



St. Stephen Town Council to be held on Wednesday, January 27th, 2020, at 5:00pm in the Moosehead Room via electronic means.

PUBLIC PARTICIPATION WILL BE AVAILABLE VIA A LIVE FEED ON THE TOWN OF ST. STEPHEN'S FACEBOOK PAGE.

COUNCIL AGENDA

A. CALL TO ORDER

B. MOMENT OF REFLECTION

C. ADDITION OF LATE ITEMS

D. ADOPTION OF AGENDA

Proposed Resolution:

That the Agenda for the Regular Council Meeting of December 30th, 2020, be approved.

E. MAYOR'S COMMENTS/PROCLAMATIONS

F. DISCLOSURE OF INTEREST

G. PUBLIC AND/OR STATUTORY HEARINGS

H. ADOPTION OF MINUTES

i) DECEMBER 16, 2020

Proposed Resolution:

That the Minutes of the Special Council Meeting held on December 16th, 2020 be approved as presented.

ii) DECEMBER 30TH, 2020

Proposed Resolution:

That the Minutes of the Regular Council Meeting held on December 23rd, 2020 be approved as presented.

I. UNFINISHED BUSINESS FROM PREVIOUS MEETINGS

N/A

J. CORRESPONDENCE

For Information

- i) Letter from Santa’s Helpers Committee—Dec. 29, 2020

Proposed Resolution:

That the correspondence be received for information.

K. BYLAWS, PERMITS, AND POLICIES

- i) Bylaw Z-2—Zoning Bylaw

Proposed Resolution:

That Bylaw Z-2, being the Zoning Bylaw, be given First Reading.

- ii) GCC Membership Closure Extension Policy

Proposed Resolution:

That Town Council adopts the GCC Membership Closure Extension Policy as presented

L. NEW BUSINESS

Departmental Reports:

Departmental Information Reports

1. CAO Informational Report ()
2. Planning and Development Report-dated January 20, 2021
3. Treasurer Informational Report (TR01-21}
4. Protective Services Departmental Report (PS23-20)
5. Community Services Departmental Report (CMS16-20)
6. Public Works Departmental Report (PW14-20)

Proposed Resolution:

That the Departmental Information Reports be acknowledged and received

REQUESTS FOR DECISIONS:

i) Transfer from Reserves:

Proposed Resolution:

That the amount of \$230,000 (two hundred and thirty thousand dollars) be transferred from the General Operating Reserve Fund to the General Operating Fund.

ii) MCBB Application—Possible Tax Rate Implications

Proposed Resolution:

Council has been advised of the potential impact on the property taxes through presentation of the debt profile calculations and that council wishes to proceed with the application at this time.

iii) Innovation & Technology Committee—Draft Terms of Reference

That Council approves the creation of an Ad Hoc Innovation & Technology Committee to operate in accordance with the presented Terms of Reference.

iv) Community Grants Fund Applications

Proposed Resolution:

That Council approves the awarding of the following Community Grants:

| | |
|--|------------------------|
| <i>Boys & Girls Club</i> | <i>\$5,000</i> |
| <i>Charlotte County Museum (insurance)</i> | <i>\$2,500</i> |
| <i>Chocolate Festival</i> | <i>\$1,500</i> |
| <i>Chocolate Museum</i> | <i>\$6,000</i> |
| <i>Charlotte County Ground Search and Rescue</i> | <i>\$2,500</i> |
| <i>St. John Regional Hospital Foundation</i> | <i>\$3,000</i> |
| <i>*Charlotte County Hospital Foundation</i> | <i>\$3,000</i> |
| <i>Lonicera Hall</i> | <i>\$5,000</i> |
| <i>St. Stephen Rural Cemetery</i> | <i>\$3,000</i> |
| <i><u>TOTAL</u></i> | <i><u>\$31,500</u></i> |

M. QUESTION PERIOD

- Town Clerk will monitor the Facebook Live feed for any questions pertaining to items on the agenda.

N. MAYOR AND COUNCILLOR ITEMS/REPORTS

O. NOTICE OF CLOSED MEETING

Proposed Resolution:

That Council revert to a closed session pursuant to the Local Governance Act, as the subject matters being discussed relates to section 68(1):

(c) information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract.

P. RECONVENE TO REGULAR MEETING

Proposed resolution:

That the Offer of Services from Dillon Consulting Limited, dated January 20, 2021 with respect to the Union Street Combined Sewer Separation and Water Main Renewal project be approved in the form presented to Council contingent on project funding approval from the Municipal Capital Borrowing Board”.

Q. ADJOURNMENT

That the meeting be adjourned at ____ pm.

TOWN OF ST. STEPHEN
SPECIAL COUNCIL
WEDNESDAY, DECEMBER 16, 2020 @ 5:00 P.M.

In response to the outbreak of the COVID-19 virus, the public was not permitted to attend the meeting; however, the meeting was broadcast live on the Town's Facebook page.

A. CALL TO ORDER

Mayor MacEachern called the meeting to order.

B. MOMENT OF REFLECTION

There was none.

C. ADDITION OF LATE ITEMS

There were none.

D. ADOPTION OF AGENDA

AGENDA

Moved by Councillor Wheaton

Seconded by Councillor Hyslop

173/20

THAT the agenda for the Special Council Meeting of December 16th, 2020 be approved. **CARRIED**

E. MAYOR'S COMMENTS/PROCLAMATIONS

There were no none.

F. DISCLOSURE OF INTEREST

There were none.

G. PUBLIC AND/OR STATUTORY HEARINGS

There were none.

H. ADOPTION OF MINUTES

N/A

I. UNFINISHED BUSINESS FROM PREVIOUS MEETING

N/A

J. CORRESPONDENCE

Requiring Action: There was none.

For Information: There was none.

K. BYLAWS, PERMITS, AND POLICIES

There were none.

L. NEW BUSINESS

Request for Decisions

a. REQUEST FOR FUNDING UNDER THE SAFE RESTART PROGRAM

Moved by Councillor Parker

Seconded by Councillor Harding

174/20

THAT the Town of St. Stephen confirms the impacts of COVID-19 eligible under the Safe Restart program to be as follows:

| | | |
|---|--|-----------------------|
| | Total additional COVID-19 specific costs | = \$130,368.00 |
| + | Total Covid-19 Specific Losses | = 194,317.00 |
| - | Total Covid-19 specific savings | = 138,496.00 |
| | <u>NET COVID-19 Impact</u> | <u>= \$186,189.00</u> |

and directs the CAO and Treasurer to submit this information for reimbursement under the Safe Restart Program. **CARRIED**

b. RESERVE TRANSFERS

Moved by Councillor Hyslop

Seconded by Deputy Mayor Carr

175/20

THAT Council approves, and directs the Treasurer to undertake, the reserve transfers presented at the December 16, 2020 Special Council Meeting. **CARRIED**

M. QUESTION PERIOD

There were no questions.

N. MAYOR AND COUNCILLOR ITEMS

There were none.

O. NOTICE OF CLOSED MEETING

There was no closed meeting.

P. RECONVENE TO REGULAR MEETING

Q. ADJOURNMENT

Moved by Councillor Harding

Seconded by Councillor Chisholm

176/20 **THAT** the meeting be adjourned at 5:17 p.m.

Mayor

Town Clerk

TOWN OF ST. STEPHEN
SPECIAL COUNCIL
MONDAY, DECEMBER 30, 2020 @ 5:00 P.M.

In response to the outbreak of the COVID-19 virus, the public was not permitted to attend the meeting; however, the meeting was broadcast live on the Town's Facebook page.

A. CALL TO ORDER

Mayor MacEachern called the meeting to order.

B. MOMENT OF REFLECTION

Mayor MacEachern requested a moment of reflection.

C. ADDITION OF LATE ITEMS

There were none.

D. ADOPTION OF AGENDA

AGENDA

Moved by Councillor Harding

Seconded by Deputy Mayor Carr

177/20

THAT the Agenda for the Special Council Meeting of December 30th, 2020, be approved. **CARRIED**

E. MAYOR'S COMMENTS/PROCLAMATIONS

Mayor's Year End comments (verbal presentation).

F. DISCLOSURE OF INTEREST

There were none.

G. PUBLIC AND/OR STATUTORY HEARINGS

There were none.

H. ADOPTION OF MINUTES

REGULAR COUNCIL MEETING

Moved by Councillor Wheaton

- 178/20 Seconded by Councillor Parker
THAT the Minutes of the Regular Meeting of Council held on November 25th, 2020 be approved as presented. **CARRIED**

I. UNFINISHED BUSINESS FROM PREVIOUS MEETING

N/A

J. CORRESPONDENCE

Requiring Action: There was none.

For Information: There was none.

K. BYLAWS, PERMITS, AND POLICIES

There were none.

L. NEW BUSINESS

Informational Reports

- a. Report of the Chief Administrative Officer
- b. Planning and Development Report
- c. Report of the Director of Protective Services
 - i. Fire Department
 - ii. Bylaw Enforcement
 - iii. Building Inspection
 - iv. Animal Control Officer
- d. Report of the Director of Community Services
- e. Report of the Director of Operations
- f. Report of the Treasurer

Moved by Councillor Hyslop
Seconded by Deputy Mayor Carr

- 179/20 **THAT** the Informational Reports be acknowledged and received. **CARRIED**

Request for Decisions:

a. Applications to the Municipal Capital Borrowing Board

Moved by Councillor Harding
Seconded by Councillor Chisholm

- 180/20 **THAT** the Municipality of the Town of St. Stephen submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the terms and amounts as presented. **CARRIED**

b. Borrowing Authority - Scotiabank

Moved by Councillor Hyslop
Seconded by Deputy Mayor Carr

181/20

BE IT RESOLVED THAT the Mayor or such other person as the Council appoints, shall jointly with the Treasurer or Assistant Treasurer be hereby authorized on behalf of the Town of St. Stephen (the "Corporation") to borrow from the Scotiabank (the "Bank"), from time to time by way of overdraft, a sum or sums not exceeding at any one time \$378,832.00 (three hundred and seventy-eight thousand, eight hundred and thirty-two dollars), to meet current expenditures of the Corporation for the year 2021. The Mayor, Deputy Mayor or Chief Administrative Officer, together with the Treasurer or Assistant Treasurer, shall be appointed by the Council of the Town of St. Stephen on all amounts to \$5,000 (five thousand dollars). The Mayor or Deputy Mayor together with the Treasurer or Assistant Treasurer shall be appointed by the Council of the Town of St. Stephen on all amounts greater than \$5,000 (five thousand dollars).

THAT the Mayor or Deputy Mayor with the Treasurer or Assistant Treasurer are hereby authorized to sign and deliver the Scotiabank Financial Services Agreement, any service requests and any other banking agreements on behalf of the Corporation.

THAT the Treasurer or Assistant Treasurer are hereby authorized and directed to furnish to the Bank, at the time of each borrowing and at such other times as the Bank may from time to time request, a statement showing the nature and amount of the estimated revenues of the current year not yet collected, or where the estimates for the year have not been adopted, a statement showing the nature and amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year, and also showing the total of any amounts borrowed in the current year and in any preceding year that have not been repaid.

THAT the Treasurer or Assistant Treasurer are hereby authorized and directed to apply in payment of all sums borrowed from the Bank, with interest thereon, all of the monies hereafter collected or received on account or realized in respect of the taxes levied for the current year and for any preceding years and all the monies collected or received from any other source. **CARRIED**

c. Borrowing Authority – Royal Bank of Canada

Moved by Councillor Parker
Seconded by Councillor Hyslop

182/20

BE IT RESOLVED THAT the Mayor or such other person as the Council appoints, shall jointly with the Treasurer be hereby authorized on behalf of the Town of St. Stephen (the "Corporation") to borrow from the Royal Bank of Canada during the year ending December 31, 2021, the sum of \$1,194,900 (one million, one hundred and ninety-four thousand, nine hundred dollars) to be advanced in such amounts as may be required, from time to time, for Water and Sewerage Accounts.

THAT the Mayor, Deputy Mayor or Chief Administrative Officer, together with the Treasurer or Assistant Treasurer shall be appointed by Council of the Town of St. Stephen on all amounts to \$5,000 (five thousand dollars). The Mayor or Deputy Mayor together with the Treasurer or Assistant Treasurer, shall be appointed by the Council of the Town of St. Stephen on all amounts greater than \$5,000 (five thousand dollars).

THAT the said sum of \$1,194,900 (one million, one hundred and ninety four thousand, nine hundred dollars) so to be borrowed shall be repaid on or before the 31st day of December next; and the promissory note or notes of the Corporation, if any, given therefore, if made payable before the said 31st day of December may be renewed by the said Mayor and Treasurer, from time to time, but no renewal shall fall due later than the 31st day of December next. **CARRIED**

d. Release of Tender – Aerial Apparatus

Moved by Deputy Councillor Harding
Seconded by Councillor Wheaton

183/20 **THAT** Council directs staff to release Tender TOSS 20-02 on the NBO website for the purpose of obtaining bids on a new aerial firefighting apparatus. **CARRIED**

e. Application to Municipal Capital Borrowing Board – Aerial Apparatus

Moved by Deputy Mayor Carr
Seconded by Councillor Chisholm

184/20 **THAT** the Municipality of the Town of St. Stephen submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the terms and amounts presented. **CARRIED**

M. QUESTION PERIOD

There were no questions.

N. MAYOR AND COUNCILLOR ITEMS

1. Councillor Reports

Deputy Mayor Carr

- Attended all meetings of Council
- Offered thanks for a great year and wished everyone a Merry Christmas and Happy New Year

Councillor Parker

- Attended all meetings of Council
- Offered thanks for a great year and wishes for a safe and happy New Year

Councillor Harding

- Expressed excitement about movement on the purchase of a ladder truck
- Wished everyone a safe and healthy New Year

Councillor Chisholm

- Attended all meetings of Council
- Pleased with progress of potential dog park
- Recognized everyone's efforts in a trying year and offered wishes for a happy New Year

Councillor Wheaton

- Attended all meetings of Council
- Expressed gratitude to the Santa's Helpers organizing committee
- Noted the GCC has been well maintained during COVID-19
- Work progressing on St. Stephen 150 with the 1st virtual event on Jan 1, 2021 – Mayor's Levee

Councillor Hyslop

- Attended all meetings of Council
- Work progressing with Canada 1st Basketball
- Wished everyone a Happy New Year

Mayor MacEachern

- Attended all meetings of Council
- Attended meetings with the CAO
- Attended Canada 1st Basketball meeting
- Wish everyone a Merry Christmas and Happy New Year

O. NOTICE OF CLOSED MEETING

There was no closed meeting.

P. RECONVENE TO REGULAR MEETING

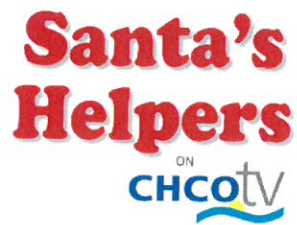
Q. ADJOURNMENT

Moved by Deputy Mayor Carr
Seconded by Councillor Parker

185/20 THAT the meeting be adjourned at 8:02 p.m. **CARRIED**

Mayor

Town Clerk



Town of St. Stephen
RECEIVED

JAN 15 ~~2020~~ ²⁰²⁴ AF

December 29, 2020

Dear *Town of St. Stephen,*

On behalf of the Santa's Helpers committee, I would like to thank you for your generous donation. When you support an organization like Santa's Helpers, you are a part of something special: a community dedicated to bringing Christmas joy to children in our county that are in need. It is incredibly heartwarming when we receive donations that enable us the ability to say "yes" to one more deserving child that needs Santa's Helpers.

With your contribution, Santa's Helpers were able to help provide Christmas to 336 children in Charlotte County. It was a challenging year for many families, and as a community, we were able to come together to help lift them up. We could not have done this without you.

From the bottom of our hearts, we thank you!

Sincerely,

Andrew Giddens

President

Santa's Helpers



ZONING BY-LAW

BY-LAW NO. Z-2

APRIL 28TH 2021

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**TOWN OF ST. STEPHEN
BY-LAW NO. Z-2
ZONING BY-LAW**

The Council of the Town of St. Stephen under the authority invested in it under Section 53 of the Community Planning Act enacts the following Zoning By-law:

0.0 BY-LAW

0.1 Title and Scope

- 1) By-law No. Z-2, the Town of St. Stephen Zoning By-law, is hereby adopted.
- 2) This By-law may be cited as “The Town of St. Stephen Zoning By-law.”
- 3) This By-law applies to the Town of St. Stephen municipal boundaries as outlined in Regulation 85-6 under the Municipalities Act.
- 4) This Zoning By-law:
 - a) divides the Municipality into zones as described on a zoning map;
 - b) prescribes, subject to powers reserved in the *Advisory Committee*;
 - i) the purpose for that land, *buildings* and structures in any zone may be used;
 - ii) standards that land use, and the placement, erection, alteration and use of *building* and structures must conform to; and
 - iii) prohibits the use, placement, erection or alteration of land, *buildings* or structures other than in conformity with the purposes and standards mentioned in clause (b).
- 5) For the purposes of this By-law, the Town is divided into zones as shown on the Town of St. Stephen Zoning Map attached as ‘Schedule A.’
- 6) For the purposes of this By-law, portions of the downtown that have a unique opportunity for revitalization are delineated in the Downtown Mixed Use (DMU) Overlay Zone as shown on the Map attached as ‘Schedule A.’
- 7) For the purposes of this By-law, properties at risk of sea level rise are delineated on the water hazard Map attached as ‘Schedule B.’
- 8) The Town of St. Stephen Zoning Map, Map of the DMU Overlay Zone, Water Hazard Map, and any amendments thereto form part of this By-law.
- 9) In the event of an inconsistency between provisions of the Municipal Plan and the provisions of this By-law, the provisions of the Municipal Plan will prevail.

0.2 Repeal and Transition

- 1) By-Law No. Z-1, Town of St. Stephen Zoning By-law, enacted on May 16, 2011 and all amendments thereto, saving and excepting By-law No. Z-1.1, By-law No. Z-1.3, and By-law No. Z-1.7, are hereby repealed.
- 2) The repeal of By-Law No. Z-1, Town of St. Stephen Zoning By-Law, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or are pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing, or pending at the time of repeal.

READ FIRST TIME: XXXX
READ SECOND TIME: XXXX
READ THIRD TIME AND ENACTED: XXXX

Mayor

Town Clerk

1.0 DEFINITIONS

Accessory Building - means a detached *building* or *structure* that:

- a) is not used for human habitation, except in the case of an accessory *dwelling* unit;
- b) contains a use that is incidental and subordinate to the main use, main *building* or *structure*;
- c) is located on the same lot as the main use, main *building* or *structure*;
- d) includes a detached private garage or detached carport and above or below ground storage tanks; and,
- e) does not include children's play structures or patios and decks attached to a *dwelling*.

Accessory Dwelling Unit - means a *dwelling unit* with no more than two bedrooms which:

- a) is secondary to the principal *dwelling unit*;
- b) when contained within a main *dwelling unit* does not exceed the lesser of 75 m² (807.3 ft²) or 75% of the floor area of one floor of the *main building*;
- c) when contained within a *single-unit dwelling* is synonymous with a rental suite;
- d) when contained within an *accessory structure* is synonymous with a garden suite.

Accessory Structure - means a detached *building* or *structure* that:

- a) is not used for human habitation, except in the case of an accessory *dwelling* unit;
- b) contains a *use* that is incidental and subordinate to the *main use*, main *building* or *structure*;
- c) is located on the same *lot* as the *main use*, main *building* or *structure*;
- d) includes a detached private *garage* or detached *carport* and above or below ground storage tanks; and,
- e) does not include children's play *structures* or patios and decks associated with a *dwelling*.

Accessory Use - means a *use* of land or a *building* or *structure* that:

- a) is naturally or customarily incidental and subordinate to the *main use* or *secondary use* of the land, *building* or *structure*;
- b) is not used for human habitation except in the case of an accessory *dwelling* unit; and,
- c) is located on the same *lot* as the *main use*.

Advisory Committee - means the Planning Advisory Committee as established by Council or the **Regional Service Commission** (RSC), as the case may be.

Agricultural Use - means the use of any land, *building*, or *structure* for the commercial production of food, fibre, or flora, or the breeding and handling of animals, and may include a *single-unit dwelling* and accessory *buildings*, a fish hatchery, outdoor *cannabis production*, and retail, or market outlets for the sale of perishable agricultural goods, or for the handling of animals, except for the purpose

of this By-law, such use does not include a kennel or abattoir.

Agricultural Use, Urban - means the use of any land, *building*, or *structure* for the small-scale production of food, fibre, or flora, or the housing of *small livestock* animals, a fish pond, a greenhouse, and, for the purposes of this By-law, such use does not include the marketing for sale or retail of perishable goods, raising or handling *livestock*, a fish hatchery, a kennel, or an abattoir.

Alter - means, as applied to a *building* or *structure* or part thereof:

- a) a change or rearrangement in the structural parts or means of egress;
- b) an enlargement, whether by extending the side, front or rear of a *building* or *structure*;
- c) increasing the *height*; or,
- d) moving from one location or position to another.

Animal Unit - means the equivalent number of livestock or poultry that equals one (1) animal unit as follows:

- a) 1 horse, cow, steer, bull, mule, donkey, bison, buffalo, fox, or mink, including offspring until weaning;
- b) 3 pigs, camelids, or deer, including offspring until weaning;
- c) 6 sheep or goats, including offspring until weaning;
- d) 10 turkeys, ostriches, emu, or equivalent larger fowl;
- e) 10 non-predatory fur-bearing animals, such as rabbits, and
- f) 20 chickens, ducks, geese, or equivalent smaller fowl.

Architect - means a professional who is registered and licensed as a full member with a Provincial or Territorial architectural regulator in Canada (e.g. Architects' Association of New Brunswick).

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

Average Grade - means, with reference to a *building* or *structure*, the average elevation of the finished surface of the ground where it meets or will meet the exterior of such *building* or *structure*, excluding localized depressions such as *vehicle* or pedestrian entrances.

Building - means any roofed *structure*, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or container used for any of the foregoing purposes.

Building Inspector - means a *Building Inspector* appointed by Council.

Building Permit - means a permit that is issued and monitored until the completion of a *building* or *structure* by the *Town's Building Inspector*. In order to receive and retain a *Building Permit*, a *building* or *structure* must meet all applicable requirements of all *Town By-laws* to receive approval from the *Development Officer*.

Cannabis Production - means the cultivating, processing, sales, warehousing, research, and testing of cannabis, cannabis extract, products that contain cannabis and other incidental activities involving cannabis for medical or non-medical purposes that require a licence under the *Cannabis Act* and its regulations.

Canopy Sign - means any *sign erected* upon but not above a roof, or on top of, or above the parapet of a *building*.

Commercial Use, Downtown - means the use of a *building* or structure for the purpose of buying and selling commodities, offices or institutional uses, restaurants and bars, *artisan manufacturing* or *microbrewery*, *entertainment area*, hotel, general retail or supply of business services, but distinguished from such uses as industrial, warehousing, vehicle repair, vehicle sales or leasing, contractor *yards*, utility and telecommunications stations, adult entertainment, or other similar uses.

Community Sign - means a sign no greater than 4 m² in sign area that is temporarily displayed for a maximum of fourteen (14) days to be used as an announcement, direction, or advertisement for a special or community event.

Commercial Use, Large Format - means the use of a *building*, structure, or lot for large scale commercial uses including for the purpose of buying and selling commodities, offices, restaurants and bars, entertainment, hotel, general retail or supply of business services, gas bars, warehousing, vehicle repair, vehicle sales or leasing, contractor *yards*, wholesale establishments, and shopping centres or malls, but does not include *industrial uses*, utility and telecommunications stations, or adult entertainment.

Commercial Use, Neighbourhood - means the use of land, *buildings*, or structures for small scale commercial uses that are compatible with predominately residential neighbourhoods, such as daycare centres, greenhouse/nursery, small-scale food production, retail uses, and *institutional uses*, but does

not include a hotel or motel, vehicle repair, contractor *yards*, industrial uses, utility and telecommunications stations, or adult entertainment.

Condominium - means any attached or non-attached *dwelling* regulated under the *Condominium Property Act* (Chapter C-16.05 SNB and any amendments thereto).

Cornice - means any horizontal member, structural or non-structural, of any *building*, projecting outward from the exterior walls at the roof line, including eaves and other roof overhang.

Developed Footprint - means the entire developed area of a lot above grade including all *main*, *secondary*, and *accessory buildings* or *structures*, *driveways*, paved *parking areas*, and outdoor storage and display of goods or equipment.

Development - means a *development* as defined by the *Community Planning Act*

Development Officer - means a *Development Officer* as defined by the *Community Planning Act*.

Development Permit - means a permit issued for a *development* and does not include a *building* permit issued under a *building* by-law.

Driveway Access - means that portion of a *lot* used to provide vehicular access from a *street* to a *parking space* or *parking aisle* or to an off-street parking or loading space located on the same *lot*.

Dwelling - means a *building* or portion thereof designed or used for residential occupancy and includes a *single-unit dwelling*, *semi-detached dwelling*, *two-unit dwelling*, *triplex dwelling*, *rowhouse dwelling* and *multi-unit dwellings*, but does not include a *hotel*, *motel*, or similar establishments.

Dwelling Unit - means a room or suite of two or more rooms for *use*, or intended for *use*, by one or more individuals in which culinary and sanitary conveniences are provided for the exclusive *use* of such individual(s), and with a private entrance from outside the *building* or from a common hallway or stairway inside, but does not include hotel, motel, boarding or rooming house, recreational vehicle or mobile home.

Entertainment Area - means a *building* or part of a *building* that involves commercial entertainment, amusement or relaxation and without limiting the generality of the foregoing includes a tavern, live performances, nightclub or other beverage room, an arcade or amusement centre, and a pool or billiard hall, and may include such activities in an outdoor setting, but does not include escort services, adult arcades, adult cabarets, adult motion picture theatres, adult retail outlet/book stores or massage parlours.

Erect - means to build, construct, reconstruct, 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. This includes any physical operations preparatory thereto.

Exterior Lighting - means outdoor lighting, or lighting inside of a **building** directed outdoors, not including illuminated signs, for the purposes of illuminating any **building**, loading area or parking lot;

Façade - means the exterior wall of a **building** or **structure** that is exposed to public view or that wall viewed by persons not within the **building**.

Fascia Sign - means a sign, other than a roof sign or *projecting sign*, which is attached to and supported by a wall of a **building** located above doors and windows.

Fence - means a structural barrier erected for the purpose of providing a boundary to prevent uncontrolled access, or for decorative purposes (such as an ornamental gate or ornamental gates), or to screen from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it.

