitted and conditional uses are land-uses prescribed for lands within each zone, which set out in the Land-Use Tables for each Zoning District.

- (1) Where a use is not listed and is not similar to, or accessory to, a permitted or conditional principal use, or a permitted or conditional secondary use, the land-use is not allowed in the zone.

### 7.3 Bulk Regulations

No land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with the bulk requirements described in the **Bulk Regulations Tables** for each Zoning District, unless described elsewhere in this By-law.

### 7.4 Planned Development Overlay Districts

The following overlay zoning districts are hereby established, and each such district is intended for the purposes described below.

### 7.4.1 Planned Development Overlay - 1 (PDO-1)

- (1) The purpose of the Planned Development Overlay 1 (PDO-1) overlay district is to provide a means to alter or specify allowed uses and/or development standards in otherwise appropriate zones, in unique or special circumstances, in order to achieve local planning objectives in specially designated areas.
- (2) A PDO-1 zoning district is appropriate when additional zoning controls are required to address an area-wide (rather than site-specific) condition, or to implement an area-wide plan for the proposed district. PDO-1 districts are generally appropriate for areas with unique or special circumstances.
- (3) The PDO-1 overlay should meet the following criteria:
  - a. The proposed development regulations apply to more than one land parcel or more than one underlying base zoning district;
  - b. The proposed development rules are unique to the proposed area, and are not likely to be used in other areas of the Village without significant changes;
  - c. The proposed development rules contain relatively minor changes to the permitted and conditional uses in the underlying zoning district and/or minor changes to permitted dimensional standards applicable to the underlying zoning district; or
  - d. The proposed development regulations of the PDO are to implement the policies of a Secondary Plan.
- (4) The PDO-1 overlay must only be applied to zones where specified through a text amendment to the By-law. Such amendment must include:
  - a. A map of the location(s) of any lands affected by the overlay at an appropriate scale indicating the designation, location, and boundaries of each underlying zoning district; and
  - b. Every regulation specified or changed each for the underlying zoning district by the PDO-1 overlay including the addition or removal of allowable uses.
- (5) The PDO-1 overlay may not be used:
  - a. In conjunction with a PDO-2 overlay district;
  - b. Where the proposed changes to the regulations of the underlying zoning district:
    - i. are significant enough to be inconsistent with the general purpose of the underlying zoning district(s) and the designation of another existing zone district in this By-law would be more appropriate;
    - ii. are not merely related to local planning objectives but would have significant general application to warrant an amendment to the text of the underlying zoning district itself or to create a new Zoning District; or
    - iii. are intended to provide such detailed or site-specific control over the design and siting of a special development that the use of the PDO-2 district would be more appropriate.
- (6) The regulations provided in the PDO-1 district may be substituted for the specified regulations of the underlying zone. Where there is a conflict between the provisions of the PDO-1 district and those of the underlying zone, the provisions of the PDO-1 govern.
- (7) All regulations in the Zoning By-law must apply to development in the area covered by the

adopted PDO-1 overlay, unless the PDO-1 By-law specifically modifies or alleviates those regulations.

- (8) All adopted PDO-1 districts shall be contained in attached schedules which form part of this By-law.

#### **7.4.2 Planned Development Overlay – 2 (PDO-2) [Special Site]**

- (1) PDO-2 is a zoning district which modifies the zoning regulations and standards of an existing zoning district by tailoring the zoning to address the specific needs of a development project planned for a site. PDO-2s formulate the site-specific regulations in response to on-site conditions, or to mitigate off-site impacts associated with a planned development.
- (2) The purpose of a PDO-2 overlay district is to provide for site-specific control over an individual proposed development, in unique or special circumstances, where any other zone would be inappropriate or inadequate.
- (3) A PDO-2 district is appropriate when the proposed development regulations do not relate to an area-wide condition but are specific to a lot(s) or parcel(s) proposed for the PDO-2 zoning. PDO-2 districts are appropriate for a development with unique or special site characteristics not contemplated in the existing zoning districts.
- (4) This PDO-2 overlay must only be applied to a well-defined site to regulate a specific development being proposed under the following circumstances:
  - a. The proposed development exceeds the development provisions of the closest equivalent existing zoning district.
  - b. The proposed development requires specific regulations to ensure land use conflicts with adjoining and adjacent properties are minimized.
  - c. The site for the proposed development has unique characteristics that require specific regulations.
  - d. The ongoing operation of the proposed development and the unique nature of the land-use(s) requires specific regulations to that site.
- (5) The PDO-2 overlay must only be applied to zones where specified through a text amendment to the By-law. Such amendment must include:
  - a. A map of the location(s) of any lands affected by the overlay at an appropriate scale indicating the designation, location, and boundaries of the PDO-2 overlay; and
  - b. Every regulation specified by this By-law for a zoning district to be regulated by the PDO-2 overlay including allowable use and lot dimensions.
- (6) The regulations provided in the PDO-2 district substitute the specified regulations of the By-law, and the provisions of the PDO-2 govern.
- (7) All regulations in the By-law shall apply to a development in the area covered by the adopted PDO-2 overlay, unless the PDO-2 By-law specifically modifies or alleviates those regulations.
- (8) All adopted PDO-2 districts shall be contained in attached schedules which form part of this By-law.

