

## USE ZONE TABLES

**NOTE:** This schedule contains tables showing the use classes which may be permitted or which may be treated as discretionary use classes for the purpose of these Regulations. The tables also indicate the required standards of development and may also include conditions affecting some or all of the use classes..

The schedule contains tables for the following Use Zones:

Residential Medium Density	RMD
Residential Infill	RI
Residential Subdivision Area	RSA
Mixed Use	MU
Commercial General	CG
Industrial General	IG
Public Use	PU
Open Space Recreation	OSR
Open Space Conservation	OSC
Transportation Highway	TH
Watershed	W
Rural	RUR



**USE ZONE TABLE**

<b>ZONE TITLE</b>	<b>RESIDENTIAL MEDIUM DENSITY</b>	<b>(RMD)</b>
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling, double dwelling, and recreational open space.		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Row dwelling, apartment building, boarding house residential, personal care home, place of worship, convenience store, child care, bed and breakfast operation, cultural and civic uses, personal services, light industry and cemetery		

STANDARD	WHERE PERMITTED (with water and sewer)						
	Single Dwelling	Double Dwelling	Row Dwelling	APARTMENT BUILDING			
				1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.
Lot area (m <sup>2</sup> ) minimum	450	390*	350 (Average)	200*	250*	280*	300*
Floor area (m <sup>2</sup> ) minimum	74	74*	65*	40*	50*	60*	70*
Frontage (m) minimum	15	26	12* (average)	36			
Building Line Setback (m) (minimum)	6	6	8	8			
Sidyard Width (m) (minimum)	2	2	2	5			
Rearyard Depth (m) (minimum)	9	9	9	14			
Lot Coverage (%) (maximum)	33	33	33	33			
Height (m) (maximum)	8	8	10	10			
* Per dwelling unit (See Conditions)							

## CONDITIONS

### 1. **Municipal Service Requirement**

All permitted and discretionary uses must be connected to the Town's municipal water and sewer and all development must front onto a public road.

### 2. **Discretionary Use Class**

The discretionary use class listed in this table may be permitted at the discretion of the Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

### 3. **Discretionary Uses - Site Standards**

Discretionary uses, such as place of worship, convenience store, personal services, child care, cultural and civic uses shall conform to the frontage, building line setback, sideyard, lot coverage and height requirements specified for a single dwelling.

### 4. **Apartment Building, Row Dwelling, Boarding House Residential and Personal Care Home**

Apartment buildings, row dwellings, boarding houses and personal care homes may be permitted as a discretionary use under the following conditions:

- i) The proposed development shall front onto and have direct access to a through street;
- ii) The proposed building shall have an exterior design which is sensitive to the residential character of the area and the scale and density of the surrounding land uses; and
- iii) The proposed development shall be landscaped in a manner compatible with the surrounding residential area.

### 5. **Place of Worship, Educational and Cultural and Civic Uses**

Places of worship, educational, and cultural and civic uses may be permitted as a discretionary use under the following conditions:

- i) The proposed building shall have an exterior design which is in keeping with the residential character of the area and the scale and density of the surrounding land uses; and

- ii) The level of activity associated with the proposed development shall not adversely affect the residential character of the surrounding area.

## **6. Convenience Stores**

Convenience stores may be permitted as a discretionary use provided:

- i) The convenience store shall have an exterior design which is sensitive to the residential character of the area and the scale and density of surrounding land uses;
- ii) Convenience stores shall not exceed 55 m<sup>2</sup> of floor area;
- iii) The convenience store will not have a negative affect on adjacent residential uses because of noise, traffic, outdoor storage and display;
- iv) The convenience store shall be landscaped in a manner compatible with the surrounding residential area;
- v) The convenience stores shall be located in an area which the Council deems appropriate and capable of accommodating the proposed use; and
- vi) Council may require fencing or other screening to protect the amenity of abutting residential uses.

