



Community of **THREE RIVERS**
RURAL PLAN
By-law No. 2026-09

Community of Three Rivers
RURAL PLAN BY-LAW

Under the
COMMUNITY PLANNING ACT
BY-LAW NO. 2026-09



COMMUNITY OF THREE RIVERS RURAL PLAN BY-LAW
By-law No. 2026-09

PART A: TITLE AND AREA DESIGNATION

Under the authority vested by Section 33 and 35 of the *Community Planning Act, 2017*, c. 19, the Council of the Community of Three Rivers enacts as follows:

1. This By-law may be cited as the Community of Three Rivers Rural Plan;
2. This By-law along with Schedule A, the Zoning Map and Schedule B, the Boundary and Services Map, attached hereto, is enacted;
3. By-law No. 60, entitled Village of Petitcodiac Rural Plan By-law, enacted on the 29th day of August 2018, is repealed together with all amendments and development agreements, except for the following amendments:
 - a. By-law 60-C rezoning with conditions
4. The area of the land shown on the map forming Schedule A of Ministerial Regulation 21-WAP-069-00, enacted on September 6th, 2022, now forming part of the Community of Three Rivers, is hereby repealed, except for the following amendment:
 - a. 22-WAP-069-01 Rezoning with Conditions

Read a first time this 18th day of February 2026.

Read a second time this 18th day of February 2026.

Read a third time and passed this 4th day of March 2026.


Peter Saunders, Mayor
APPROVED Pursuant to the Community Planning Act / APPROUVÉ En application de la loi sur l'urbanisme

For - Minister / pour le Ministre
Local Government and Governance Reform / Gouvernements Locaux et de la Réforme de la gouvernance locale
March 25, 2026
Date


Janice Conley, Clerk



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

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

2026-05-01 09:12:58 47159596
date/date time/heure number/numéro

Solemn Declaration

K. Platt
Registrar-Conservateur

By-law to Adopt a Rural Plan By-law No. 2026-09

I, Janice Conley, of the Community of Three Rivers, in the County of Westmorland and the Province of New Brunswick, Clerk, DO SOLEMNLY DECLARE;

1. THAT I am the Clerk of the Community of Three Rivers, a municipal corporation, and have personal knowledge of the facts herein declared;
2. THAT the requirements of Sections 33, 110 and 111 of the *Community Planning Act* have been complied with in respect to By-law No. 2026-09, A By-law to Adopt a Rural Plan, which was passed by the common Council of the Community of Three Rivers on March 4th, 2026;

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

Declared before me at the)
The Community of Three Rivers County of)
 Westmorland and Province of)
 New Brunswick, this 17th day)
 of March, A.D., 2026.)

Janice Conley
 Clerk



D. Thompson-Dalling
 Commissioner of Oaths

DONNA THOMPSON-DALLING
 COMMISSIONER OF OATHS
 MY APPOINTMENT EXPIRES DEC.31, 2026



TABLE OF CONTENTS

COMMUNITY OF THREE RIVERS RURAL PLAN BY-LAW BY-LAW No. 2026-09 PART A: RURAL PLAN - TITLE AND AREA DESIGNATION

PART B: RURAL PLAN	1
SECTION 1 - INTRODUCTION	1
1.1 Background	1
1.2 Goals	2
SECTION 2 - POLICIES AND PROPOSALS	4
2.1 Residential	5
2.2 Commercial	9
2.3 Industrial	13
2.4 Institutional	16
2.5 Recreational Facilities and Public Open Space	18
2.6 Natural Resources	21
2.7 Protection of Water Supplies	23
2.8 Heritage Buildings and Sites of Historical or Archaeological Interest	26

2.9	Conservation of the Physical Environment	28
2.10	Stormwater	31
2.11	Sewage Collection and Treatment	32
2.12	Utility and Energy Developments	33
2.13	Agriculture and Food Security	34
2.14	Particular Development Proposals	36
2.15	Amendments and Conditional Uses	38
PART C: ZONING PROVISIONS		40
SECTION 1 - DEFINITIONS		40
SECTION 2 - SCOPE AND INTERPRETATION		56
2.1	Purpose	56
2.2	Classification	56
2.3	Interpretation of Zoning Boundaries	56
2.4	Powers of the Council	57
2.5	Powers of the Planning Review and Adjustment Committee	59
2.6	Amendments	59
2.7	Planning Applications and Fees	60
2.8	Conformity	61
2.9	Development Permits	61
SECTION 3 - GENERAL PROVISIONS		63
3.1	Meeting By-law Requirements	63
3.2	Connection to Sewage Disposal Systems	63
3.3	Frontage on Street	63
3.4	Size and Number of Dwellings on a Lot	63
3.5	Existing Buildings	64

3.6	Undersized Lots	64
3.7	Accessory Buildings	65
3.8	Height Regulations	65
3.9	Vehicle Bodies	66
3.10	Distance from Watercourses	66
3.11	Reduced Frontage on a Curve	66
3.12	Sight Triangle	67
3.13	Permitted Encroachments	67
3.14	Parking Requirements	68
3.15	Fences	70
3.16	Reduced Setbacks	70
3.17	Residential Development Near a Lagoon or Treatment Plant	71
3.18	Enclosures for Swimming Pools	71
3.19	Uses Prohibited in Certain Yards	73
3.20	Daycare Centre	73
3.21	Home Occupation	73
3.22	Wind Energy Production Systems	76
3.23	Camps	76
3.24	Kennels	76
3.25	Campgrounds	76
3.26	Salvage Yards or Recycling Depot	77
3.27	Commercial Use Standards	78
3.28	Landscaping Requirements	78
3.29	Utility Uses	79
3.30	Keeping of Hens	79
3.31	Mini Homes	80
3.32	Accessory Dwelling Unit	80
3.33	Development Near Rail Lines	81
3.34	Signs	81
3.35	Development in Agricultural Areas	84

SECTION 4 - ZONES	85
4.1 Residential Serviced (RS) Zone	85
4.2 Residential Rural (RR) Zone	88
4.3 Central Commercial (CC) Zone	90
4.4 General Commercial (GC) Zone	93
4.5 Industrial (I) Zone	96
4.6 Rural Area (RA) Zone	99
4.7 Agricultural (A) Zone	101
4.8 Resource Development (RD) Zone	103
4.9 Intensive Resource Development (IRD) Zone	106
4.10 Community Use (CU) Zone	108
4.11 Open Space Conservation (OSC) Zone	110
4.12 Water Protection (WP) Zone	111
4.13 Dwelling Group (DG) Zone	113
4.14 Infill Overlay (IF) Zone	116
4.15 Intedgrated Development (ID) Zone	117



PART B | SECTION 1 RURAL PLAN | INTRODUCTION

1.1 Background

Effective January 1, 2023, the former Village of Petitcodiac was amalgamated with the Local Service District of Elgin Centre, portions of the Local Service District of Elgin Parish, of Salisbury and of Cardwell to form the Community of Three Rivers. New Brunswick Regulation 2022-50, adopted under the *Local Governance Act* lists the Community of Three Rivers as a Village.

This Rural Plan for the Community of Three Rivers has been prepared by Plan360, the Southeast Regional Service Commission, at the request and under the direction of the Council of the Community of Three Rivers. This Rural Plan is a consolidation of the former Village of Petitcodiac Rural Plan By-law 60 and the Westmorland Albert Rural Plan Regulation 21-WAP-069-00 for the newly amalgamated municipality.

This Rural Plan will guide the development of the Community of Three Rivers by creating the opportunities to have sufficient and diverse mix of housing types, encouraging employment through economic development opportunities, and supporting a full range of amenities for residents of all ages.

1.2 Goals

This Rural Plan will be in effect for a period of approximately 20 years and will be reviewed every 10 years. Following the procedures set out in the *Community Planning Act* and the information contained in the Background Report, the following goals have been established for the Rural Plan:

- a) To ensure adequate and up-to-date planning mechanisms are in place to regulate development and create a healthy and sustainable environment.
- b) To encourage residential development and provide a full range of housing types to accommodate current and new residents and guide residential growth in a sustainable way that maximizes infrastructure use by directing new development to serviced areas of the Community or along existing infrastructure.
- c) To encourage commercial development, particularly in the Community core and around the Route 1 interchange.
- d) To encourage the growth of existing industries and zone lands for the development of new industry and to maintain control over the type and location of intensive commercial and industrial development to protect residents from potential land use conflicts.
- e) To maintain and enhance institutional and recreational facilities, particularly the concentration of institutional and recreation uses developed on the north side of Corey Avenue.
- f) To facilitate continued agricultural and forestry operations.
- g) To protect the Community's future water supply area.
- h) To protect and enhance environmental assets by limiting future development in areas of the community that are vulnerable to the effects of flooding and climate change.

- i) To embrace rural living and ensure a rural quality of life recognizing that resource development and the productive use of land in rural New Brunswick are key economic drivers of the local economy.
- j) To ensure that impacts of development to the natural environment (such as air, water, and land resources, including agriculture) are minimized.
- k) To provide guidelines for adapting to climate change impacts such as extreme weather events, flooding, and erosion.
- l) To enable the development and growth of nature-based recreation and tourism opportunities.
- m) To preserve heritage assets and sites of historical importance.



PART B | SECTION 2 RURAL PLAN | POLICIES AND PROPOSALS

This component of the Rural Plan establishes appropriate policies and proposals that Council considers necessary to sustain growth and development within the Community. Policies may be viewed as statements of general intent that are broad based, but which establish adequate direction for zoning provisions and implementing other mechanisms that Council may consider.

Proposals are specific statements that the municipality may undertake to implement or achieve the policy objectives. In many cases, proposals relate directly to the zoning provisions provided in Part C. The following policies and proposals are intended to achieve Council's goals as outlined above.

2.1 Residential

The Community of Three Rivers population has fluctuated over the years but has seen moderate growth in recent years. Recent demographic trends suggest an increase in the number of senior citizens and young children. Council wishes to continue to encourage population growth to sustain the community and its institutions and businesses. This will require provision for a range of housing types, including not only single-family homes but also small apartment structures and specialized buildings for senior citizens.



Since 2005, the Village added a new sewage lagoon and upgraded the existing lagoon to a polishing pond. As a result, the public sewer system has been extended to serve most of the residential and business population, primarily within the former Village of Petiscodioc, allowing for more concentrated residential growth. However, development in the community continues to rely on private wells for its water supply and outside of the serviced area of the former Village of Petiscodioc, on private septic systems.

The CN railway that runs through the middle of the Village has historically been an asset and contributed to the Community's growth. Recent CN guidelines suggest that new residential development near rail lines should maintain setbacks from railways both for safety reasons and to limit nuisance associated with noise.

Policies

- 2.1.1 It is a policy to encourage residential development within the capacity of existing or planned municipal infrastructure as outlined in Schedule B: Boundary and Servicing Map.
- 2.1.2 It is a policy to ensure the provision of a broad range of housing types to meet the diverse needs of residents and allow community members to remain in the Community throughout their lives.
- 2.1.3 It is a policy to maintain and enhance the existing residential character and direct future residential development to the area of the Community that is serviced by public sewer as outlined in Schedule B by establishing a Residential Serviced (RS) Zone.
- 2.1.4 It is a policy to establish a Residential Rural (RR) Zone to maintain and enhance the existing small lot residential uses outside of the area serviced by public sewer while encouraging residential development in the former Village of Petitcodiac boundary.



- 2.1.5 It is a policy to work with the rail industry to promote safety along rail lines and establish minimum setbacks for new residential development in proximity to rail lines.
- 2.1.6 It is a policy to establish subdivision standards to discourage inefficient land use patterns in rural areas.
- 2.1.7 It is a policy to create an Infill Overlay zone that abuts existing public roads to permit new lots that meet the municipal standards without requiring new infrastructure.
- 2.1.8 It is a policy that subdivisions located outside the Infill Overlay zone shall be developed with larger lots to maintain the character of the rural area and cater to a rural lifestyle.
- 2.1.9 It is a policy to establish standards for residential development in areas affected by flooding.
- 2.1.10 It is a policy to encourage residential developments to locate away from resource-based uses including agriculture to limit potential conflicts related to noise, smell and environmental impacts.
- 2.1.11 It is a policy that when considering proposals to rezone properties to the Residential Rural Zone or a development requiring a new public road, the following shall be considered:
- i) Impact on drinking water supplies
 - ii) Proximity to existing resource-based uses
 - iii) Proximity to municipal borders
 - iv) Provision of community amenity space
 - v) Drainage

vi) Road network connectivity

vii) Other considerations deemed appropriate

2.1.12 It is a policy to permit an attached accessory dwelling unit or a garden suite as a secondary use to a single unit dwelling to encourage affordable housing options, allow seniors to live near family while maintaining independence, and provide a modest source of revenue for homeowners.

Proposals

2.1.13 In locations where public sewer services cannot, or are not intended to be provided, and where groundwater availability is adequate, Council proposes to permit residential development subject to minimum lot standards.

2.1.14 It is proposed to allow home-based business in conjunction with single unit dwellings to encourage a diversified local economy.