Flag Sign - means a flag serving as a *sign* and is less than 1.39 m² (15 ft²) in sign area (includes both sides) which is attached to a pole, and does not include national, provincial, municipal flags, or other similar types of flags.

Flankage Yard - means the side **yard** of a corner lot, which abuts a street, and *required flankage yard* or *minimum flankage yard*, means the minimum side **yard** required by this By-law where the **yard** abuts a street.

Front yard - means a **yard** extending across the full width of a lot between the front lot line and the nearest wall of any main **building** or structure on the lot. The *required front yard* or *minimum front yard* means the minimum distance required by this By-law between the front lot line and the nearest main wall of any **building** or structure on the lot.

Frontage - means in the case of:

- an interior lot, the measurement of the front lot line between the side lot lines;
- a corner lot, the measurement of the front lot line between the side lot line and flankage lot line; or,
- a through lot, the measurement of the lot line separating the **front yard** from the wider public right of way. Where both right of ways are of equal width, then the **front yard** shall be the frontage where an existing driveway access is located or, if no access exists, the **front yard** shall be the same as any abutting property.

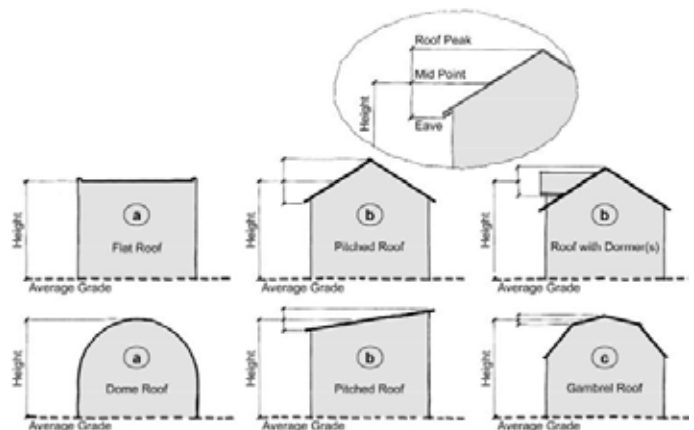
Gross Floor Area - means the aggregate of the floor areas of a **building** above and below *grade*, measured between the exterior faces of the exterior walls of

the **building** at each floor level. *Gross floor area* does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, elevators and car parking areas.

Ground Floor - means the lowest full *storey* that is located entirely above the *grade*; and with respect to the *street façade*, means the part of the *façade* that is within 4 m (13.1 ft) of the *grade*.

Habitable - means suitable for overnight residential occupancy to carry on normal living functions, including sleeping, living, cooking, and maintaining personal hygiene.

Hedge - means a row of closely planted shrubs, bushes, or any kind of plant forming a boundary or fence.



Height - means, in relation to a **building** or **structure**, the vertical distance as measured from the *average grade* level to the highest point of such **building** or **structure** and is determined as follows:

- for **buildings** with flat or dome roofs, the highest point is the highest part of the **building**;
- for **buildings** with pitched roofs, the highest point is the mid-point between the highest ridge of the **building** and the highest eave;
- for **buildings** with gambrel roofs, the highest point is deemed to be the mid-point between the ridge and the point immediately below the ridge where the pitch changes.

Height does not include:

- towers associated with a fire station;
- chimneys;
- ornamental roof construction features including towers, steeples or cupolas; and,
- mechanical features such as air conditioning *units* or similar features.

Higher High-Water Large Tide (HHWLT) - means the average of the highest high tide water level that is reported daily by the Department of Fisheries and Oceans and based upon a 19-year tidal cycle.

Home Based Business - means an occupation, trade, profession or craft carried on by the occupant of a residential **building** as a *secondary use* that is clearly subordinate and incidental to the main residential

use of the property, and which does not change the character, thereof or have any exterior evidence of such *secondary use* other than a small *sign* not exceeding a size prescribed by the Zoning By-law.

Industrial Use, Heavy - means the use of land, *buildings*, or structures for the manufacturing, processing, fabricating, assembly, or cultivating of extracted or raw materials, slaughter and processing of *livestock*, warehousing or bulk storage, wholesaling, and distribution of goods, servicing, treatment, and recycling of articles or end products, and related *accessory uses* (such as *office use*) on a large scale that potentially involves hazardous and commonly recognized offensive conditions, but does not include a *salvage use*, or the storage and disposal of untreated chemical, biological, explosive, and radioactive wastes as a *main use*.

Industrial Use, Light - means the use of land, *buildings*, or structures for research and development, biological production, licensed *cannabis production* facilities, manufacturing, processing, fabricating, assembly, warehousing, servicing, treatment, or packaging of previously prepared or refined materials (or from raw materials that do not need refining), but does not include any *heavy industrial uses*.

Institutional Use - means the use of land, *buildings*, or structures for religious, educational, health, indoor recreational facilities, child care, community centre, hospital, nursing home, seniors home, seniors congregate care facility, home for the aged or infirm, or a *residential care facility*.

Livestock- means any non-predatory animal raised and kept for agricultural purposes, but does not include domestic animals that are kept within a *dwelling unit*.

Livestock facility - means a *building* used or intended to be used to confine or house *livestock* or a confined *livestock* area, and includes a structure or area used or intended to be used to store manure;

Livestock, Small - means a small-sized, non-predatory, terrestrial animal with a gross weight of no more than 4.5 kg (10 lb) raised and kept for agricultural purposes, but does not include roosters (male chickens) or include domestic animals that are kept within a *dwelling unit*.

Loading Area - means an off-street area, on the same *lot* as the *main use*, that is used for the temporary parking of a *commercial vehicle* while loading and unloading merchandise or materials and which is connected to a public *street* by an appropriate access.

Lot - means a parcel of land or two or more adjoining parcels held by the same owner used or intended to be used as the site for a *building* or an appurtenance thereto, whether or not such *lot* is shown on a filed subdivision plan or is the subject matter of a separate deed or a separate description in a deed.

Lot Coverage - means the percentage of lot area covered by *buildings* and structures above grade. This does not include uncovered *swimming pools*, unenclosed porches, patios, sun decks and above ground pool decks.

Lot Line - means a common line between a *lot* and an abutting *lot*, or a *lot* and a *street* or body of water.

Lot Line, front - the side of a lot that abuts a public street is the front of the lot. For corner lots, the shortest side fronting upon a street shall be considered the front of the lot. Where *buildings* exist on the lot, the frontage may be established by the orientation of the *buildings*, or of the principal entrance, if *building* orientation does not clearly indicate lot frontage.

Lot Size - means the total horizontal area within the *lot lines* of a *lot*, excluding the horizontal area of a *lot*:

- usually covered by water or marsh;
- beyond the rim of a riverbank or *watercourse*; or,
- between the top and toe of the cliffs or embankment having a slope of thirty degrees or more from the horizontal.

Main Building - means the *building* in which the main or principal *use* of a *lot* is conducted.

Main Front Entrance - means an ingress and egress to and from a *building* or structure that is oriented towards and has proper access to a public street.

Microbrewery - means the small-scale manufacturing of beer, wine, spirits or other alcoholic beverages occupying a total floorspace of 500 m² or less. This *use* includes the sale of alcoholic beverages to the public for consumption within the premises as well as the preparation and sale of food, incidental storage, packaging, bottling, canning and shipping of products manufactured within the premises. This *use* does not include outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business.

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

Multi-Unit Residential Use - means a *building* comprising three or more *dwelling units* which generally has shared outside access; or *dwelling*s attached to a *building* which is principally commercial.

Municipality - Means the administration staff of the Town as headed by the Chief Administrative Officer of the Town of St. Stephen or a delegate.

Ordinary High-Water Mark - as used by the Province of New Brunswick, means the highest level reached by a body of water that has been maintained

for a sufficient period of time to leave evidence on the shoreline. This is often indicated by destruction of terrestrial vegetation, the presence of marks on trees or debris deposits. It is usually the point at which natural vegetation shifts from predominately hydrophytic species to terrestrial species.

Park and Open Space Use - means an area or portion of land, either landscaped or natural and which is used to meet human recreational or spatial needs, to protect water, air, or plant areas, or to separate uses, with a combined developed footprint of less than 10 per cent for the total area or portion of land.

Personal Service Shop - means a *use* that provides personal care services and includes, without limiting the generality of the foregoing, such establishments as barber shops, beauty parlours, salons, cosmetic application, massage therapy, physical therapy, spas, laser hair removal, nail studios, tanning salons, hairdressing shops, shoe repair and shoe shining, tailoring and other services that relate to personal aesthetics, but excludes the manufacturing or fabrication of goods for retail or any form of distribution.

Point-of-purchase sign - means advertising that is not visible from a public right-of-way and is intended to advertise goods available for sale on-site, such as a drive-thru menu.

Porch - means a roofed open area, which may be glazed or screened, usually attached to a *building*. A porch becomes a room when the space enclosed is heated or air conditioned and, if glazed, when the percentage of window area to wall area is less than 50 per cent.

Private Utility Use - means a utility use provided by a private entity, that may or may not serve the public.

Projected Sea-level Rise - means an area that is at risk for encroachment by water at *Higher High Water Large Tide* by the year 2100 as delineated on Schedule B of this bylaw. Or below 5.3 m Canadian Geodetic Vertical Datum 2013.

Public Utility Use - means a utility use provided by the Town of St. Stephen or the Province of New Brunswick.

Rear yard - means a *yard* extending across the full width of a lot between the rear lot line and nearest wall of any main *building* or structure on the lot; and *required rear yard* or *minimum rear yard* means the minimum distance required by this By-law between a rear lot line and the nearest main wall of any *building* or structure on the lot.

Regional Service Commission - means a regional service commission established under the Regional Service Delivery Act.

Renewable Energy Device - means any facility or

installation that is designed and intended to generate electricity from natural forces such as wind, water, sunlight, or geothermal heat.

Residential Use, High Density - means *townhouse dwellings fee-simple* lots, a *condominium*, attached or non-attached on *land lease* lots, a *multiple unit dwelling*, a *rooming house* or *boarding house*, or a *residential care facility*; but does not include a *recreational vehicle*, *mini-home*, *mobile home*, *hotel*, or *motel*.

Residential Use, Medium Density - means a *semi-detached dwelling*, a *two-family dwelling*, a *converted dwelling*, *townhouse dwellings*, *fee-simple* lots, a *condominium*, attached or non-attached on *land lease* lots, a *multiple unit dwelling*, a *rooming house* or *boarding house*, or a *residential care facility*; but does not include a *recreational vehicle*, *mini-home*, *mobile home*, *hotel*, or *motel*.

Resource Excavation Use - 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 does not include mining, processing, or refinement of materials.

Roof Sign - means any *sign* erected upon but not above a roof, or above the parapet of a *building*.

Rowhouse Dwelling - synonymous with a *townhouse*, means a series of more than two individual *dwelling* units, attached in a row, separated from each other by common wall(s), each on a fee simple lot on which each *dwelling* unit has its own amenity space, entrance at grade level, and parking area.

Salvage Use - means the use of land, *buildings*, or structures, where there are stored or deposited three or more unregistered motor vehicles that are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage, or other waste or discarded, or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Such uses shall also include any land, *buildings*, or structures for the storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to burn materials that are parts of a motor vehicle or cut up the parts thereof.

Sandwich Board Sign - means a *sign* less than 1 m² (10.8 ft²) in *sign area* (includes both sides) which is constructed of two boards connecting at one end and which shall be taken on and off a site on a daily basis.

Secondary Use - means a *use* other than a *main* or *accessory use* that is secondary to a *main use*; and that is conducted, unless otherwise provided (expressly or by definition), entirely within a *building* or *structure* containing the *main use* on the *lot*.

Series - means a set of consecutively attached *rowhouses* or *condominiums* of more than two (2) units where the *dwelling unit* on both ends of the series do not share one of the side walls with other units.

Setback - means the required distance, in accordance with the provisions of the bylaw, between every *building* or structure and the lot lines of the lot on which it is proposed to be located.

Side Yard Setback - means a *yard* extending between the *front yard* and the *rear yard* between a side lot line and the nearest main wall of any *building* on the lot; and 'required *side yard*' or 'minimum *side yard*' means the minimum distance required by this By-law between a *side lot line* and the nearest *main wall* of any *building* or *structure* on the *lot*.

Side Yard - means a *yard* extending between the *front yard* and the *rear yard* between a *side lot line* and the nearest *main wall* of any *building* on the *lot*

Sight Triangle - means the triangular shaped area of land formed by measuring from the point of intersection of street lines on a corner lot at a prescribed distance as required by this By-law.

Sign - means any *structure*, device, light, painting, or other representation or natural object that is used to identify, advertise, or attract attention to any object, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which displays or includes any letter, work, model, banner, flag, pennant, insignia, device, or representation used as an announcement, direction, or advertisement, and which is intended to be seen from off the premises or from a *parking lot*.

Sign Permit - means a permit that allows the owner or lessee of a property to construct, erect, display, alter or relocate a specified sign or signs in accordance with the provisions of this By-law, except signs being exempt. Signs constructed on a permanent foundation require a *building* permit in addition to the sign permit.

Single Unit Dwelling - synonymous with 'single-detached *dwelling*' and means a detached *dwelling* other than a mobile home, mini-home, recreational vehicle, travel trailer or motor home containing only one main *dwelling* unit, designed and used exclusively for residential purposes.

Small-scale Secondary Use - means any kind of *secondary use* that not aggregately occupy more than twenty-five per cent (25%) of the main *building* or shall take place in an accessory *building* not exceeding twenty-five per cent (25%) of the *gross floor area* of the main *building*. A *small-scale secondary use* is a use that does not create a noticeable amount of noise, dust, odour, smoke, glare or vibration outside of the *building* in which the activity takes place, where outside storage of goods or materials is properly screened from view, and does not generate significant

amounts of traffic.

Short-term Rental - Means a *dwelling unit*, or portion thereof, used as an accommodation for travellers for no more than 30 days at a time. The use does not include hotels, motels, or bed and breakfasts.

Storey - means that portion of a *building* included between the surface of any floor and the surface of the floor directly above it, or if there is no floor above it, then the space between such floor and the ceiling directly above it.

Street - synonymous with public right-of-way and means the whole and entire right-of-way of every highway, *road*, or *road* allowance vested in the Government of Canada, Province of New Brunswick, or the *Town*.

Street line - means the boundary line of a street or road.

Structure - means anything constructed or erected on or below the ground, or attached to something on the ground, and may include all *buildings*.

Swimming pool - means a tank or other *structure*, including inflatable pools and artificially created bodies of water, at least in part, the container of which is constructed of cement, plastic, fibreglass, concrete or similar materials, located outdoors, having a depth of water greater than 0.5 m (1.6 ft) and intended primarily for bathing, swimming, or diving, but does not include a natural, dug or dammed pond primarily intended for aesthetic or agricultural purposes.

Temporary Loading & Parking Area - means an off-street space or berth on the same lot as the *building* or a nearby off-site location with proper access to the *building* that is arranged to be used as the temporary parking of a customer's vehicle or a commercial vehicle no longer than two consecutive hours while loading and unloading merchandise or materials, which is connected to a public street by an appropriate access.

Town - means the Town of St. Stephen.

Traditional Building Materials - means materials consistent with construction techniques and architecture of the pre-World War Two era and includes brick, masonry, brick or masonry veneer, glass, wood, shingle, stucco, or adequate facsimiles (such as authentic wood-grain fibre cement board).

Triplex Dwelling - means a *building* on one lot containing three *dwelling* units divided into separate *dwelling* units each of which has an independent entrance, either directly from the outside or through a common vestibule.

Two-Unit Dwelling - synonymous with duplex, means a *building* on one lot containing two *dwelling* units divided into separate *dwelling* units each of

which has an independent entrance, either directly from the outside or through a common vestibule.

Utility Use - means any component of a transportation, water, sewerage, storm water, solid waste disposal, cable internet, electric power, natural gas, or telecommunication systems. The use may also include a fire station, police station, municipal *yards*, or community service depot such as a food bank or other drop-off location.

Warehousing - means a *building* used primarily for the storage of goods and materials and may include the wholesaling and distribution of goods.

Watercourse - means a watercourse as identified by the Province of New Brunswick under the Clean Water Act.

Wetland - means a wetland as identified by the Province of New Brunswick under the Clean Water Act.

Yard - means that part of a developed *lot* that is not covered by *buildings*, *structures*, *driveways* or parking areas.

Zone - means a designated area of land *use* shown on the Zoning Map (Schedule A) of this By-law.

2.0 ADMINISTRATIVE AND INTERPRETATIVE CLAUSES

2.1 Zoning Classifications

- 1) For the purposes of this By-Law, the municipality is divided into zones as delineated on the map attached hereto, entitled "Town of St. Stephen Zoning Map" dated January 2021.
- 2) The zones mentioned in subsection (1) are classified and referred to as follows:
 - a) One and Two Unit Residential R-1 Zone;
 - b) Residential Mix R-2 Zone;
 - c) Residential Mix & Medium Density R-2B Zone;
 - d) Multiple Unit Residential R-3 Zone;
 - e) Residential Land Lease RLL Zone;
 - f) Downtown Zone DT Zone;
 - g) Downtown Mixed Use Overlay DMU Zone
 - h) Waterfront WF Zone;
 - i) Large Format Commercial LFC Zone;
 - j) Commercial Mix CM Zone;
 - k) Neighbourhood Commercial NC Zone;
 - l) Heavy Industrial I-1 Zone;
 - m) Light Industrial I-2 Zone;
 - n) Institutional INS Zone;
 - o) Integrated Development ID Zone;
 - p) Park and Open Space OS Zone;
 - q) Future Development FD Zone.
- 3) R-1, R-2, R2-B and R-3, and RLL zones,

collectively, are referred to as Residential Zones.

4) DT, DMU, WF, LFC, CM, and NC zones, collectively, are referred to as Commercial Zones.

5) I-1 and I-2 zones are collectively referred to as Industrial Zones.

6) INS can be referred to as Institutional Zones.

7) ID, OS and FD Zones are collectively referred to as Special Zones.

2.2 Interpretation

2.2.1 Zone Boundaries

- 1) A zone boundary shown approximately at a lot line is deemed to be at the boundary of the lot line.
- 2) A zone boundary shown following approximately the top of a bank of a shoreline, creek, stream or channel is deemed to be at the top of the bank and moves with any change in the bank.
- 3) Where zone boundaries are indicated as generally following an existing or a proposed street line, alley line, public utility right-of-way, easement, fence, or *building* wall, the zone boundary shall be construed as following such lines.
- 4) In the event that a public street, as delineated on the zoning map, is closed, the property formerly within such street shall be included within the zone of the adjoining property on either side of such closed street. Where a closed street is the boundary between two or more different zones, the new boundary shall be the former centreline of the closed street.
- 5) Where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the zoning map.

2.2.2 Metric Measurements

- 1) All numerical requirements in this by-law are provided in metric units of measurement. Where a discrepancy between metric and imperial measurements occurs, the metric measurement shall prevail. Measurements are abbreviated in the following manner:
 - a) meters or m;
 - b) feet or ft;
 - c) square meters or sq. m or m²;
 - d) square feet or ft²;
 - e) inches or in;
 - f) centimeters or cm; and
 - g) millimeters or mm.
- 2) Ranges are abbreviated in the following manner:
 - a) maximum or max.;
 - b) minimum or min.;

2.2.3 Uses Permitted

- 1) Uses permitted within any zone shall be determined as follows:
 - a) If a use is not listed as a use permitted within any zone, it shall be deemed to be prohibited in that zone; and,
 - b) If any use is listed subject to any special conditions or requirements, it shall be permitted subject to the fulfilling of such conditions or requirements.

2.2.4 Diagrams

- 1) Diagrams may be used to help visualize the Zoning By-law and provide a way to generally interpret the by-law's requirements or depict its dimensional standards. In a case of any discrepancy between a diagram and the definitions or other provisions of the by-law, the written text of the by-law shall prevail.

2.2.4 Definitions

- 1) Definitions are provided in this Zoning By-law as an authoritative interpretation on the meaning and scope of a variety of different land uses and terminologies being employed in this document.
- 2) Words in bold italics are words with specific definitions and may be found in Section 1.0 of this By-law;
- 3) Words that are italicized and underlined may denote specific Provincial and/or Federal regulations or legislation.
- 4) Words that are not italicized or bolded may still be subject to a definition under section 1.0 of this Zoning By-law.

2.3 Special Powers of Council

- 1) Notwithstanding anything else contained in this By-law, no ***building*** or ***structure*** may be erected in the municipality, where in the opinion of the Council, satisfactory arrangements have not been made for the supply of electrical power, water, sewerage, streets, access, other services, and facilities.
- 2) Where, in its opinion, a ***building*** or structure is dilapidated, dangerous or unsightly, the Council may acquire the parcel of land that such ***building*** or structure is located.
- 3) Notwithstanding anything else contained in this By-law, Council may designate and use any land to for the location or erection at any installation for the supply of electricity, telecommunication services, water, sanitary and storm drainage, or other ***public utility use***.

2.4 Powers of the Regional Service Commission

- 1) No ***building*** or structure may be placed, erected or altered on any site where it would otherwise be permitted under this By-Law when, in the opinion of the ***Regional Service Commission***, the site is marshy, subject to flooding, excessively steep or otherwise unsuitable by virtue of its soil or topography.
- 2) The ***Regional Service Commission*** may, subject to such terms and conditions as it considers fit:
 - a) authorize, for a temporary period in accordance with the *Community Planning Act*, a development otherwise prohibited by this By-Law; and
 - b) require the termination or removal of a development authorized under clause (a) at the end of the authorized period.
- 3) Where uses are listed as being subject to any terms and conditions that may be imposed by the ***Regional Service Commission*** (RSC), no ***development permit*** or ***building permit*** application shall be approved until the RSC has reviewed the application and approved it as proposed, or approved it subject to specific terms and conditions, or has refused the approval where compliance with reasonable terms and conditions cannot reasonably be expected.
- 4) The ***Regional Service Commission*** may permit, subject to such terms and conditions as it considers fit:
 - a) a proposed use of land or a ***building*** that is otherwise not permitted under the Zoning By-law if, in its opinion, the proposed use is sufficiently similar to or compatible with a use permitted in the By-law for the zone in which the land or ***building*** is situated; or
 - b) such reasonable variance from the requirements of the Zoning By-law as provided by the Community Planning Act as, in its opinion, is desirable for the development of a parcel of land or a ***building*** or structure and is in accord with the general intent of the By-law and any plan or statement affecting such development.
- 5) Where requested to permit a proposed use or variance under subsection (4) above, the ***Regional Service Commission*** (RSC) may give notice to owners of land in the immediate neighbourhood:
 - a) describing the land;
 - b) describing the use proposed or variance requested; and
 - c) giving the right to make representation to the RSC in connection therewith within the time limit set out in the notice.
- 6) Where permitted under the *Community Planning Act* or *Regional Service Delivery Act*, powers of

Regional Service Commission may be delegated to the *Development Officer* or his/her delegate.

2.5 Non-Conforming Uses

Non-conforming uses, unless otherwise provided, shall be subject to Sections 60 and 61 of the *Community Planning Act*.

2.6 Amendments

- 1) A person who seeks to have this By-Law amended:
 - a) shall address a written and signed application to Council;
 - b) shall, where the application involves rezoning an area of land from one type of zoning to another, include therewith the signatures of at least one owner of each parcel of land to be rezoned; and
 - c) shall pay a fee of \$400, payable to the *Regional Service Commission*.
 - 2) The Council may, if it deems fit, return all or any part of the fee mentioned in subsection (1).
 - 3) An application under this section shall include such information as may be required by the Council or the *Regional Service Commission* for the purpose of adequately assessing the desirability of the proposal.
 - 4) Before giving its views to the Council with respect to an application under this section, the *Regional Service Commission* may carry out such investigation as it deems necessary.
 - 5) Where an application for rezoning of a property has been refused within the previous twelve months, Town Council will not entertain an application to rezone the same property unless the proposed use is substantially different from the previous application.
- a) the change of a *main use* to another *main use* of any land, *building*, or structure;
 - b) the *development* of a new *main use* in or upon of any land, *building*, or structure;
 - c) the change of a *secondary use* to another *secondary use* of any land, *building*, or structure;
 - d) the *development* of a new *secondary use* in or upon of any land, *building*, or structure;
 - e) the infill or cutting of any soil to a depth or *height* exceeding 1 m in any zone, pursuant to section 3.4; and,
 - f) the establishment of parking facilities where more than six (6) parking spaces is provided, pursuant to section 3.27.
- 3) While it does not exempt a person from complying with all other provisions of this By-law or any other by-laws or regulations, a *development permit* is not required prior to carrying out the *development* of any of the following:
 - a) the *development* of an *accessory use*, pursuant to section 2.7(1);
 - b) the installation of *landscaping* that does not change elevations by more than 1 m;
 - c) the *development* of parking facilities where less than six (6) parking spaces is provided; and,
 - d) the installation of *driveway accesses*, private accesses, *streets* or *public utility uses*, subject to the approval from the *Town*.
 - 4) An application for a development permit shall be made to the *Development Officer* in the form provided by the *Regional Service Commission* and be subject to a fee of \$50.00.
 - 5) An application for a development permit shall contain information as the *Development Officer* may require for the purpose of determining compliance with this By-law.
 - 6) The work mentioned in the *development permit* shall be carried out, unless otherwise approved by the *Development Officer*, in compliance with the specifications contained in the application for the *development permit*.
 - 7) Where a *development permit* has been issued, the *Development Officer* may inspect the establishment, *building*, locating or relocating, demolishing, altering, or replacing of a *use*, *building*, or structure, to determine compliance with this By-law.
 - 8) The *Development Officer* may revoke, suspend or refuse to issue a *development permit* where, in opinion of the *Development Officer*, the findings of the inspection referred to in section 2.7(7) demonstrates that the *development* does not meet the requirements of this By-law or a *development permit* proceeds contrary to the provisions of this By-law.

2.7 Development Permits & Fees

- 1) Except as otherwise provided in this section, no person shall undertake a *development* and no *development permit* shall be issued for the *development* unless the *development officer* having jurisdiction approves the *development* as conforming with, if it applies to the land on which the *development* is located:
 - a) the *Community Planning Act*;
 - b) the municipal plan by-law;
 - c) a secondary municipal plan by-law, if applicable;
 - d) the zoning by-law;
 - e) a deferred widening or controlled access by-law, if applicable.
- 2) A person shall be required to obtain a *development permit* prior to carrying out any *development* involving the following:

- 9) The *Development Officer* shall reinstate the *development permit* when the *development* meets the requirements of this By-law.
- 10) The work mentioned in the *development permit* shall be commenced within six (6) months from the date of issue of the *development permit*;
- 11) The work mentioned in the *development permit* shall not be discontinued or suspended for a period in excess of one (1) year.