## 7.5 Permitted Uses

Table 11: Permitted, Conditional and Accessory Uses

Use	Zoning Districts								
	OS	IN	RS	RC	RMU	CM	CHW	M	FG
Accessory Dwelling Units			A	A		P			
Agri-Business							P	P	C
Agri-Manufacturing							P	P	C
Auction House							P		
Auction yard							P		
Automotive Dealers							P		
Automotive Repair and Maintenance						P	P		
Bed and Breakfast			A	A	A				
Bungalow Clusters					P				
Bungalow Courts					P				
Cannabis Cultivation							C	C	
Cannabis Nursery							C	C	
Cannabis Retail Store					C	C	P		
Cannabis Processing							C	C	
Cemeteries	C	P	P	P					C
Child Day-Care Services	A	P			A	P	P	P	
Community Care Facilities		C		C	P				
Community Centre	P	P	C	C		P			
Community Garden	P	P	P	P	P	P			
Community Health Centres	C	P				P			
Community Housing Services		P	P	P	P				
Conference Centre	C								
Contractor Services							P	P	
Cultural Centre		P				P	P		
Drinking Places						P	P		
Drive-Through Facility							P		
Dwelling Unit, Attached		A				A	A	A	
Dwelling Unit, Detached								A	
Dwelling, Single-Detached			P	P	P				
Dwelling, Duplex			P	P	P				
Dwelling, Triplex			P	P	P				
Dwelling, Multi-Family				C	P				
Dwelling Unit, Live-Work		C			P	P	P	P	
Educational Services		P				P		P	
Finance and Insurance						P	P		
Fitness and Recreational Sports Centres	P	P				P		P	
Funeral Homes						P	P	P	
Gasoline Stations (including Convenience Stores)						P	P		

St-Pierre-Jolys Zoning By-law 2021-11

Use	Zoning Districts								
	OS	IN	RS	RC	RMU	CM	CHW	M	FG
Golf Courses and Country Clubs	P								
Health Care Offices		P				P			
Heritage Institutions	P	P				P	P		
Heavy Equipment Sales, Rental and Servicing							P	P	
Home-based Business			C,A	C,A	C,A				
Home Occupation			A	A	A				
Hospital	C								
Hostels						P			
Hotels						P	P		
Interpretive Centres		P				P	P		
Libraries		P				P			
Light Equipment Sales, Rental and Servicing							P	P	
Manufacturing						P	P	P	
Micro-Brewery / Distillery / Winery						P	P	P	
Mobile Food Services		A				P		A	
Mobile Homes					P, A			A	
Mobile Home Parks					P				
Motels						C	P		
Motorcycle, Boat and Other Motor Vehicle Dealers						C	P	P	
Motor Vehicle Towing						C,A	P,A		
Movie Theatres						P			
Municipal Fire-Fighting Services							P	P	C
Nursing and Residential Care Facilities		P			P				
Office		P				P	P	P	C
Off-Leash Dog Area		P	C	C	P	P			
Outside Display						A	A		
Outside Storage							A	C	
Park	P	P	P	P	P	P			C
Parking Lot	P						P		
Pavilion	A	A				P			
Performing Arts Companies		P				P			
Personal and Household Goods Repair and Maintenance					P	P		P	
Personal Service Shops						P			
Pet Care Services (except Veterinary)						P		P	
Picnic Shelter	A	P				A			
Place of Worship		P					P		C
Postal Service						P	P		
Private Clubs	C	P				P	P		
Public Works Yard							P		

St-Pierre-Jolys Zoning By-law 2021-11

Use	Zoning Districts								
	OS	IN	RS	RC	RMU	CM	CHW	M	FG
Recreational Vehicle Dealers							P		
Restaurants					P	P	P		
Retail Stores		C			P	P	P		
Retail Trade							P	A	
Rooming and Boarding Houses				C	C			C	
Scenic and Sightseeing Transportation							P		
Self-Storage Mini Warehouses								P	
Sports Arena/Stadium		P							
Testing Laboratories		P						P	
Tourist Campsite	C								
Utilities	C	P	P	P	P	P	P	P	C
Veterinary Services					P	P	P	P	
Warehousing and Storage								P	
Wholesale Trade							P	P	

P = Permitted ; C = Conditional ; A = Accessory

## 7.6 Open Space – OS

### Purpose

This Zone enables public access to lands for active and passive recreational uses in parks; the creation of landscaped buffers between incompatible land-uses; the preservation of critical and significant wildlife habitat; and the protection of Natural Land Policy Areas identified for such protection to optimize ecological, heritage, cultural, health and economic benefits to the communities.