2.1.15 It is proposed to permit the keeping of a limited number of hens in Residential zones.

2.2 Commercial

The Community of Three Rivers is fortunate to have a strong traditional Village core. The Village core encompasses Main Street and River Road from Old Post Road to Spring Street. The core is an important feature of the community providing easily accessed goods and services, as well as employment for many residents. In addition to the core on Main Street, significant commercial development extends from Main Street along the Old Post Road to King Street.



Furthermore, economic opportunities exist on the Route 1 Interchange, where a highway commercial node of services catering to both locals as well as the traveling public has developed over the years. Council wishes to expand on these opportunities as they complement the traditional business located in the community core.

Policies

- 2.2.1 In respect of the established settlement pattern and to serve the needs of local residents and travelling public, it is a policy to direct the location of commercial development to the established Village core as well as the Route 1 interchange.
- 2.2.2 It is a policy to establish a Central Commercial (CC) Zone as shown on attached Schedule "A". Future Central Commercial development may be considered through the rezoning process for lands within or abutting the Village core.
- 2.2.3 It is a policy to establish minimal setbacks in the Central Commercial Zone in order to preserve the traditional streetscape and enhance the pedestrian realm.
- 2.2.4 It is a policy to encourage the continued enhancement of the Village core through public art and streetscaping projects.
- 2.2.5 It is a policy to establish a General Commercial (GC) Zone as shown on attached Schedule "A". Future highway commercial development may be considered through the rezoning process on properties abutting the Route 1 Interchange and portions of roads providing immediate access to Route 1.
- 2.2.6 It is a policy that intensive commercial uses that require large areas and/or create nuisances should locate in areas away from residential areas.



2.2.7 It is a policy to direct the development of vehicle-oriented uses to the vicinity of the Route 1 Interchange.

2.2.8 It is a policy to control the type and location of intensive commercial developments within the planning area by considering potential impacts upon surrounding lands.

Proposals

2.2.9 In considering rezoning to the Central Commercial (CC) or General Commercial (CG) Zones, it is proposed to have regard for:

- a) impact on established residential areas;
- b) proximity to existing commercial zones;
- c) the location and access to off street parking and the design of the parking lot layout and stormwater management;
- d) provisions for adequate site grading and landscaping in respect of the impact on neighbouring properties;
- e) the design of the proposed development in terms of:
 - i) building height,
 - ii) setback,
 - iii) building separation distances,
 - iv) the availability of adequate water supply, and
 - v) the availability and adequacy of municipal services.

- 2.2.10 It is proposed to allow home-based businesses in single unit dwellings to encourage a diversified local economy.
- 2.2.11 It is proposed in order to increase accessibility to the community core to maintain public parking spaces.

2.3 Industrial

Historically, the Community's industrial base was mainly focused around Fawcett's lumberyard and sawmill in the former Village of Petitcodiac. Industrial uses are now primarily located near the Route 1 interchange. Due to the Community's proximity to a rail line as well as two major highways, Three Rivers shows potential to be a transportation hub for various industries. There have long been plans for a small-scale industrial park abutting the rail line and Plantation Road. While development of these lands has been limited, it is in the Community's interest to continue to preserve an area away from residential zones for future industrial growth.



Policies

- 2.3.1 It is a policy to ensure the continued orderly development of industrial operations in a way that reduces conflict with residential areas.
- 2.3.2 It is a policy to establish an Industrial (I) Zone as shown on the attached Schedule “A” to guide future industrial development in appropriate locations. Future industrial development may be considered through the rezoning process.

Proposals

- 2.3.3 In considering rezoning to the Industrial (I) Zone, it is proposed Council have regard for:
- a) separation from established residential areas;
 - b) access to arterial roadways and/or railway sidings;
 - c) the activity meets all Federal and Provincial legislation;
 - d) the location and access to off street parking and the design of the parking lot layout and stormwater management;
 - e) provisions for adequate site grading and landscaping in respect of the impact on neighbouring properties;
 - f) the lands are serviced by a Provincially approved water and sewer system if required; and
 - g) the design of the proposed development in terms of:
 - i) building height,
 - ii) setback,

- iii) building separation distances,
- iv) the availability of adequate water supply, and
- v) the availability and adequacy of municipal services.

2.3.4 It is proposed that rezonings to Industrial on or adjacent to lands zoned as Open Space Conservation, Water Protection, or Residential be discouraged.

2.4 Institutional

The Community of Three Rivers benefits from the presence of places of worship, a regional school, as well as fire, ambulance, and medical services. These institutions are important to the comfort and security of residents and an attraction to potential residents and businesses. Council intends to encourage the preservation, protection, and augmentation of institutional uses in the Community.



In so doing, Council recognizes that while institutional uses are a desirable complement to other land uses in the community, larger institutional buildings may have impacts on other nearby land uses. These impacts are like commercial uses and may include traffic and parking, aesthetics, and noise.

Policies

- 2.4.1 It is policy to encourage the maintenance and enhancement of existing Institutional uses.
- 2.4.2 It is policy to establish a Community Use Zone for existing Institutional uses as shown on the attached Schedule "A".
- 2.4.3 It is policy to permit new Institutional uses in all zones subject to terms and conditions imposed by the Committee.

Proposals

- 2.4.4 It is proposed to direct the Committee, when considering the imposition of terms and conditions, to have regard for the following:
 - a) impact on established residential areas;
 - b) proximity to existing institutional and open space uses;
 - c) the location and access to off street parking and the design of the parking lot layout and stormwater management;
 - d) provisions for adequate site grading and landscaping in respect of the impact on neighbouring properties;
 - e) the design of the proposed development in terms of:
 - i) building height,
 - ii) setback,
 - iii) building separation distances,
 - iv) the availability of adequate water supply, and
 - v) the availability and adequacy of municipal services.

2.5 Recreational Facilities and Public Open Space

According to the National Framework for Recreation, recreation fosters wellbeing of individuals, communities, as well as the built and natural environments. “Quality of Life” can be defined in terms of leisure pursuits and quality active/passive recreational services, all of which enhance the Community’s ability to be healthy as well as to attract new residents.



Recreation facilities and open spaces have been a key asset of the Community of Three Rivers. The Community is fortunate to have an excellent array of recreation facilities and to have major facilities concentrated together on Corey Avenue.

This concentration of institutional and recreational assets encourages integrated use of these properties, and efficiency in operations and maintenance. Continued development of the area is an important priority for Council. It is the objective of Council to encourage additional recreation uses to be developed in the area, including structures required for the Westmorland County Fair.

The Community has also developed several trails as part of its recreation strategy, including the Waterfowl Trail along the Petitcodiac River, as well as ski and snowshoe trails in the Holmes Brook area. Multi-use trail development should remain a priority to provide additional year-round outdoor opportunities to citizens.

Policies

- 2.5.1 It is a policy to provide for the continued expansion and intensification of community and recreation facilities on the north side of Corey Avenue.
- 2.5.2 It is a policy to be permissive as to the location of new parks and passive recreation uses within the Community.
- 2.5.3 It is a policy to require the dedication of land for public purpose or cash in lieu in accordance with the subdivision approval process as prescribed in the Subdivision By-law.
- 2.5.4 It is a policy to prepare a comprehensive trail development plan prior to developing a trail network.
- 2.5.5 It is a policy to encourage a range of recreation and tourism uses within the Community subject to zoning provisions.



- 2.5.6 It is a policy to encourage tourism development that supports the continued development of recreational infrastructure.

- 2.5.7 It is a policy that passive recreation uses such as trails and parks shall be permitted in all zones.
- 2.5.8 It is a policy that campgrounds, including non-traditional forms of traveller accommodation, shall be permitted in the General Commercial, Rural Area, Agricultural, Resource Development and Intensive Resource Development zones subject to terms and conditions including:
- a) Impact on the natural environment;
 - b) Impact on neighbouring properties in terms of noise and traffic; and
 - c) Public safety.

Proposals

- 2.5.9 It is proposed to work with regional partners to implement the appropriate recommendations of the Regional Recreation Plan.
- 2.5.10 It is proposed to capitalize on natural assets by encouraging development of recreation-based businesses and opportunities.
- 2.5.11 It is proposed that a trail network be developed to connect community nodes within the Planning Area to each other as well as to the larger trail network throughout the Southeast Region to encourage active transportation, healthy lifestyles, and tourism opportunities.
- 2.5.12 It is proposed to encourage developers to consider trail connectivity for developments along existing or planned trail corridors as outlined in the Regional Recreation Master Plan.

2.6 Natural Resources

Large portions of the Community of Three Rivers are used for agriculture or forestry. These activities are recognized as contributing to the character and economy of the Community. Council wishes to continue to encourage agriculture and forestry, as well as other resource uses with appropriate restrictions to reduce conflict with residential uses and minimize environmental impacts.



Policies

- 2.6.1 It is policy to facilitate continued agricultural and forestry activities in the rural areas of the Community.
- 2.6.2 It is policy that development on Crown land be consistent with Section 129 of the *Act*.

- 2.6.3 It is a policy to require resource-related developments to employ best management practices to minimize environmental degradation in the Community.
- 2.6.4 It is a policy that pits and associated uses shall be considered Resource Developments and shall be zoned as such.
- 2.6.5 It is a policy to recognize that temporary mobile asphalt plants used on a seasonal as-needed basis are considered a resource extraction use.
- 2.6.6 It is a policy to recognize that quarries that employ blasting, permanent asphalt plants, and landfills are intensive land uses with respect to heavy truck traffic, noise, and air and water quality, and are not compatible with residential and conservation uses. As such, these uses shall be considered on a case-by-case basis through a specific proposal rezoning to the Intensive Resource Development zone.
- 2.6.7 It is a policy that quarries that employ blasting are subject to appropriate Provincial government approvals to operate.

2.7 Protection of Water Supplies

All residences in the Community of Three Rivers rely on water obtained from private wells on their property. Most residents have acceptable quantity and quality of water, although some occasionally encounter problems with impurities. For the foreseeable future individual wells will continue to be the primary source of water and development should be pursued only where adequate water supply is available and only at a scale that will not jeopardize the adequate supply of water to other properties.



The Community owns 136 acres around Holmes Brook southwest of Route 1 for eventual development of a municipal water supply. A study has been done concerning the feasibility of developing a municipal water system. Although there is no imminent requirement to proceed with development of a municipal wellfield, the land should be protected for this purpose. In the short-term, the Community will manage the land it holds as a protected area. As protected land, the area can also be used for passive recreation uses, including limited

trails development. When the Community proceeds to develop the area as a municipal wellfield, it should be prepared to designate and zone all lands influencing the prospective water supply consistent with the New Brunswick Wellfield Protected Area Order.

Policies

- 2.7.1 It is a policy to manage lands owned by the Village around Holmes Brook by zoning them Water Protection as a potential water supply area for its future use as a community wellfield.
- 2.7.2 It is a policy to create a Water Protection zone permitting limited development activities, as per the *Clean Water Act*.
- 2.7.3 It is a policy to maintain water quality and flood protection by controlling development on lands adjacent to wetlands and watercourses subject to the *Clean Water Act*;
- 2.7.4 It is a policy that any water bottling operation shall be considered an Intensive Resource Development and shall be zoned as such.
- 2.7.5 It is policy that a Water Assessment Study shall be carried out when the following uses are requested:
- a) multiple unit dwellings over four units;
 - b) residential care facilities;
 - c) clinics;
 - d) schools;
 - e) campgrounds;
 - f) dwelling group developments;

- g) subdivisions involving 5 or more lots; and
- h) any other uses determined by the Development Officer, in conjunction with the Public Works Department, to consume larger quantities of water.

Proposal

- 2.7.6 It is proposed to map and rezone properties to the Water Protection zone once a wellfield has been established.

2.8

Heritage Buildings and Sites of Historical or Archaeological Interest

Although numerous fires have reduced the number of historic structures in the Community core, some key buildings remain. A greater proportion of older homes and churches have survived on blocks surrounding the Village core, most notably on Church Street. However, no inventory of heritage resources has been compiled for the former Village of Petitcodiac. When undertaking the renovation or redevelopment of heritage properties, every effort should be made to preserve the character of these heritage assets.



Policies

- 2.8.1 It is a policy to work with developers to protect, maintain, and restore heritage assets within the Community.
- 2.8.2 It is a policy to encourage the redevelopment, transition, or modification of existing heritage buildings into any use permitted in the zone in which the building is situated, subject to requirements of the *National Building Code*.

Proposals

- 2.8.3 It is proposed that heritage sites and buildings within the Community be identified and documented.
- 2.8.4 It is proposed that research be undertaken to develop a heritage trail that would connect heritage and historical sites in the region.

2.9 Conservation of the Physical Environment

Several watercourses flow through the Community of Three Rivers, including the Pollet River, North River, the Anagance River, Holmes Brook, O’Blenis Brook, and, most significantly, the Petitcodiac River. The Petitcodiac, into which the other four watercourses feed, drains much of Southeastern New Brunswick. The recent removal of the Petitcodiac River Causeway in Moncton is returning the river to its natural state; however, continued studies of the ongoing changes to the River are recommended. Work of the Petitcodiac Watershed Alliance and the Petitcodiac Riverkeeper is supported by the Community to continue active restoration of the River.