2.8 Sign Permits & Fees

- 1) No *person* shall construct, *erect*, display, *alter* or relocate a *sign* and no person being the owner or lessee of property shall permit, suffer or allow the construction, erection, display, *alteration* or relocation of a *sign* on such property without a *sign permit* first having been obtained from the *Development Officer* in accordance with the provisions of this By-law.
- 2) No permits shall be issued for a *sign* constructed on a permanent foundation without a *building permit* having first been issued by the *Building Inspector*.
- 3) Notwithstanding any other provision of this By-law, no *sign permit* is required for the following permitted *signs*:
 - a) real estate *signs* that are of a temporary nature and advertise the property upon which they are located as being available for immediate sale, lease or rent;
 - b) construction *signs* temporarily located on a *lot* that identifies details about the project;
 - c) the display of one (1) *flag sign* per *lot*;
 - d) *community signs* that are approved by the *municipality* for commemorating a holiday, history, or community event.
- 4) An application for a *sign permit* shall be made to the *Development Officer* in the form provided by the *Regional Service Commission* and be subject to a fee of \$50.00.

2.9 Enforcement

- 1) A person who carries out a *development* or displays a *sign* contrary to the provisions of this By-law, whether any permit is required or not, shall be liable of an offence under the *Community Planning Act* and may be subject to the financial penalties, charges, or other court-ordered enforcement actions, thereunder.
- 2) The Council may appoint a By-law Enforcement Officer to enforce the provisions of this By-law and to serve orders of compliance on behalf of the *municipality* to anyone who violates this By-law.

3.0 GENERAL PROVISIONS

3.1 Required Services

- 1) No *building* or structure may be erected on any lot, unless arrangements, to the satisfaction of Council, have been made for the supply of electrical power, water, sewerage, streets, driveway access, other services, and facilities.

3.2 Height Exceptions

- 1) The *building height* regulations of this By-law do not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, telecommunications devices, air conditioning units, ventilators, skylights, chimneys, clock towers, monuments, lightning rods, or *renewable energy devices* attached to the principal *structures* except specific instances where *height* may be subject to the terms and conditions of Council or the *Advisory Committee*, as the case may be, provided that such *buildings* or *structures* conform to all restrictions of other Government authorities having jurisdiction.
- 2) Any water tanks, elevator enclosures, air conditioning units, and ventilators exempted from *building height* regulations of this By-law shall:
 - a) be set back from the perimeter of the roofline a minimum of 3 m (10 ft.);
 - b) be incorporated as an integral part of the *building* design; and,
 - c) be screened from view from street level.
- 3) Notwithstanding section 3.2(1), telecommunications devices and renewable energy devices that otherwise exceed the maximum *building height* of the zone which they are located may be exempted from *height* regulations under 3.2(2), but shall:
 - a) Be developed in conformity with the standards of section 3.1(2) for services designed for *private utility use*; or,
 - b) Be developed subject to terms and conditions established by the *advisory committee* for services designed for *private utility use*; or,
 - c) Be developed subject to the approval of the *municipality* for services designed for *public utility use*.

3.3 Exterior Lighting or Illumination Devices

- 1) The requirements of this By-law with respect to the use of *exterior lighting* are as follows:
 - a) No *exterior lighting* shall be used in a manner that it emits a bright flashing light usually

associated with danger or those used by emergency vehicles;

- b) Any *exterior lighting* shall be located and arranged so that rays of light are not directly aimed at any adjoining *lots* or the public right-of-way; and,
- c) All *exterior lighting* shall be shielded and directed downward so as to limit light pollution and protect the view of the night sky.

3.4 Change of Lot by Infilling or Excavation

- 1) In any *zone*, any change in the elevation of existing ground involving the cutting or filling to a depth in excess of 1 m (3.28 ft) shall be subject to such terms and conditions as the *Advisory Committee* considers necessary.

3.5 Building and Structure Permitted Projections

- 1) The requirements of this By-law with respect to the placing, erecting or *altering* of a *building* or *structure* in relation to a *lot line* or *street line* apply to all parts of the *building* or *structure* except for:
 - a) *cornices*, eaves and steps that project not more than 0.61 m (2 ft) into any *yard*;
 - b) sills, leaders, belt courses and similar ornamental or structural features that project not more than 152.4 mm (6 in) into any *yard*;
 - c) the ordinary projection of skylights;
 - d) window or door awnings which project not more than 1.02 m (3.3 ft) into any *yard*;
 - e) open or lattice-enclosed fire balconies or fire escapes which project not more than 1.02 m (3.3 ft) into any required *yard*;
 - f) chimneys, smoke stacks or flues, which project not more than 0.457 m (1.5 ft);
 - g) balconies of upper stories of *buildings*, provided they are not enclosed above the *building's* maximum *height*, which project not more than 1.83 m (6 ft) into a *front yard* or *rear yard* or not more than 1.22 m (4 ft) into a *side yard*;
 - h) floors in the main *building* above the *ground floor*, which project not more than 1.83 m (6 ft) into a *front yard* or *rear yard* or not more than 1.22 m (4 ft) into a *side yard*;
 - i) wheelchair ramps and lifting ramps may be located in any *yard*;
 - j) steps providing access at the *ground floor* may be located in any *front yard*, *rear yard* or *flankage yard*;
 - k) window bays and solar collectors may be permitted to project not more than 0.9 m (2.95 ft) from the main wall into a required front, rear or *flankage yard*;
 - l) *swimming pools* may encroach within 1.2 m (3.9 ft) of the property line in any rear or *side yard* but shall not encroach on any required front or *flankage yard*;
 - m) air conditioning or heat pump units may

project up to 0.61 m (2 ft) into a required *side yard*; and

- n) exterior staircases providing access to the basement or any floor above the first storey, balconies, porches, verandas and sun decks shall be permitted to project a maximum of 2 m (6.6 ft) into any required *front yard*, *rear yard* or *flankage yard*; and,
- p) no exterior staircase giving access to any floor above the first storey level shall be permitted between the *façade* of any *building* and the street line, except subject to such terms and conditions as the Advisory Committee considers necessary.

3.6 Enclosures for Swimming pools

- 1) No land may be used for purposes of a *swimming pool* capable of containing a depth in excess of 60 cm (2 ft) of water unless the *swimming pool* is enclosed by a fence, or by a wall of a *building* or *structure*, or by a combination of walls and fences, at least 1.5 m (5 ft) in *height* and meeting the requirements of this section.
- 2) Where a portion of a wall of a *building* forms part of an enclosure mentioned in 3.6(1),
 - 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 1.5 m (5 ft) above the bottom of the door.
- 3) An enclosure mentioned in 3.6(1) shall not have rails, bracing or other attachments on the outside thereof that would facilitate climbing.
- 4) A fence mentioned in 3.6(1) shall not be electrified or incorporate barbed wire or other dangerous material; and shall be located:
 - a) at least 1 m (3.3 ft) from the edge of the *swimming pool*;
 - b) at least 1 m (3.3 ft) from any condition that would facilitate its being climbed from the outside; and so that the bottom of the fence be elevated by no more than 5.5 cm (2 in) above *grade*/ground level.
- 5) The design and construction of a fence under this section shall provide
 - a) in the case of chain link construction:
 - i) no greater than 38 mm (1.5 in) diamond mesh,
 - ii) steel wire not less than No. 12 gauge, or a minimum No. 14 gauge covered with vinyl or other approved coating forming a total thickness equivalent to No.12 gauge wire, and
 - iii) at least 38 mm (1.5 in) diameter steel posts, set below frost, and spaced not more than 2.5 m (8 ft) apart, with a top horizontal rail of at least 32 mm (1.26 in) diameter steel.
 - b) in the case of wood construction:

- i) vertical boarding, not less than 19 mm x 89 mm (0.75 in x 3.5 in) actual dimensions spaced not more than 4 cm (1.5 in) 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 10 cm (4 in) square or round, set below frost and spaced not more than 2.5 m (8.2 ft) apart, with the portion below *grade* treated with a wood preservative, and with a top horizontal rail at least 38 mm x 140 mm (1.5 in x 5.5 in) actual dimensions; and
 - iii) in the case of construction with materials and in a manner other than described in this subsection, rigidity equal to that provided thereby.
- 6) Gates forming part of an enclosure mentioned in 3.6(1):
 - a) shall be equivalent to the fence in content, manner of construction and *height*;
 - b) shall be supported on substantial hinges; and
 - c) shall be self-closing and equipped with a self-latching device at least 1.3 m (4.2 ft) above the bottom of the gate.
 - 7) The vertical walls of a permanent above-ground pool can be used as part of a pool enclosure provided that the vertical walls, including additional fencing at the top of the entire walls, are at least 1.5 m (5 ft) in *height* above finished ground level and do not possess any horizontal members that may facilitate climbing. The ladder area, which provides access to the aboveground pool, must be enclosed by a *swimming pool* enclosure as defined within this section.
 - 8) No *swimming pool* enclosure may be located within the *front yard* or *flankage yard* of a *lot*.
 - 9) No water shall be placed in the *swimming pool* until a closure has been completed and inspected by the *Development Officer*, or a qualified delegate of the *Development Officer*, including a *Building Inspector*.
 - 10) The installation of a *swimming pool* and/or enclosure is not to *alter* the existing *grade* or drainage pattern otherwise approved by the *Development Officer*.
 - 11) No person is to *alter* or replace a *swimming pool* enclosure without a *development permit*.
 - 12) No person shall allow sections of the *swimming pool* enclosure to be removed or become dilapidated so that it no longer conforms to this By-law; and
 - 13) No person is to allow materials to be placed, piled, attached, hung or leaned against or near the *swimming pool* enclosure that could facilitate the climbing of the enclosure or diminish the

structural integrity of the enclosure.

3.7 Existing Lots & Buildings

- 1) Notwithstanding anything contained in this By-law, where a vacant *lot* has been in existence before the effective date of this By-law having less than the minimum lot dimensions than is required by this By-law, a *building* or *structure* may be *developed* provided that:
 - a) the erection of a new *building* or *structure* can meet all other dimensional requirements of the zone in which it is located; and
 - b) all other applicable provisions of this By-law are satisfied.
- 2) Notwithstanding anything contained in this By-law, where a *building* has been in existence before the effective date of this By-law having less than the minimum lot size, lot frontage, lot depth, *front yard*, flankage *yard*, side *yard* or rear *yard* than is required by this By-law, a *building* or *structure* may be enlarged, reconstructed, repaired, or renovated provided that provided that:
 - a) the enlargement, reconstruction, repair or renovation of an existing *building* or *structure* does not further reduce the *front yard*, flankage *yard*, side *yard* or rear *yard* that does not conform to this By-law;
 - b) all other applicable provisions of this By-law are satisfied.

3.8 Standards for Mini-Homes

- 1) Except for the Residential Land Lease (RLL) Zone, where permitted, a *mini-home* shall be placed, erected or altered, in accordance with the following:
 - a) A *mini-home* shall be situated on a concrete foundation.
 - b) A *mini-home* must be 4.8 m (16 ft.) wide at its narrowest point.
 - c) The longest side of the mini-home shall be arranged parallel to and have the *front main entrance* face the *front lot line*;
 - d) Notwithstanding section 3.8 (1) (c), where the *mini-home* is proposed to not be in conformity with Section 3.8 (1) (c), it is a particular purpose that is subject to terms and conditions as established by the advisory committee.
 - e) The *mini-home* shall have at least been manufactured in the previous two (2) years.

3.9 Small-Scale Secondary Uses Subject to Terms & Conditions

- 1) In all zones, the advisory committee may permit any *use* that is permitted in another zone as a *small-scale secondary use* subject to terms and conditions where:
 - a) the general health, welfare and safety of the general public can be reasonably protected through the establishment of terms and

conditions;

- b) compliance can be reasonably expected with the terms and conditions established under the criteria of section 3.9 (1) (a).
 - c) the *small-scale secondary use* is not a *heavy industrial use*.
- 2) Notwithstanding section 3.9 (1), a proposed *small-scale secondary use* shall be prohibited by the advisory committee where compliance with the terms and conditions cannot reasonably be expected.

3.10 Sea Level Rise & Development in Flood Prone Areas

- 1) *Development* as shown within the designated area mapped on Schedule B or 30 m (98.4 ft) of a *Wetland* is subject to the following additional conditions:
 - a) shall require an environmental protection plan prepared by a geotechnical engineer or other professional engineer to address soil stability and adequately protect against potential flooding, runoff, erosion, and sedimentation that may impact, or result from, the *development*;
 - b) shall, except for the removal of individual trees which pose a reasonable risk to the safety of life or property, preserve a minimum of 50% of all existing trees in the designated area; and,
 - c) shall require plans showing that the elevation of the *habitable* part of any new *building*, including all electrical, mechanical, and plumbing above *projected sea level rise*.
- 2) *Development* of the following is exempt from subsection 3.10 (1), but subject to all other applicable provisions of this By-law:
 - a) *accessory structures* under 56 square meters (600 sq. ft.) in *gross floor area* not designed for overnight accommodation;
 - b) repairs, change of use, or alterations to existing *buildings* or structures that do not increase the *gross floor area*;
 - c) new wheelchair ramps, stairs, decks, stairwells, and car parking areas of less than six (6) vehicles;
 - d) accessory uses of land or a use listed as permitted under Open Space (OS) Zone;
 - e) shore protection works that do not change the elevation of the existing ground by either the cutting or filling to a depth of less than 1 m (3.28 ft);
 - f) a *public utility use*.
- 3) Notwithstanding anything contained in this By-law, *development* is not exempt from obtaining and complying with any required wetland or watercourse alteration permits that may issued by the Province of New Brunswick under the *Clean Water Act*.

3.11 Access to Lots

- 1) No person shall use a lot or erect or use a *building* or structure on a lot, unless the lot abuts or fronts on a public street or otherwise has access to a public street satisfactory to the *Advisory Committee*.

3.12 Line of Vision at an Intersection

- 1) Except in the Downtown Zone (DT), no *building, structure, fence, sign, hedge, shrub, bush, or tree foliage* may obstruct the line of vision at a *street* intersection between the *heights* of 1.0 and 3.0 meters (3 and 10 feet) above the *grade* of the *streets* within the *sight triangle* which is the triangular area included within the right-of-way edges for a distance of 4.6 m (15.1 ft) from their point of intersection.

3.13 Accessory Uses, Buildings or Structures

- 1) An accessory use, *building* or structure may not be placed or erected on a lot prior to the placement or erection of the main *building* or structure.
- 2) Accessory uses, *buildings* and structures will be permitted in all Zones but they shall not:
 - a) be used for human habitation, except as an *accessory dwelling unit* pursuant to the requirements of sub-section 3.13 (3);
 - b) exceed either 4.6 m (15 ft) in *height* or the *height* of the main *building*, except for ;
 - c) except in the Large Format Commercial, Institutional, Special and Industrial Zones, have a total combined gross floor area exceeding 10% of the total lot area;
 - d) be placed, erected or altered so that it is closer to the front lot line than the main *building*;
 - e) be placed, *erected* or *altered* so that is closer to the side *lot line* or rear *lot line* than the minimum required *side yard* and *rear yard*; and,
 - f) with regards to each *accessory building, or structure* on the *lot*, except in the Large Format Commercial, Institutional, Special, and Industrial Zones, occupy more than 100 m² (1067 ft²) in total gross floor area.
- 2) *Accessory dwelling units* will be permitted in all Residential Zones but they shall:
 - a) be a use that is subject to terms and conditions of the advisory committee in the R-1 and R-2 Zones;
 - b) Pursuant to sections 3.13 (2) (c) & (d), not occupy more than 75 m² (807.3 ft²) total combined *gross floor area* when contained within a *main building*, or not occupy more than 75% of the *gross floor area* of one floor of the *main building*;
 - c) be subject to the same dimensional standards

as other accessory uses and structures, pursuant to sub-section 3.13 (2).

3.14 Parking Lot and Driveway Requirements

- 1) Except in the Downtown (DT), Institutional (INS), Heavy Industrial (I-1) and Light Industrial (I-2) Zones, one vehicle parking space is required for every 100 m² (1076 sq. ft) of gross floor area for the *main building*;
- 2) Where a parking lot for more than six (6) vehicles is used or developed the following standards shall apply:
 - a) no gasoline pumps or other automobile service station equipment can be located or maintained on the parking lot with the exception of electric vehicle charging stations;
 - b) approaches or driveways to the lot must have a curbing radius of 10 m (32.8 ft) where they meet a public street, must be defined by a curb of asphaltic concrete or Portland Cement concrete and the limits of the lot shall be defined by a fence, curb or other suitable obstruction designed to provide a neat appearance;
 - c) the location of approaches or driveways shall not be closer than 15 m (49.2 ft) from the limits of the right-of-way at a *street* intersection;
 - d) entrance and exit driveways to the parking lot must not exceed two (2) in number at the street line and edge of pavement;
 - e) notwithstanding 3.14(2)(d), the *Advisory Committee* may consider the creation of more than two driveways, subject to terms and conditions;
 - f) the driveway and parking lot must be graded and drained in such a manner as to ensure that the surface water will not escape onto neighbouring lands or on to the traveled way or sidewalk of any public street.
 - g) the parking lot must be graded, drained and finished with a durable, all-weather and dust proof material.
 - h) driveways must be located at least 3 m (9.8 ft) from the side lot line or rear lot line.
 - i) for every six (6) off-street vehicle parking spaces, one (1) bicycle parking space shall be provided in the form of a bike rack.
 - j) parking lots must be designed and have sufficient number of parking spaces to meet the mobility requirements of the *Barrier-Free Design Building Code Regulation*.
- 3) Where parking lots or facilities are illuminated by lighting fixtures or standards, they must be arranged so that light from the fixture is shielded and/or directed away from other residential uses.
- 4) No driveway can meet the travelled portion of a street at an angle less than sixty degrees.
- 5) Other than the entrance or the driveway, parking

area shall be screened from the view of any adjoining Residential Zones, or the *street* in the DT Zone, through a 2 m (6.6 ft) wide planting strip of landscaped open space or by a wall or decorative wooden fence or some other screening facility of equal screening value; such screening facility to be at least 1.5 m (4.9 ft) and not more than 2 m (6.6 ft) in *height*, and so located as not to conflict with any *sight triangle* requirements.

- 6) Where the screening in 3.14 (6) is in the form of a 2 m (6.6ft) wide planting strip, the planting strip shall consist of coniferous or deciduous trees and shrubs, to be perpetually maintained, along the lot line fronting or abutting residential zone or use; such trees to be spaced no further than 3 m (9.8 ft) apart, and such shrubs to be spaced no further than 1.5 m (4.9 feet) apart.
- 7) Notwithstanding 3.14 (6), no screening is required where a parking lot abuts another parking lot on an adjacent property.
- 8) No parking space, maneuvering area or driveway to a parking lot shall be located any closer than 3 m (10 ft) to any wall of any residential use.

3.15 Vehicle Bodies

- 1) A motor vehicle, boat, tractor trailer, recreational vehicles, tractor, machine, and any vehicle drawn, propelled or driven by any kind of power, notwithstanding its wheels have been removed, shall not be located or used on a *lot*, in any Zone, without a *main building* except for a *public utility use*.
- 2) Pursuant to section 3.15 (1), the required *front or flankage yard* shall not be used for the storage or display of any tractor trailer, recreational vehicle, tractor, machine, boat, or other chattel.
- 3) Except in the Industrial Zone, a container designed for commercial transport shall not be used or located on a lot as a *building* or *accessory structure*.
- 4) Notwithstanding sub-section 3.15 (3), a container designed for commercial transport may be used as a *building* or *accessory structure* where it is modified into a *dwelling unit* or another *use*, not including a storage or warehousing *use*, where a *development permit* is issued on the basis of approved plans that are stamped and designed by a licensed professional *architect*.

3.16 Loading Standards

- 1) Off-street *loading spaces* not less than 9.14 m (30 ft) long, 3.66 m (12 ft) wide and 4.26 m (14 ft) high, with access thereto, must be provided for loading for every *building* or *structure* used for any purpose involving the *use* of *vehicles* for the receipt or distribution of materials.

3.17 Fences, Walls and Hedges

- 1) Notwithstanding any other provision of this By-law, a fence, wall or *hedge* may be placed or located in any *yard*, subject to the following standards:
 - a) Except for a security fence of chain link construction in any Large Format Commercial (LFC), Industrial, Special, or Institutional (INS) Zone, no fence, *hedge*, or wall located within a required front and flankage *yard* shall exceed 1 meter in *height*;
 - b) Except in the Downtown (DT) Zone, fences, *hedges*, or walls are subject to the section 3.12;
 - c) No fence or wall shall exceed 2.5 meters (8.2 feet) in *height* in any Zone;
 - d) Except for a security fence of chain link construction in any Large Format Commercial (LFC), Industrial, Special, or Institutional (INS) Zone, no fence in any zone shall be electrified or incorporate barbed wire or other sharp dangerous material in its construction;
 - e) Fences or walls in the Downtown (DT) Zone and Downtown Mixed Use (DMU) Overlay Zone shall be constructed of wood, wrought iron, stone, brick, or adequate facsimiles;
 - f) Fences, walls and hedges must be set back either:
 - i) a minimum of 18 inches (.46 metres) from the property line; or
 - ii) on the property line if a documented mutual agreement with the abutting property owner is provided to the Town.
 - iii) any fence in the *front yard* of a house running parallel with a *street line* shall be set back 1.5 metres (5 feet) from the property line.
 - a) The total area designated for *urban agricultural uses* shall not take place in any required *yard*;
 - b) Keeping *small livestock* is permitted, subject to the following conditions:
 - i) A maximum of four (4) such animals are permitted per *lot*;
 - ii) No male chickens or roosters are permitted;
 - iii) Animals must be kept in an enclosure or fenced area at all times and shall be secured within an enclosed *accessory structure* during non-daylight hours;
 - iii) The *small livestock* enclosure and fenced area shall be located at least 10 m (33 feet) from any adjacent *dwelling unit*;
 - iv) Animals must not be kept in, upon, or under any *dwelling unit*; and,
 - v) No offensive odour shall be produced, detectable at any adjacent property line, through the accumulation of animal waste.
 - c) No motorized equipment associated with *agricultural uses* shall have an engine horsepower (hp) capacity in excess of 35 hp;
 - d) No herbicides or pesticides shall be used other than that designed for residential use.
- 2) *Livestock* in an *urban agriculture use* may be permitted in Residential Zones as a *main* or *secondary use* subject to an amendment to this By-law and subject to the conditions of section 3.19(3).
 - 3) *Agricultural uses* are permitted in the Future Development (FD) Zone as a *main use*, subject to the following:
 - a) *Agricultural uses* on a lot more than 10,000 m² (1 hectare) in area may contain:
 - i) Up to one (1) *animal unit* per 4,000 m²;
 - ii) Any *livestock facility* must be located at least 90 meters (295.3 ft) from any potable water source, water body, or any *lot line* of an abutting property with residential uses;
 - iii) Where adjacent to a Residential, Commercial, or Institutional Zone, a solid wall or opaque wooden fence no less than 2 m (6.5 ft) in *height* or opaque non-deciduous hedge no less than 2 m (6.5 ft) in *height* is required at or near the *lot line*.
 - b) *Livestock* must be kept in an enclosure or fenced area at all times and shall be secured within an enclosed *accessory structure* during non-daylight hours;
 - c) The aforementioned enclosure and fenced area shall be at least 10 meters (33 feet) from any adjacent *dwelling unit* or any water body and potable water source;
 - d) No offensive odour shall be produced, detectable at any adjacent property line, through the accumulation of animal waste; and,
 - e) *Livestock* must not be kept in, upon, or under any structure used for human habitation.

3.18 One Main Building Per Lot

- 1) Except for the Multiple Residential (R-3), Residential Land Lease (RLL), Large Format Commercial (LFC), Heavy Industrial(I-1), Light Industrial(I-2), and Institutional (INS) Zones, and Special Zones, no more than one *main building* may be placed or *erected* on a *lot* and no *building* or *structure* may be *altered* to become a second *main building* on a *lot*.
- 2) Notwithstanding 3.18(1), in the Medium Density Residential (R-2B) Zone, more than one *main building* may be placed or *erected* on a *lot* and *building* or *structure* may be *altered* to become a second *main building* on a *lot* subject to such terms and conditions deemed necessary by the *Advisory Committee*.

3.19 Agriculture in Urban Areas

- 1) *Urban agricultural uses* are permitted in all Residential Zones, the Institutional (INS) Zone, and the Park & Open Space (OS) Zone as an *accessory use*, subject to the following:

3.20 Home Based Businesses

- 1) Where permitted by this by-law, a *home based business* may include:
 - a) day care or education centre serving a maximum of six (6) individuals;
 - b) bed and breakfast or *short-term rental* with a maximum of ten (10) guest rooms;
 - c) home office, *personal service shop*, or artistic studio or similar *uses* with a maximum of one (1) parking space dedicated to the *use*;
 - d) an inconspicuous repair service for small household appliances, computer technology, or other similar *uses*, but not including a repair service for any vehicles, machinery, or large household appliances such as washing machines or refrigerators;
 - e) a business operations centre for a tradesperson such carpenter, electrician, plumber, or similar *uses*, but not including a fabrication shop or *light industrial use* or *heavy industrial use*.
 - f) an *office* or retail space for a permitted *urban agricultural use* subject to 3.19.
- 2) Where permitted under this By-law, a *home based business* is subject to the following conditions:
 - a) Except in the case of a daycare, education centre, bed and breakfast or *short-term rental*, shall not occupy a gross floor area greater than 25 per cent (%) of the gross floor area of the *main building*;
 - b) Shall not change the external appearance of a *building* so as to conflict with the residential character of the zone;
 - c) Shall not store equipment, materials, or products associated with the *use* outside of the *main building* or *accessory structure*;
 - d) The *use* is limited to one (1) business identification sign advertising the business; however, no such sign shall be illuminated nor shall it exceed 0.6 square meters in gross surface area.
 - e) Shall not generate electrical interference, dust, noise or smoke, perceptible at any property line;
 - f) The *use* is limited to having only one (1) commercially licensed vehicle parked on the premises at any one time.