## **7. Personal Service and Light Industrial Uses**

Personal service and light industrial uses may be permitted as a discretionary use in the form of personal services, small business services, small appliance repair, workshops and similar uses provided that:

- i) The use is clearly subsidiary to the residential use and the primary use of the property remains residential;
- ii) The use shall not change the outside appearance of the dwelling;
- iii) The use shall be entirely enclosed within the dwelling or inside buildings on the residential property;
- iv) No outdoor activities or storage associated with the use shall be permitted;
- v) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust or fumes, or inconvenience and are not a nuisance to the occupants of adjoining residences;

- vi) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, and that no repairs to vehicles or heavy equipment are carried out; and
- vii) The proposed use shall be located in an area which Council deems appropriate and capable of accommodating the proposed use.

## **8. Accessory Buildings**

- (i) An accessory building on a lot which has a single family dwelling shall have a lot coverage no greater than 7%, up to a maximum of 81 m<sup>2</sup>, and a height of no more than 4.5 m; that a two-story accessory building could be constructed at a maximum height of 6.1 m, with the first floor area of a maximum of 50 m<sup>2</sup>, and first floor to the ceiling being a maximum height of 2.64 m; and
- (ii) no accessory building shall project in front of any building line setback.

## **9. Waterbody Buffers**

A 15 metre conservation buffer of undisturbed vegetation shall be required along the shoreline of all water bodies. No development shall be located within 30 metres of a waterbody.

### USE ZONE TABLE

ZONE TITLE	RESIDENTIAL INFILL	(RI)
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling, double dwelling, recreational open space and antenna.		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Child care, bed and breakfast operation, personal service, light industry, convenience store, agriculture and cemetery.		

STANDARDS	WHERE PERMITTED	
	Single Dwelling	Double Dwelling
Lot area m <sup>2</sup> (minimum)	See Conditions	See Conditions
Floor area m <sup>2</sup> (minimum)	74	74
Frontage m (minimum)	30	35
Building line setback m	10 minimum 15 maximum	10 minimum 15 maximum
Sidyard width m (minimum)	2	2
Rearyard Depth m (minimum)	15	15
Lot Coverage (%) (maximum)	33	33
Height m (maximum)	8	8
(See Conditions)		

### CONDITIONS

#### 1. Lot Area

Subject to the requirements of the Government Service Centre, the minimum area of land required for an unserviced lot shall be 1860 m<sup>2</sup>.

**2. Municipal Services**

Permitted and discretionary use classes shall only be permitted provided the site has direct access to an existing, publicly maintained road and Council is satisfied that the development will not create a demand for municipal water and sewer services.

**3. Future Municipal Services**

Should municipal water and sewer services become available, new residential development shall conform to the standards of the Residential Medium Density (RMD) Land Use Zone.

**4. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to the uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

**5. Discretionary Uses - Site Standards**

Where permitted, discretionary uses shall conform to the frontage, building line setback, sideyard, rearyard, lot coverage and height requirements for a single dwelling.

**6. Convenience Stores**

Convenience stores may be permitted as a discretionary use provided:

- i) The convenience store shall have an exterior design which is sensitive to the residential character of the area and the scale and density of surrounding land uses;
- ii) Convenience stores shall not exceed 55 m<sup>2</sup> of floor area;
- iii) The convenience store will not have a negative affect on adjacent residential uses because of noise, traffic, outdoor storage and display;



- iv) The convenience store shall be landscaped in a manner compatible with the surrounding residential area;
- v) The convenience stores shall be located in an area which Council deems appropriate and capable of accommodating the proposed use; and
- vi) Council may require fencing or other screening to protect the amenity of abutting residential uses.

## **7. Personal Service and Light Industrial Uses**

Personal service and light industrial uses may be permitted as a discretionary use in the form of personal services, small business services, small appliance repair, workshops and similar uses provided that:

- I) The use is clearly subsidiary to the residential use and the primary use of the property remains residential;
- ii) The use shall not change the outside appearance of the dwelling;
- iii) The use shall be entirely enclosed within the dwelling or inside buildings on the residential property;
- iv) No outdoor activities or storage associated with the use shall be permitted;
- v) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust or fumes, or inconvenience and are not a nuisance to the occupants of adjoining residences;
- vi) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, and that no repairs to vehicles or heavy equipment are carried out; and
- vii) The proposed use shall be located in an area which Council deems appropriate and capable of accommodating the proposed use.