New technology has allowed for more accurate floodplain mapping, which is reflected on the Zoning Map. In the interest of ensuring that construction does not alter the floodplain and to help protect the River from siltation and/or contamination from other pollutants, notably petroleum products, Council has established watercourse setbacks within the former Village of Petitcodiac limits for buildings in which no construction shall be allowed. In

addition to reducing runoff of soil sediment, nutrients, and pesticides, watercourse buffers will also help lower water temperatures, increase dissolved oxygen, and provide additional habitat for fish and wildlife. These buffers should be provided on the banks of each river or brook within the Community's boundaries. Outside the former Village boundaries, provincial regulations shall continue to apply.

Policies

- 2.9.1 It is a policy to establish an Open Space Conservation Zone to restrict development within environmentally sensitive areas of the former Village boundary at risk of flooding and lands held in trust by conservation entities.
- 2.9.2 It is a policy to impose setbacks from watercourses and wetlands based on the most recent and accurate mapping available at the time of application.
- 2.9.3 It is a policy, where no alternatives are available, to consider variances to setbacks identified in 2.9.2 in consultation with Provincial agencies provided that the application is deemed reasonable and demonstrates how the environmental impact of the proposed development will be mitigated.
- 2.9.4 It is a policy that existing buildings within the required watercourse and wetland setback may be enlarged, reconstructed, repaired, or renovated if the requirements of this By-law are not further compromised and the development does not further encroach into the setback.
- 2.9.5 It is a policy that where discrepancies are identified between the mapping and site level analysis and in consultation with the Province, the Development Officer may waive the setback requirements for the proposed development.
- 2.9.6 It is a policy to encourage landowners to preserve, restore, and create new wetlands on their properties.
- 2.9.7 It is a policy to recognize that impacts associated with climate change have occurred and will continue to present a significant risk to the Community of Three Rivers.

- 2.9.8 It is a policy to identify areas at risk due to flooding and follow the proposed adaptation measures for a 1-in-100-year storm event in 2100 to reduce the impact of climate change on the Community.
- 2.9.9 It is policy to adopt best adaptation practices for buildings and public infrastructure by considering climate change in the design and planning phase of project development.
- 2.9.10 It is a policy to use the latest scientific climate data when developing standards with regards to exposure to flooding, and damage to drinking water supplies and the natural environment.

Proposals

- 2.9.11 It is proposed to develop flood hazard mapping to educate residents, landowners and developers to identify areas at risk from flood hazards and provide guidance on adaptation strategies.
- 2.9.12 It is proposed to use the latest research to support conserving biodiversity and natural land connectivity.

2.10 Stormwater

Policy

2.10.1 It is a policy to encourage landowners to preserve, restore, and create new wetlands on their properties.

Proposal

2.10.2 It is proposed to undertake stormwater master plans for Central Commercial zones to ensure future development does not negatively impact adjacent properties or the municipal stormwater system.

2.11 Sewage Collection and Treatment

Policies

- 2.11.1 It is a policy to protect the public health and safety of residents by maintaining and operating sewage collection and treatment systems in Three Rivers.
- 2.11.2 It is a policy to ensure the quality of life of the residents, to control environmental pollution, and to do so in a manner that does not create an undue fiscal hardship to the Local Government.

2.12 Utility and Energy Developments

Utilities are a necessity of modern living and can be particularly important in rural areas where some public services are sparsely available. Further, given global concerns of climate change and depletion of finite energy resources, and the growing opportunities to develop renewable energy sources which often require large tracts of land, it is appropriate that rural areas in the Community allow for such types of development which may otherwise conflict with dense residential development closer to the Village core. The challenge is to respond to changing technologies and opportunities by remaining flexible and permissive while not negatively impacting existing rural land uses. The goal is to permit renewable energy development in a manner that is compatible with existing and future rural development.

Policies

- 2.12.1 It is a policy to recognize the importance of utility services in the Community and to permit utilities in all zones.
- 2.12.2 It is a policy that renewable energy sources including, but not limited to wind and solar energy, shall be encouraged throughout the Planning Area provided it is to the appropriate scale. The appropriate scale shall be determined through general provisions contained within this Rural Plan.

2.13 Agriculture and Food Security

Food security is a key issue for New Brunswick. The challenge is that local agricultural activities are often hampered by encroaching development which permanently removes farmland from production. The goal is to encourage the development of new agricultural activities, permit continuance of existing farming uses, and protect scarce agricultural lands from future development and land use conflicts.

Policies

- 2.13.1 It is a policy to identify agricultural land through the establishment of an Agriculture (A) zone.
- 2.13.2 It is a policy to recognize areas with concentrated agricultural development, as demonstrated on the Zoning Map as key generators of local food production.
- 2.13.3 It is a policy to develop provisions to deter use of Agricultural zoned land for non-agricultural development.
- 2.13.4 It is a policy to establish minimum setback distances for new dwellings adjacent to existing agricultural uses.
- 2.13.5 It is a policy that all new livestock facilities shall be screened through the *Livestock Operations Act* to limit potential land use conflicts.
- 2.13.6 It is a policy to follow standards as established in the *Livestock Operations Act* in the siting of new livestock buildings, and to establish minimum setbacks for new livestock buildings which are exempt from the *Livestock Operations Act*.
- 2.13.7 It is a policy to permit the on-site slaughter of animals in conjunction with an active agricultural use, while recognizing independent industrial-scale abattoirs as Intensive Resource Developments and zoning them as such.

- 2.13.8 It is a policy to encourage backyard food production in all residential zones.
- 2.13.9 It is a policy to permit roadside stands and on-site agricultural processing in appropriate zones in the planning area to encourage support for food producers and healthy local food consumption.
- 2.13.10 It is a policy to recognize that agricultural uses may require multiple dwellings on a single lot to accommodate seasonal workers.
- 2.13.11 It is a policy to support agricultural tourism by permitting light commercial uses as secondary uses in the Agricultural zone.

Proposals

- 2.13.12 It is proposed that lands registered under the Farm Land Identification Program (FLIP) and those assessed by Service New Brunswick as agricultural land be zoned as Agriculture.
- 2.13.13 It is proposed that the Southeast Regional Service Commission monitor development trends in agricultural areas and study best practices to limit the loss of productive agricultural lands in the region.

2.14 Particular Development Proposals

At times, particular development proposals are made that cannot be predicted or managed under standard policy. The challenge is that developments such as mini home parks, bare-land condominiums, and integrated developments generally propose multiple main buildings on a single lot and require particular attention and additional considerations. The goal is to include mechanisms in the Rural Plan to permit such developments where appropriate.

Policies

2.14.1 It is a policy to consider mini home parks and bare-land condominiums as developments that are subject to a site-specific rezoning to the Dwelling Group Zone.

2.14.2 It is a policy that bare-land condominiums employ environmentally sustainable development practices including the incorporation of natural features with regards to:

- a) drainage,
- b) green space and recreation areas,
- c) biodiversity corridors, and
- d) topography.

2.14.3 It is a policy that when considering proposals to rezone properties to the Dwelling Group Zone for a development, the following shall be considered:

- a) buffer zones from neighbouring uses,

- b) provision of water and sewer facilities,
- c) separation distances between units,
- d) access and road network,
- e) parking,
- f) emergency services, and
- g) garbage collection and snow clearing.

2.14.4 It is a policy to consider integrated developments as a use that is subject to site-specific rezoning subject to Section 58 of the *Act*.

2.15 Amendments and Conditional Uses

From time to time, it may be necessary to consider amendments to the Plan to accommodate changes in the rural area. In some cases, certain uses in the Plan shall be a particular purpose in respect of which the Committee may impose terms and conditions or prohibit the use where compliance with such terms and conditions cannot reasonably be expected.

Policy

2.15.1 It is the policy to recognize the need to consider amendments to the Plan and uses subject to terms and conditions.

Proposals

2.15.2 It is proposed that, in considering amendments to this by-law and/or the imposition of terms and conditions, to have appropriate regard for the following matters:

- a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other regulations,
- b) that controls are placed on the proposed development where necessary, to reduce conflict with any adjacent or nearby land uses by reason of:
 - i) the type of use,
 - ii) the height, bulk and lot coverage of any proposed building,
 - iii) traffic generation, access to and from the site and parking,
 - iv) open storage,

- v) signs, and
- vi) any other relevant matter of planning concern;
- c) that the proposed site is suitable in terms of steepness or grades, soil and geological conditions, location of watercourses, marshes or bogs and susceptibility of flooding as well as any other pertinent matter of environmental concern;
- d) for any proposal within serviced areas with municipal sewer, that there is adequate capability of the central services to support the development; and
- e) that the proposal meets all necessary consideration in respect of public health and safety and that the site design meets all fire protection and access considerations.



PART C | SECTION 1 ZONING PROVISIONS | DEFINITIONS

In this By-Law, all words shall have the meaning which are assigned to them in accepted English dictionaries except for the words which are defined as follows:

A **ABATTOIR** means slaughterhouses and any place where cattle, sheep, swine, poultry, or other animals are killed.

ACCESSORY BUILDING means a detached, subordinate building/structure, located on the same lot as the main building, structure, or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use.

ACCESSORY DWELLING UNIT means a dwelling unit which is secondary to the main dwelling unit, either contained within or attached to the main dwelling unit; or within a detached accessory structure or building.

ACCESSORY USE means a use, other than human habitation of land or a building or structure which is naturally or customarily incidental and complementary to the main use of land, building or structure which is located on the same lot of the main use, and which is not a secondary use.

ACT means the *Community Planning Act*, and amendments thereto.

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

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

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

AMUSEMENT PARK means a facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment including rides, booths for the conduct of games or sale of items, as well as buildings for shows and entertainment, but shall not include adult entertainment uses.

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

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

BED AND BREAKFAST/TOURIST HOME means a business run by the owner who lives within the single unit dwelling wherein rooms are rented and meals are served to overnight guests for commercial purposes.

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

BUILDING means a type structure, whether permanent or temporary which is roofed and used for shelter or accommodation of persons, animals, materials, or equipment and is a building as defined in the Code.

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

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

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

CANNABIS PRODUCTION FACILITY, INDOOR means the use of a building or structure for the cultivation, processing, testing, or research of cannabis authorized by a license issued by Health Canada.

CANNABIS PRODUCTION FACILITY, OUTDOOR means the use of land for the cultivation of cannabis authorized by a license issued by Health Canada, and does not take place inside a building or structure.

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

CODE means the National Building Code of Canada adopted by reference in the regulations, and includes all revisions, errata and corrections to errata issued from time to time.

COMMERCIAL USE means an occupation, employment, or enterprise, other than a home occupation, that is carried on for profit and include both intensive and light commercial uses.

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

COMMERCIAL USE, LIGHT means a commercial enterprise that is not likely to create a significant impact on the surrounding area but is purely commercial in nature (i.e., not associated with a residential use). Such uses include, but are not limited to: restaurants, retail, offices, service shops, veterinarian clinics, vehicle repair shops, tourism uses and landscaping businesses.

COMMISSION means the Southeast Regional Service Commission.

COMMITTEE means the Southeast Regional Service Commission's Planning Review and Adjustment Committee.

COMMON WALL means a wall jointly owned and/or jointly used by two or more parties or an extension of such a wall which is erected on a line separating two parcels of land each of which is or is capable of being held in unity of ownership.

CONNECTIVITY means the network of streets, sidewalks, trails, and paths publicly accessible to vehicles, bicycles, and/or pedestrians.

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

COTTAGE CLUSTER means the development of two or more buildings on a single lot intended for tourist accommodation.

D **DAYCARE CENTRE** means a facility in which daycare services are provided as defined by and operated in accordance with the *Family Services Act*.

DEVELOPMENT means:

- a) the erecting, placing, relocating, removing, demolishing, altering, repairing or replacing of a building or structure other than utility poles and wires, traffic control devices, pipelines defined in the *Pipeline Act* except for buildings and structures remote from the pipeline used for management and administration or housing or storing of moveable equipment or statutory notices,

- b) where the purposes for which land, buildings and structures may be used are set out in a regional plan, municipal plan, rural plan, basic planning statement, development scheme, urban renewal scheme, zoning by-law, any change in the purpose for which any land, building or structure is used,
- c) any excavation of sand, gravel, clay, shale, limestone or other deposit for a development or for purposes of the sale or other commercial use of the material excavated, or
- d) the making of land by cutting or filling to a depth in excess of one metre except in the case of utilities or the laying pipelines defined in the *Pipeline Act*.

DEVELOPMENT OFFICER means a Development Officer as defined in the *Community Planning Act*.

DWELLING means a building, or part of a building containing one or more dwelling units, but not including a motel, hotel, hostel, or camps, campers or recreational vehicles designed for seasonal and non-permanent occupation

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

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

DWELLING, SINGLE UNIT means a dwelling containing one dwelling unit

DWELLING, TWO UNIT means a dwelling containing two dwelling units

DWELLING, MULTIPLE UNIT means a dwelling containing three or more dwelling units.