4.0 SIGNS

4.1 General Signage Provisions

- 1) Any *illuminated sign* must be lit internally with all light shining through a translucent or coloured material and incorporate the use of Light Emitting Diode (LED) lights.
- 2) No *sign* shall be *erected*, operated, used or maintained which,
 - a) due to its position, shape, colour, format or illumination obstructs the view of, or may be

confused with, an official traffic *sign*, signal or device, as determined by the *Development Officer*;

- b) displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;
 - c) obstructs the use of a fire escape, door, window or other required exit;
 - d) projects over or rests upon any part of a public right-of-way or public sidewalk, except a *fascia sign*, *sandwich board sign*, or *canopy sign*;
 - e) extends more than 45 cm (17.7 in) above the roof line or parapet of the *building*;
 - f) is attached to a tree;
 - g) is a *roof sign*;
 - h) is a *portable sign*; and
 - i) is an off-site *sign*, except a *sign* giving general warning or direction to the public.
- 3) The provisions of this By-law with respect to existing *signs* that do not conform to the By-law at the time of its effective date shall not be construed to have a retroactive effect. The exception to this rule is a non-conforming *sign* that is relocated, *altered*, or removed which is then required to comply with the provisions of this By-law. The provisions of this section shall not exempt the owner of a non-conforming *sign* from the obligation for proper maintenance of a *sign*.
 - 4) No *sign* shall be painted upon or cover a fence or roof.

4.2 Sign Area Calculations

- 1) For the purposes of determining the total permitted area of any *sign*:
 - a) the *sign area* shall be considered to be the area of the smallest triangle, square, rectangle, circle or semi-circle that can totally circumscribe the *sign face* in the plane of its largest dimension of a *fascia sign* as shown below in Figure 9.3.1;

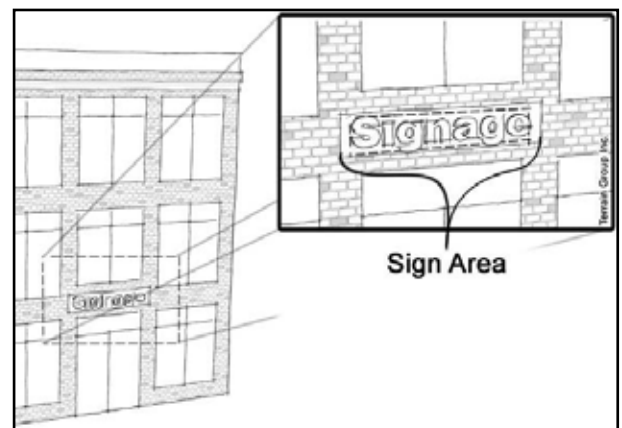


Figure 9.3.1

- b) in the case of *fascia signs* featuring individual letters affixed to a *building* face, the total

sign area is the sum of the *sign area* for each individual letter as shown below in Figure 9.3.2;

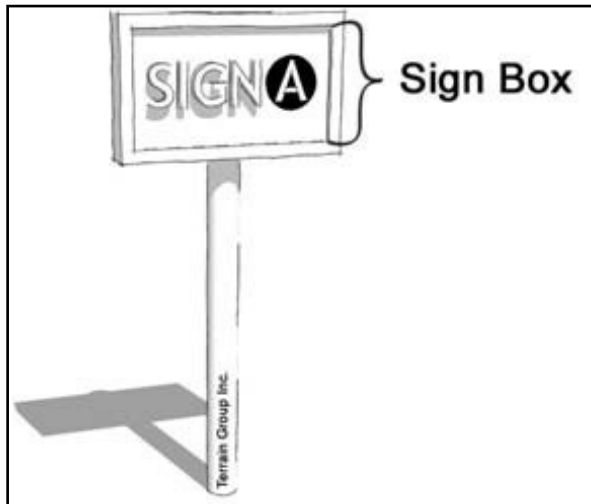


Figure 9.3.2

- c) when determining the *sign area* of a *freestanding sign*, the total area of one or more *sign boxes* must be calculated as shown below in Figures 9.3.3 and 9.3.4; and

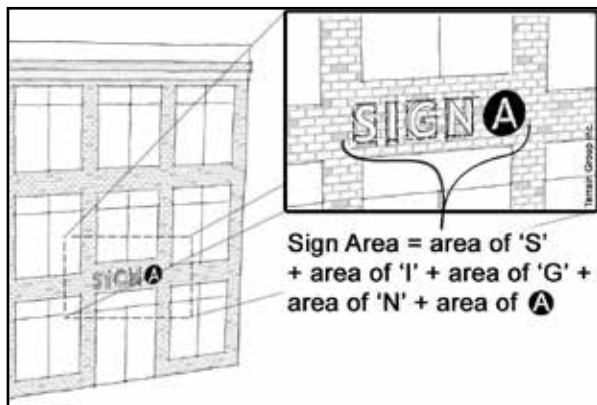


Figure 9.3.3

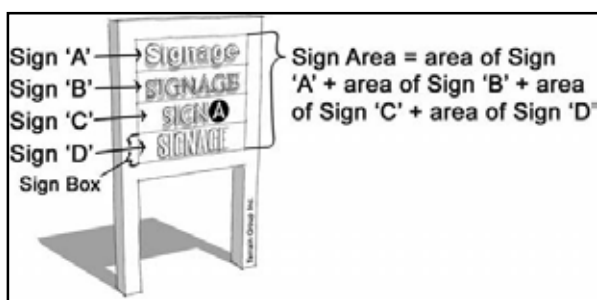


Figure 9.3.4

- d) each visible face of a *sign* shall be calculated separately and the then totaled in determining the *sign area*.

- or against a wall of the residence with the face of the *sign* parallel to the wall;
- b) be attached below the second *storey* windows; and
- c) not exceed 1 m² (11 ft²) in *sign area*; and
- d) not be *illuminated*.

- 2) Any *sign* not requiring a permit under section 2.8 (3) shall be permitted in all residential zones.
- 3) In Residential zones, *fascia signs* shall not exceed 0.25 m² (2.7 ft²) in area nor shall any *sign* be illuminated or be used for any purpose other than to identify the residents therein, to warn against trespassing, or to advertise a *secondary use*.

4.3.2 Freestanding Signs

- 1) *Freestanding signs* are permitted in the Residential Land Lease (RLL) Zone, Institutional (INS) Zone, Waterfront Zone (WF), Commercial Mix (CM) Zone and Light Industrial (I-2) Zone provided that:
 - a) no *sign* shall exceed a maximum *height* of 5 m (16 ft);
 - b) no *sign* shall exceed a maximum size of 6 m² (64 ft²) in *sign area* per *sign face* for a single business property and 9 m² (97 ft²) in *sign area* per *sign face* for a multiple-business property;
 - c) no more than one *free-standing sign* shall be permitted for every 30 m (98 ft) of *lot frontage*;
 - d) no *sign* shall extend beyond the *street* right-of-way line at the outermost point of the *sign*.
- 2) *Freestanding signs* are permitted in the Large Format Commercial (LFC) Zone, Industrial Park (I-1) Zone, and Future Development (FD) Zone provided that:
 - a) no *sign* shall exceed a maximum *height* of 10 m (33 ft);
 - b) no *freestanding sign* shall have area that exceeds:
 - i) 6 m² (64 ft²) in *sign area* per *sign face* for a one or two business *building*;
 - ii) 8.75 m² (94 ft²) in *sign area* per *sign face* for a three (3) business *building*;
 - iii) 11.5 m² (124 ft²) in *sign area* per *sign face* in *sign area* for a four (4) business *building*; and
 - iv) 14.25 m² (153 ft²) in *sign area* per *sign face* for a five (5) or more business *building*.
 - c) no more than one *free standing sign* shall be permitted for every 30 m (98 ft) of *lot frontage*; and
 - d) no *free standing sign* shall extend beyond the *street* right-of-way line at the outermost point of the *sign*.

- 3) Notwithstanding clauses 4.3.2(1)(c) and 4.3.2 (2) (c), one freestanding *point-of-purchase sign* is permitted per drive-through lane in accordance with 4.3.2.

- 4) The following standards apply to *point-of-*

4.3 Specific Sign Provisions

4.3.1 Signs in Residential Zones

- 1) *Signs* associated with a permitted *home occupation, institutional use, or multi-unit dwelling* shall:
 - a) be attached to, painted, placed or *erected* upon

purchase signs:

- a) shall not have a sign area that exceeds 6 m² (64 ft²);
- b) may incorporate electronic display in accordance with 9.1(1) and (2);
- c) shall not be oriented directly towards an abutting residential zone;
- d) are subject to the zone's setback requirements for buildings or structures.

4.3.3 Projecting Signs

- 1) **Projecting signs** shall be permitted in all zones except Residential zones, provided that:
 - a) no sign shall exceed a maximum size of 6 m² (64 ft²) in gross surface area;
 - b) no sign shall project more than 1 m (3.3 ft) from the building wall;
 - c) there shall be a maximum of one projecting sign per business on a property; and no sign shall project more than 30 cm (1 ft) above the roof of a building.

4.3.4 Fascia Signs

- 1) **Fascia signs** shall be permitted in the Institutional (INS), Downtown (DT), Waterfront (WF), Commercial Mix (CM), and Neighbourhood Commercial (NC) Zones provided that:
 - a) Where the building has a fascia board, the height of the fascia sign shall not exceed the lesser of 60 centimeters (24 inches) or the height of the fascia board, and shall not obstruct the architectural details of any cornice;
 - b) Where a building with more than one floor does not have a fascia board, a fascia sign not exceeding 60 centimeters (24 inches) in height may be affixed to the building in the space between the top of the first-floor windows and the bottom of the second-floor windows;
 - c) Where a building has only one floor and no fascia board, a fascia sign not exceeding 60 centimeters (24 inches) in height may be affixed to the building, in the space between the top of the first-floor windows and the roofline;
 - d) The width of a sign may not extend beyond the lesser of:
 - i) the outside edges of the first-floor windows and/or door; or
 - ii) ninety per cent (90%) of the building width.
- 2) **Fascia signs** shall be permitted in the Highway Commercial (LFC) Zone, Light Industrial (I-2) Zone, Heavy Industrial (I-1) Zones, and Future Development (FD) Zone provided that:
 - a) signage does not exceed twelve per cent (12%) of the total surface area of the building face where the sign is to be erected;
 - b) no individual sign shall exceed 3.0 m (10 ft) in height;
- 3) **Fascia signs** in any zone shall not exceed the

length of the wall of the building upon which the sign is to be displayed.

- 4) No fascia sign shall project more than 25 cm (10 in) from the wall that the sign is affixed to.

4.3.3 Sandwich Board Signs

- 1) In all zones, except residential zones, sandwich board signs are permitted provided that the sign shall:
 - a) not exceed a single-faced area of 0.5 m² (5.4 ft²);
 - b) no more than one sandwich board sign is provided per lot; and
 - c) it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

4.3.4 Portable Signs

- 1) **Portable signs** shall be permitted in the Special, Industrial, Large Format Commercial (LFC), Institutional (INS), and Commercial Mix (CM) Zones provided that:
 - a) Each permit shall be for a one (1) year period and must be renewed annually;
 - b) A portable sign shall not have more than two (2) sign faces any one (1) sign face shall not exceed 4.6 m² (50 ft²) in sign area;
 - c) No portable sign shall be illuminated, flashing, or provide or simulate motion;
 - d) No more than one (1) portable sign is provided per lot;
 - e) A maximum of two (2) colours (in addition to black and white) may be used per sign face;
 - f) A portable sign shall not be located on:
 - i) any portion of the public right-of-way without the permission of the municipality;
 - ii) on a parking space or driveway;
 - iii) within a sight triangle;
 - iv) within 45 meters (147.6 ft) on either side of any crosswalk without a traffic light;
 - v) within 45 meters (147.6 ft) of another portable sign.
 - vi) A portable sign shall not have a height of greater than 3 m (10 ft);
 - vii) A portable sign used as a community event sign does not require a sign permit but is subject to the provisions of this section.

4.4 Maintenance of Signs

- 1) The owner, operator or manager of the business or facility for which any sign has been erected shall maintain it in a proper state of repair, so that it does not become unsightly, defective or dangerous.

ZONES

R - 1

5.0 RESIDENTIAL ZONES

5.1 One and Two Unit Residential (R-1) Zone

5.1.1 R-1 Permitted Uses

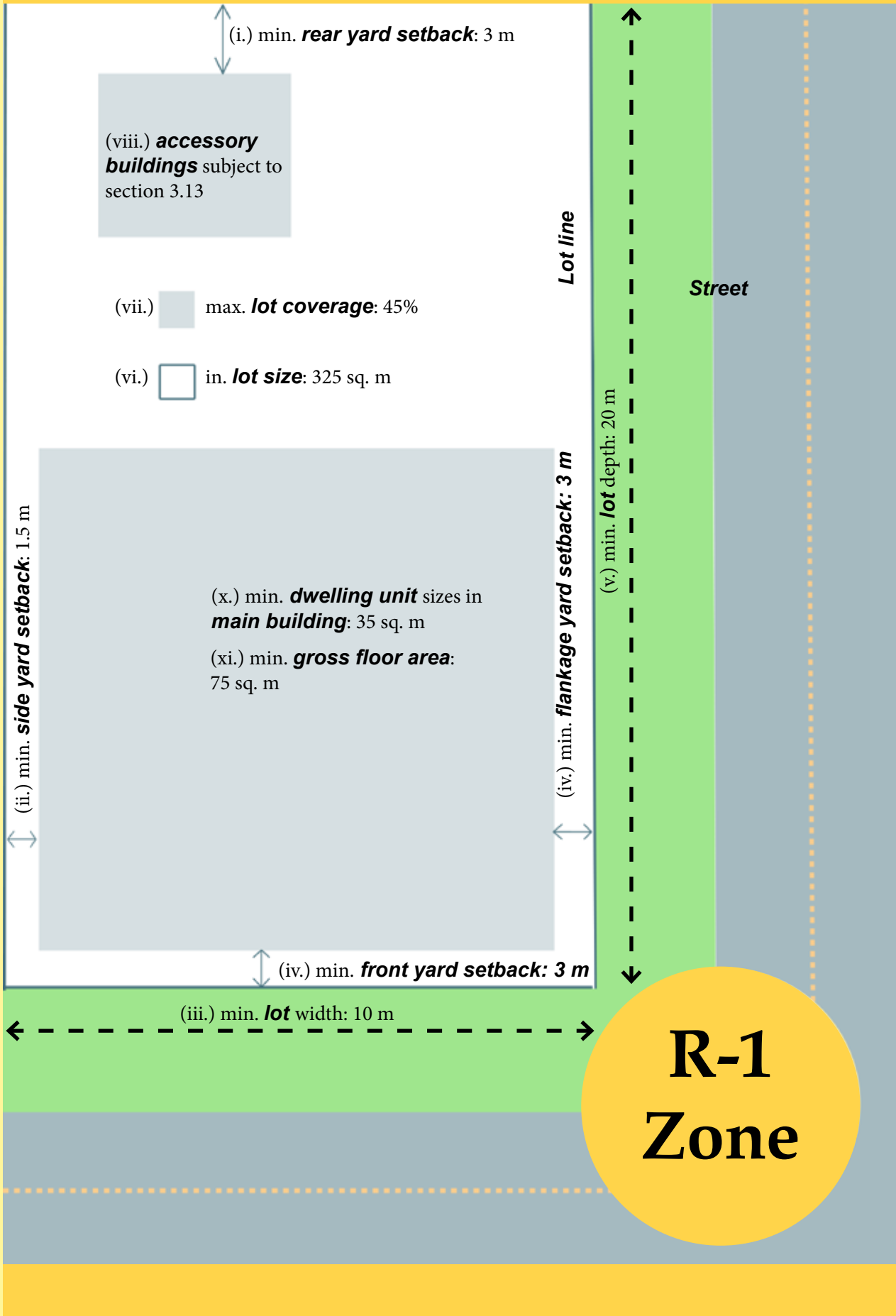
- 1) Any land, *building* or structure in the R-1 Zone may be used for the purposes of:
 - a) One of the following main uses:
 - i) *single unit dwelling*;
 - ii) *two-unit dwelling*, subject to terms & conditions established by the *Advisory Committee*.
 - b) One of the following secondary uses:
 - i) *home based business*.
 - c) One or more of the following accessory uses:
 - i) an accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this section; and,
 - ii) an *accessory dwelling unit*, subject to terms & conditions established by the *Advisory Committee*.

5.1.2 R-1 Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the R-1 Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 1. Building Requirements'
 - b) Zoning standards as numbered on the diagram 'Figure 2. Site Requirements.'



Figure 2. Site Requirements



R - 2

5.0 RESIDENTIAL ZONES

5.2 Residential Mix (R-2) Zone

5.2.2 R-2 Zone Standards

5.2.1 R-2 Permitted Uses

- 1) Any land, *building* or structure in the R-2 Zone may be used for the purposes of:
 - a) One of the following main uses:
 - i) *single unit dwelling*;
 - ii) *two-unit dwelling*;
 - iii) *triplex dwelling*; and
 - iv) *mini-home*, subject to section 3.8.
 - b) One of the following secondary uses:
 - i) *home based business*.
 - c) One or more of the following accessory uses:
 - i) an accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this section; and,
 - ii) an *accessory dwelling unit*, subject to terms & conditions established by the *advisory committee*.

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the R-2 Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 3. *Building Requirements*'
 - b) Zoning standards as numbered on the diagram 'Figure 4. *Site Requirements*'.

Figure 3. *Building Requirements*

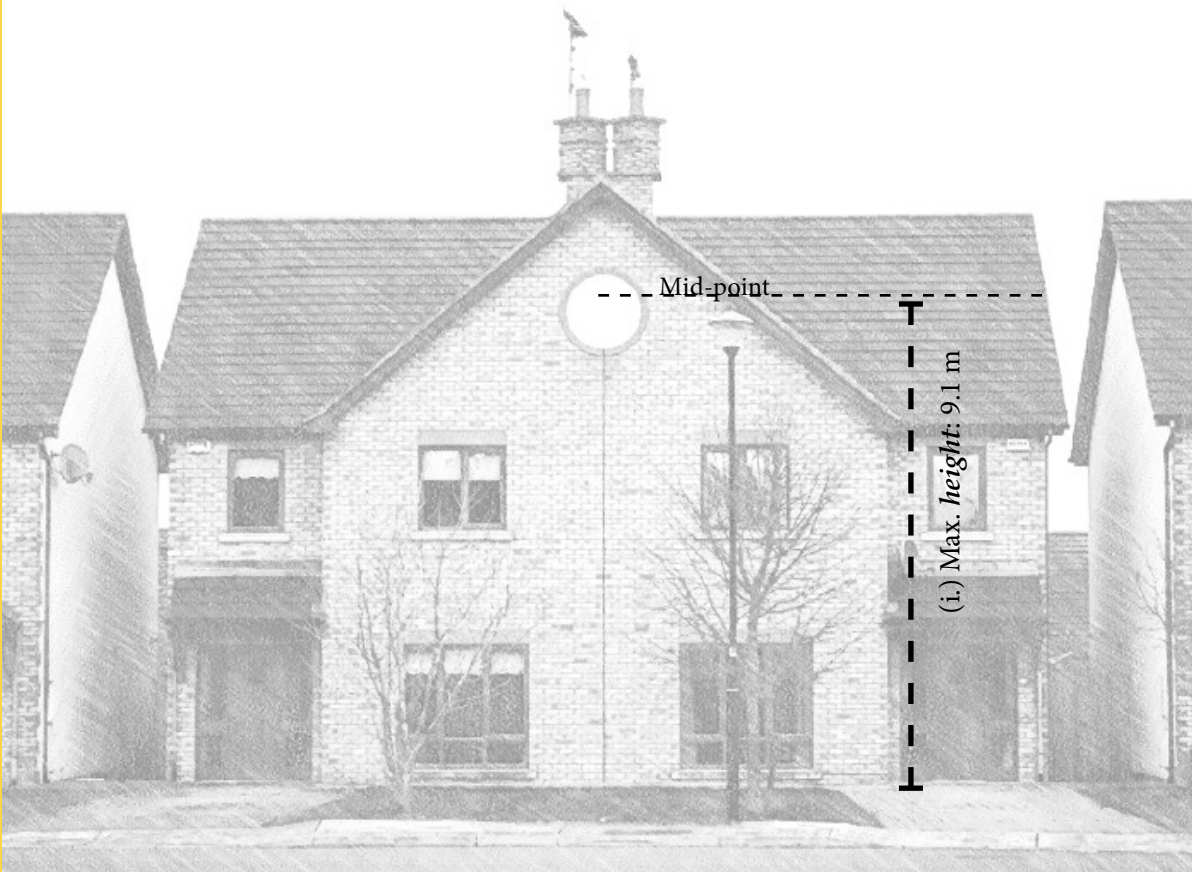
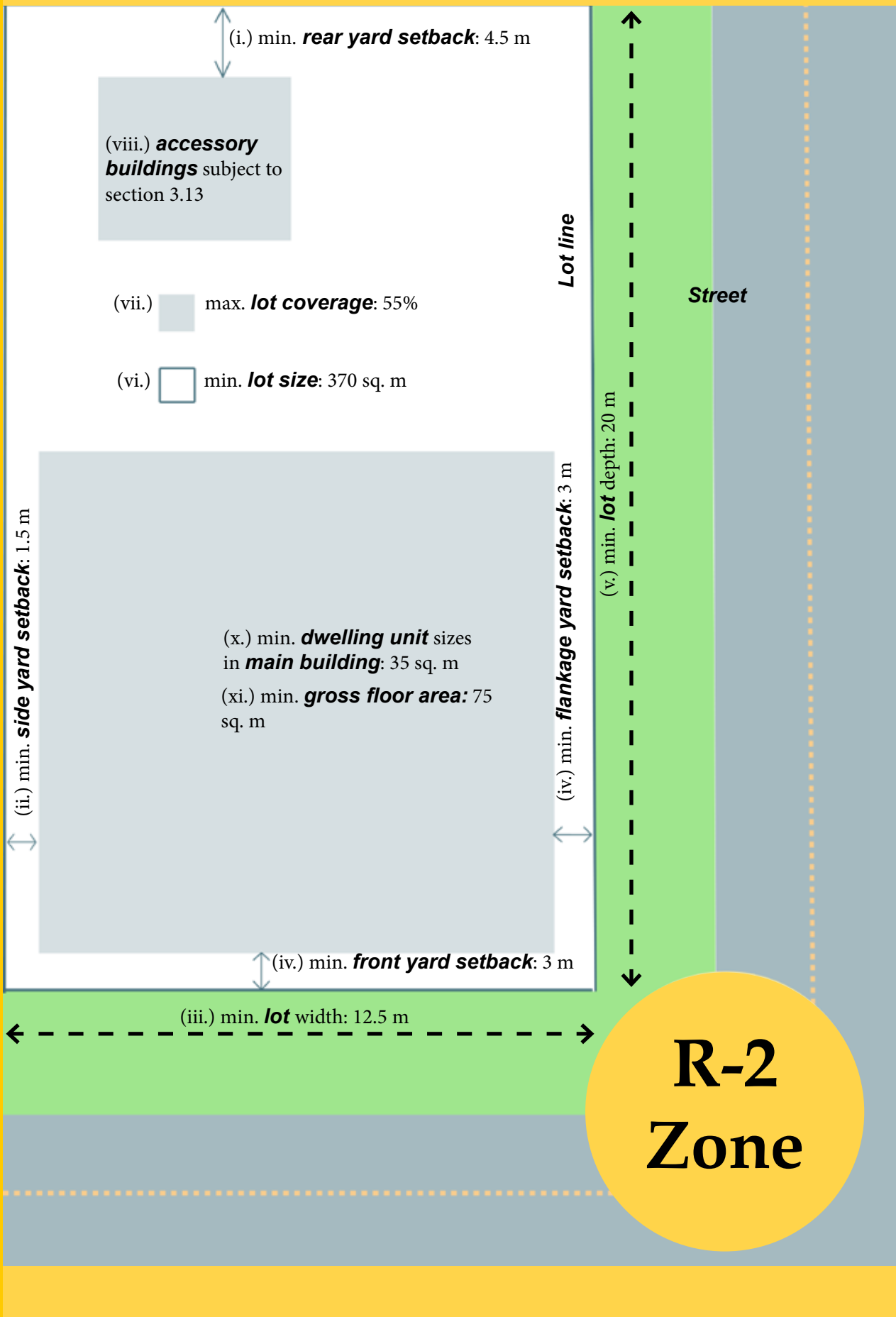


Figure 4. Site Requirements



R - 2B

5.0 RESIDENTIAL ZONES

5.3 Medium Density Residential (R-2B) Zone

5.3.1 R-2B Permitted Uses

- 1) Any land, *building* or structure in the R-2B Zone may be used for the purposes of:
 - a) One of the following main uses:
 - i) a *main use* permitted in the R-1 Zone;
 - ii) *medium density use* of up to a maximum of ten (10) *dwelling* units.
 - b) One of the following secondary uses:
 - i) *home based business*.
 - c) One or more of the following accessory uses:
 - i) An *accessory building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section; and,
 - ii) An *accessory dwelling unit*.

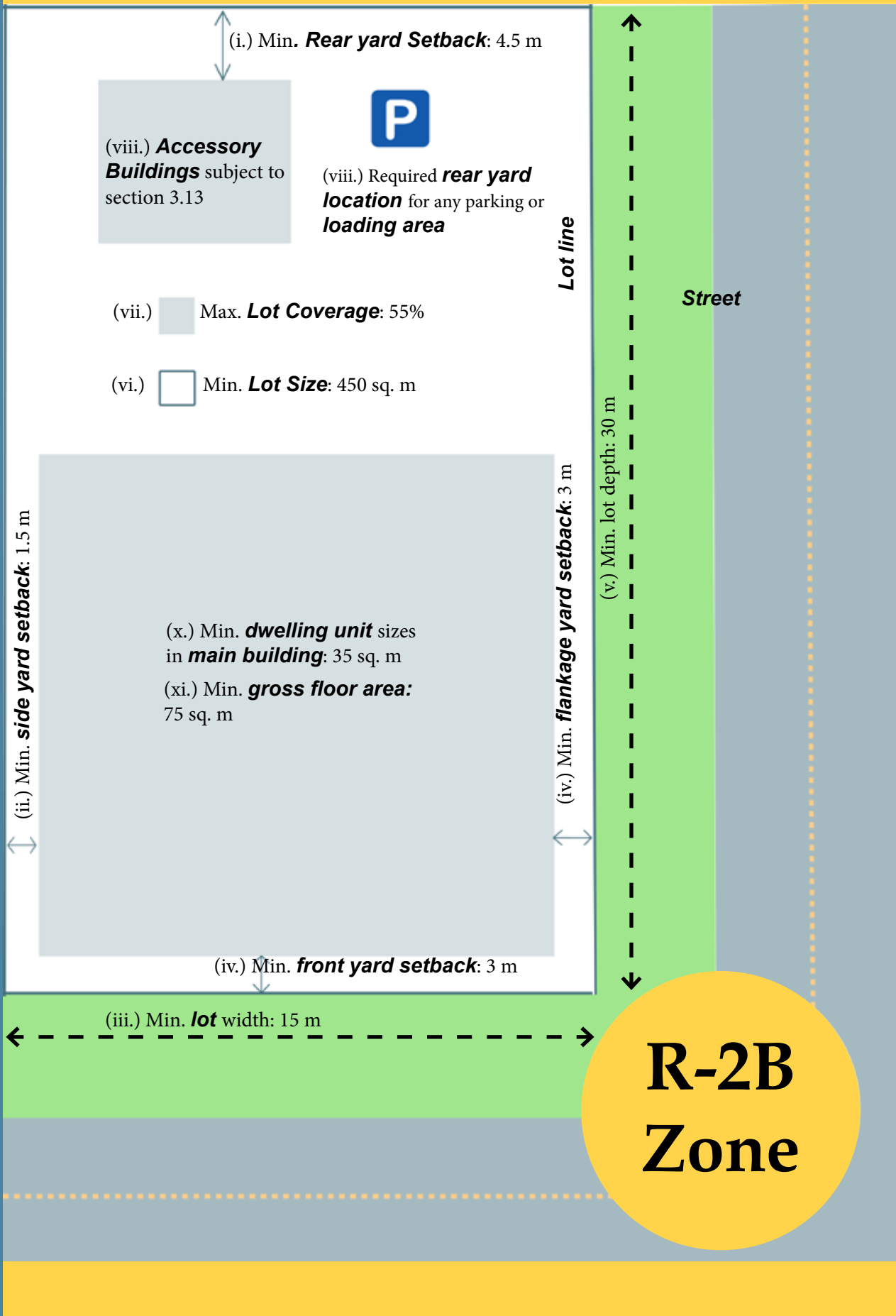
5.3.2 R-2B Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the R-2B Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 5. *Building* Requirements'
 - b) Zoning standards as numbered on the diagram 'Figure 6. Site Requirements.'