## **8. Traditional Agricultural Use**

Traditional small-scale hobby and subsistence agricultural uses may be permitted as an accessory use within this zone. The minimum lot area required for a particular use shall be determined by Council in conjunction with the Department of Natural Resources and the Department of Environment and Conservation, considering factors outlined in the Spaniard's Bay Municipal Plan. The minimum lot area shall be no less than 2,500 m<sup>2</sup>.

**9. Accessory Buildings**

- (i) An accessory building on a lot which has a single family dwelling shall have a lot coverage no greater than 7%, up to a maximum of 81 m<sup>2</sup>, and a height of no more than 4.5 m; that a two-story accessory building could be constructed at a maximum height of 6.1 m, with the first floor area of a maximum of 50 m<sup>2</sup>, and first floor to the ceiling being a maximum height of 2.64 m; and
- (ii) no accessory building shall project in front of any building line setback.

**10. Waterbody Buffers**

A 15 metre conservation buffer of undisturbed vegetation shall be required along the shoreline of all water bodies. No development shall be located within 30 metres of a waterbody.

**USE ZONE TABLE**

<b>ZONE TITLE</b>	<b>RESIDENTIAL SUBDIVISION AREA</b>	<b>(RSA)</b>
PERMITTED USE CLASSES - (see Regulation 89) None except maintenance and operation of existing uses (See Condition 1)		

**CONDITIONS****1. Residential Subdivision Area**

Lands in the Residential Subdivision Area are intended to be developed for residential uses. Before any residential development is permitted, a Comprehensive Development Scheme shall be prepared in conformity with section 3.4.2.4 of the Spaniard's Bay Municipal Plan.

**2. Advertisements Relating to Onsite Uses**

The erection or display of advertisements specified in Regulation 67 is permitted without application to Council. No other advertisements are permitted in this zone.

## USE ZONE TABLE

<b>ZONE TITLE</b>	<b>MIXED USE</b>	<b>(MU)</b>
PERMITTED USE CLASSES - (see Regulation 89) All use classes within the Residential Dwelling Uses division, all use classes in the Business or Personal Service Uses division, all use classes in the Mercantile Uses division except shopping centre.		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Light industry.		

## CONDITIONS

### 1. Development Standards

The development standards for this zone shall be as follows:

I)	Minimum Building Line Setback	8 metres
ii)	Minimum Sideyards Width	5 metres
iii)	Minimum Rearyard Dept.	10 metres
(iv)	Maximum Height	10 metres

Residential development shall conform to the standards of the Residential Medium Density Land Use Zone.

### 2. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

### 3. Light Industrial Uses

Light industrial uses may be permitted as a discretionary use under the following conditions:

- i) The light industrial use will not have a negative affect on adjacent residential uses because of noise, smoke, odour, dust, vibrations or unsightly appearance;
- ii) The use shall be designed and built to be compatible with the scale and density of surrounding land uses; and
- iii) A buffer strip not less than 10 meters wide shall be provided between the light industrial use and residential development. The buffer shall include the provision of grass strips, hedges, trees or shrubs or structural barrier as may be required by the Council, and shall be maintained by the owner or occupier to the satisfaction of Council.

#### **4. Advertisements Relating to Onsite Uses**

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- i) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- ii) No advertisement shall exceed 5 square metres in area.

#### **5. Advertisements Relating to Offsite Uses**

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- i) Each advertisement shall not exceed three square metres in area.
- ii) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate.
- iii) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

**6. Residential Buffer**

Council may require a buffer strip, fencing or other screening to protect the amenity of adjacent residential uses. The buffer or screening shall be provided and maintained by the owner or occupier.