DWELLING, SEMI-DETACHED means a single unit dwelling attached to another single unit dwelling by a common above grade wall with each dwelling located on a separate lot.

E ENERGY PRODUCTION means an energy source developed for commercial purposes that is connected to the provincial power network to sell energy to NB Power or a third party or a domestic energy source that is secondary and/or accessory to the main use on a lot, which is not operated solely for commercial purposes.

ENTERTAINMENT USE means is a use that involves gatherings of the public in indoor or outdoor venues that is likely to create a significant impact on the surrounding land uses such as increased traffic congestion, excessive noise, and light pollution. Such uses include, but are not limited to amusement parks, paintball facilities, hunting/shooting ranges, racetracks, and outdoor concert venues. Such uses shall not include Adult Entertainment as defined in this By-law.

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

EVENT VENUE means commercial use of a building, or part of a building, or land as a place of assembly by the public for special events such as weddings, performances, and cultural gatherings, but does not include sporting events.

EXISTING means a use legally in existence on the date of the passing of this by-law.

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

FUNERAL HOME means an institutional building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for cremation or the preparation of the dead human body for internment.

G **GARDEN SUITE** means a detached accessory dwelling placed or erected in the rear yard of an existing single unit dwelling lot.

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

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

HEIGHT means the vertical distance between the finished average ground level and the highest point of the roof surface.

HOME-BASED BUSINESS means a home occupation that takes place entirely within a dwelling.

HOME INDUSTRY means a home occupation that takes place in an accessory building.

HOME OCCUPATION means a business activity carried out within a residence or accessory building that:

- a) is secondary to the use of the dwelling unit as a private residence,
- b) does not create or become a public nuisance with respect to noise, traffic, or parking.

HOTEL, MOTEL or INN means a building or group of buildings where sleeping accommodation (with or without meals) is provided to the public.

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

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

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

L **LANDFILL** means a waste disposal site approved to operate by the Province.

LANDSCAPING means lawn or ornamental shrubs, and may include paths, patios, walkways, fountains, reflecting pools, artwork, screens, walls, fences, benches and existing natural rock or treed areas, but does not include driveways, vehicle ramps, lanes, parking areas, or space beneath, within or on top of a building.

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

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

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

LOT AREA means the total horizontal area within the lot lines of a lot.

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

LOT COVERAGE means the total area of the lot covered by buildings and accessory buildings and structures.

LOT FRONTAGE means the horizontal distance between the side lot lines as measured along the front lot line. In the case of a corner lot, the front and flankage lot lines shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage.

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

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

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

LOT LINE, REAR means the lot line farthest from or opposite to the front lot line.

LOT LINE, SIDE means a lot line other than a front, flankage, or rear lot line.

LOT LINE, FLANKAGE means a side lot line, which abuts the street on a corner lot.

LOT WIDTH means, in relation to a lot,

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



MAIN BUILDING means the building in which is carried on the principal purpose or purposes for which the building lot is used.

MINI HOME means a factory-built detached building that has a width of less than six metres throughout its entire length and is equipped with the necessary service connections and made to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit with or without a permanent foundation.

MINI HOME PARK means a lot under single management where two or more mini homes are located, but does not include a campground

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

OUTDOOR STORAGE means the storage of merchandise, goods, inventory, materials or equipment or other items which are not intended for immediate sale, by locating them on a lot exterior to a building.

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

PARKING LOT means an area of land for the parking of vehicles.

PARKING SPACE means an area for the temporary parking, or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles, or manoeuvring areas.

PUBLIC ROAD means a road owned and maintained by the local government or the Province of New Brunswick (see street).

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

R RECONSTRUCTION means the replacement of a building using an existing foundation.

RECREATION USE means a use, either privately or publicly held which is designed and equipped for the conduct of sports, leisure time activities and other customary recreational activities and may include, but not limited to, parks, trails, indoor or outdoor recreation facilities, and hunting ranges together with necessary and accessory buildings and structures, but does not include commercial camping grounds nor a track for the racing of any form of motorized vehicles or any animals, or hunting ranges.

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

RECYCLING DEPOT means a building that is used for the deposit, collection and handling of waste metal, paper, rags, tires, bottles, or other materials that are to be delivered wholesale to other off-site operations for further processing, or salvage.

RESIDENTIAL CARE FACILITY means an institutional use that may include a family shelter, group care facility, or similar facility for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

RESIDENTIAL NODE means a cluster of land parcels which are zoned predominately “residential” use in the unserved areas of the Community.

RESIDENTIAL USE means the use of a building or structure or parts thereof as a dwelling.

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

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

RESTAURANT means a building where food and beverages, including the sale of alcohol, are offered for sale to the public for consumption at tables or counters either inside or outside the building on the lot. This includes drive-thrus and take-out service of food and beverages for off- site consumption.

RETAIL means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public at retail value and shall include minor food processing and packaging in connection with the sale of food products.

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

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

SERVICE SHOP means establishments such as hair salons, aesthetician or spa services, shoe repair, and the sale or repair of household articles. This definition may also include repair of small motors, plumbing or electrical establishments, or pet grooming facilities, but does not include vehicle repair or industrial uses.

SERVICE STATION means a building or part of a building used for the retail sale of lubricating oils and gasoline, and may include the sale of automobile accessories, and the servicing and general repairing of motorized vehicles, and may include vehicle-washing establishments.

SERVICED AREAS means the portion of the Community for which there are central sewer services.

SIGHT TRIANGLE means the triangular area on a corner lot defined by a diagonal line connecting 2 points 6 metres from the streets' point of intersection. It is prohibited to

erect a fence, sign or any other structure, or to grow or cause to grow a hedge, bush, shrub or any other vegetation to a height between 0.75 metres and 2.5 metres above grade of the streets that abut the lot.

SIGN means any display of public advertisement in the form of a placard, boarding, billboard or other form or means or device whatsoever of public advertisement whether erected, pasted or painted, and includes any form, means or device intended, suitable or adaptable for such purpose whether or not it is at the time used for such purpose, including those signs that fall under the Highway Advertisement Regulation – *Highway Act*.

SIGN, BILLBOARD means a freestanding sign that is not related to any business or use located on the lot or premises on which it is located.

SIGN, FREESTANDING means a sign, other than a portable sign, which advertises a business on the same lot, supported independently of a building and securely fixed to the ground.

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

SIGN, ILLUMINATED means a sign that is illuminated by an internal light source.

STREET means the whole and entire right-of-way of every highway, road, private access or road allowance vested in either the Province of New Brunswick or the Community of Three Rivers.

STREET LINE means the common boundary between a street and a lot.

STRUCTURE means anything that is erected, built, or constructed of parts joined together or any such erection, including but not limited to a fence, deck, dock, or monument, but does not include a building, flagpole, or utility.

SWIMMING POOL means a tank or body of water, other than a natural body of water or stream, either above or below ground, which has a depth greater than 0.91 cm intended to be used for diving, swimming, or wading.

T **TOURISM USE** means the commercial use of land to attract and serve people visiting an area for recreation and vacations, including overnight accommodations

U **UNSERVICED AREAS** mean the portion of the Community for which there are no central sewer services. These unserved areas are generally dependent upon on-site wells and septic systems.

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

USE, MAIN means the principal purpose for which a lot, building, or structure is being used.

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

V **VETERINARY CLINIC** means a facility for the medical care and treatment of animals and includes provisions for their overnight accommodation but does not include any outdoor facilities such as kennels, pen runs and enclosures.

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

VEHICLE SALES ESTABLISHMENT means a licensed dealer providing for the sale of more than five vehicles on a single lot.

W **WAREHOUSE** means a commercial building used primarily for the storage of goods and materials and may include the wholesaling and distribution of goods.

WATERCOURSE means the full width and length, including the bed, banks, sides and shoreline, or any part, of a river, creek, stream, spring, brook, lake, pond, reservoir, canal, ditch or other natural or artificial channel open to the atmosphere, the primary function of which is the conveyance or containment of water whether the flow be continuous or not.

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

WHOLESALE ESTABLISHMENT means a building in which commodities in quantity are offered for sale mainly to industrial, institutional, and commercial users, or to retailers or other merchants mainly for resale or business use.

WIND TURBINE means a machine for producing power by a flow of air.

WIND TURBINE, COMMERCIAL means an energy source developed for commercial purposes that is connected to the provincial power network in order to sell energy to NB Power or a third party.

WIND TURBINE, DOMESTIC means an energy source that is secondary and/or accessory to the main use on a lot, which is not operated solely for commercial purposes.



YARD means that part of a lot required to be unoccupied by buildings or structures.

YARD, FLANKAGE means the side yard of a corner lot, which side yard abuts a street.

YARD, FRONT means that part of the lot between the main building, structure or use and a front lot line, or that part of the lot from the front lot line and the minimum front yard setback requirement as established in this by-law.

YARD, REAR means that part of the lot between the main building, structure or use and a rear lot line.

YARD, REQUIRED means the minimum setback required for a front, side or rear yard as established in this by-law.

YARD, SIDE means the yard extending from the front yard to the rear yard on either side, between a side lot line and the nearest main wall of any building or structure.



PART C | SECTION 2 ZONING PROVISIONS | SCOPE AND INTERPRETATION

2.1 Purpose

2.1.1 This purpose of this Rural Plan By-law is:

- a) to divide the municipality into zones;
- b) prescribe, subject to powers reserved in the Committee:
 - i) the purpose for which land, buildings and structures in any zone may be used,
 - ii) standards to which land use, and the placement, erection, alteration and use of buildings and structures must conform; and
- c) prohibit the use, placement, erection, or alteration of land, buildings, or structures other than in conformity with the purposes and standards mentioned in paragraph (b).

2.2 Classification

2.2.1 For the purposes of this Rural Plan By-law, the municipality is divided into zones as delineated on the plan attached as Schedule A, entitled “Community of Three Rivers Zoning Map” and dated January 5, 2026, which forms part of this By-law. The zones are as follows:

ZONE NAME	ZONE ABBREVIATION
Residential Serviced	RS
Residential Rural	RR
Central Commercial	CC
General Commercial	GC
Industrial	I
Rural Area	RA
Agriculture	A
Resource Development	RD
Intensive Resource Development	IRD
Community Use	CU
Open Space Conservation	OSC
Water Protection	WP
Dwelling Group	DG
Infill Overlay	IF
Integrated Development	ID

2.3 Interpretation of Zoning Boundaries

2.3.1 Boundaries between zones shall be determined as follows:

- a) a zone boundary shown approximately at a lot line is deemed to be at the boundary of the lot line;
- b) where zone boundaries are indicated as following an existing or a proposed street line, alley line, public utility right-of-way, or an easement line, the zone boundary shall be construed as the boundaries of such streets, alleys, rights-of-way, or easement;

- c) where a dedicated street or road, as delineated on Schedule A, is closed, the property formerly within such street or road shall be included within the zone of the adjoining property on either side of such closed street or road. Where a closed street or road is the boundary between two or more different zones, the new boundary shall be the former centerline of the closed street;
- d) where a watercourse is included on the zoning maps and serves as a boundary between two or more different zones, a line midway on such watercourse shall be considered the boundary between zones unless specifically indicated otherwise;
- e) where a railroad or railway right-of-way, electrical transmission line right-of-way or watercourse is included on the Zoning Map and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse shall be considered the boundary between zones unless specifically indicated otherwise; and
- f) where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the attached Schedule A.

2.4 Powers of the Council

2.4.1 No building may be erected in the municipality in respect of which, in the opinion of the Council, satisfactory arrangements have not been made for the supply of electric power, water, sewerage, streets, or other services or facilities.

2.4.2 When, in the opinion of Council, a building or structure is dilapidated, dangerous, or unsightly, the Council may:

- a) require the improvement, removal, or demolition of such building or structure at the expense of the owner thereof, or
- b) acquire the parcel of land on which such building or structure is located.

2.5 Powers of the Planning Review and Adjustment Committee

2.5.1 No building or structure may be erected on any site where it would otherwise be permitted under this By-law when, in the opinion of the Planning Review and Adjustment Committee, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.

2.5.2 The Planning Review and Adjustment Committee may, subject to such terms and conditions as it considers fit:

- a) authorize, for a temporary period not exceeding one year, a development otherwise prohibited by this By-law;
- b) to authorize, for an additional temporary period not exceeding one year, a development otherwise prohibited by the by-law if:
 - i) the applicant holds an authorization under subparagraph a) that is to expire or has expired,
 - ii) an application with respect to the land has been made to amend the Rural Plan, and
 - iii) the Committee has received a resolution from the Council confirming that the Council will consider the application referred to in clause (ii); and
- c) require the termination or removal of a development authorized under 2.8.2 (a) or (b) at the end of the authorized period.

2.6 Amendments

2.6.1 A person who seeks to have this By-law amended:

- a) shall address a written and signed application to the Commission;

- b) shall, where the application involves rezoning an area of land from one type of zoning to another:
 - i) provide a statement as to the ownership thereof, and the signature of at least one owner of each parcel of land to be rezoned;
 - ii) pay an application fee as specified in Section 2.7;
 - iii) provide a detailed description of the proposed use of land as well as a site plan drawn to scale of all proposed buildings; and
 - iv) provide any information that is deemed necessary by the Commission to adequately assess the desirability of the proposal.