Figure 5. *Building* Requirements



Figure 6. Site Requirements



**R-2B
Zone**

R - 3

5.0 RESIDENTIAL ZONES

5.4 Multiple Residential (R-3) Zone

5.4.1 R-3 Permitted Uses

- 1) Any land, *building* or structure in the R-3 Zone may be used for the purposes of:
 - a) One of the following main uses:
 - i) *high density residential use*
 - ii) *institutional use*, subject to terms and conditions as may be applied by the *Advisory Committee*.
 - b) One or more of the following secondary uses:
 - i) *parks and open space use*;
 - ii) *neighbourhood commercial use*.
 - c) One or more of the following accessory uses:
 - i) An *accessory building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section; and,
 - ii) An *accessory dwelling unit*.

5.1.2 R-3 Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the R-3 Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 7. *Building Requirements*'
 - b) Zoning standards as numbered on the diagram 'Figure 8. *Site Requirements*'.

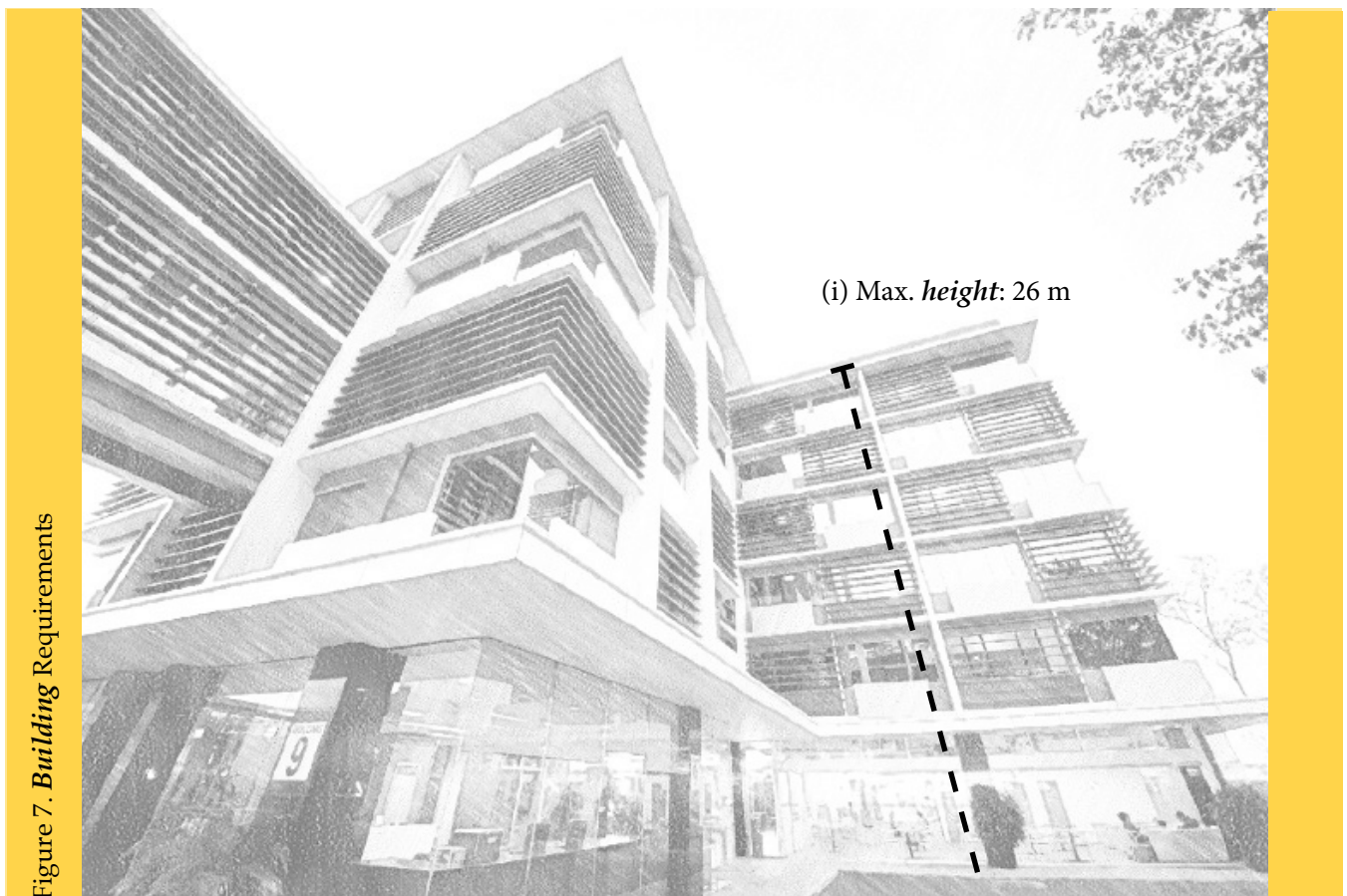
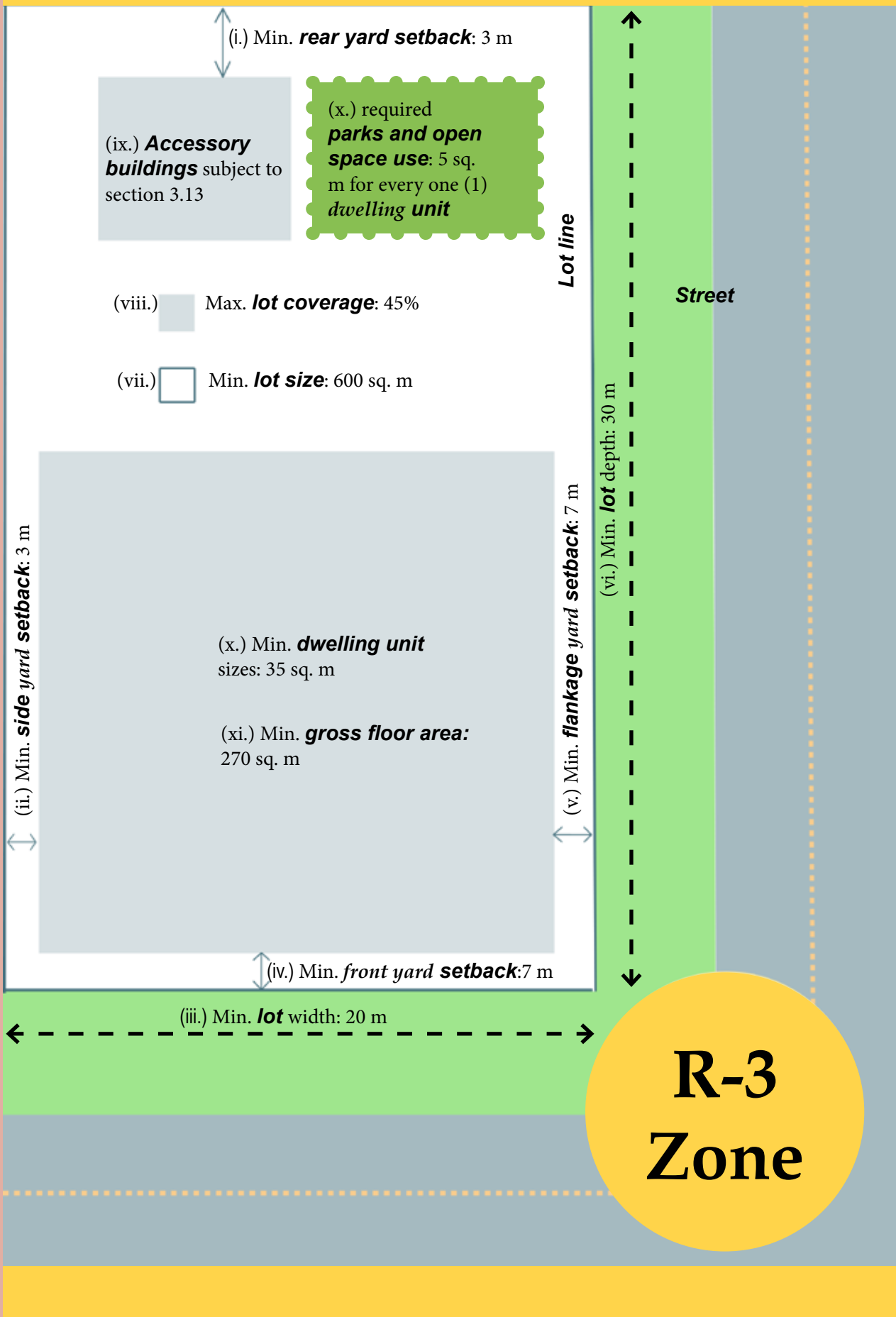


Figure 7. Building Requirements

Figure 8. Site Requirements



R L L

5.0 RESIDENTIAL ZONES

5.5 Residential Land Lease (RLL) Zone

5.5.1 RLL Permitted Uses

- 1) Any land, *building* or structure in the RLL Zone may be used for the purposes of:
 - a) One or more of the following main uses:
 - i) *mini-home* of up to a maximum of 20 *dwelling units* per hectare.
 - b) One or more of the following secondary uses:
 - i) *parks and open space use*;
 - ii) *home based business*;
 - iii) *main use* permitted in the NC Zone as a *secondary use*.
 - c) One or more of the following accessory uses:
 - i) an accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this section.

5.5.2 R-1 Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the R-1 Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 9. End-on Site Requirements,' or,
 - b) Zoning standards as numbered on the diagram 'Figure 10. Front-on Site Requirements,' and,
 - c) *Height* maximum is 5 m.

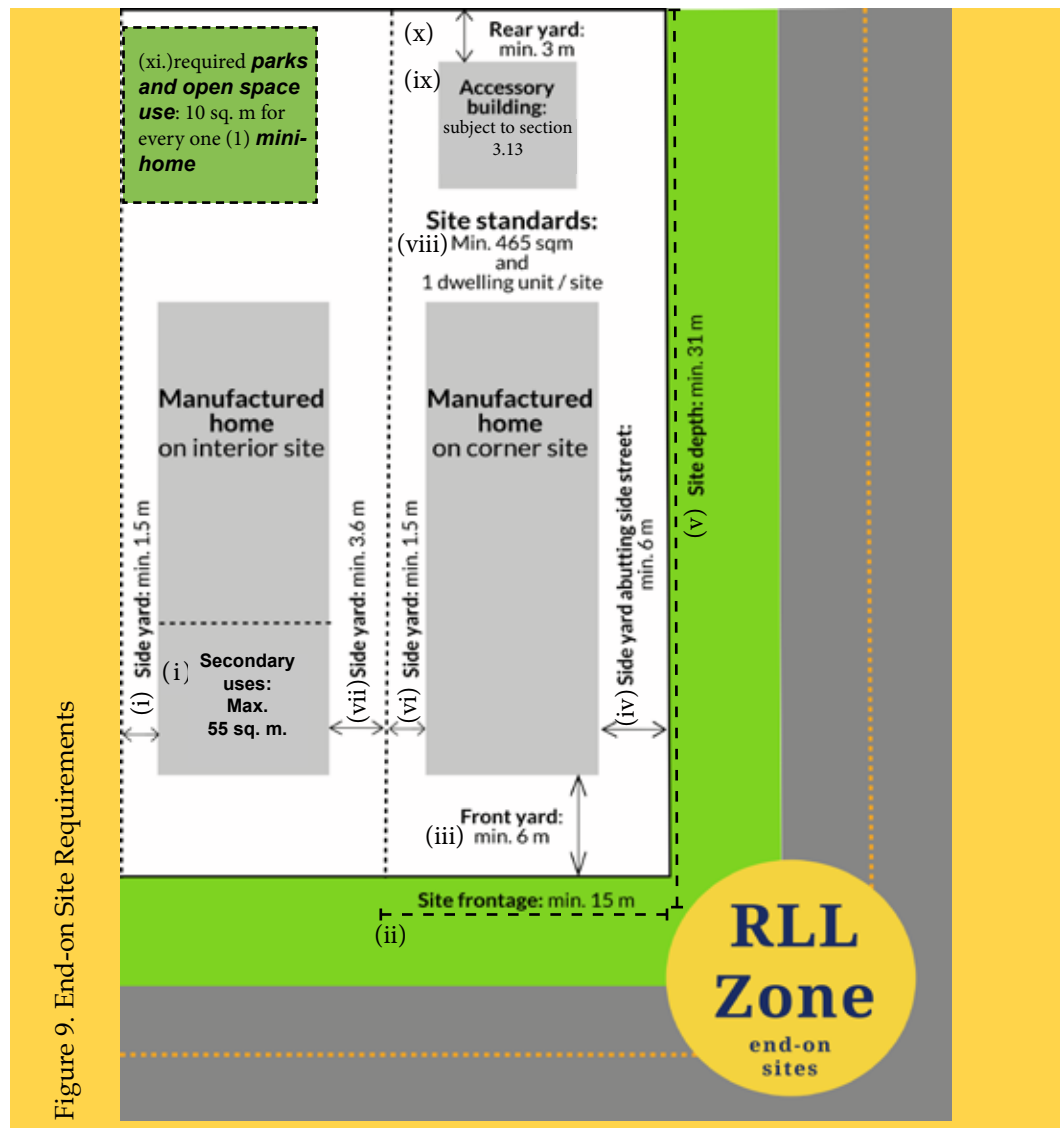
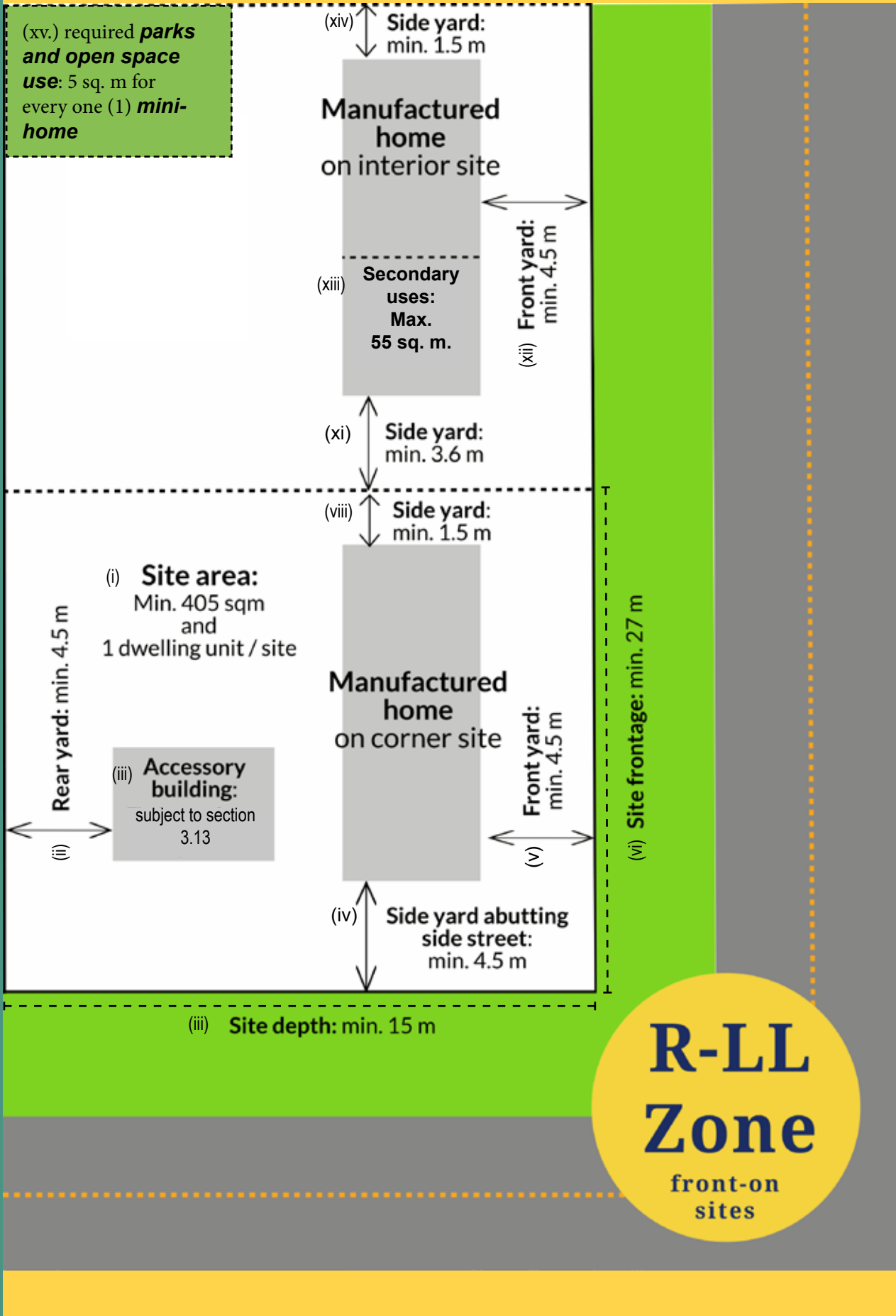


Figure 10. Front-on Site Requirements



DT

6.0 COMMERCIAL ZONES

6.1 Downtown (DT) Zone

6.1.1 DT Permitted Uses

- 1) Any land, *building* or structure in the DT Zone may be used for the purposes of:
 - a) One or more of the following main uses:
 - i) *downtown commercial use*;
 - ii) a *high density residential use*, not located within ten (10) meters of any *façade* on the *ground floor*.
 - b) One or more of the following accessory uses:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this section.

6.1.2 DT Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the DT Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 11. *Building Requirements*'
 - b) Zoning standards as numbered on the diagram 'Figure 12. *Site Requirements*'.

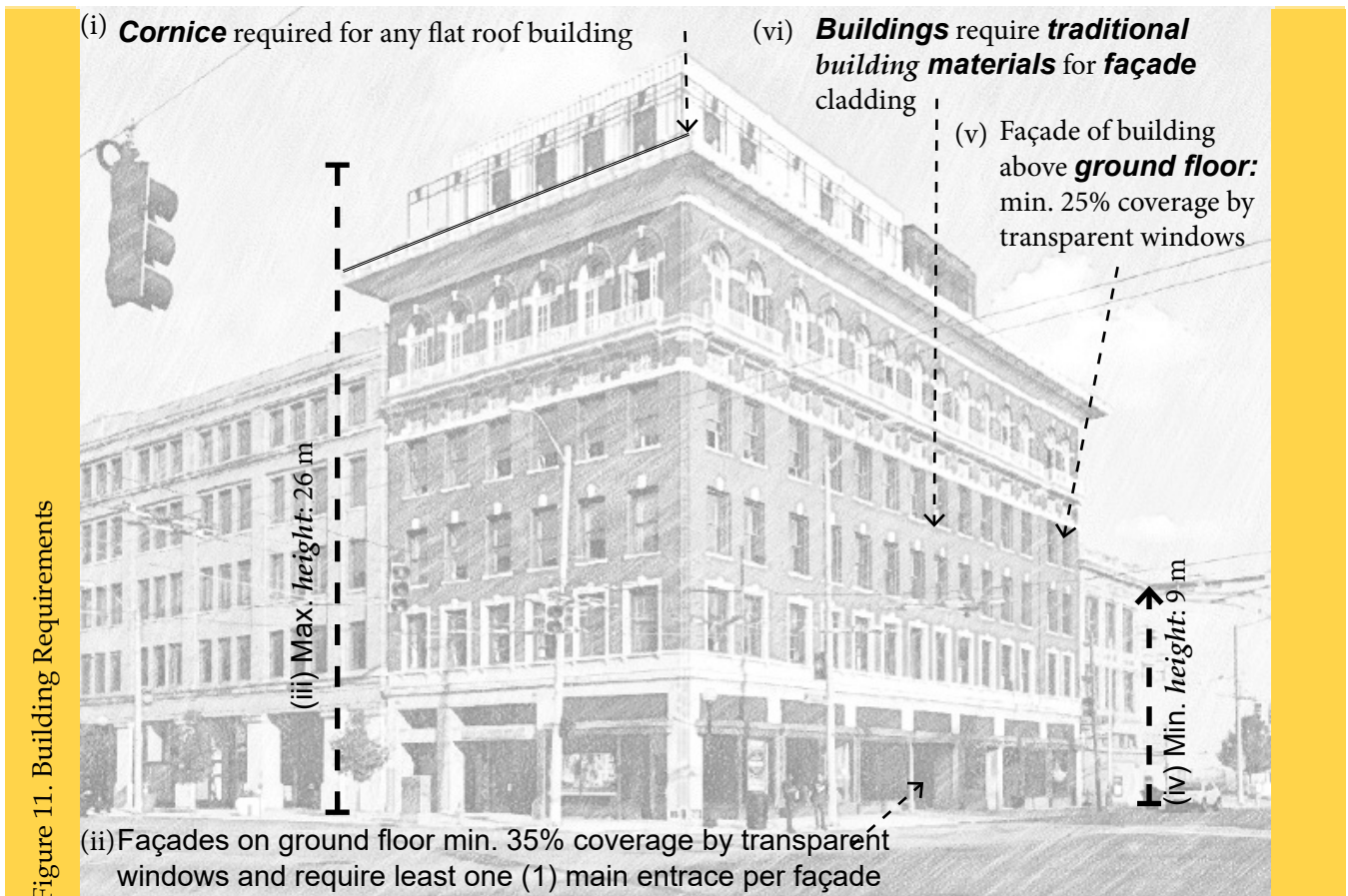
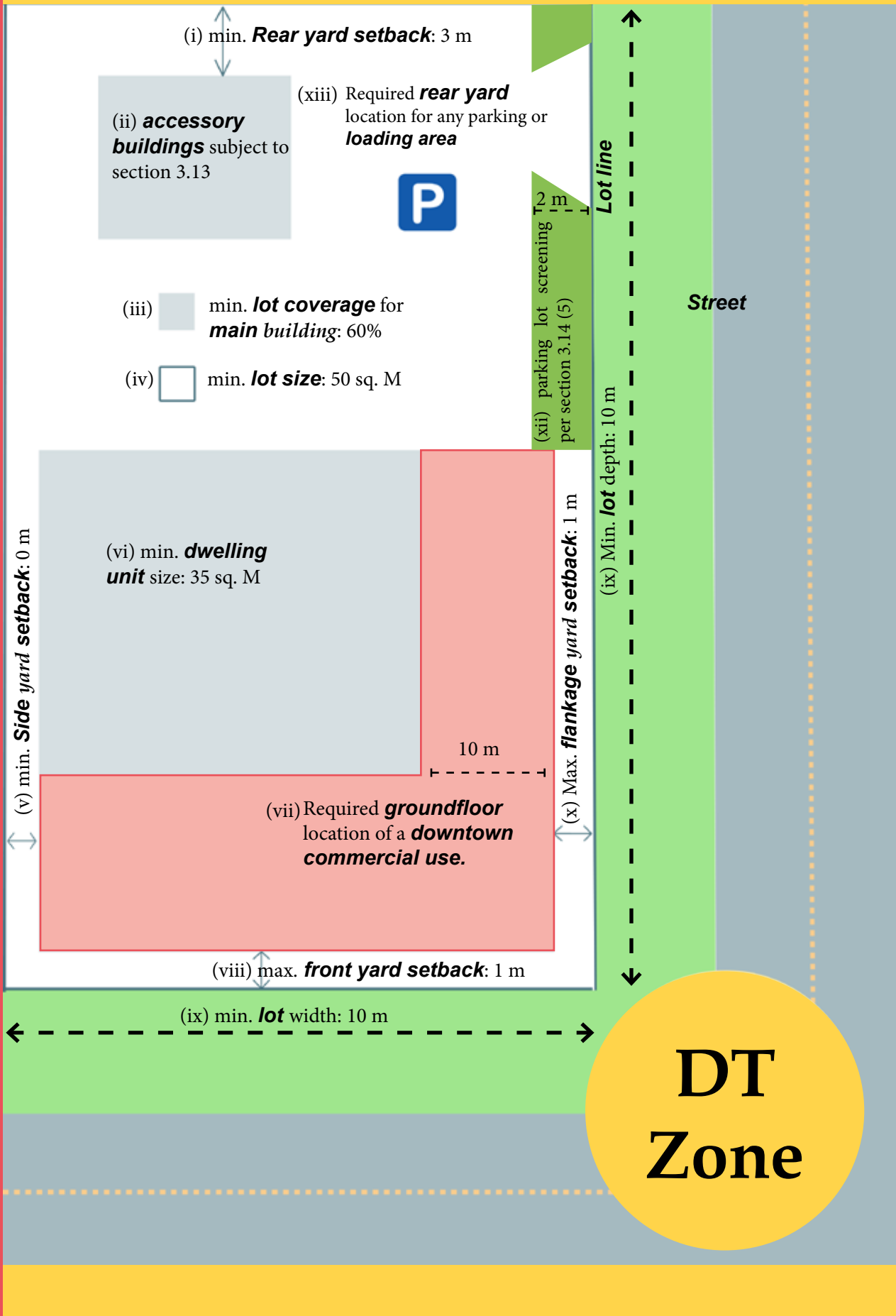


Figure 11. Building Requirements

Figure 12. Site Requirements



DMU

6.0 COMMERCIAL ZONES

6.2 Downtown Mixed Use (DMU) Overlay Zone

6.2.1 DMU Permitted Uses

- 1) Any land, *building* or structure in the DMU Overlay Zone, as depicted on Schedule A-1, shall not be developed for any other purpose than:
 - a) One or more of the following main uses:
 - i) a *Main Use* permitted in the DT Zone, subject to terms & conditions established by the *Advisory Committee*;
 - ii) *Parks & Open Space Use*;
 - iii) *Temporary Loading & Parking Area*; and,
 - iv) an outdoor *Entertainment Area*.