**7. Accessory Buildings**

- (i) An accessory building on a lot which has a single family dwelling shall have a lot coverage no greater than 7%, up to a maximum of 81 m<sup>2</sup>, and a height of no more than 4.5 m; that a two-story accessory building could be constructed at a maximum height of 6.1 m, with the first floor area of a maximum of 50 m<sup>2</sup>, and first floor to the ceiling being a maximum height of 2.64 m; and
- (ii) no accessory building shall project in front of any building line setback..

**8. Access**

The number of accesses to the street from commercial or light industrial uses shall be limited by, and designed to the satisfaction of, Council, having regard to the safety and efficiency of the street for both vehicles and pedestrians.

**9. Parking and Loading**

Adequate off-street and loading facilities shall be provided on the site of commercial and light industrial uses for all employees; vehicles likely to be used in or associated with the activity carried out on the site; and for vehicles of customers, clients, or other persons who visit the establishment.

**10. Outdoor Storage**

Outdoor storage shall be located in the rearyard of commercial and light industrial uses so as to have minimum visual impact from the street.

**11. Landscaping and Surfacing**

Commercial and light industrial lots shall be landscaped and provided with a stable surface to prevent raising or movement of dust, clay, mud and loose particles.

**12. Waterbody Buffers**

A 15 metre conservation buffer of undisturbed vegetation shall be required along the shoreline of all water bodies. No development shall be located within 30 metres of a waterbody.

## USE ZONE TABLE

<b>ZONE TITLE</b>	<b>COMMERCIAL GENERAL</b>	<b>(CG)</b>
PERMITTED USE CLASSES - (see Regulation 89) All use classes in the Assembly Uses group, commercial residential, all uses classes in the Business and Personal Service Uses group, all use classes in the Mercantile Uses group, general industry, light industry, service station, medical treatment and special care, transportation, single dwelling and apartment.		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Outdoor market, antenna, taxi stand, take-out food service and general industry.		

## CONDITIONS

### 1. Development Standards

The development standards for this zone shall be as follows:

- |      |   |           |
|------|---|-----------|
| I)   | Minimum Building Line Setback   | 8 metres  |
| ii)  | Minimum Sideyard Width, except where buildings are built with adjoining party wells | 5 metres  |
| iii) | Minimum Rearyard Depth  | 10 metres |
| iv)  | Maximum Height  | 15 metres |

### 2. Residential Uses

Residential uses shall be limited to apartments over commercial premises, caretaker's dwellings and single dwellings on lots of inadequate size to accommodate commercial or industrial uses. Existing residential uses shall be treated as conforming land uses. Any extension or reconstruction of an existing dwelling and any single dwelling shall be governed by the requirements of the Residential Medium Density Land Use Zone.

### 3. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:



- i) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

#### **4. Advertisements Relating to Offsite Uses**

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate.
- iii) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

#### **5. Access**

The number of accesses to the street shall be limited by, and designed to the satisfaction of, Council, having regard to the safety and efficiency of the street for both vehicles and pedestrians.

#### **6. Parking and Loading**

Adequate off-street and loading facilities shall be provided on the site for all employees, vehicles likely to be used in or associated with the activity carried out on the site, and for vehicles of customers, clients, or other persons who visit the establishment.

#### **7. Protection of Adjacent Uses**

Adverse effects of any proposed development on adjacent uses shall be prevented or minimized through proper site planning and the provision of buffering by the developer to the satisfaction of Council. The buffer may consist of the provision of grass strips, hedges, trees or shrubs, or fences or walls as may be required by Council, and shall be provided and maintained by the owner or occupier to the satisfaction of Council.

**8. Open Storage**

Council may require screening from the Conception Bay Highway or adjacent uses. Material and equipment stored or parked outside shall be located and arranged to the satisfaction of Council.

**9. Landscaping and Surfacing**

Lots shall be landscaped or provided with a stable surface to prevent raising or movement of dust, clay, mud and loose particles.

**10. Services**

All development must be connected to municipal water and sewer systems. The cost of connecting the development to the municipal water and sewer systems shall be the responsibility of the developer.