**7.6.1 Table 13: “OS” Bulk Standards**

Required Yards				Building Height (max) ft.
Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
40	5	15	25	35

## 7.7 Institutional – IN

### Purpose

This zone enables public or privately owned facilities with an orientation towards educational, institutional, health care or community services to exist alongside uses that complement the institutional land-use.

**7.7.1 Table 12: “IN” Bulk Standards**

Lot Dimensions			Required Yards				Building Height (max) ft.
Lot Area (min) ft <sup>2</sup>	Lot Frontage (min) ft.	Lot Coverage (max)	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
5,000	50	40%	20	10	15	30	60

## 7.8 Residential Standard – RS

### Purpose

This Zone is to provide for Single Detached, Semi-Detached, Duplex, and Triplex Dwellings intended as permanent residences. It is the lowest density residential zone in the Village.

**7.8.1 Table 14: “RS” Bulk Standards**

Use	Lot Dimensions				Required Yards				Building Height (max) ft.
	Lot Area (min) ft <sup>2</sup>	Lot Frontage (min) ft.	Lot Coverage (max)	Gross Floor Area (min) ft.	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
Dwelling, Single-Detached	5,000	50	40%	800	25	5	5	25	35
Dwelling, Duplex	6,600	55	40%	800	30	15	15	25	35
Dwelling, Triplex	6,600	55	40%	800	30	15	15	25	35
All Other Uses	9,000	60	40%	800	25	5	10	25	35



(1) The following zone regulations apply to all allowable uses in the RS Zone:

- a. **Minimum Lot Area** for a **Semi-Detached Dwelling Unit** split onto separate lots is 2,500 square feet.
- b. **Minimum Lot Frontage** for a **Semi-Detached Dwelling Unit** split onto separate lots is 25 feet per dwelling unit.
- c. **Minimum Interior Side Yard** for interior or key lots may have one side yard no smaller than 5 feet and shall have one side yard at least 10 feet in width.
- d. **Minimum Interior Side Yard** for units split down party wall, setback shall be reduced to zero for the lot line(s) corresponding to the vertical party wall(s) of semi-detached dwellings.

## 7.9 Residential Compact – RC

### Purpose

This Zone is to provide for Single Detached, Semi-Detached, Duplex, Triplex and Multiple Attached Dwellings intended as permanent. It provides standards for smaller and more compact lot sizes and allows a greater variety of conditional and accessory uses.

**7.9.1 Table 15: “RC” Bulk Standards**

Use	Lot Dimensions				Required Yards				Building Height (max) ft.
	Lot Area (min) ft <sup>2</sup>	Lot Frontage (min) ft.	Lot Coverage (max)	Gross Floor Area (min) ft.	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
Dwelling, Single-Detached	4,000	40	50%	800	15	4	4	10	35
Dwelling, Duplex	5,500	50	50%	800	15	8	10	10	35
Dwelling, Triplex	5,500	50	50%	800	15	8	10	10	35
Dwelling, Multi-Family	8,000	70	60%	800	15	8	10	10	35
All Other Uses	8,000	50	50%	800	15	8	10	10	35

(1) The following zone regulations apply to all allowable uses in the RC Zone:

- a. **Minimum Lot Area** for a **Duplex Dwelling Unit** split onto separate lots is 2,500 square feet.
- b. **Minimum Lot Frontage** for a **Duplex Dwelling Unit** split onto separate lots is 25 feet per dwelling unit.
- c. **Minimum Interior Side Yard** for interior or key lots may have one side yard no smaller than 5 feet and shall have one side yard at least 10 feet in width.
- d. **Minimum Interior Side Yard** for units split down party wall, setback shall be reduced to zero for the lot line(s) corresponding to the vertical party wall(s) of semi-detached

dwellings.

- (2) **Multi-Family Dwelling Units** are a conditional use and should be limited to townhouses or row houses. The following zone regulations also apply:
- a. **Minimum Lot Area** for a **Multi-Family Dwelling Unit** split onto separate lots is 2,500 square feet per dwelling unit for the end units and 2,000 square feet per dwelling unit for the interior units with common party walls on both sides.
  - b. **Minimum Lot Frontage** for a **Multi-Family Dwelling Unit** split onto separate lots is 25 feet per dwelling unit for the end units and 20 feet for the interior units with common party walls on both sides

## 7.10 Residential Mixed-Use – RMU

### Purpose

This zone is for higher density residential in areas where local commercial opportunities may be ideal, specifically along major corridors. Commercial uses should be smaller in scale than commercial highway or industrial zones directed towards supporting nearby residents.