2.6.2 Before giving its views to the Council with respect to an application under this section, the Committee may carry out such investigation as it deems necessary.

2.6.3 Unless, upon the advice of the Committee, the Council is of the opinion there is valid new evidence or a change in conditions, where an application under this section has been refused by the Council, no further application may be considered by the Council for a period of one year from the date of refusal.

2.7 Planning Applications and Fees

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

Development Permit	\$25
Document Approval	\$100
Zoning Confirmation	\$100
Zoning Compliance	\$200
Temporary Use	\$250
Similar or Compatible Uses	\$250
Variance/Adjustment/PRAC Terms and Conditions	\$250
Rezoning or By-law Amendment	\$1500

2.8 Conformity

- 2.8.1 In any zone, all land shall be used, and all buildings or structures, or parts of the buildings or structures, shall be placed, erected, altered or used only in conformity with the requirements of the part of this by-law pertaining to such zone, except as otherwise provided.
- 2.8.2 In any zone, all development on Crown land must comply with Section 129 of the *Act*.
- 2.8.3 Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force within the Community, or to obtain any license, permission, permit, authority, or approval required by this or any other By-law of the Community, or statute and regulation of the Province of New Brunswick or Government of Canada.
- 2.8.4 Where the provisions of this By-law conflict with those of any other provincial Regulation, by-law or Code, the higher or more stringent requirements shall prevail.

2.9 Development Permits

- 2.9.1 No person shall undertake a development without having obtained a development permit and no development permit shall be issued unless the proposed development conforms to all provisions of this By-law.
- 2.9.2 A development permit shall be in force for a period of one (1) year from the date of issuance or until the project has been completed or is discontinued for a period of one year. Any permit may be reissued upon request, subject to review by the Development Officer and provided it conforms to any applicable regulation or policy that is in effect at the time of reissuance.

2.9.3 No development permit may be issued under this By-law before any applicable fee in section 2.7 has been paid.

2.9.5 Notwithstanding 2.8.1, no development permit shall be required for the following:

- a) an accessory building or structure which has less than 10 m² of gross floor area;
- b) a recreational vehicle on a vacant lot;
- c) a fence for agricultural uses;
- d) any utility except for a wind turbine;
- e) play structures; or
- f) landscaping features including flagpoles and clotheslines.



PART C | SECTION 3 ZONING PROVISIONS | GENERAL PROVISIONS

3.1 Meeting By-law Requirements

No building or structure may be built, located or relocated, altered or replaced on a lot, unless the lot meets the requirements of this section or requirements specified in individual zones.

3.2 Connection to Sewage Disposal Systems

Where municipal sewage services are available, no permit shall be issued except where the development is provided with such services.

3.3 Frontage on Street

3.3.1 No development permit shall be issued except where the lot intended to be used, or upon which the building or structure is to be erected, abuts and fronts upon a publicly owned and maintained street or road.

3.3.2 All new main buildings on a public road, other than a road under the jurisdiction of a local government, require an access permit issued by the Province of New Brunswick.

3.4 Size and Number of Dwellings on a Lot

3.4.1 No dwelling may be placed, erected or altered so that it has a floor area less than 45 m². Floor area shall not include garages, carports, porches, or decks.

3.4.2 Notwithstanding section 3.32.1, no more than one building containing one or more dwelling units may be placed or erected and no building or structure may be altered to become a second building containing a dwelling unit on a lot.

3.4.3 Notwithstanding section 3.4.2, more than one main building on a lot shall be permitted in the Dwelling Group and Agriculture Zone provided that:

- a) the minimum zone requirements are complied with; and
- b) the buildings maintain a minimum separation distance of 3.0 metres.

3.5 Existing Buildings

Where a building has been erected on or before the effective date of this By-law, on a lot having less than the minimum frontage, area, or having less than the minimum frontage or flankage yard or side yard or rear yard required by this By-law, the building may be enlarged, reconstructed, repaired, or renovated provided that:

- a) the enlargement, reconstruction, repair or renovation does not further reduce the front, side, flankage, or rear yard that does not conform to this By-law; and
- b) all other applicable provisions of this By-law are satisfied.

3.6 Undersized Lots

A building or structure may be erected, located or relocated, altered, or replaced on a lot that does not meet the provisions of this section or provisions specified in individual zones if the following requirements are met:

- a) the lot was existing before this By-law came into effect;
- b) the lot is serviced by an access as specified in this By-law;
- c) the zone permits the proposed use; and

- d) the development is capable of connecting to the municipal sewage system or has an approved on-site septic system.

3.7 Accessory Buildings

3.7.1 Accessory uses, buildings and structures shall be permitted in any zone but shall not:

- a) be used for human habitation except where a dwelling is a permitted accessory use in this By-law;
- b) be located in the required front yard setback, or be built closer than 2.5 metres to any other lot line except that:
 - i) in any Residential zone, buildings, or structures that are accessory to residential uses shall not be located closer to any side or rear lot line than 1 metre, nor be located in any front or flankage yard;
- c) no accessory building or structure in any Residential or Commercial zones shall:
 - i) exceed 4.6 metres in height, or
 - ii) exceed 84 m² in area; or
- d) be used for the keeping of animals other than household pets unless otherwise provided within this By-law;

3.7.2 Notwithstanding section 3.7.1c) accessory building height and size limits do not apply in the Agricultural, Rural Area, Resource Development, Industrial or Intensive Resource Development zones.

3.8 Height Regulations

The height regulations of this By-law shall not apply to parapets, steeple, spires, water tanks, elevator enclosures, silos, flagpoles, television, or radio antennae, towers, ventilators, skylights, barns, silos, chimneys, clock towers, windmills,

monuments, lightning rods, or solar collectors attached to the main or accessory structures except where specifically regulated.

3.9 Vehicle Bodies

3.9.1 A container designed for commercial transport shall not be used, in any zone, as a dwelling unit or commercial main building.

3.9.2 A container designed for commercial transport may be used as an accessory building or structure in any zone subject to section 3.7 regulations.

3.10 Distance from Watercourses

3.10.1 No development shall be permitted within 30 metres of a watercourse or waterbody.

3.10.2 Passive recreational uses such as trails and parks, including associated signage, shall be permitted within the required 30 metres subject to a Watercourse and Wetland Alteration Permit issued under the *Clean Water Act*.

3.10.3 If it can be demonstrated through ground-truthing by a professional trained in wetland and watercourse delineation that the waterbody mapping is inaccurate, development may be permitted as per Policy 2.9.6 and subject to all other zoning provisions for that zone.

3.11 Reduced Frontage on a Curve

Where the front lot line of any lot is a curved line or when the side lines of a lot are not parallel, a minimum lot width that is equal to the minimum lot frontage required by this By-law shall be required in lieu of such minimum lot frontage. For the purpose of this section, such minimum lot width shall be measured along a horizontal line between the side lot lines, whose end points are defined by the intersection of said side lines with the minimum front or flankage yard as required by the applicable provision of this By-law.

3.12 Sight Triangle

On a corner lot or a lot which abuts a railway crossing, a fence, sign, hedge, shrub, bush, or tree, or any other structure or building shall not be erected or permitted to grow to a height more than 0.6 metres above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of 4.6 metres from their point of intersection.

3.13 Permitted Encroachments

Every part of any yard required by this By-law shall be open and unobstructed by any structure except to permit uses or encroachments subject to the following provisions:

- a) uncovered patios, walkways, wheelchair ramps, lifting devices, or steps may be located in any yard to provide access to the first storey entrance;
- b) there may be erected or maintained in any yard, the usual projections of sill, cornices, eaves, gutters, chimneys, pilasters, canopies, or other architectural features, provided that no such structure or feature shall project more than 0.6 metres into any required yard;
- c) window bays and solar collectors may be permitted to project not more than 0.9 metres from the main wall into a required front, rear, or flankage yard;
- d) exterior staircases, balconies, verandas and sundecks shall be permitted to project a maximum of 2 metres into any required front or flankage yard; and
- e) the provisions of this section shall not restrict the location of ornamental planting, swimming pool enclosures, or landscaping in any yard, except for the sight triangle provision of section 3.12, unless otherwise indicated in this By-law.

3.14 Parking Requirements

3.14.1 For every building or structure to be erected or enlarged, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in conformity with 3.14.4 Schedule of Parking Requirements, except where any parking requirement is specifically included elsewhere in this By-law.

3.14.2 Where the total required spaces for any use is not a whole number, the total spaces required by this section, or by other specific sections, shall be the next largest whole number.

3.14.3 Each off-street parking space shall:

- a) measure 5.5 metres in length and not less than 2.8 metres in width, exclusive of driveways thereto;
- b) be readily accessible from a public street;
- c) be located on the lot containing the use for which the spaces are provided, with the exception of uses in a Central Commercial zone where parking requirements shall be waived for uses that do not require overnight accommodations.

3.14.4 Schedule of Parking Requirements

USE	PARKING REQUIREMENT
Any dwelling except as specified below	1 space per dwelling unit
Multiple unit dwellings	1.25 spaces per dwelling unit
Bed and Breakfasts / Tourist homes	1 space per bedroom
Retail stores, service shops, banks and offices	1 space per 50 m ² of gross floor area
Restaurants and bars	1 space per 4 seats
Institutional uses except as specified below	1 space per 4 seats where there are fixed seats, or 1 space per 10 m ² of gross floor area where there are no fixed seats
Schools	1 space per classroom
Hospitals	0.5 space per bed
Residential care facilities	0.25 spaces per bed
Daycare facilities	1 space for each 2 employees, plus 1 space for every 10 children
Medical clinics	3 spaces per consulting room
Warehouses, transport terminals and industrial uses	the greater of 1 space per 50 m ² of gross floor area, or 1 space per 4 employees
Any use not specified above	1 space per 30 m ² of gross floor area

3.14.5 Reserved parking spaces for the mobility impaired shall be provided as an addition to the required spaces in conformity with the *Barrier Free Design Building Code Regulation* in effect.

3.15 Fences

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

- a) no fence located within the required front yard shall exceed 1 metre in height;
- b) subject to subsection a), no fence may exceed in height:
 - i) 2 metres in a Residential zone; or
 - ii) 2.5 metres in any other zone.

3.15.2 Except in the case of a lot in Rural Area, Resource Development or Intensive Resource Development zone and along the abutting lot line, no fence may be electrified or incorporate barbed wire or other dangerous material in its construction.

3.15.3 Fences for agricultural uses are exempt from fencing provisions in this section.

3.16 Reduced Setbacks

Notwithstanding all other setback regulations provided by this by-law, a building or structure may be placed, erected, or altered so that it is as close to the street line as:

- a) where there is a building or structure on both sides and within 30 metres thereof, the mean of the distance between the street line and the adjacent buildings may be used as the established front yard setback;
- b) where there is a building or structure within 30 metres of one side only thereof, the mean of the front or flankage yard distance and the distance between the street line and the adjacent building may be used as the established front yard setback.

3.17 Residential Development Near a Lagoon or Treatment Plant

Notwithstanding any other provision of this By-law, no dwelling may be located within 100 metres of a sewage lagoon or treatment plant.

3.18 Enclosures for Swimming Pools

3.18.1 No land may be used for the purpose of a swimming pool capable of containing in excess of 0.91 metres of water, unless the pool is enclosed by a fence, or by the wall of a building or structure, or by a combination of walls and fences, at least 1.5 metres in height.

3.18.2 Where a portion of a wall of a building forms part of a swimming pool enclosure:

- a) no main or service entrance to the building may be located therein; and
- b) any door, therein, other than a door to a dwelling or rooming unit, shall be self-closing and equipped with a self-latching device at least 1.3 metres above the bottom of the door.

3.18.3 An enclosure shall not have rails, bracing or other attachments on the outside thereof that would facilitate climbing.

3.18.4 Where a fence forms an enclosure or part thereof, the fence shall:

- a) be made of chain link construction or other materials in compliance with section 3.18.5.
- b) not be electrified or incorporate barbed wire or other sharp dangerous material; and
- c) be located:
 - i) at least 1.2 metres from the edge of the swimming pool;

- ii) so that the bottom of the fence be elevated by no more than 10 cm above grade.