**11. Waterbody Buffers**

A 15 metre conservation buffer of undisturbed vegetation shall be required along the shoreline of all water bodies. No development shall be located within 30 metres of a waterbody.

**12. Commercial/industrial Park-Veteran's memorial Drive**

A new commercial/industrial park is proposed at the end of Brown's Road where it intersects with Veteran's Memorial Drive. Approval of the Departments of Natural Resources and Transportation and Works shall be required prior to any development permit being issued by the Town.

## USE ZONE TABLE

<b>ZONE TITLE</b>	<b>INDUSTRIAL GENERAL</b>	<b>(IG)</b>
PERMITTED USE CLASSES - (see Regulation 89) Conservation, agriculture, and forestry.		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) All use classes in the industrial use division, scrap yard, animal, veterinary, and antenna.		

## CONDITIONS

### 1. **Municipal Services**

No uses shall be permitted in this zone that will create a demand for municipal water and sewer services.

### 2. **Industrial Uses**

Industrial uses shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses, or to those unsuitable to sites adjacent to other urban uses. Examples of the latter are industrial uses involving hazardous substances such as bulk fuel storage, requiring large lots, or featuring outdoor activities such as contractor's yards, and heavy equipment storage and maintenance.

### 3. **Scrap Yards - Separation from Adjacent Uses**

Unless Council is satisfied that the use will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no scrap yard or solid waste storage or disposal site shall be located closer than the minimum distances set out below to the specified development or natural feature:

<u>Storage or Disposal Site</u>	Minimum Distance of Scrap yard or Solid Waste
Existing or proposed Residential Development	300 metres
Any other developed area or area likely to be developed during the life of the scrap yard or solid water use.	150 metres
Public highway or street	50 metres
Protected Road	90 metres
Waterbody or watercourse	50 metres

#### 4. Scrap Yard - Screening

A scrap yard or solid waste storage or disposal site shall be screened in the following manner where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use:

- i) Where tree screens exist between the use and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, Council may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of Council or, condition 2(b) must be undertaken.
- ii) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the use from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to Council's satisfaction.
- iii) Where natural topography creates a visual screen between a scrap yard or solid waste storage or disposal site and adjacent public highways and streets or other land use (excepting forestry and agriculture), additional screening may not be required.
- iv) Where effective screening for any scrap yard or solid waste disposal or storage use cannot be installed or located as required in (a) - © above, or where the site is highly visible from a distance, Council may refuse to permit the use or associated activity.

**5. Scrap Yard - Fencing**

Council may require scrap yard or solid waste storage or disposal site to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

**6. Advertisements Relating to Onsite Uses**

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- i) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

**7. Advertisements Relating to Offsite Uses**

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate.
- iii) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

**8. Waterbody Buffers**

A 15 metre conservation buffer of undisturbed vegetation shall be required along the shoreline of all water bodies. No development shall be located within 30 metres of a waterbody.

## USE ZONE TABLE

ZONE TITLE	PUBLIC USE	(PU)
<b>PERMITTED USE CLASSES</b> - (see Regulation 89)		
Educational, cultural and civic, general assembly, place of worship, child care, recreational open space and indoor and outdoor assembly uses.		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90)		
Theatre, passenger assembly, catering, amusement, collective residential, taxi stand, club or lodge, antenna, medical and professional, funeral home, cemetery, and take-out food service.		

## CONDITIONS

### 1. Development Standards

The development standards for this zone shall be as follows:

(I)	Minimum Building Line Setback	10 metres
(ii)	Minimum Sideyard Width	5 metres
(iii)	Minimum Rearyard Depth	15 metres
(iv)	Maximum Height	15 metres

### 2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- (I) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

### **3. Advertisements Relating to Offsite Uses**

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- (ii) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show therein the name and nature of the distance or direction to the premises to which they relate.
- (iii) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

### **4. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

### **5. Offices**

Government offices, banks, and other offices of a public nature shall be permitted in this zone. Commercial offices or offices associated with a business operation shall not be permitted.