6.2.2 DMU Overlay Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the DMU Overlay Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 13. Overlay Zoning Requirements;'

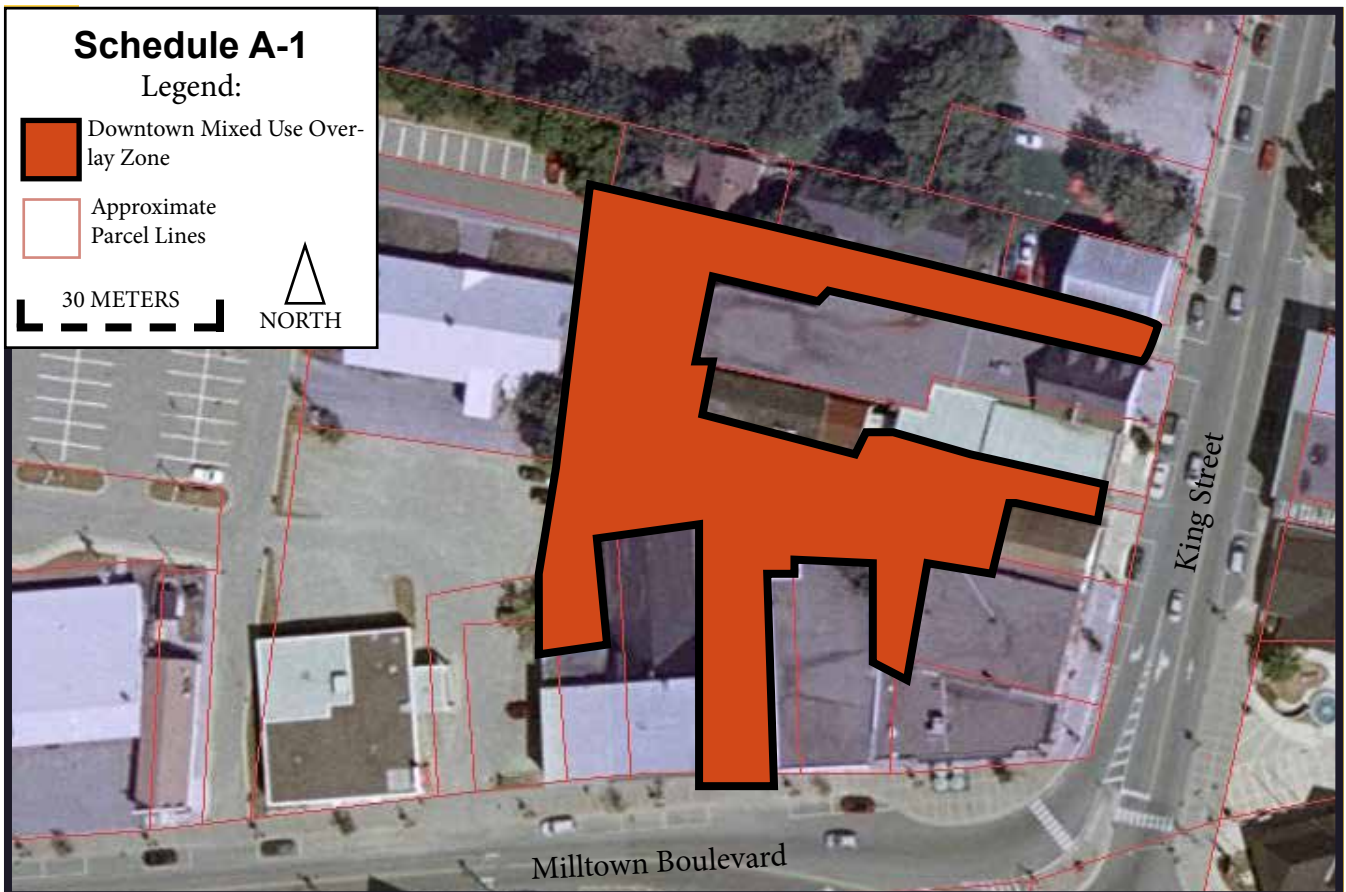
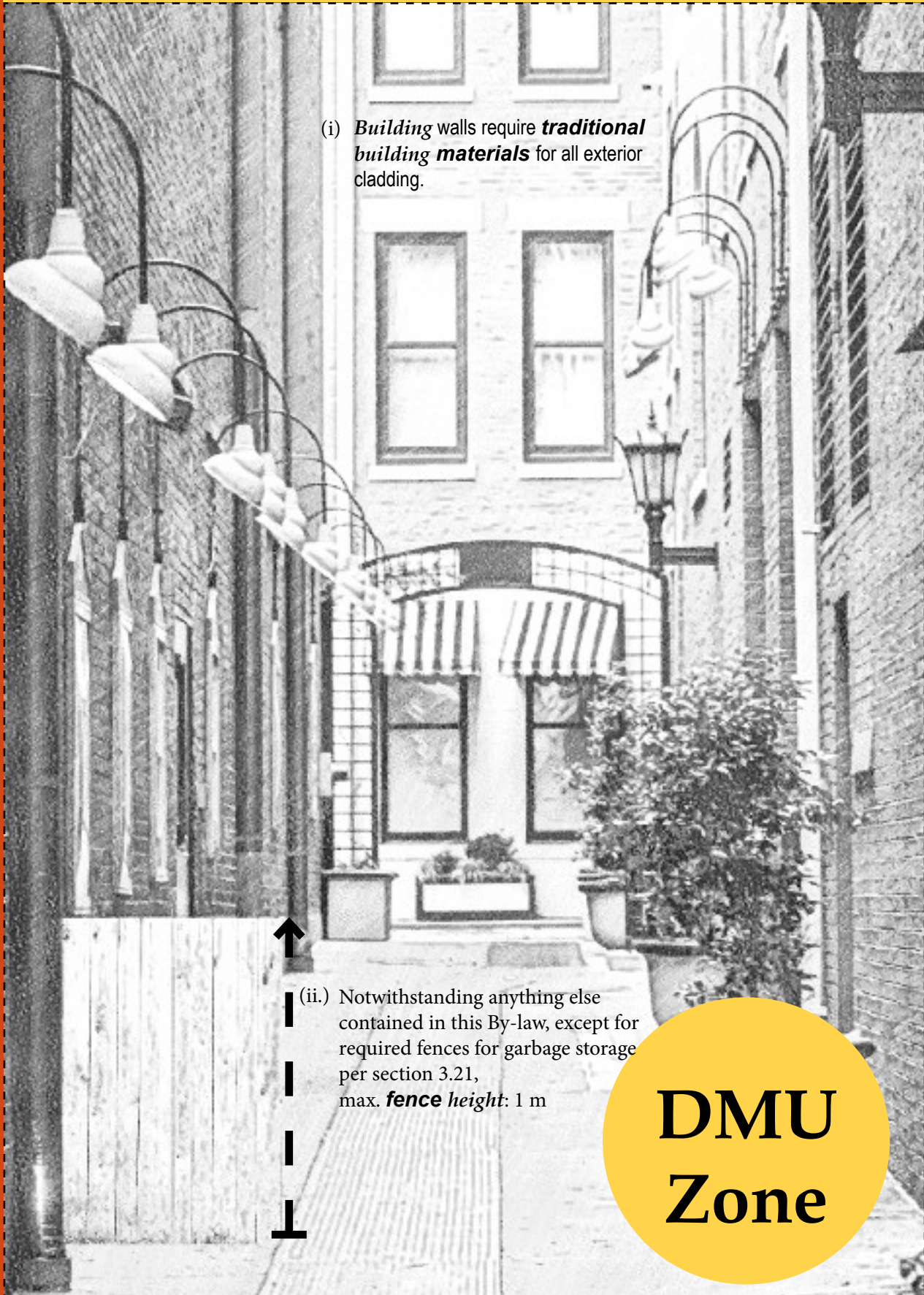


Figure 13. Overlay Zoning Requirements



(i) *Building walls* require **traditional building materials** for all exterior cladding.

(ii.) Notwithstanding anything else contained in this By-law, except for required fences for garbage storage per section 3.21, max. **fence height**: 1 m

**DMU
Zone**

WF

6.0 COMMERCIAL ZONES

6.3 Waterfront (WF) Zone

6.3.1 WF Permitted Uses

- 1) Any land, *building* or structure in the WF Zone may be used for the purposes of:
 - a) One or more of the following main uses:
 - i) *high density residential use;*
 - ii) *neighbourhood commercial use.*
 - b) One or more of the following secondary uses:
 - i) *home based business.*
 - c) One or more of the following accessory uses:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section.

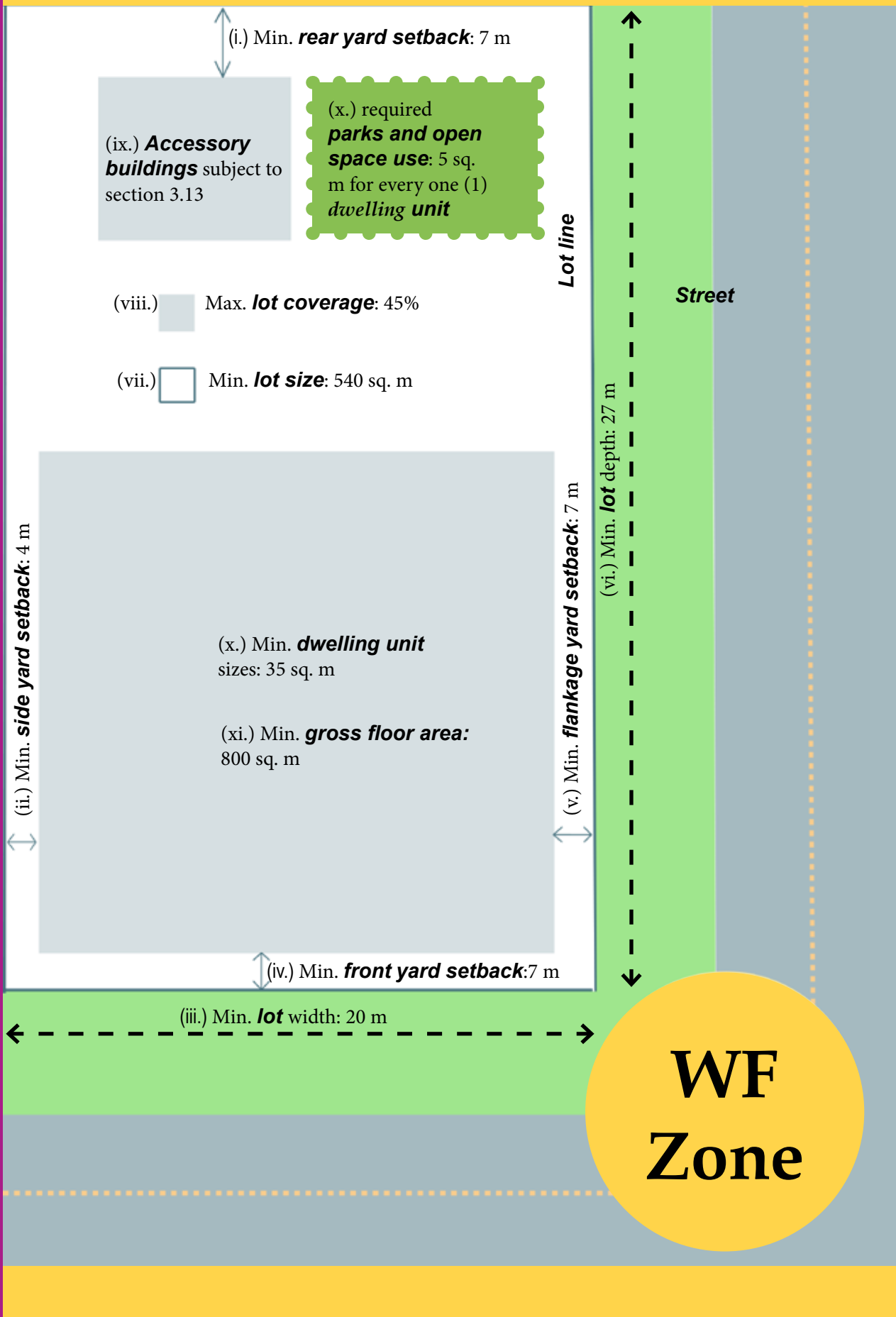
6.3.2 WF Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the WF Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 14. *Building Requirements*'
 - b) Zoning standards as numbered on the diagram 'Figure 15. *Site Requirements*'.



Figure 14. Building Requirements

Figure 15. Site Requirements



CM

6.0 COMMERCIAL ZONES

6.4 Commercial Mix (CM) Zone

6.4.1 CM Permitted Uses

- 1) Any land, *building* or structure in the CM Zone may be used for the purposes of:
 - a) One or more of the following main uses:
 - i) *neighbourhood commercial use*;
 - ii) *large format commercial use*, subject to terms and conditions as may be applied by the *Advisory Committee*;
 - iii) *medium density residential use*. subject to *building* and site requirements of sections 5.3.2 (a) & (b).
 - b) One or more of the following accessory uses:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section.

6.4.2 CM Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the CM Zone unless the following standards are met:
 - (a) Zoning standards as numbered on the diagram 'Figure 16. *Building Requirements*'
 - (b) Zoning standards as numbered on the diagram 'Figure 17. *Site Requirements*'.

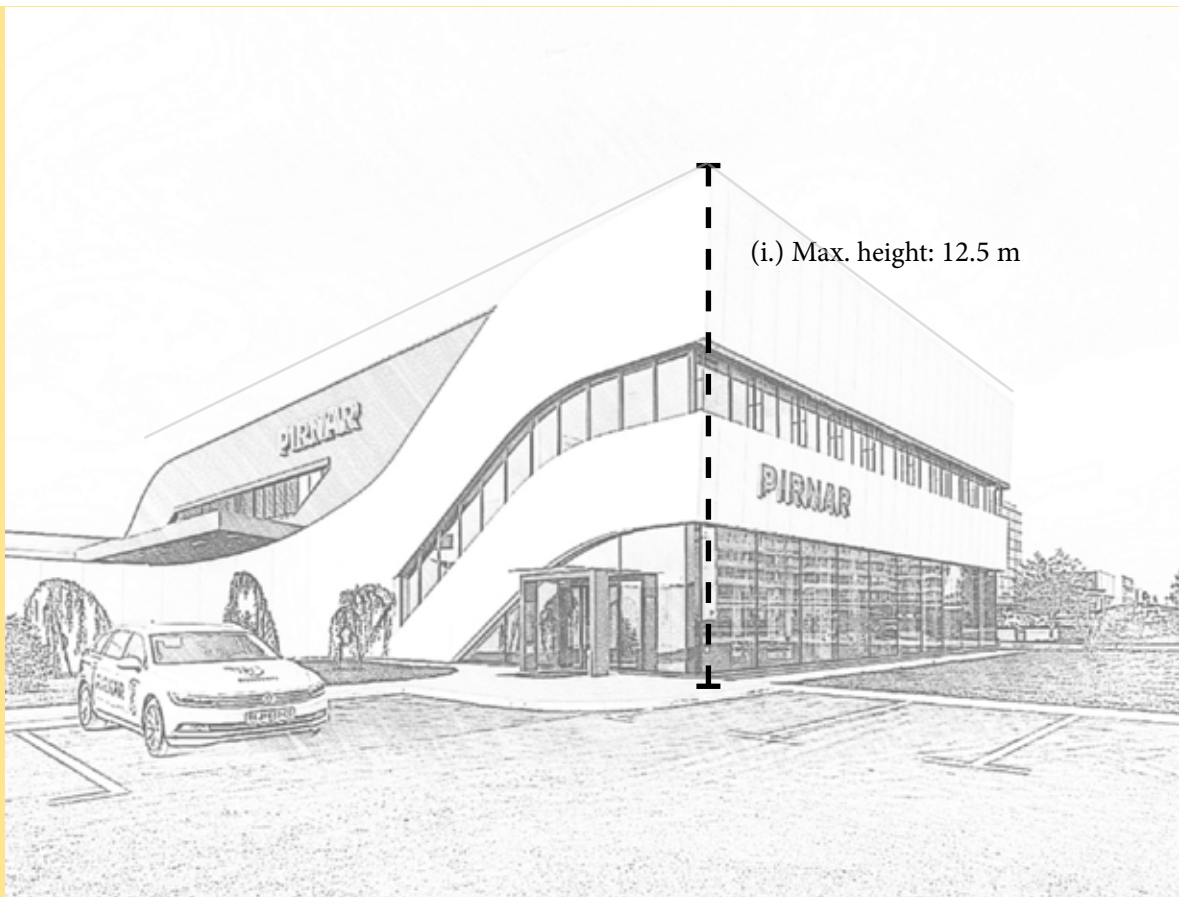
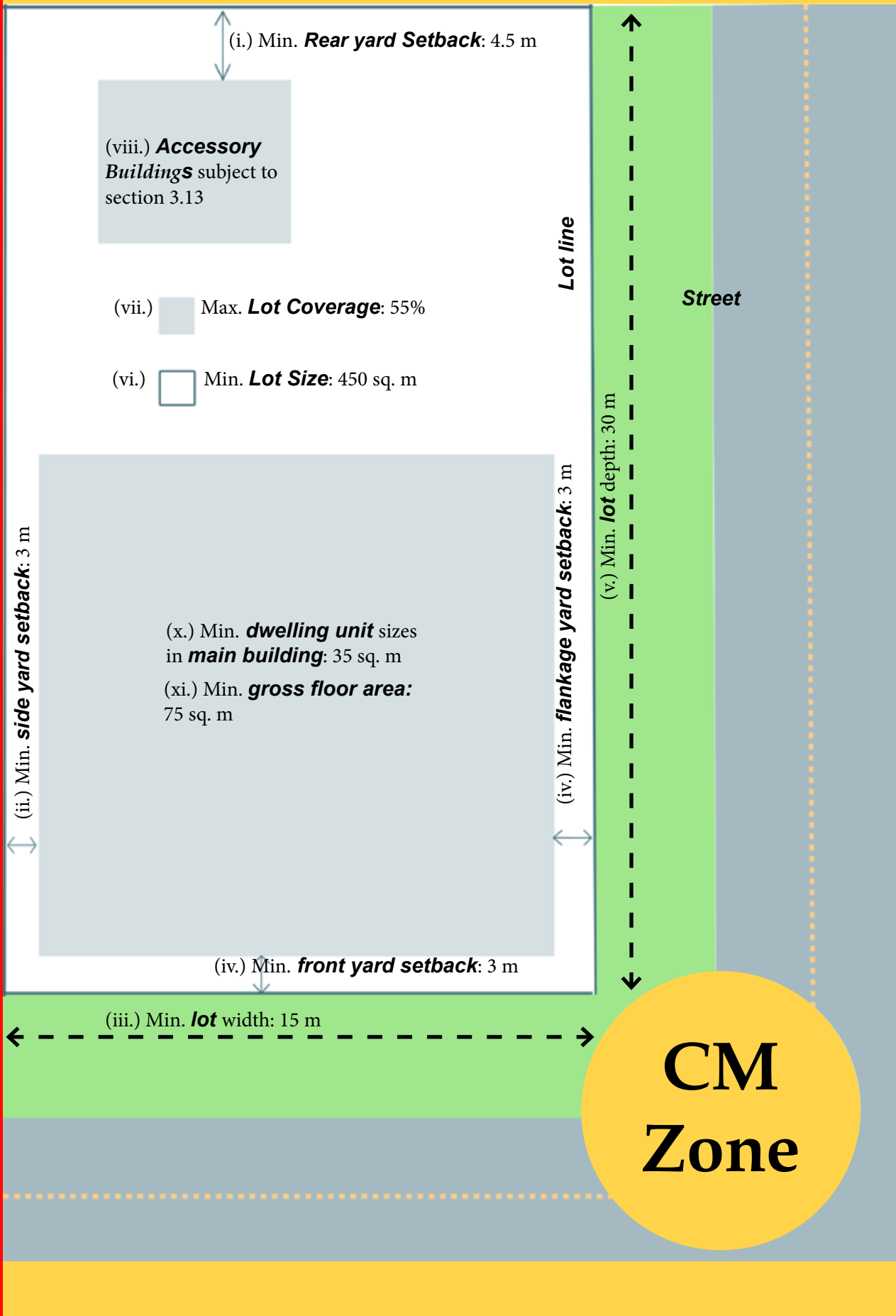


Figure 16. Building Requirements

Figure 17. Site Requirements



NC

6.0 COMMERCIAL ZONES

6.5 Neighbourhood Commercial (NC) Zone

6.5.1 NC Permitted Uses

- 1) Any land, *building* or structure in the NC may be used for the purposes of:
 - a) One of the following main uses:
 - i) *Neighbourhood commercial use*;
 - b) One of the following as a secondary use:
 - i) A *main use* permitted in the R-1 Zone;
 - c) One or more of the following *accessory uses*:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section; and,
 - ii) An *accessory dwelling unit*, subject to terms & conditions established by the *Advisory Committee*.

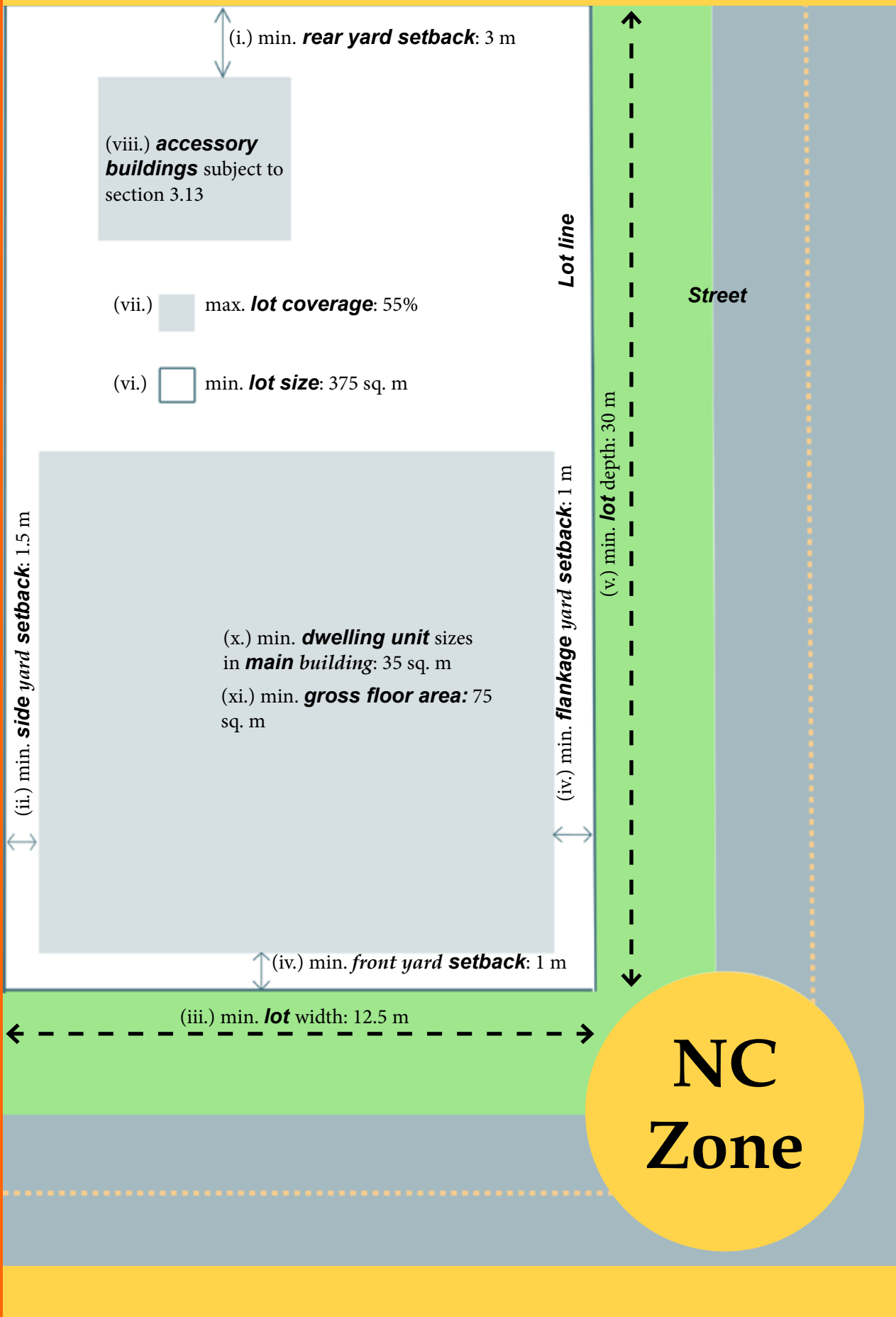
6.5.2 NC Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the NC Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 3. *Building Requirements*'
 - b) Zoning standards as numbered on the diagram 'Figure 4. *Site Requirements*'

Figure 18. Building Requirements



Figure 19. Site Requirements



LFC

6.0 COMMERCIAL ZONES

6.5 Large Format Commercial (LFC) Zone

6.5.1 LFC Permitted Uses

- 1) Any land, *building* or structure in the LFC Zone may be used for the purposes of:
 - a) One of the following main uses:
 - (i) *Large Format Commercial Use*;
 - b) One or more of the following *accessory uses*:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this section.

6.5.2 LFC Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the LFC Zone unless the following standards are met:
 - (a) Zoning standards as numbered on the diagram 'Figure 20. *Building Requirements*'
 - (b) Zoning standards as numbered on the diagram 'Figure 21. *Site Requirements*'.