3.18.5 The design and construction of a fence under this section shall provide:

- a) in the case of a chain link construction:
 - i) no greater than 38 mm diamond mesh;
 - ii) steel wire not less than No. 12 gauge, or a minimum No. 14 gauge covered with vinyl or galvanized treatment or other approved coating forming a total thickness equivalent to No. 12 gauge wire; and
 - iii) at least 38 mm diameter steel posts, set below frost and designed to comply with the National Building Code in effect, and spaced not more than 2.5 metres apart, with a top horizontal rail of at least 50 mm diameter steel;
- b) in the case of wood construction:
 - i) vertical boarding, not less than 19 mm x 89 mm finished dimensions spaced not more than 38 mm apart, attached to supporting members and arranged in such a manner as not to facilitate climbing on the outside; and
 - ii) supporting wood posts at least 89 mm square or round with 89 mm diameters, set below frost and spaced not more than 2.5 metres apart, with the portion below grade treated with a wood preservative, and with a top horizontal rail of at least 38 mm x 139 mm finished dimensions; and
- c) in the case of construction other than described in clauses (a) and (b), such enclosure shall:
 - i) provide rigidity and height equal to that provided in clauses (a):
 - ii) be assembled so as not to permit the passage of a 100 mm sphere through or under it;

- iii) not have horizontal rails or other features that would facilitate climbing; or
- iv) have any horizontal rails spaced closer than 1.2 metres when the vertical picket spacing is greater than 50 mm.

3.18.6 Gates forming part of an enclosure shall:

- a) be equivalent to the fence in content, manner of construction and height;
- b) be supported on substantial hinges;
- c) be self-closing and equipped with a self-latching device at least 1.3 metres above the bottom of the gate; and
- d) be located so that the bottom of the gate is elevated by no more than 10 cm above grade.

3.19 **Uses Prohibited in Certain Yards**

In a Residential Zone, the required front or flankage yard shall not be used for the storage or display of any vehicle, boat, or other chattel.

3.20 **Daycare Centre**

Where permitted as a secondary use, a Daycare Centre shall:

- a) be located on a local street that permits on-street parking; and
- b) have one non-illuminated sign, with a maximum of 0.75 m² in area.

3.21 **Home Occupation**

3.21.1 Where a home occupation is permitted under this By-law, a home occupation includes the following types of uses:

- a) a business office or home office;
- b) a home service shop;
- c) a beauty salon, barber shop, or pet grooming service shall be permitted provided that the area devoted to use is designated to accommodate no more than 2 customers at a time;
- d) a home instructional service, including, but not limited to, the teaching of music, arts and crafts or dance;
- e) a home domestic and household workshop, including, but not limited to, food catering, dressmaking, woodworking, arts and crafts, painting, sculpturing, molding, or otherwise making or repairing garden or household ornaments, articles of clothing, personal effects or toys;
- f) a home trades business, including, but not limited to, electrician, painter or other similar uses; and
- g) a home repair shop, including, but not limited to, radio or television service or repair shops, locksmith shops, small appliance service or repair shops, household and carpenter tool service or repair shops but specifically excludes the repair of motor vehicles, construction equipment, recreation vehicles or motorcycle, metal fabrication shop and autobody shop.

3.21.2 Where a home occupation is permitted under this By-law, the following shall apply:

- a) no more than one person is engaged in the home occupation in addition to individuals residing in the dwelling unit in which the home occupation is secondary;
- b) at least one additional parking space is required on the premises, other than those under section 3.14;

- c) no change shall be made to the property that would indicate a home occupation is being conducted therein, except for one (1) non-illuminated home occupation sign which shall not exceed 0.75 m² in any Residential zone or 1.5 m² in all other zones that permit home occupations.
 - d) in any Residential zone, there shall be no external or outside storage of materials or containers to indicate that any part of the property is being used for any purpose other than a single dwelling unit;
 - e) in all other zones, storage of materials associated with the home occupation shall be located in the rear yard and shall be screened from the road and neighbouring properties by an opaque fence with a maximum height of 2 metres or by a natural buffer containing trees and/or shrubs with a minimum height of 3 metres;
 - f) there shall be no outside animal enclosures associated with a home occupation.
- 3.21.3** A home-based business shall occupy no more than 35 percent of the gross floor area of the dwelling unit while maintaining the minimum dwelling floor area as per the National Building Code;
- 3.21.4** A home industry may occupy the entirety of an accessory building provided the accessory building:
- a) is not located in the required front yard setback;
 - b) is set back at least 10 metres from the property line;
 - c) is a maximum 160 m² in area; and
 - d) a vehicle repair shop may be considered a home industry only in the Rural Area zone provided that vehicle fluids be stored and disposed of in compliance with all provincial regulations.

3.22 Wind Energy Production Systems

Where an energy production system is a permitted use, the following provisions shall apply:

- a) domestic wind turbines shall be set back a minimum of 1.5 times the turbine height from any road, public right-of-way and the property boundary;
- b) commercial wind turbines shall be set back a minimum of 550 metres from an existing dwelling; and
- c) where any of the requirements of this section conflict, the higher or more stringent requirement shall prevail.

3.23 Camps

Where a camp is a permitted use, it shall be setback a minimum distance of 30 metres from a public road.

3.24 Kennels

3.24.1 The lot used for a kennel shall be a minimum of 4,000 m² in area.

3.24.2 No shelter, building or structure used to accommodate animals shall be located in the required front yard.

3.25 Campgrounds

New campgrounds and expansions to existing campgrounds are subject to terms and conditions which may include, but are not limited to:

- a) establishment of one or more accesses suitable to accommodate emergency vehicles;

- b) entrances and exits for vehicles are designed in such a way as to minimize any conflict between vehicles and pedestrians and to not interfere with traffic flow on roadways or pathways;
- c) establishment of buffers, whether natural or artificial, between the development and adjacent properties;
- d) preservation of the natural state of the site by minimizing the removal of trees and soil;
- e) meeting all the necessary requirements in terms of public health and safety, and the outdoor development meets all considerations related to fire protection and access; and
- f) provision of proof of Environmental Impact Assessment (EIA) approval or exemption.

3.26 Salvage Yards or Recycling Depot

Where land is used for the exterior storage of scrap, recycling, or automotive materials, the following standards shall apply:

- a) The whole storage area shall be surrounded by an opaque fence, a minimum of 3.0 metres in height, unpierced except for gates necessary for access;
- b) The fence shall be located at least 6 m from the front lot line and 2 metres from all other lot lines; and
- c) No material shall be piled higher than the height of the surrounding fence.
- d) A salvage yard excluding associated buildings shall be set back:
 - i) 100 metres from any street; and

- ii) 100 metres from any watercourse or wetland.

3.27 Commercial Use Standards

3.27.1 In zones where commercial uses are limited to light commercial, the following standards shall apply:

- a) a maximum of five vehicles may be displayed for sale;
- b) light commercial uses are limited to a maximum gross floor area of 500 m².

3.27.2 The following standards shall apply to all commercial and industrial main uses regardless of the zone:

- a) where any parking lot abuts a residential use, a 2 metre high opaque fence or other visual and physical barrier, including the planting of trees, is required;
- b) outdoor storage related to the main use shall be located in the rear yard and shall be screened from adjacent residential uses with a 2 metre high opaque fence; and
- c) exterior lighting shall be constructed or positioned as to illuminate only the areas necessary and not be directed toward adjacent lots

3.28 Landscaping Requirements

3.28.1 In any zone, the owner of a lot developed for residential purposes shall landscape:

- a) the front yard of the main building; and
- b) the rear yard within 4.5 metres of any main building thereon.

3.28.2 A yard mentioned in section 3.28.1 may be used for the purposes of walks and driveways for access to the main building.

3.28.3 Landscaping under this section shall be completed within one year of substantial completion of the main building located thereon.

3.28.4 Except for that part of the lot devoted to buildings and structures, a lot developed for a commercial, industrial, or multiple unit residential purpose shall:

- a) ensure driveways and off-street parking areas are gravelled or paved; and
- b) all landscape all areas of the lot through sodding, seeding, shrubbery or some combination thereof.

3.29 Utility Uses

Utilities may be permitted in any zone as of right. Telecommunication equipment shall be reviewed through the Antenna Siting Protocol adopted by the Commission.

3.30 Keeping of Hens

The keeping of hens shall be permitted in Residential zones in conjunction with a single unit dwelling subject to the following requirements:

- a) a maximum of four hens shall be permitted;
- b) hens shall be kept in a coop or an enclosure impermeable to predators at all times;
- c) the enclosure shall be set back a minimum of 3 metres from an adjacent lot;
- d) the enclosure shall be set back a minimum of 7.5 metres from a well; and
- e) the sale of eggs, manure, meat, and the slaughter of animals on the lot is prohibited.

3.31 Mini homes

3.31.1 Mini homes shall be placed with the longest wall facing the street in all Residential zones.

3.32 Accessory Dwelling Unit

3.32.1 Where permitted, a garden suite shall:

- a) be located in the rear yard of a single unit dwelling;
- b) be located on a lot no less than 675 m² in size;
- c) not exceed a maximum floor area of 75 m²;
- d) not exceed a height of 6 metres;
- e) be set back a minimum of 3 metres from the rear lot line and a minimum of 1.8 metres from any side lot line;
- f) be connected to municipal sewer services or provide approval from the appropriate department verifying sufficient on-site septic capability; and
- g) use the same driveway as the main use.

3.32.2 Where a single unit dwelling is a permitted main use, an accessory dwelling unit shall be permitted provided it:

- a) does not exceed the lesser of 35% of the main dwelling's gross floor area or 80 m²; and
- b) is contained within a single unit dwelling.

3.33 Development Near Rail Lines

- 3.33.1** A minimum setback distance of 30 metres shall be maintained between any new residential dwelling and the railway right-of-way.
- 3.33.2** Existing residential buildings within the 30 metre railway setback may be repaired, renovated, and expanded provided all other applicable provisions of this by-law are satisfied.
- 3.33.3** Lots existing before the adoption of this By-law that are unable to meet railway setbacks may still be developed for residential purposes.

3.34 Signs

- 3.34.1** Other than a traffic control device as defined in the *Motor Vehicle Act*, a legal notice or a store window sign, the location, dimensions, standards of construction, and purposes of public advertisement in the form of a sign is permitted only upon compliance with the requirements of this section.
- 3.34.2** No person may use land, a building or structure for the display of public advertisement in the form of a sign without obtaining a development permit.
- 3.34.3** Notwithstanding section 3.34.2, a person may place, erect, or display a non-illuminated sign on any land, building, or structure without obtaining a permit for the sign if the sign:
- a) advertises the sale, rental, or lease of the land, building, or structure and does not exceed 0.85 m² in gross surface area;
 - b) identifies by name the property or the residents of the property and does not exceed 0.45 m² in gross surface area;
 - c) warns against trespass and does not exceed 0.45 m² in sign gross surface area;

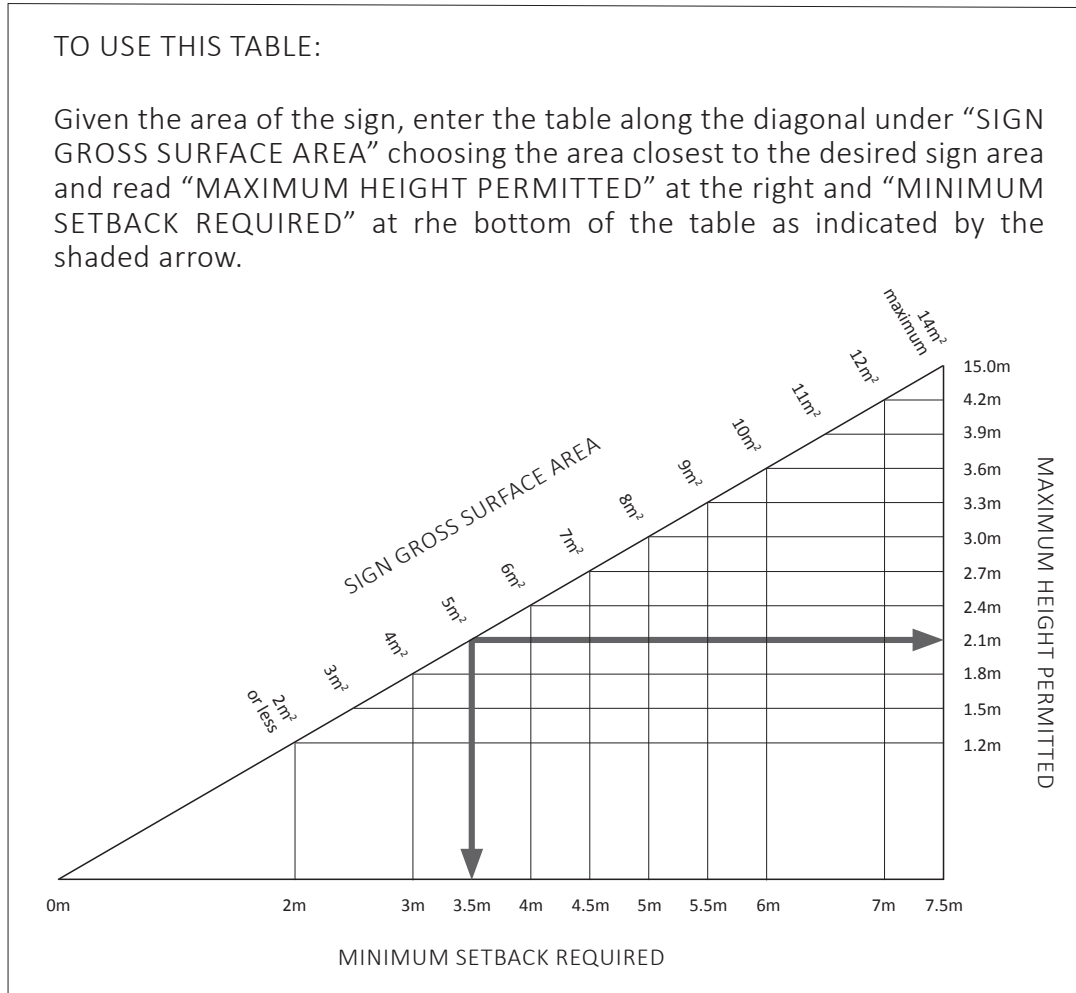
- d) is a private traffic directional sign not exceeding 0.25 m² in sign gross surface area;
- e) identifies the architects, engineers, contractors, and other individuals or firms involved with the construction of a building or structure, but such sign shall be removed from the site within fourteen days of the completion of the intended use of the building or structure;
- f) announces a candidate for public office in a municipal, provincial, or federal election, but such sign shall be removed from the site within fourteen days following the election;
- g) a freestanding private traffic directional sign not exceeding 0.24 m²; or
- h) identifies the name of a subdivision and does not exceed 3 m² in sign gross surface area.