### USE ZONE TABLE

ZONE TITLE	OPEN SPACE RECREATION	(OSR)
PERMITTED USE CLASSES - (see Regulation 89) Recreational Open Space, conservation and outdoor assembly		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Convenience stores, take-out food service, catering, antenna and indoor assembly.		

### CONDITIONS

#### 1. Development Standards

The development standards for this zone shall be as follows:

(a)	Minimum Building Line Setback	10 m
(b)	Minimum Sideyard Width	5 m
©	Minimum Rearyard Depth	15 m
(d)	Maximum Height	15 m

#### 2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- (i) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (ii) No advertisement shall exceed 5 m<sup>2</sup> in area.



### **3. Advertisements Relating to Offsite Uses**

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- (ii) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate.
- (iii) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

### **4. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses. Catering uses to be considered within this use zone shall be limited to refreshment booths/pavilions which would server recreation users.

### **5. Land Unsuitable for Development**

Land immediately adjacent to any shoreline or stream which is unsuitable for development due to steep slope, poor drainage, potential for erosion, or potential for flooding shall be retained in its natural state of topography, soil and vegetation.

### **6. Take Out Food Service and Catering**

A take out food service and catering use may be considered on a discretionary basis provided it serves recreational activities only.

### USE ZONE TABLE

ZONE TITLE	OPEN SPACE CONSERVATION	(OSC)
PERMITTED USE CLASSES - (see Regulation 89) Open Space and Conservation		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Agriculture and Forestry, antenna, recreational open space, cemeteries.		

### CONDITIONS

**1. Discretionary and Special Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complimentary to permitted uses or that their development will not inhibit or prejudice the existence or the development of such uses.

**2. Permanent Structures**

No permanent buildings or structures shall be permitted on lands within this zone except for those necessary for conservation of the natural environment.

**3. Public Access**

Public access will be preserved, where possible, to Open Space - Conservation areas.

**USE ZONE TABLE**

<b>ZONE TITLE</b>	<b>TRANSPORTATION HIGHWAY</b>	<b>(TH)</b>
PERMITTED USE CLASSES - (see Regulation 89)		
Highway.		

**CONDITIONS****1. Veteran's Memorial Highway**

Lands within this zone are reserved for maintenance of the Veteran's Memorial Highway.

**2. Access**

New access onto the Veteran's Memorial Highway shall be prohibited unless approved by the Department of Transportation and Works.

## USE ZONE TABLE

ZONE TITLE	WATERSHED	(W)
<b>PERMITTED USE CLASSES</b> - (see Regulation 89)		
Conservation.		
<b>DISCRETIONARY USE CLASSES</b> - (see Regulations 32 and 90)		
Mineral workings, forestry, agriculture, and conservation.		

## CONDITIONS

### 1. Discretionary Uses

Council may permit discretionary uses provided it is satisfied that those uses will not jeopardize domestic water quality and quantity. All development applications within the Watershed Land Use Zone shall be referred to the Water Resources Management Division, Department of Environment and Conservation.

### 2. Referrals for Resource Potential Areas

Prior to Council considering proposals in areas having resource potential in areas identified on the Land Use Zone Map, a referral shall be required to the appropriate Government Department as identified below:

Blueberry Management Area: Land Resource and Stewardship Division,  
Department of Natural Resources

Productive Forest: Forest Management Division, District 1  
Department of Natural Resources

Aggregate Reserve Area: Mineral Lands Division,  
Department of Natural Resources.

Within 100 metres of the shoreline of any river, brook or pond:  
Habitat Management Section  
Fisheries and Oceans Canada

Watercourse Alterations, Stream Crossings or Infilling of Waterbodies In the Rocky  
Pond Protected Watershed:

Habitat Management Section  
Fisheries and Oceans Canada, and

Water Resources Management Division  
Department of Environment and Conservation

### 3. Waterbody Buffers

A 15 metre conservation buffer of undisturbed vegetation shall be required along the shoreline of all water bodies. No development shall be located within 30 metres of a waterbody.