**7.10.1 Table 16: “RMU” Bulk Standards**

Use	Lot Dimensions				Required Yards				Building Height (max) ft.
	Lot Area (min) ft <sup>2</sup>	Lot Frontage (min) ft.	Lot Coverage (max)	Gross Floor Area (min) ft.	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
Bungalow Clusters	12,500	100	60%	800	25	5	10	25	35
Bungalow Courts	12,500	100	60%	800	25	5	10	25	35
Dwelling, Single-Detached	4,000	40	50%	800	15	4	4	10	35
Dwelling, Duplex	5,500	50	50%	800	15	8	10	10	35
Dwelling, Triplex	8,000	70	60%	800	15	8	10	10	35
Dwelling, Multi-Family	8,000	70	60%	800	15	8	10	10	60
Mobile Homes	4,000	40	-	-	15	4	4	10	35
Mobile Home Parks	2 ac.	300	-	-	-	-	-	-	-
All Other Uses	5,500	50	50%	800	15	8	10	25	35

## 7.11 Commercial Main Street – CM

### Purpose

This Zone enables the development of the traditional Chaboillé District with a mix of business and personal services in smaller boutique settings that serve the day-to-day needs of residents and help make the street environment more walkable with active frontages. Certain types of residential uses are allowed only above

the ground floor or attached to the rear of the structure in a mixed use building where other permitted uses are on the ground floor fronting the public road.

**7.11.1 Table 17: “CM” Land Use**

Lot Dimensions			Required Yards				Building Height (max) ft.
Lot Area (min) ft <sup>2</sup>	Lot Frontage (min) ft.	Lot Coverage (max)	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
2,500	25	95%	10	0	0	20	60

**7.11.2 Performance Standards**

- (1) All developments in Commercial Main Streets Zone may be subject to the following:
  - a. **Site Plan Approval / Design Review** shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

**7.12 Commercial Highway – CHW**

**Purpose**

This Zone enables a wide array of uses and services to be located conveniently on Provincial Trunk Highways or Roads, or arterial streets to better service a broad market catchment area of residents, businesses, and the traveling public; and to be exposed to large volumes of vehicle traffic including commercial vehicles. Characteristics include a dependency on vehicle traffic, large parking areas, a dominance of vehicle use, and large land areas for development, especially to accommodate commercial vehicles. Limited residential uses are allowed only above the ground floor or attached to the rear of the structure in mixed use buildings where other permitted uses are on the ground floor fronting the public road. At the discretion of the Development Officer a traffic impact study may be required.

**7.12.1 Table 18: “CHW” Bulk Standards**

Lot Dimensions		Required Yards				Building Height (max) ft.
Lot Area (min) ac	Lot Frontage (min) ft.	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
1.0	75	25	10	25	20	60

### 7.13 Industrial General – M

#### Purpose

This Zone provide provides for manufacturing, processing, distribution, transportation and warehouse uses. Certain heavy industrial uses may be permitted as conditional uses. Excluded are uses which in Council's opinion may be detrimental to adjoining or nearby uses or creates an undue nuisance factor, however, a certain level of nuisance factors must be accepted a characteristic of the use.

**7.13.1 Table 19: “M” Bulk Standards**

Lot Dimensions		Required Yards				Building Height (max) ft.
Lot Area (min) ft <sup>2</sup>	Lot Frontage (min) ft.	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
5,000	50	40	5	15	25	35

### 7.14 Future Growth – FG

#### Purpose

This Zone provide provides for areas that are either currently vacant or being used for agricultural purposes. The intent is for little to no development in these areas until they are redesignated and rezoned for a suitable use.

**7.14.1 Table 20: “FG” Bulk Standards**

Lot Dimensions		Required Yards				Building Height (max) ft.
Lot Area (min) ac	Lot Frontage (min) ft.	Front Yard (min) ft.	Interior Side Yard ft.	Exterior Side Yard ft.	Rear Yard (min) ft.	
5.0	300	40	5	15	25	35

## **Schedule B: Maps**

**Map 1 – Zoning Districts**

**Map 2 – Control Areas**

**Map 3 – Planned Development Overlay – Mobile Home Area**

## Schedule C: PDO – Mobile Home Area

### **Purpose**

- (1) The purpose of this overlay is to maintain the existing character of the Mobile Home Area on Rue Beaudette in the Village of St-Pierre-Jolys.

### **Applicability**

- (2) PDO-2 Mobile Home Area overlay district is shown on the map below.

### **Use Specific Standards**

- (3) If a **Dwelling Unit, Single-Detached** is constructed, the design and overall character of the property should be in keeping with the existing character of the Mobile Home Area.

# **Schedule D: Servicing Standards for Design and Construction**