3.34.4 Other than a sign referred to in section 3.34.3, and subject to section 3.34.5, a sign may be placed, erected, or displayed if the sign gross surface area has a maximum area of 10 m² and the sign does not extend beyond the wall of the building in the case of a fascia sign and 14 m² in area in the case of a freestanding sign.

3.34.5 All freestanding signs shall have a minimum setback and maximum height in relation to the sign gross surface area as determined from the following table:

TO USE THIS TABLE:

Given the area of the sign, enter the table along the diagonal under "SIGN GROSS SURFACE AREA" choosing the area closest to the desired sign area and read "MAXIMUM HEIGHT PERMITTED" at the right and "MINIMUM SETBACK REQUIRED" at the bottom of the table as indicated by the shaded arrow.



3.34.6 No sign shall:

- a) be an imitation of a traffic control device or contain the words "stop", "go", "caution", "danger", "warning," or similar words arranged in such manner as to be construed as a traffic control device; or
- b) have a size, location, content, colouring, or manner of illumination which may be confused with, construed as, or tend to hide from view any traffic control device;

or advertise an activity, business, product, or service that is not conducted on the premises on which the sign is located or which is conducted at another location, with the exception of a billboard sign or directory sign.

3.34.7 Signs located along a Provincial highway shall be designed and located in accordance with the Highway Advertisements Regulation- *Highway Act*.

3.35 Development in Agricultural Areas

3.35.1 New dwellings must be setback a minimum of 15 metres from the property line of an adjacent property zoned as Agriculture.

3.35.2 All new livestock facilities must receive a site plan determination from the provincial Registrar of Livestock Operations prior to issuance of a development permit.

3.35.3 All new livestock facilities that are determined to be exempt from the *Livestock Operations Act* shall be setback no less than 20 metres from any lot line.



PART C | SECTION 4 ZONING PROVISIONS | ZONES

4.1 Residential Serviced (RS) Zone

4.1.1 Permitted Uses

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

- a) one of the following main uses:
 - i) a single unit dwelling
 - ii) a two unit dwelling
 - iii) a semi-detached dwelling
 - iv) a bed and breakfast/tourist home
 - v) a passive recreation use
- b) one of the following main uses subject to such terms and conditions as may be imposed by the Committee:
 - i) institutional use

- ii) a daycare centre
 - iii) a mini home
 - iv) a multiple unit dwelling
- c) one of the following secondary uses in conjunction with a permitted single unit dwelling:
- i) a daycare centre subject to section 3.20
 - ii) a home-based business subject to section 3.21
 - iii) the keeping of hens subject to section 3.30
 - iv) a garden suite subject to section 3.32.1 or an accessory dwelling unit subject to section 3.32.2
- d) subject to section 3.7, any accessory building, structure, or use, incidental to the permitted main use of the land, building, or structure.

4.1.2 Zoning Requirements

Any permitted use, or new lot, in the Residential Serviced Zone shall comply with the following regulations:

Residential Serviced (RS) Zone	Single-Detached Dwelling	Two Unit Dwelling	Semi-Detached Dwelling located on a separate lot	Multiple Unit Dwelling
Minimum Lot Area	675 m ²	1022 m ²	337.5 m ²	1545 m ² plus 102 m ² for each dwelling unit in excess of 4
Minimum Lot Frontage	22.5 m	27 m	11.25 m	36 m plus 1.5 m for each dwelling unit in excess of 6
Minimum Front or Flankage Yard	7.5 m	7.5 m	7.5 m	7.5 m
Minimum Rear Yard	7.5 m, except in the case of a corner lot, the rear yard is at least 1.5 m;	7.5 m, except in the case of a corner lot, the rear yard is at least 1.5 m;	7.5 m, except in the case of a corner lot, the rear yard is at least 1.5 m;	7.5 m, except in the case of a corner lot, the rear yard is at least 1.5 m;
Minimum Side Yard	2.4 m on one side and 1.2 m on the other	2.4 m on one side and 1.2 m on the other	2.4 m and 0.0 m from the common wall	3 m
Maximum Lot Coverage	50%	50%	50%	50%
Maximum Building Height	11 m	11 m	11 m	15 m

4.1.3 Where there is vehicular access to the rear yard through a carport or garage, the larger side yard required by paragraph 4.1.2 may be reduced to 1.2 metres.

4.2 Residential Rural (RR) Zone

4.2.1 Permitted Uses

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

- a) One of the following main uses:
 - i) Single unit dwelling
 - ii) Two unit dwelling
- b) one of the following main uses subject to such terms and conditions as may be imposed by the Committee:
 - i) residential care facility
 - ii) a mini home
- c) The following secondary uses in conjunction with a permitted single unit dwelling:
 - i) Home-based business, subject to section 3.21
 - ii) a garden suite subject to section 3.32.1 or an accessory dwelling unit subject to section 3.32.2
 - iii) the keeping of hens subject to section 3.30
- d) Any accessory building or structure subject to the requirements of section 3.7 which is incidental to the main use of the land, building or structure if such main use is permitted by this section.

4.2.2 Zone Requirements

Any permitted use, or new lot, in the Residential Rural zone shall comply with the following regulations:

Residential Rural (RR) Zone	Single Unit Dwelling or Mini Home	Two Unit Dwelling
Minimum Lot Area	4000 m ²	5350 m ²
Minimum Lot Frontage	54 m	59 m
Minimum Front or Flankage Yard	7.5 m	7.5 m
Minimum Rear Yard	7.5 m	7.5 m
Minimum Side Yard	2.4 m	2.4 m
Maximum Lot Coverage	50%	50%
Maximum Building Height	11 m	11 m

4.3 Central Commercial (CC) Zone

4.3.1 Permitted Uses

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

- a) one or more of the following main uses:
 - i) a single unit dwelling
 - ii) a two unit dwelling
 - iii) a semi-detached dwelling
 - iv) a multiple unit residential use
 - v) an office
 - vi) a retail store, service, or market
 - vii) a restaurant or bar
 - viii) a service shop
 - ix) a bank or financial institution
 - x) a hotel, motel, or inn
 - xi) recreation and assembly use
 - xii) a daycare centre
 - xiii) an institutional use

- b) one of the following secondary uses in conjunction with a single unit dwelling:
 - i) a bed and breakfast/tourist home;
 - ii) a daycare centre subject to section 3.20;
 - iii) a home-based business subject to section 3.21;
- c) any accessory building, structure, or use, incidental to any permitted main use of the land, building, or structure, subject to section 3.7.

4.3.2 Zoning Requirements

Any permitted use, or new lot, in the Central Commercial Zone shall comply with the following regulations:

Central Commercial (CC) Zone	
Minimum Lot Area	675 m ²
Minimum Lot Frontage	22.5 m
Minimum Front or Flankage Yard	0 m
Minimum Rear Yard	7.5 m, except in the case of a corner lot, the rear yard is 1.2 m
Minimum Side Yard	2.4 m on one side and 1.2 m on the other for lots not facing Main Street, and 0 m for those facing Main Street
Maximum Building Height	15 m

- 4.3.3 Except for a single unit, two unit, or semi-detached dwelling, no main building or structure may be placed, erected or altered, and no building shall be altered to become a main building on a lot except in conformity with the following:

- a) no portion of any parking area shall be located within 2 metres of any street line;
- b) no parking space shall be located closer than 3 metres from a lot line of any property occupied by a single unit or two unit dwelling, except where a fence or other physical barrier is provided, in which case no parking spaces shall be located within 1 metre of the adjoining property;
- c) where a lot located within a Central Commercial Zone abuts a lot in a Residential or Community Use Zone, the minimum side yard within the Central Commercial Zone from the abutting lot line shall be 2.5 metres; and
- d) a permitted residential use shall not occur on the same lot as a permitted commercial use unless access thereto is:
 - i) from inside the building at ground floor level when the dwelling unit is above the ground floor; and
 - ii) separate from the main access to the main use.

4.3.4 Except for a single unit, two unit, or semi-detached dwelling, no portion of any lot in a Central Commercial Zone shall be used for the collection or storage of refuse unless it is stored in a container screened by an opaque fence or similar structure.

4.4 General Commercial (GC) Zone

4.4.1 Permitted Uses

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

- a) one or more of the following main uses:
 - i) a light commercial use such as a retail or wholesale store, market, or retail service use
 - ii) an automobile, truck, recreation vehicle, general transportation, or heavy equipment sales room, sales lot, rental or repair facility
 - iii) an automobile service station, gas bar, refuelling facility, carwash and automobile rental outlet
 - iv) a recreation use
 - v) a nursery or greenhouse operation
 - vi) an institutional use
 - vii) a hotel, motel, inn
 - viii) a restaurant, including a drive-in or take-out restaurant
 - ix) a medical or veterinary clinic
 - x) a moving or storage company
 - xi) an entertainment use

- xii) a place of assembly or event venue
 - xiii) a service shop
 - xiv) a single unit dwelling
- b) the following main use subject to such terms and conditions as may be imposed by the Committee:
- i) a multiple unit dwelling
 - ii) a campground, or tourist cabins subject to section 3.25
- c) any accessory building, structure, or use, incidental to any permitted main use of the land, building, or structure, subject to section 3.7.

4.4.2 Zoning Requirements

Any permitted use, or new lot, in the General Commercial Zone shall comply with the following regulations:

General Commercial (GC) Zone	Serviced Lots	Unserviced Lots
Minimum Lot Area	675 m ²	4 000 m ²
Minimum Lot Frontage	22.5 m	54 m
Minimum Front or Flankage Yard	7.5 metres	
Arterial or Collector Highways		15 m
All Other Streets and Roads		7.5 m
Minimum Rear Yard	7.5 m	7.5 m
Minimum Side Yard	2.4 m on one side and 1.2 m on the other	2.4 m on one side and 1.2 m on the other
Maximum Lot Coverage	50%	50%
Maximum Building Height	15 m	15 m

4.4.3 No main building or structure may be placed, erected or altered, and no building shall be altered to become a main building on a lot except in conformity with the following:

- a) no portion of any parking area shall be located within 2 metres of any street line;
- b) no parking space shall be located closer than 3 metres from a lot line of any property occupied by a single unit or two unit dwelling, except where a fence or other physical barrier is provided, in which case no parking spaces shall be located within 1 metre of the adjoining property;
- c) where a lot located within a GC Zone abuts a lot in a RS, RR, or CU Zone, the minimum side yard within the GC Zone from the abutting lot line shall be 2.5 metres.

4.4.4 No portion of any lot in a General Commercial Zone shall be used for the collection or storage of refuse unless it is stored in a container screened by an opaque fence or similar structure.

4.5 Industrial (I) Zone

4.5.1 Permitted Uses

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

- a) one or more of the following main uses:
 - i) industrial use
 - ii) an automobile sales room, sales lot or auto or truck repair facility
 - iii) an automobile or truck service station, gas bar, refuelling facility, and automobile rental outlet
 - iv) a manufacturing, fabricating, assembling, or processing plant
 - v) a recycling depot
 - vi) a salvage yard
 - vii) a trucking or railway depot, or distribution centre
 - viii) a wholesale or retail establishment or warehouse
 - ix) a contractor's office and/or yard
 - x) indoor and outdoor cannabis production facilities
- b) any accessory building, structure, or use, incidental to any permitted main use of the land, building, or structure, subject to section 3.7.

