

## **2 GENERAL REGULATIONS**

The following regulations shall apply to all use and development of land and buildings in the Municipality except where otherwise noted in this By-law.

### **2.1 REGULATION OF USES**

No land, building or structure shall be used or occupied except for a use which:

- a) Is listed in the Table 4 – Use Regulations as:
  - i. A Permitted Principal Use;
  - ii. A Conditional Principal Use, subject to approval as such; or
- b) Is an Accessory Use; or
- c) Is a Temporary Use.

### **2.2 MULTIPLE USES OR PROVISIONS**

Where land, a building, or a structure is used for more than one purpose, all provisions of this By-law relating to each use must be satisfied. Where more than one provision in this By-law is applicable, the higher or more stringent requirement shall apply unless specified otherwise.

### **2.3 ACCESSORY BUILDINGS AND STRUCTURES**

Accessory development in all zones are permitted when accessory to a permitted use and conditional when accessory to a conditional use. Said accessory buildings or structures shall be subject to the following requirements, in addition to the specific requirements for each zone, listed below:

- a) Where the accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building or structure;
- b) Where the accessory building or structure is detached from the principal building or structure, it shall be subject to, and shall conform to, all regulations of this By-law applicable to accessory buildings or structures;
- c) Accessory buildings or structures shall not be located within a dedicated easement right-of-way;
- d) No accessory building or structure shall be constructed on any zoning site prior to the time of construction of the principal building to which it is accessory except where it is allowed by written agreement from the Rural Municipality; and
- e) An accessory building or structure shall not be used as a dwelling, except where otherwise permitted in this By-law.

### **2.4 AREA AND YARD REQUIREMENTS**

Except as herein provided, the following special provisions shall apply in all zones to ensure adequate site and required yard requirements:

- a) Required yards shall be free of buildings, except accessory buildings, which must conform to the other requirements of this By-law.
- b) It shall be a continuing obligation of the owner to maintain the minimum required site area, yards and other open spaces required herein for any use as long as it remains in existence. Furthermore, the minimum required site area, yards and other open space allocated to a use

as per requirements of this Zoning By-law shall not, by virtue of change of ownership, or for any other reason, be used to satisfy the yard, and other open space, or minimum site area requirements for any other use.

- c) The yard requirements shall be set forth in the Bulk Regulations of each zone (Table 5 to 18).
- d) Required Yards provided for a building or structure, existing on the effective date of this Zoning By-law or amendments thereto, shall not be reduced, or further reduced, if already less than the minimum requirements of that zone.
- e) All required yards and other open space required for any use shall be located on the same site (including zoning site) as the use.

## 2.5 YARD EXCEPTIONS

Where sites shall be provided and maintained in accordance with the provisions of this Part, these shall be unobstructed from ground level to the sky, except as set forth in the Bulk Regulations of the affected Zones and as follows:

- a) Eaves may project into any required front, side or rear yard, a distance of not more than 0.91 metres (3 feet), provided that in no case shall an eave project within 0.91 metres (3 feet) of a side site line. Chimneys may project into a required front, side or rear yard not more than 0.91 metres (3 feet), provided the width of such side yard is not reduced to less than 0.91 metres (3 feet).
- b) Fire escapes may extend or project into any required front, side or rear yard not more than 1.22 metres (4 feet).
- c) Open, unenclosed stairways or balconies above the first floor, not covered by a roof or canopy, may extend or project into a required rear yard not more than 1.22 metres (4 feet) and such balconies may extend into a required front yard not more than 0.76 metres (2.5 feet).
- d) Open, unenclosed porches, or platforms, not covered by a roof or canopy, which do not extend above the level of the first floor of the building, may extend or project into any required front, side or rear yard for not more than 50 percent of the required yard depth, up to a maximum of three metres (10 feet), except for wheelchair ramps (or similar accessibility structures), which are not subject to the restrictions for required yards.
- e) Open work ornamental fences, uncovered walks, arbours, trellises, lighting fixtures, landscape architectural features or guard railing, for safety protection around depressed ramps, may be located in any required front, rear or side yard. An open work type railing may be installed or constructed on any balcony, stairway, porch, platform, or landing place.
- f) A fence or hedge shall be permitted in any required front yard as long as it does not exceed 1.22 metres (4 feet) in front of the front wall of the principal building, or 2 metres (6.56 feet) behind the front wall of the principal building.
- g) Landscape features, such as trees, shrubs, flowers or plants shall be permitted in any required front, side or rear yard as long as they don't create a fence effect in excess of the permitted height of a fence in accordance with subsection 2.5.f.
- h) Name plates and signs as permitted and regulated in this Part, or signs for the lease or rental of the premises on which they are located as permitted in this Part, shall be allowed in any required front, side or rear yard.
- i) Open work ornamental fences, hedges, landscape architectural features or guard rails shall not be located and maintained so as to preclude complete access at all times about a main building. Gates or other suitable openings at least 0.76 metres (2.5 feet) in width shall be deemed adequate for such an access.

## **2.6 TEMPORARY BUILDINGS, STRUCTURES, OR USES**

Temporary buildings, structures or uses may be allowed on a non-permanent basis subject to the issuance of a development permit under the following conditions:

- a) A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by council.
- b) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than twelve (12) months and may not be renewed for more than two successive periods at the same location.
- c) Temporary buildings, structures, and uses for construction materials or equipment, both incidental and necessary to construction on the same zoning site may be permitted for both the principal building and the temporary use and subject to such additional requirements as Council may deem necessary from time to time.
- d) In all cases, temporary buildings and structures shall not exceed 92.9 square metres (1000 square feet) in area and one (1) storey in height.
- e) A temporary building or structure:
  - a. May be used as office space for a contractor or developer;
  - b. Shall not be used for human habitation, except as temporary accommodation for a caretaker or watchman; and
  - c. Shall not be detrimental to the health, safety, convenience and general welfare of the public.

## **2.7 ROAD ACCESS**

No permanent building may be constructed or placed on a parcel which does not have legal access to an improved public road.

All buildings requiring regular year-round access must be located on a parcel which has legal access to an all-weather road.

## **2.8 NOXIOUS / OFFENSIVE USES**

Notwithstanding anything herein contained, no use that may be noxious or offensive by reason of the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration or noise shall be permitted in any zone unless the use is permitted in the subject zone or measures satisfactory to Council are undertaken to mitigate or eliminate such effects.

## **2.9 SIGNS**

The following provisions shall apply to all signs erected or maintained within the Municipality, except wherein otherwise stated:

- a) Signs and sign structures may be allowed as accessory uses in accordance with Table 1 – Sign Requirements, subject to the issuance of a development permit, except as provided in Section 1 of this Zoning By-law;
- b) All signs shall comply with the minimum yard requirements for accessory structures in the zone in which they are to be located or erected;
- c) Billboards and other signs directing attention to a business, commodity or message offered elsewhere than upon the same zoning site on which that sign is located may only be allowed