Figure 20. Building Requirements

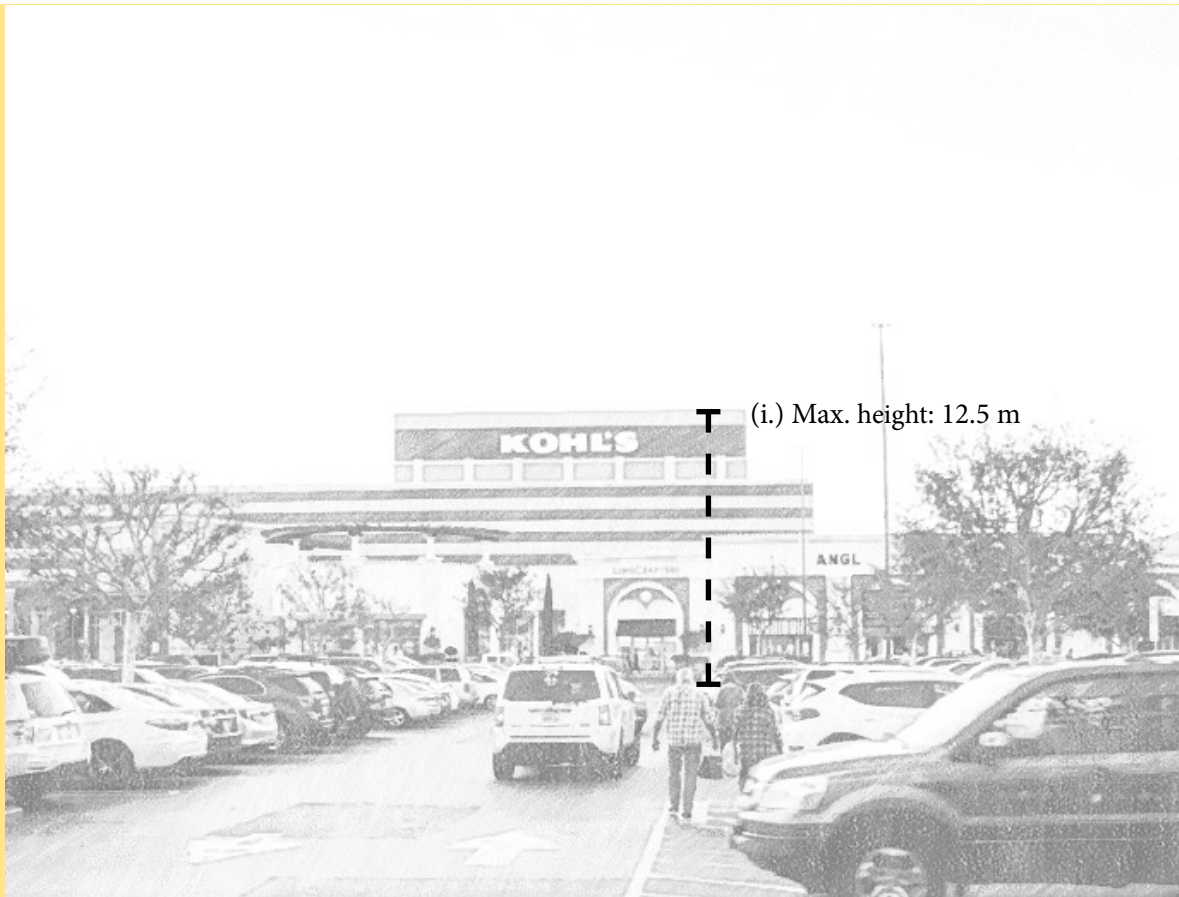
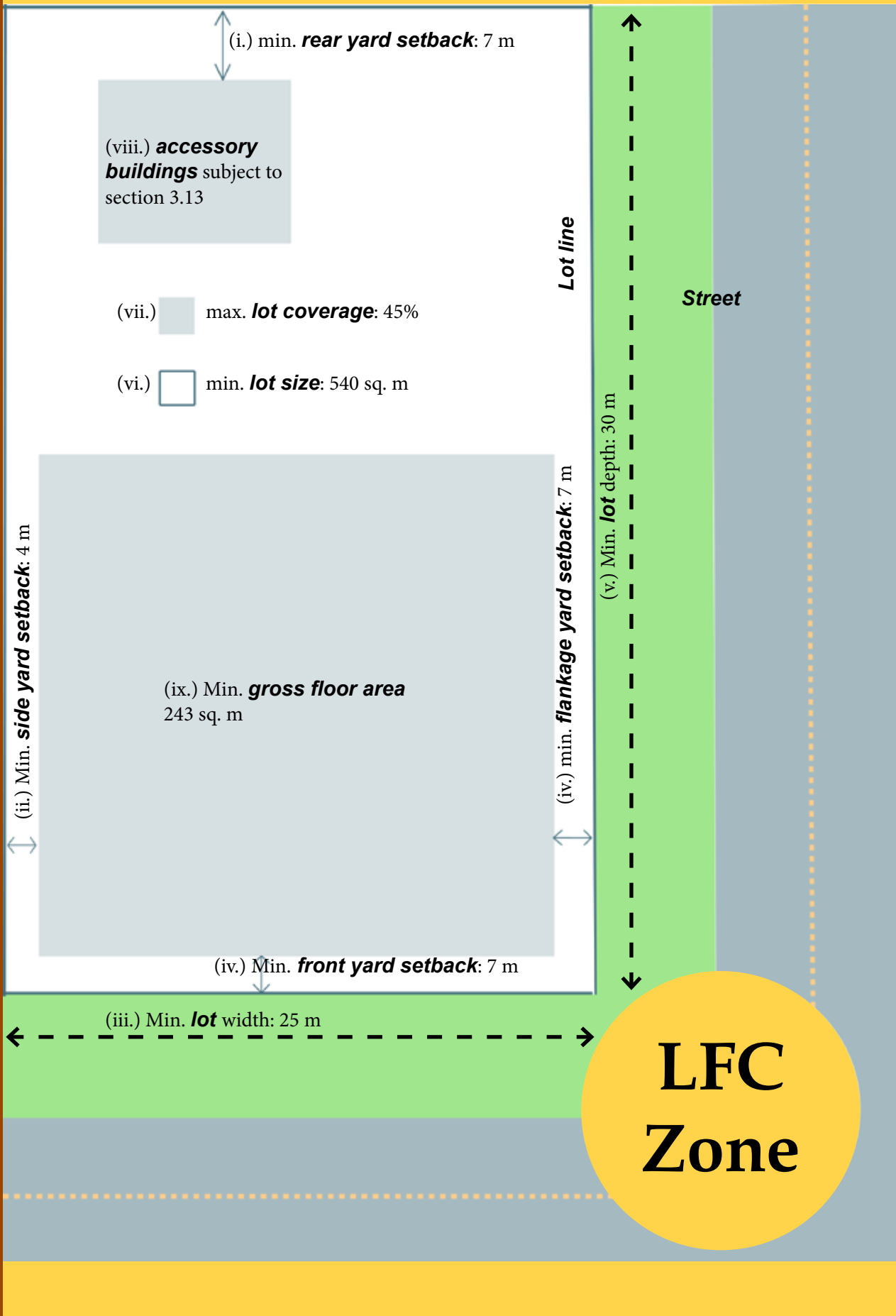


Figure 21. Site Requirements



7.0 INDUSTRIAL ZONES

7.1 Heavy Industrial (I-1) Zone

7.1.1 I-1 Permitted Uses

- 1) Any land, *building* or *structure* in the I-1 Zone may be used for the purposes of:
 - a) One or more of the following main *uses*:
 - i) *heavy industrial use*;
 - ii) a *main use* permitted in the I-2 zone;
 - iii) *public utility use*;
 - iv) *private utility use*;
 - v) *salvage use*, subject to terms and conditions as may be applied by the *advisory committee*; or,
 - vi) *resource excavation use*, subject to terms and conditions as may be applied by the *Advisory Committee*.
 - b) One or more of the following *accessory uses*:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section.

7.1.2 I-1 Zone Standards

- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the I-1 Zone unless the following standards are met:
 - (a) Zoning standards as numbered on the diagram 'Figure 22. *Building Requirements*'
 - (b) Zoning standards as numbered on the diagram 'Figure 23. *Site Requirements*'.

1

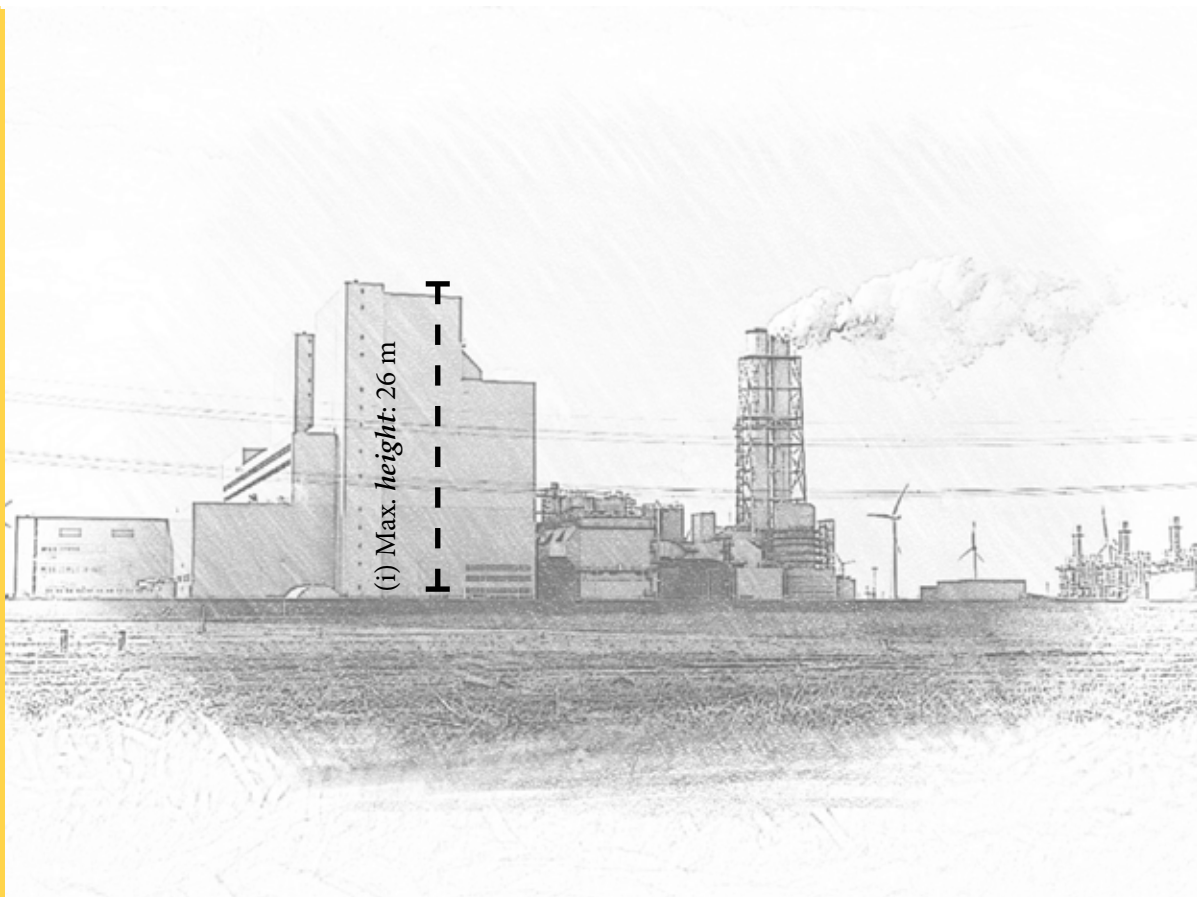
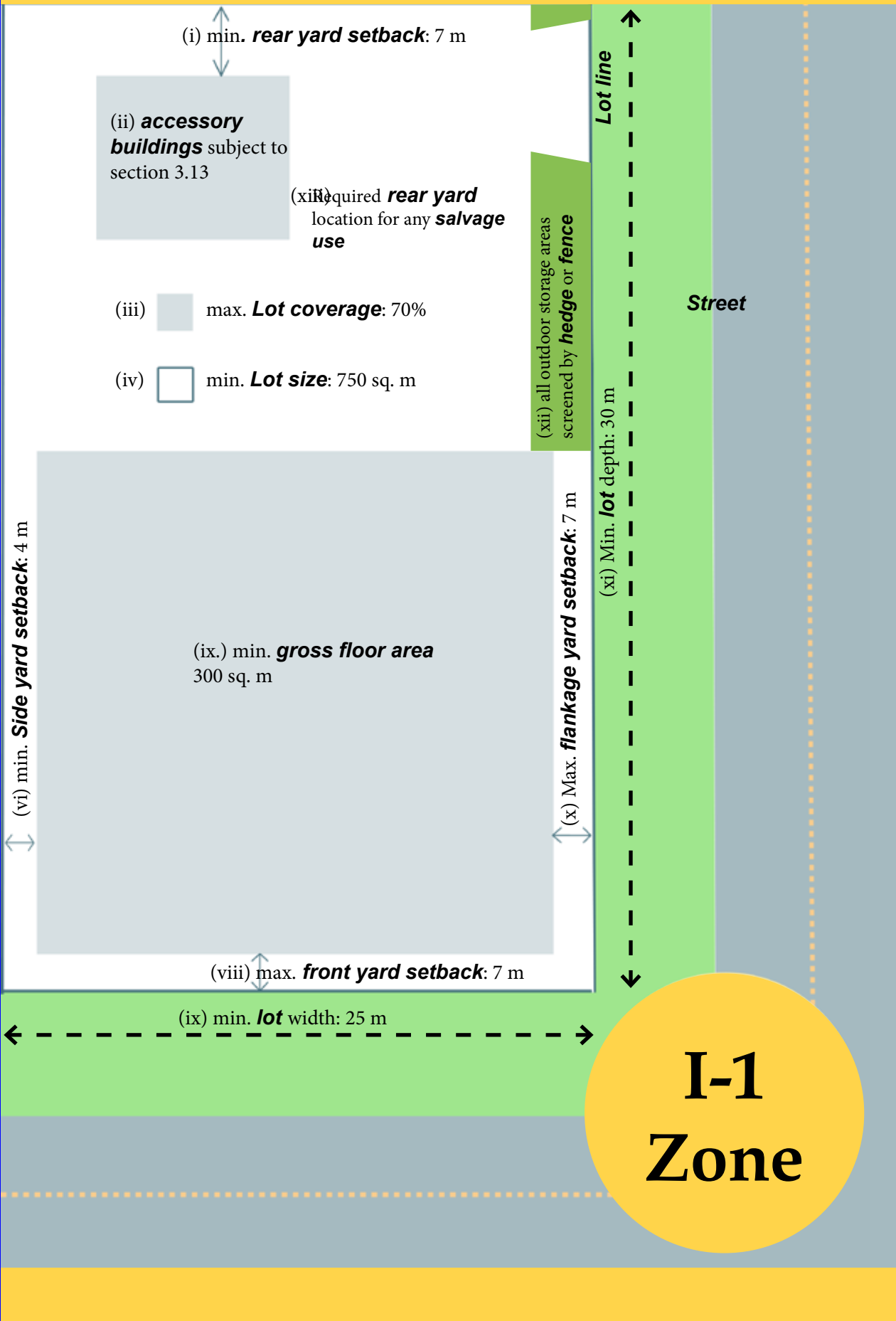


Figure 22. Building Requirements

Figure 23. Site Requirements



7.0 INDUSTRIAL ZONES

7.2 Light Industrial (I-2) Zone

7.2.1 I-2 Permitted Uses

- 1) Any land, *building* or *structure* in the I-2 Zone may be used for the purposes of:
 - a) One or more of the following main *uses*:
 - i) *heavy industrial use*;
 - ii) a *main use* permitted in the I-2 zone;
 - iii) *public utility use*;
 - iv) *private utility use*;
 - v) *salvage use*, subject to terms and conditions as may be applied by the *advisory committee*; or,
 - vi) *resource excavation use*, subject to terms and conditions as may be applied by the *Advisory Committee*.
 - b) One or more of the following *accessory uses*:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section.

7.2.2 I-2 Zone Standards

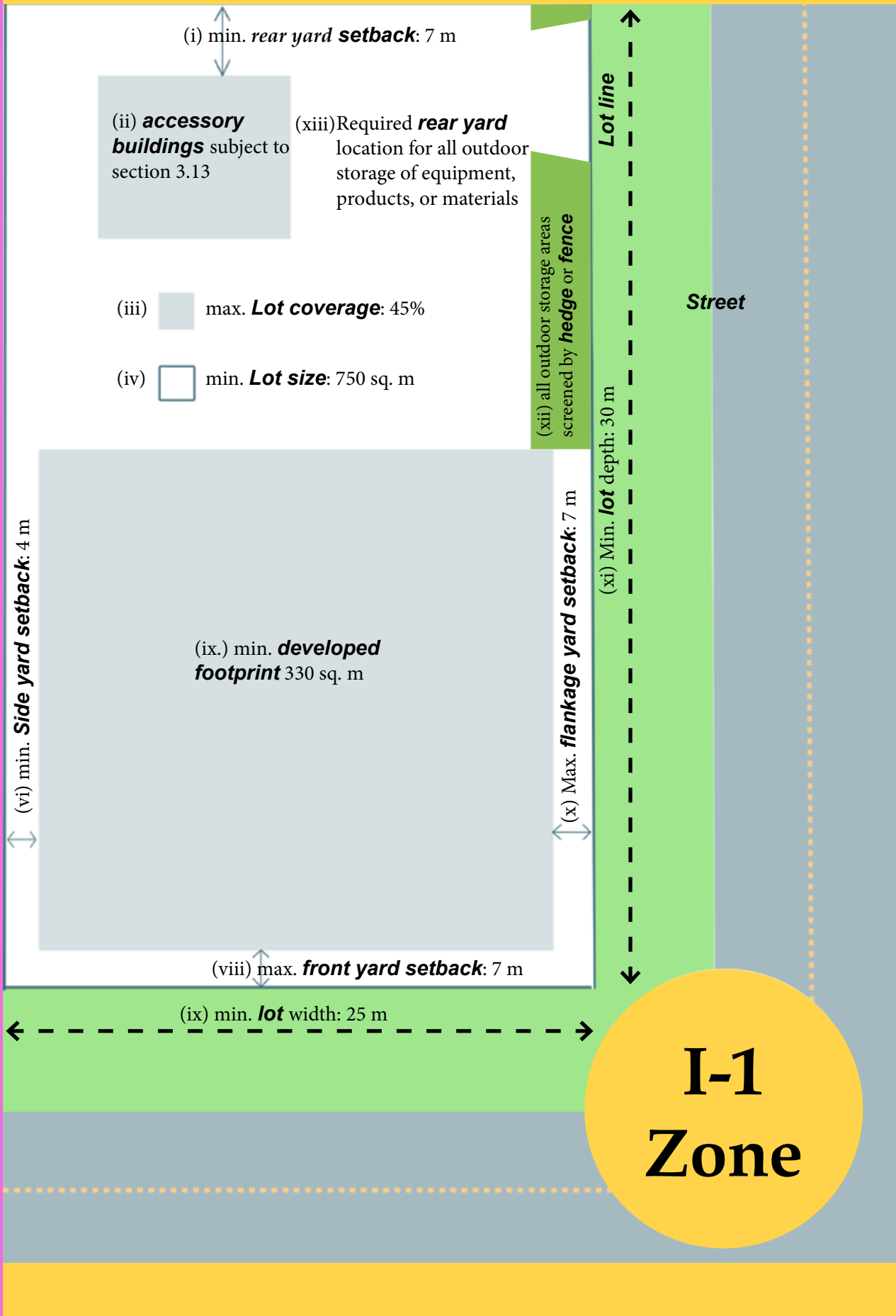
- 1) No development shall be undertaken nor shall any land, *building* or structure be used within the I-2 Zone unless the following standards are met:
 - (a) Zoning standards as numbered on the diagram 'Figure 24. *Building Requirements*'
 - (b) Zoning standards as numbered on the diagram 'Figure 25. *Site Requirements*.'

2



Figure 24. Building Requirements

Figure 23. Site Requirements



INS

8.0 INSTITUTIONAL ZONES

8.1.1. Institutional (INS) Zone

8.1.1 INS Permitted Uses

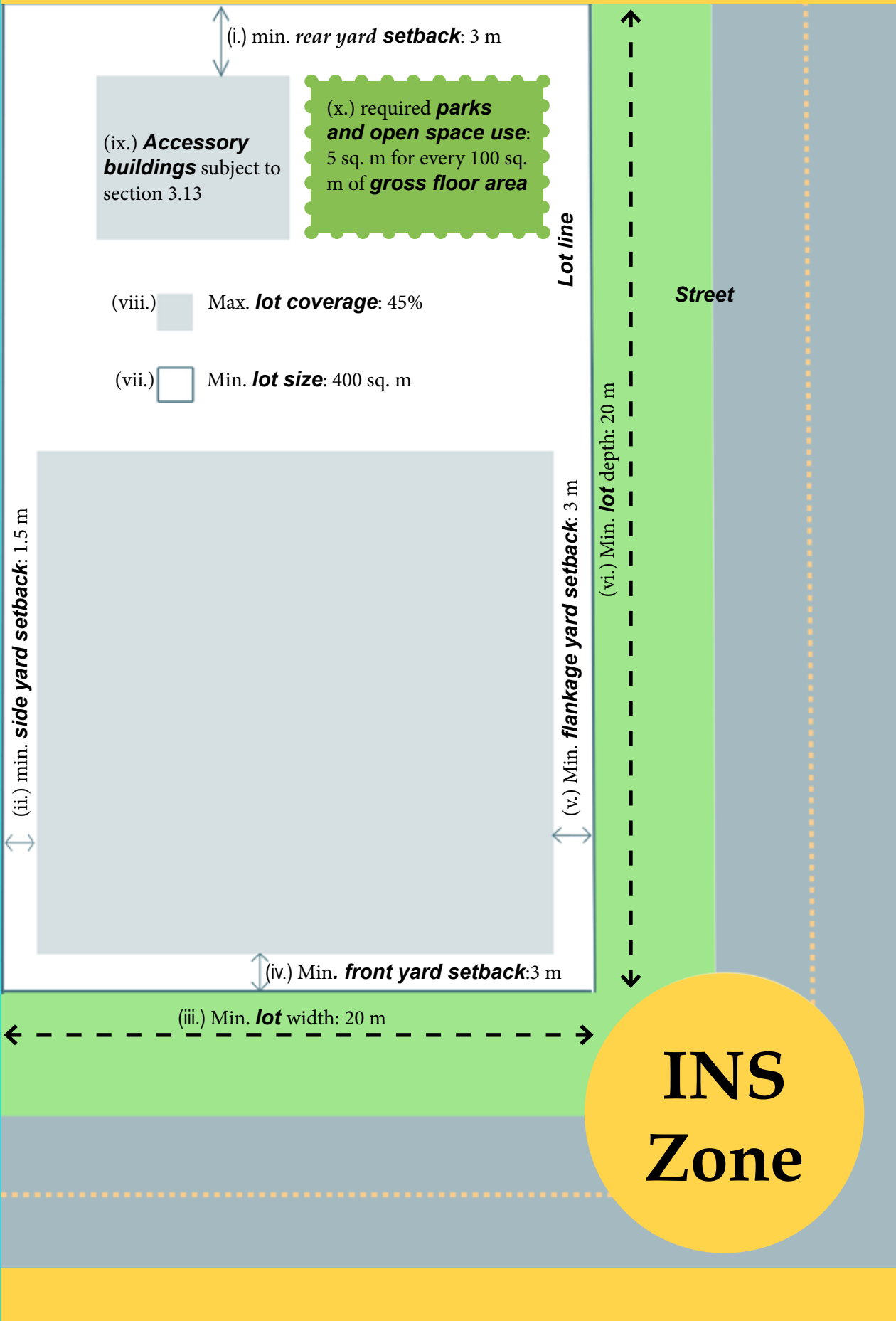
- 1) Any land, *building* or *structure* in the INS Zone may be used for the purposes of:
 - a) One or more of the following main *uses*:
 - i) *Institutional Use*;
 - ii) *Parks and Open Space Use*;
 - iii) *Public Utility Use*; and,
 - iv) *Private Utility Use*, subject to terms and conditions as may be applied by the *Advisory Committee*.
- 2) Any *accessory building, structure* or use incidental to the main use of the land, *building* or *structure* if such main *use* is permitted in this section, including *Accessory Dwelling Units*.

8.2.1 INS Zone Standards

- 1) No *development* shall be undertaken nor shall any land, *building* or *structure* be used within the INS Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 26. *Building Requirements*'
 - b) Zoning standards as numbered on the diagram 'Figure 27. *Site Requirements*'



Figure 27. Site Requirements



9.0 SPECIAL ZONES

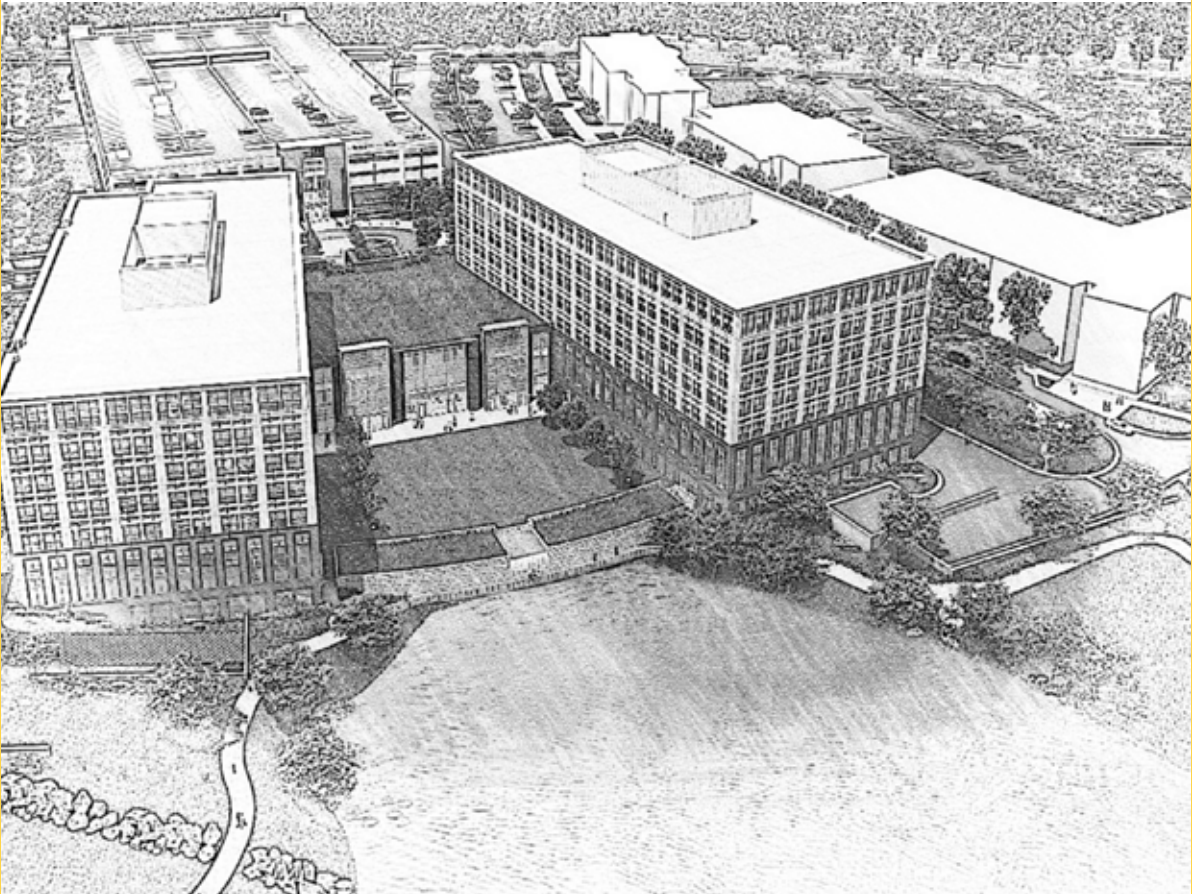
9.1 Integrated Development (ID) Zone

9.1.1 ID Permitted Uses

- 1) No *development* shall be permitted nor shall any land, *building* or structure be used on a lot within the ID Zone except in conformity with a specific proposal adopted by Council pursuant to Section 58 and 59 of the Community Planning Act.