4.5.2 Zoning Requirements

Any permitted use, or new lot, in the Industrial Zone shall comply with the following regulations:

Industrial (I) Zone	Serviced Lots	Unserviced Lots
Minimum Lot Area	675 m ²	4 000 m ²
Minimum Lot Frontage	22.5 m	54 m
Minimum Front or Flankage Yard	7.5 metres	
Arterial or Collector Highways		15 m
All Other Streets and Roads		7.5 m
Minimum Rear Yard	7.5 m	7.5 m
Minimum Side Yard	2.4 m on one side and 1.2 m on the other	2.4 m on one side and 1.2 m on the other
Maximum Lot Coverage	50%	50%
Maximum Building Height	15 m	15 m

4.5.3 No main building or structure may be placed, erected or altered, and no building shall be altered to become a main building on a lot except in conformity with the following:

- a) no portion of any parking area shall be located within 2 metres of any street line;
- b) no parking space shall be located closer than 3 metres from a lot line of any property occupied by a single unit or two unit dwelling, except where a fence or other physical barrier is provided, in which case no parking spaces shall be located within 1 metre of the adjoining property; and
- c) where a lot located within an Industrial Zone abuts a lot in a Residential or Community Use Zone, the minimum side yard within the Industrial Zone from the abutting lot line shall be 2.5 metres.

4.5.4 No portion of any lot in an Industrial Zone shall be used for the collection or storage of refuse unless it is stored in a container screened by an opaque fence or similar structure.

4.6 Rural Area (RA) Zone

4.6.1 Permitted uses

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

- a) one or more of the following main uses:
 - i) a single unit dwelling
 - ii) a mini home
 - iii) a two unit dwelling
 - iv) a recreational use
 - v) an institutional use
 - vi) a forestry activity
 - vii) an agricultural use subject to 3.35
 - viii) a veterinary clinic
 - ix) a bed and breakfast/tourist home
 - x) a kennel, subject to section 3.24

- b) the following main use subject to such terms and conditions as may be imposed by the Committee:
 - i) an event venue

- ii) a campground subject to section 3.25
- c) one of the following secondary uses in conjunction with a permitted single unit dwelling:
 - i) a daycare centre subject to section 3.20
 - ii) a garden suite subject to section 3.32.1 or an accessory dwelling unit subject to section 3.32.2
 - iii) a home-based business or home industry subject to section 3.21
- d) subject to section 3.7, any accessory building, structure, or use, incidental to the permitted main use of the land, building, or structure.

4.6.2 Zoning Requirements

Any permitted use, or new lot, in the Rural Area Zone shall comply with the following regulations:

Rural Area (RA) Zone - Unserviced Lots	
Minimum Lot Area	2 ha
Minimum Lot Frontage	150 m
Minimum Front or Flankage Yard	
Arterial or Collector Highways	15 m
All Other Streets and Roads	7.5 m
Minimum Rear Yard	7.5 m
Minimum Side Yard	2.4 m
Maximum Lot Coverage	50%

4.7 Agriculture (A) Zone

4.7.1 Permitted Uses

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

- a) One or more of the following main uses:
 - i) agricultural use subject to section 3.35
 - ii) forestry use
 - iii) aquaculture use
 - iv) veterinary clinic
 - v) kennel subject to section 3.24
 - vi) resource-related use
 - vii) recreation use
 - viii) single unit dwelling
 - ix) camp, subject to section 3.23
 - x) institutional use
 - xi) wind turbines subject to section 3.22
- b) One or more of the following secondary uses:
 - i) Home-based business or home industry, subject to section 3.21

- ii) a garden suite subject to section 3.32.1 or an accessory dwelling unit subject to section 3.32.2
- iii) light commercial or event venue use subject to section 3.27
- iv) an abattoir as a secondary use to an agricultural use
- c) One or more accessory buildings, structures or uses, related to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) residential buildings secondary to agricultural use
 - ii) a campground subject to section 3.25

4.7.2 Zoning Requirements

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

Agricultural (A) Zone	
Minimum Lot Area	2 ha
Minimum Lot Frontage	150 m
Minimum Front or Flankage Yard	
Arterial or Collector Highways	15 m
All Other Streets and Roads	7.5 m
Minimum Rear Yard	6 m
Minimum Side Yard	
one side	3 m
other side	3 m
Maximum Lot Coverage	50%
Maximum Building Height	11 m

4.8 Resource Development (RD) Zone

4.8.1 Permitted Uses

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

- a) One or more of the following main uses:
 - i) Forestry uses
 - ii) Resource-related uses
 - iii) Resource extraction subject to section 4.8.3
 - iv) Recreation uses
 - v) Agricultural uses subject to section 3.35
 - vi) Aquaculture uses
 - vii) Wind turbines subject to section 3.22
 - viii) A camp subject to section 3.23
 - ix) A light commercial or event venue use subject to section 3.27
 - x) Existing residential use
- b) One or more of the following secondary uses:
 - i) Mobile asphalt plant as a secondary use to a resource extraction use
 - ii) A home-based business or home industry subject to section 3.21

- iii) a garden suite subject to section 3.32.1 or an accessory dwelling unit subject to section 3.32.2
- c) One or more accessory buildings, structures or uses, related to the main use of the land, building or structure if such main use is permitted by this subsection.
- d) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
 - i) a campground subject to section 3.25

4.8.2 Zone Requirements

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

Resource Development (RD) Zone	
Minimum Lot Area	2 ha
Minimum Lot Frontage	150 m
Minimum Front or Flankage Yard	
Arterial or Collector Highways	15 m
All Other Streets and Roads	7.5 m
Minimum Rear Yard	6m
Minimum Side Yard	
one side	3 m
other side	3 m
Maximum Lot Coverage	50%
Maximum Building Height	11 m

4.8.3 All pits and site plans must meet the following standards:

- a) no extraction shall be undertaken:
 - i) within 30 metres of any hydrographic source;
 - ii) below the groundwater table;
- b) the extraction site shall be of a minimum distance of 30 metres from the property limits, 100 metres from the street, and 150 metres from any existing dwelling;
- c) the operator shall keep the access routes and streets free of dust while transporting the materials;
- d) the main entrances to the site shall have a barrier to control access to the site;
- e) for public safety, signs shall be placed at each entrance (main entrance, secondary entrance, tracks and/or trails, etc.) bearing the word “Danger”, the nature of the operation and a no trespassing. Fencing may be required around part, or all of the site or pit extraction area;
- f) the operation shall maintain safety slopes at 35% or less, unless it is demonstrated that the ground can be stabilized in such a way as to prevent landslides and erosion; and
- g) all surface water shall either be contained within the site limits, or pass through a sedimentation basin before running outside site limits.

4.9 Intensive Resource Development (IRD) Zone

4.9.1 Permitted Uses

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

- a) One or more of the following main uses:
 - i) Resource-related uses
 - ii) Resource extraction subject to section 4.8.3
 - iii) A quarry
 - iv) Recreation uses
 - v) Agricultural uses subject to section 3.35
 - vi) Aquaculture uses
 - vii) Wind turbines subject to section 3.22
 - viii) A camp subject to section 3.23;
 - ix) A salvage yard subject to section 3.26
 - x) Light and intensive commercial uses subject to section 3.27
 - xi) Industrial uses
 - xii) A water bottling operation

- xiii) An asphalt plant
 - xiv) An abattoir
 - xv) A landfill
- b) One or more accessory buildings, structures or uses, related to the main use of the land, building or structure if such main use is permitted by this subsection.
- c) The following uses are permitted subject to such terms and conditions as may be imposed by the Planning Review and Adjustment committee:
- i) A campground, subject to section 3.25

4.9.2 Zone Requirements

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

Intensive Resource Development (IRD) Zone	
Minimum Lot Area	2 ha
Minimum Lot Frontage	150 m
Minimum Front or Flankage Yard	
Arterial or Collector Highways	15 m
All Other Streets and Roads	7.5 m
Minimum Rear Yard	6m
Minimum Side Yard	
one side	3 m
other side	3 m
Maximum Lot Coverage	50%
Maximum Building Height	11 m

4.10 Community Use (CU) Zone

4.10.1 Permitted Uses

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

- a) one or more of the following main uses:
 - i) lift stations, lagoons, and other public works
 - ii) fairground or recreational use
 - iii) a government or municipal building
 - iv) cultural establishment including a community centre, library and museum
 - v) medical & health office
 - vi) a daycare centre
 - vii) an institutional use
- b) subject to section 3.7, any accessory building, structure, or use, incidental to the permitted main use of the land, building, or structure.

4.10.2 Zone Requirements

Any permitted use, or new lot, in the Community Use Zone shall comply with the following regulations:

Community Use (CU) Zone	Serviced Lots	Unserviced Lots
Minimum Lot Area	675 m ²	4 000 m ²
Minimum Lot Frontage	22.5 m	54 m
Minimum Front or Flankage Yard	7.5 metres	
Arterial or Collector Highways		15 m
All Other Streets and Roads		7.5 m
Minimum Rear Yard	7.5 m	7.5 m
Minimum Side Yard	2.4 m on one side and 1.2 m on the other	2.4 m
Maximum Lot Coverage	50% maximum	50% maximum
Maximum Building Height	15 m	15 m

4.11 Open Space (OS) Zone

4.11.1 Permitted Uses

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

- a) One or more of the following main uses:
 - i) parks or open space for natural, aesthetic, or scientific interest, including interpretative uses or displays
 - ii) passive recreational uses
 - iii) agricultural uses that do not include permanent buildings or structures
 - iv) trails
 - v) public works associated with flood control or sewage treatment, or other similar uses
 - vi) Boat launching area

4.11.2 Zone Requirements

- a) No habitable buildings, development, or structure shall be permitted in any OSC Zone.
- b) An accessory building is permitted in the OSC Zone on a lot with a residential building in existence prior to the adoption of this by-law.

4.12 Water Protection (WP) Zone

4.12.1 Permitted Uses

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

- a) subject to subsection c), one or more of the following main uses shall be permitted:
 - i) A residential use
 - ii) A residential care facility
 - iii) Institutional uses
 - iv) Agricultural uses subject to section 3.35
 - v) Aquaculture uses
 - vi) Resource-related uses
 - vii) Recreation uses
 - viii) Wind turbines subject to section 3.22
 - ix) A camp subject to section 3.23
- b) One or more of the following secondary uses in conjunction with a single unit dwelling, subject to the *Clean Water Act*:
 - i) a home-based business subject to section 3.21
 - ii) a garden suite subject to section 3.32.1 or an accessory dwelling unit subject to section 3.32.2

- c) Any permitted use in this section is subject to the *Clean Water Act* and any regulation thereunder, more particularly, the *Watershed Protected Area Designation Order* and the *Wellfield Protection Designation Order*.
- d) Subject to section 3.7, any accessory building, structure, or use, incidental to the permitted main use of the land, building, or structure.

4.12.2 Zone Requirements

Any permitted use, or new lot, in the Water Protection Zone shall comply with the following regulations:

Water Protection (WP) Zone	
Minimum Lot Area	2 ha
Minimum Lot Frontage	150 m
Minimum Front or Flankage Yard	
Arterial or Collector Highways	15 m
All Other Streets and Roads	7.5 m
Minimum Rear Yard	6m
Minimum Side Yard	
one side	3 m
other side	3 m
Maximum Lot Coverage	50%
Maximum Building Height	11 m

4.13 Dwelling Group (DG) Zone

4.13.1 Permitted Uses

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

- a) One or more of the following main uses:
 - i) Residential uses subject to section 4.13.2b)
 - ii) A passive recreation use
 - iii) Institutional uses
 - iv) Light commercial or event venue uses subject to section 3.27
 - v) A mini home park subject to section 4.13.4
 - vi) Recreation uses
- b) One or more of the following secondary uses:
 - i) A home-based business or home industry subject to section 3.21
 - ii) An accessory dwelling unit subject to section 3.32
- c) Subject to section 3.7, any accessory building, structure, or use, incidental to the permitted main use of the land, building, or structure.

4.13.2 Zone Requirements

Any permitted use, or new lot, in the Dwelling Group Zone shall comply with the following regulations:

Dwelling Group (DG) Zone	
Minimum Lot Area	2 ha
Minimum Lot Frontage	150 m
Minimum Front or Flankage Yard	
Arterial or Collector Highways	15 m
All Other Streets and Roads	7.5 m
Minimum Rear Yard	6m
Minimum Side Yard	
one side	3 m
other side	3 m
Maximum Lot Coverage	50%
Maximum Building Height	11 m

4.13.3 All developments within the Dwelling Group Zone are subject to the following:

- a) all on-site maintenance (e.g. garbage collection, snow removal) and infrastructure (e.g. accesses, fire hydrants) are the responsibility of the property owner(s);
- b) all condominium developments must be registered under the *New Brunswick Condominium Act*;
- c) all development must follow the *National Building Code* fire safety setbacks; and
- d) the approval of the local fire chief must be obtained regarding access for emergency vehicles.

4.13.4 A Mini Home Park in the Dwelling Group Zone shall meet the following requirements:

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

4.14 Infill Overlay (IF) Zone

4.14.1 The purpose of the Infill Overlay Zone is to identify areas within 75 metres of the public right-of-way where smaller lot sizes for residential uses may be accommodated as per section 4.2.2.

4.14.2 The permitted uses in the Infill Overlay Zone shall be any use permitted in the underlying zone.

4.15 Integrated Development (ID) Zone

4.15.1 Permitted Uses

No development shall be undertaken nor shall any land, building or structure be used on a lot within any integrated development zone unless Council has approved the development of a specific proposal under Section 58 of the *Act*.

4.15.2 Zone Requirements

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