No development shall be located closer to the specified waterbodies than the minimum distance set out below:

Waterbody	Minimum Distance of Waterbody
Existing or proposed Residential Development	300 metres
Any other developed area or area likely to be developed during the life of the scrap yard or solid water use.	150 metres
Public highway or street	50 metres
Protected Road	90 metres
Waterbody or watercourse	50 metres

### 4. Mineral Workings

Mineral workings shall be subject to the appropriate conditions set out in the Rural zone.

## USE ZONE TABLE

ZONE TITLE	RURAL	(RUR)
PERMITTED USE CLASSES - (see Regulation 89) Agriculture, forestry, mineral exploration, conservation,		
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Single dwelling, mineral working, general industry, scrap yard, solid waste, recreational open space, cemetery, antenna.		

## CONDITIONS

### 1. Municipal Services

No uses shall be permitted in this zone that will create a demand for municipal water and sewer services.

### 2. Resource Potential Areas

Permits may be issued in areas having resource potential as shown on Zoning Maps only after Council has referred the proposal to the appropriate government agency as identified below:

Blueberry Management Area	Land Resource Stewardship Division, Department of Natural Resources
Productive Forest	Forest Management Division, District 1 Department of Natural Resources
Aggregate Reserve Area	Mineral Lands Division, Department of Natural Resources

### 3. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- i) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- ii) No advertisement shall exceed 5 m<sup>2</sup> in area.

#### **4. Advertisements Relating to Offsite Uses**

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- i) Each advertisement shall not exceed 3 m<sup>2</sup> in area.
- ii) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate.
- iii) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

#### **5. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

#### **6. General Industry**

General industry uses shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses.

#### **7. General Industry - Separation from Adjacent Uses**

Unless Council is satisfied that the general industry use will not create a nuisance and will not adversely affect the amenity of the surrounding area, Council shall require the provision of buffering by the developer to the satisfaction of Council.

## 8. Discretionary Use - Dwelling (Agriculture)

A residential dwellings may be permitted at the discretion of Council provided it is in conjunction with an agricultural use and is necessary to the successful operation of that use and shall be subject to the following conditions:

- (i) that the agricultural use is a full-time commercial operation as described by the Department of Natural Resources, and that the occupier of the proposed residence is actively engaged in the agricultural activity on the same parcel of land for which the residence is proposed;
- (ii) that, in the case of root crop or sod farm production, a minimum of six (6) hectares has been cultivated and in production for at least two (2) years; and/or
- (iv) that, in the case of greenhouse production, a minimum of 400 m<sup>2</sup> of greenhouse space has been constructed, and earth within prepared for cultivation.

## 9. Mineral Workings

### a) Application

All applications for borrow pits, quarries or other development in the Aggregate Reserve Areas identified on Land Use Zoning Map B, shall be subject to the review and approval of the Mineral Lands Division, Department of Natural Resources.

### b) Separation from Adjacent Uses

No borrow pit or quarry shall be located closer than the minimum distances set out below unless Council is satisfied that the development shall not create a nuisance and shall not adversely affect the amenity of the specified development or natural feature:

<u>Pit or Quarry Working</u>	Minimum Distance of Pit or Quarry Working
Existing or proposed Residential Development	300 metres
Any other developed area or area likely to be developed during the life of the pit or quarry working.	150 metres
Public highway or street	50 metres
Protected Road	90 metres
Waterbody or watercourse	50 metres



c) Screening

A mineral working shall be screened in the following manner where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use:

- (i) Where tree screens exist between the mineral working and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, Council may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of Council or, at its discretion, condition 2(b) must be undertaken.
- (ii) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the mineral working from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to Council's satisfaction.
- (iii) Where natural topography creates a visual screen between mineral workings and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- (iv) Where effective screening for any mineral working or associated processing or manufacturing use cannot be installed or located as required in (a) - © above, Council may refuse to permit the use or associated activity.

d) Fencing

Council may require the mineral working site or excavated areas of a pit or quarry working to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

e) Pollution Protection

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any waterbody or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Conservation.

f) Water Ponding

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any waterbody or watercourse. Any access road

to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Conservation.

g) Erosion Control

No mineral working shall be carried out in a manner so as to cause erosion of adjacent land.

h) Site Maintenance

The mineral working shall be kept clean of refuse, abandoned vehicles, and abandoned equipment and any derelict buildings.

l) Access Roads

During extended periods of shutdown, access roads to a mineral working shall be ditched or barred to the satisfaction of Council.

j) Stockpiling Cover Material

All stumps, organic material and topsoil, including the rusty coloured and iron stained layer, shall be stripped and stockpiled at least 5 metres from active quarry or stockpile areas. The owner or operator shall ensure that the quality of the topsoil is not affected by dilution with other materials.

k) Operating Plant and Associated Processing and Manufacturing

i) Council may permit processing and manufacturing uses associated with mineral workings provided that the use does not create a nuisance nor is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of fumes, dust, dirt, objectionable odour, or by reason of unsightly storage of materials.

ii) All permanent or temporary buildings, plants and structures associated with processing and manufacturing will be located so as not to interfere with present or future extraction of aggregate resources.

iii) Council may specify a minimum separation distance between an operating plant or associated processing and manufacturing structure or equipment and the adjacent developed areas or areas likely to be developed during the life of the mineral workings.

l) Termination and Site Rehabilitation

i) Upon completion of the mineral working, the following work shall be carried out by the operation:

a) All buildings, machinery and equipment shall be removed.

- b) All pit and quarry slopes shall be graded to slopes less than 20° or to the slope conforming to that existing prior to the mineral working.
  - c) Topsoil and any organic materials shall be spread over the entire quarried area.
  - d) The access road to the working shall be ditched or barred to the satisfaction of Council.
- ii) If the mineral working contains reserves of material sufficient to support further extraction operations, Council may require the work described above to be carried out only in areas of the site where extraction has depleted aggregate reserves.

## 10. Scrap Yards and Solid Waste

### a) Separation from Adjacent Uses

Unless Council is satisfied that the use will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no scrap yard or solid waste storage or disposal site shall be located closer than the minimum distances set out below to the specified development or natural feature:

<u>Storage or Disposal Site</u>	Minimum Distance of Scrap yard or Solid Waste
Existing or proposed Residential Development	300 metres
Any other developed area or area likely to be developed during the life of the scrap yard or solid waste use.	150 metres
Public highway or street	50 metres
Protected Road	90 metres
Waterbody or watercourse	50 metres

### b) Screening

A scrap yard or solid waste storage or disposal site shall be screened in the following manner where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use:

- i) Where tree screens exist between the use and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets

will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, Council may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of Council, condition 2(b) must be undertaken.

- ii) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the use from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to Council's satisfaction.
  - iii) Where natural topography creates a visual screen between a scrap yard or solid waste storage or disposal site and adjacent public highways and streets or other land use (excepting forestry and agriculture), additional screening may not be required.
  - iv) Where effective screening for any scrap yard or solid waste disposal or storage use cannot be installed or located as required in (a) - (c) above, or where the site is highly visible from a distance, Council may refuse to permit the use or associated activity.
- c) Fencing

Council may require scrap yard or solid waste storage or disposal site to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

## **11. Recreation Open Space Uses**

Council may permit recreation open space uses such as parks, tent and trailer campgrounds, golf driving ranges, golf courses and other similar recreational commercial uses in the Rural zone provided Council is satisfied that such development does not conflict with adjacent rural uses by reason of hours of operation, or creation of noise, dust or large volumes of traffic.

## **12. Recreation Open Space Uses - Landscaping**

The parking area and access to the recreation open space use shall be landscaped to the satisfaction of Council and provided with a stable surface to prevent raising or movement of dust, clay, mud and loose particles.

**13. Waterbody Buffers**

A 15 metre conservation buffer of undisturbed vegetation shall be required along the shoreline of all water bodies. No development shall be located within 30 metres of a waterbody.

**14. Watercourse Pollution**

The Authority shall review each application to ensure that it will not cause or precipitate or contribute to a pollution problem or create erosion or sedimentation.