9.1.2 ID Zone Standards

- 1) Notwithstanding any provision in this By-law, no *development* shall be permitted nor shall any land, *building* or *structure* be used on a *lot* within the ID zone except in conformity with a specific proposal adopted by Council pursuant to Section 58 and 59 of the Community Planning Act.



OS

9.0 SPECIAL ZONES

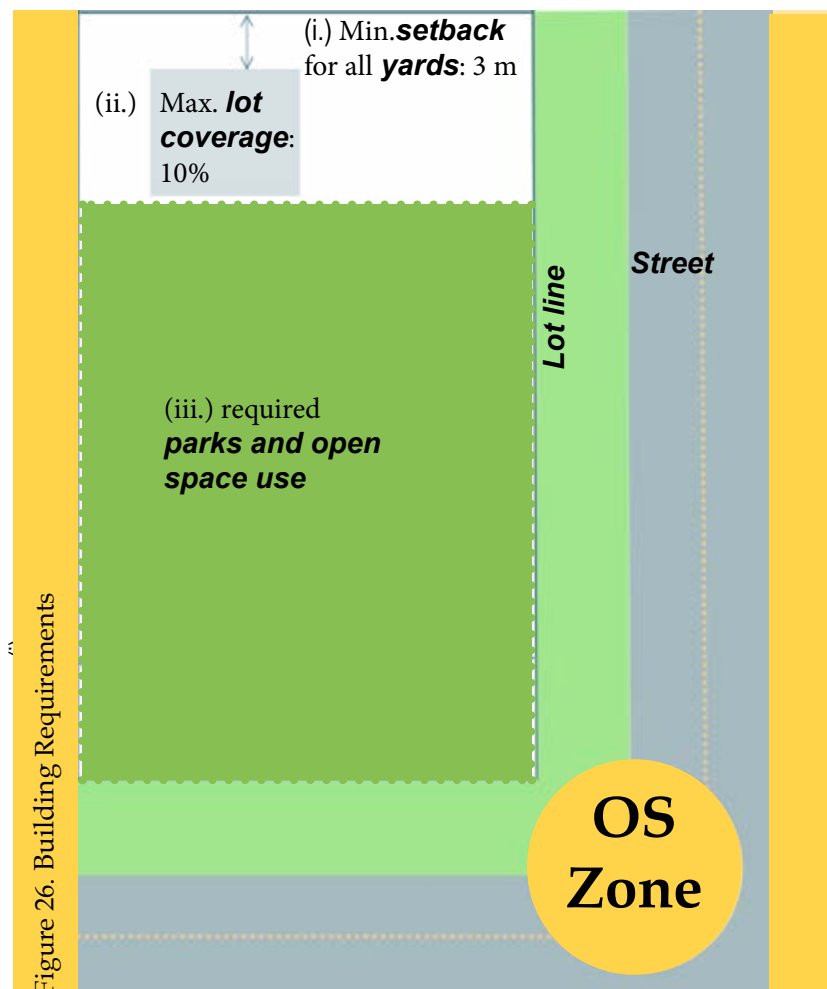
9.2 Parks & Open Space (OS) Zone

9.2.1 OS Permitted Uses

- 1) Any land, *building* or structure in the OS Zone may be used for the purposes of:
 - a) One of the following main uses:
 - i) *Institutional Use*, subject to terms and conditions as may be applied by the *Advisory Committee*;
 - ii) *Park and Open space* use.
 - b) One or more of the following *accessory uses*:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this section.

9.2.2 OS Zone Standards

- 1) No *development* shall be undertaken nor shall any land, *building* or structure be used within the OS Zone unless the following standards are met:
 - (a) Zoning standards as numbered on the diagram 'Figure 26. Site Requirements;' and,
 - (b) *Height* maximum is 5 m.



U T

9.0 SPECIAL ZONES

9.3 Utility (UT) Zone

9.3.1 UT Permitted Uses

- 1) Any land, *building* or structure in the UT Zone may be used for the purposes of:
 - a) One of the following main uses:
 - i) Public Utility Use;
 - ii) *Private Utility Use*;
 - iii) *Institutional Use*.
 - b) One or more of the following *accessory uses*:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this section.

9.3.2 UT Zone Standards

- 1) No *development* shall be undertaken nor shall any land, *building* or structure be used within the UT Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 27. Site Requirements;' and,
 - b) Subject to section 3.2, *height* maximum is 12.5 m.

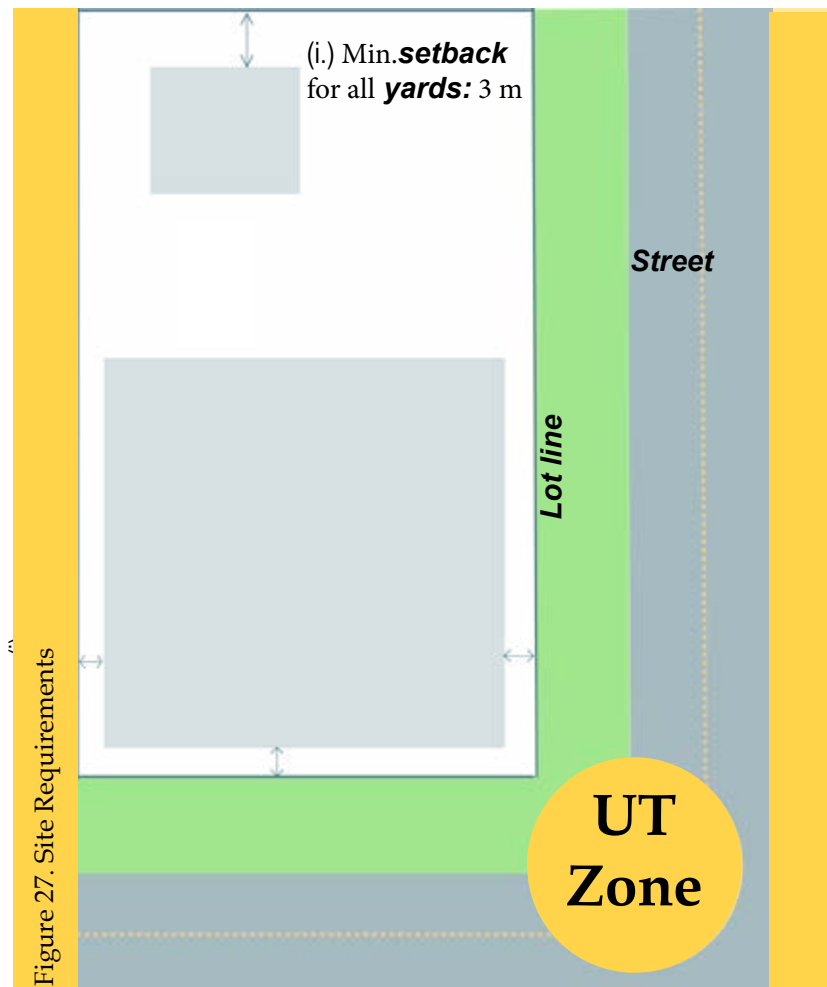


Figure 27. Site Requirements

9.0 SPECIAL ZONES

9.4 Future Development (FD) Zone

9.4.1 FD Permitted Uses

- 1) Any land, *building* or structure in the FD Zone may be used for the purposes of:
 - a) One of the following main uses:
 - i) *agricultural use*.
 - b) One or more of the following *accessory uses*:
 - i) An accessory *building*, structure or use incidental to the main use of the land, *building* or structure if such main use is permitted in this Section; and,
 - ii) An *accessory dwelling unit*.

9.4.2 UT Zone Standards

- 1) No *development* shall be undertaken nor shall any land, *building* or structure be used within the FD Zone unless the following standards are met:
 - a) Zoning standards as numbered on the diagram 'Figure 28. Site Requirements;' and,
 - b) *Height* maximum is 12.5 m.

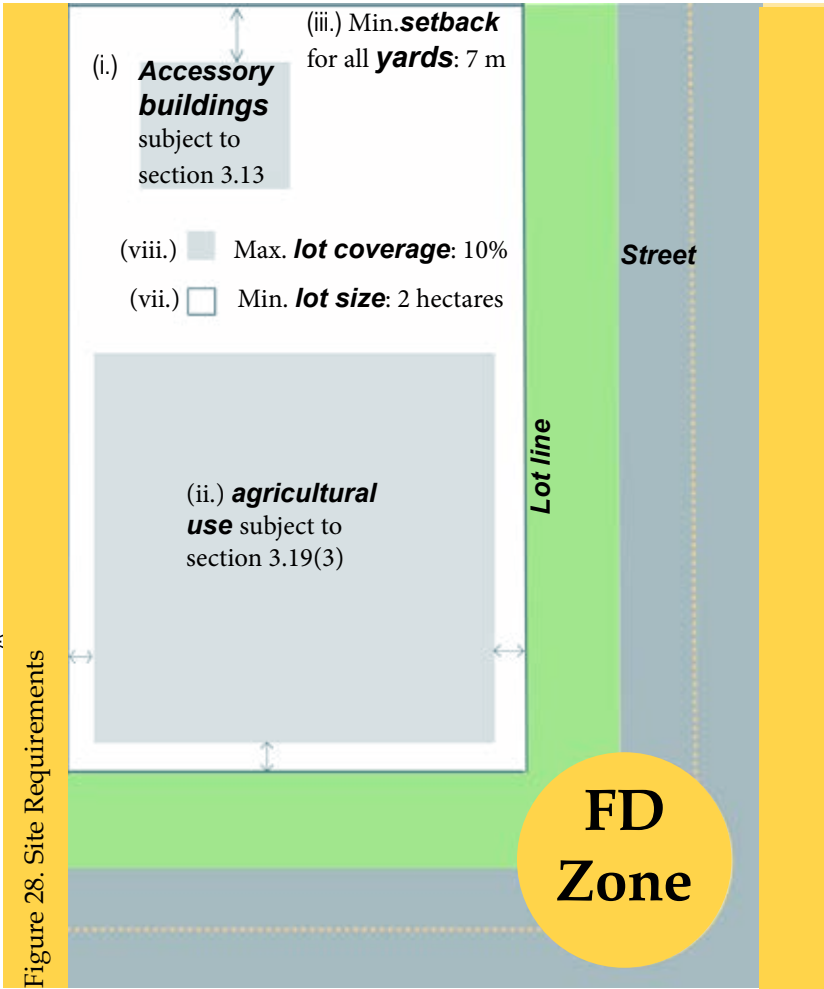
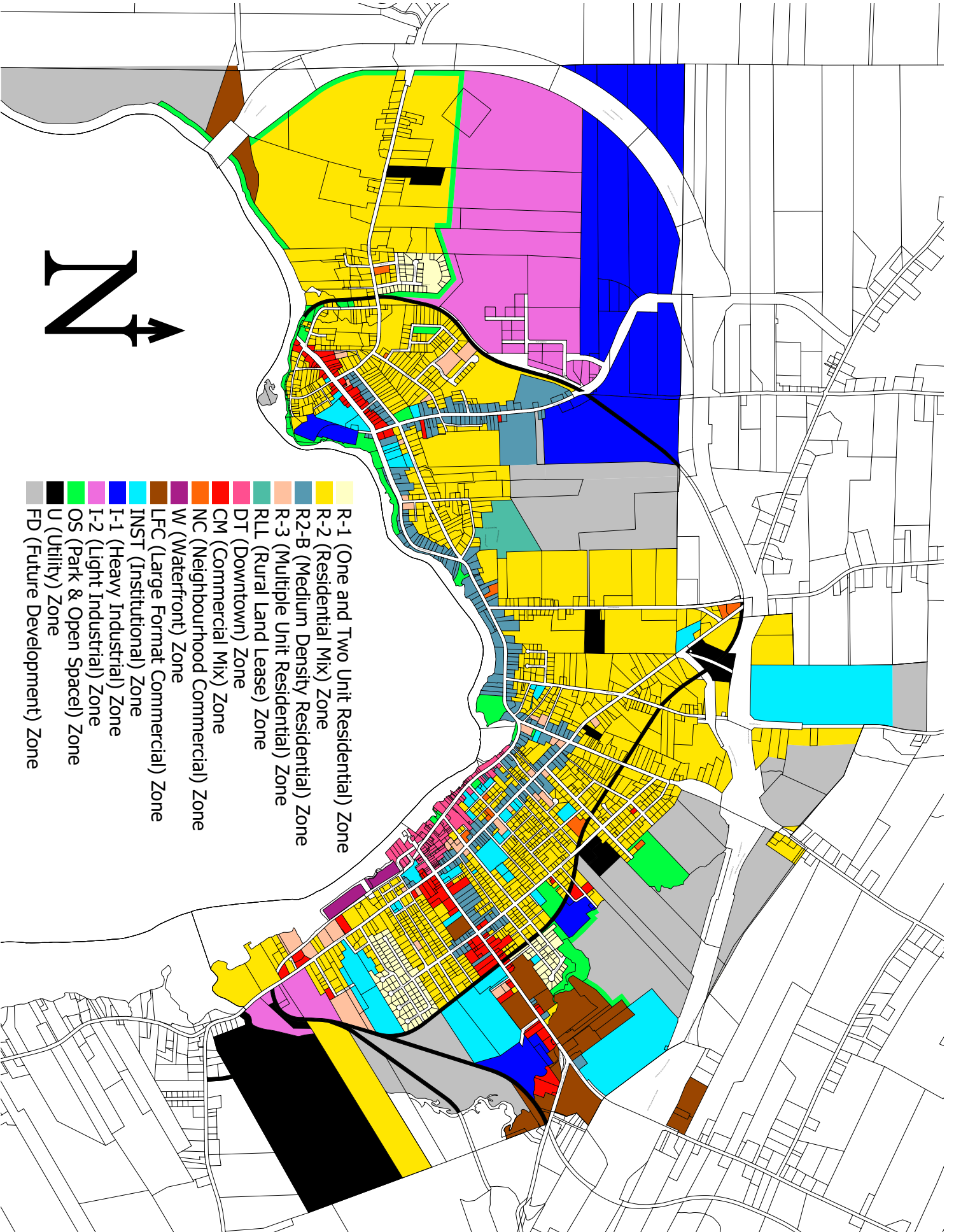


Figure 28. Site Requirements

SCHEDULE A



- R-1 (One and Two Unit Residential) Zone
- R-2 (Residential Mix) Zone
- R-2-B (Medium Density Residential) Zone
- R-3 (Multiple Unit Residential) Zone
- RLL (Rural Land Lease) Zone
- DT (Downtown) Zone
- CM (Commercial Mix) Zone
- NC (Neighbourhood Commercial) Zone
- W (Waterfront) Zone
- LFC (Large Format Commercial) Zone
- INST (Institutional) Zone
- I-1 (Heavy Industrial) Zone
- I-2 (Light Industrial) Zone
- OS (Park & Open Space) Zone
- U (Utility) Zone
- FD (Future Development) Zone

SCHEDULE B

Schedule B: St. Stephen Water Hazards



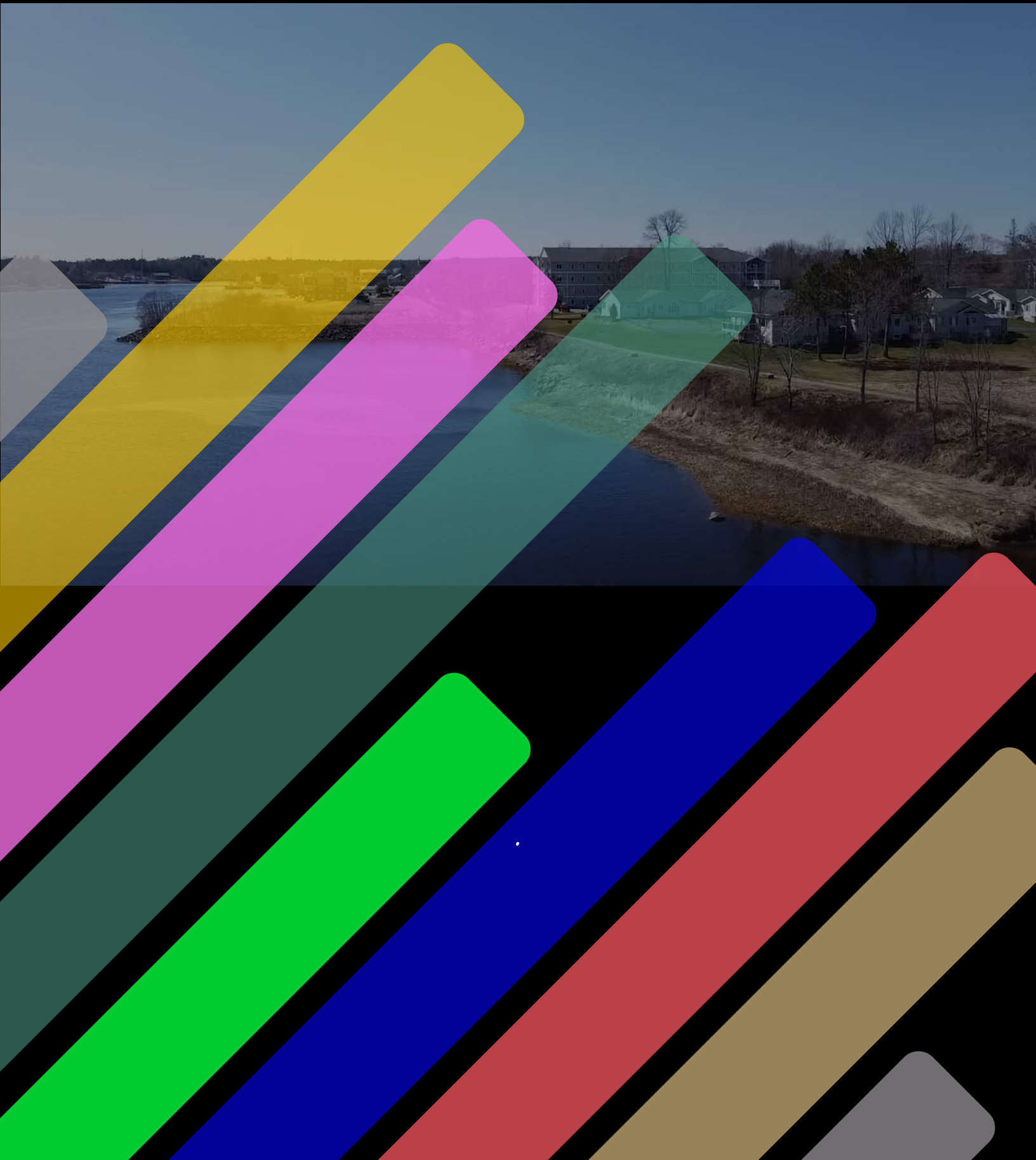
Water Hazard:
 Projected Sea Level Rise - Year 2100 + 1/100 year storm surge (5.3 m CGVD 2013)



Sea Level Rise predictions are based on IPCC AR5, Canadian Geodetic Vertical Datum, 2013. Calculations by Real Daigle - R.J. Daigle Enviro.

Map author: Xander Gopen - Planner
December 2020







GCC MEMBERSHIP CLOSURE EXTENSION POLICY

Policy Title – THE GCC MEMBERSHIP CLOSURE EXTENSION POLICY

Policy No. – 72

| | | | | |
|------------------------|---------------------|--|--------------------------------|--|
| Section: | | | Subsection: | |
| Effective Date: | | | Last Review Date: | |
| | Approved by: | | Owner/Division/Contact: | |

1. Purpose

This policy is designed to clarify the criteria for extension of memberships of the Garcelon Civic Center when those memberships are impacted by a closure of the facility beyond those days we are normally closed. This will benefit both staff and members so that if/when there is a closure of the facility and the memberships that are affected, Annual, Semi-Annual and Monthly members may receive an extension to the number of days if the GCC is closed for longer than the determined days.

The Garcelon Civic Center is closed for 3 days over the Christmas Holidays (Dec 25, 26 & Jan 1), in addition the GCC is closed for annual maintenance of the indoor pools, this procedure usually takes 10-12 days in July. The WT Booth Centennial Outdoor pool in Milltown is used as an alternate option for Members.

2. Definitions

The Garcelon Civic Center or GCC

The Town of St. Stephen owned facility located at 22 Budd Avenue, the GCC includes the Arena, Aquatic & Fitness Center and walking track.

Memberships

Full Membership includes access to the Aquatic and Fitness Center (u12 not allowed), Public Skating programs, Lap & Public Swims and some aqua fitness classes. Specialized programs may require an additional fee.

3. Policy

Annual Members - If/when the Garcelon Civic Center is closed for more than 25 days of the 362 days that we are normally open in the calendar year then the Town of St. Stephen will extend the Annual Memberships for the GCC by one additional day for each day in excess of the 25 days allowance the facility is closed.

Semi-Annual Members - If the Garcelon Civic Center is closed for more than 15 days of the 183 days that are typically included in a Semi-Annual membership then we extend these by one additional day for each day we are closed in excess of the 15 days allowance.

Monthly Membership – If the Garcelon Civic Center is closed for more than 3 days of the 30 days that are typically included in a monthly membership, then we will extend memberships by one additional day for each day we are closed in excess of the 3 days allowance.

All memberships provide access to the Garcelon Civic Center Arena, Gym and Pools and are not specific to any one area of the facility. For example, if the Pool is closed for maintenance, but the Gym and/or Arena are open for members use, then the member has access to these facilities and thus the days the Pool is closed will not count towards the allowances indicated above.

THE POLICY IS SUBJECT TO AMENDMENT OR CANCELLATION AT ANYTIME BY RESOLUTION OF COUNCIL.
THIS POLICY SUPERCEDES POLICY 63 – GCC MEMBERSHIP RATES & GUIDELINES.

APPROVED: _____



Town of St. Stephen
INFORMATIONAL REPORT
Report: CAO 01-21



To: Mayor and Council
From: Jeff Renaud, Chief Administrative Officer
Resource Staff: N/A
Date of Meeting: January 27, 2021
Subject: CAO REPORT

Recommendation: That Council accept this report for informational purposes.

The activities of the Office of the Chief Administrative Officer for the reporting period included the following:

COVID-19:

COVID-19 continues to play a significant factor in the operation and management of municipal operations. The recent transition back in to the “Red” phase of recovery has necessitated the closure of a number of facilities including the Garcelon Civic Center. Management will continue to monitor our operations, public health restrictions, to determine our service delivery options moving forward. We remain committed to the continued provision of high-quality services to our citizens.

LOCAL GOVERNMENT REFORM:

The Government of New Brunswick recently announced the initiation of a review of local governance within the province. A “Green Paper” is expected to be released in the near future. This should provide insight into what the future vision for local government is for the province. This paper will open dialogue on the subject and should result in the production of a “White Paper” which should identify how the vision will be achieved.

This process is one which the CAO and Council should closely monitor and be engaged with moving forward.

Bylaw & Policy Development:

Work has been focused on:

- 1) High Water Bill Assistance Policy—draft has been presented to Senior Management for initial review. Expected to be delivered to Council at February meeting.
- 2) GCC Membership Policy—on this agenda
- 3) Property Standards Bylaw—Initial legal review completed, more work needed prior to being presented to council.
- 4) Zoning Bylaw review—on this agenda for first reading
- 5) Municipal Plan—has now been approved by the Minister and submitted for registration
- 6) Development of draft Terms of Reference for Innovation and Technology Ad hoc Committee.
- 7) Hiring Policy—initial review of existing bylaw has been completed. Significant work is required prior to presentation to Council.

Respectfully Submitted,
Jeff Renaud



Southwest New Brunswick Service Commission

As of January 20th, 2020

PLANNING & DEVELOPMENT REPORT

Town Planning Update

- SNBSC has completed a draft new Town of St. Stephen Zoning By-law for Council consideration – a detailed presentation to be given on this important planning document;
- Planners met with Future St. Stephen (FSS) housing group in January.

Development Update

- Five (5) building permit applications processed, reviewed for zoning compliance, and forwarded to Town building inspector to date in 2021 (total est. construction value \$8,733.00, total permit revenue for Town: \$ 125.00);
- No new subdivision plans approved to date in 2021;
- Two (2) sign permits issued to date in 2021.

Respectfully submitted by,

A handwritten signature in blue ink, appearing to read "Alex Henderson".

Alex Henderson, Planning Director, M.C.P., MCIP, RPP (NB)



Town of St. Stephen Information Report to Council Report: TR 01-21



To: Jeff Renaud, Chief Administrative Officer
From: Tim Tozer, CPA, CMA, Treasurer
Resource Staff: Assistant Treasurer, Accounts Payable Manager, Manager of Compensation and Benefits/Accounts Receivable and Collection, Human Resource/Office Manager and Civic Center Administrative and Accounting Coordinator.
Date of Meeting: January 27, 2021
Subject: TREASURER INFORMATIONAL REPORT

Recommendation: That this report be received for informational purposes.

Staff Activity since last report:

1) Monthly accounting procedures:

- A) Accounts Receivable processing (Daily payment processing, deposits, monthly and quarterly invoicing, and collection for both the Utility and General Fund).
 - Accounts Receivable closed to September 30, 2020.
 - Utility collection procedures involving analysis and possible connection shutoffs. -In progress.
 - Review for update of Collection Policy-In progress.
 - Property sale turnovers-In progress.
 - Utility billings for October-December 2020-In Progress.
- B) Accounts Payable processing (Verification and input of invoices, and payment of amounts owed by the Town).
 - Accounts payable closed to October 31, 2020.
 - Review of procedures for electronic payments-In progress.
 - Review for update of Purchasing Policy-In progress.
 - Implement new software and hardware for electronic paper cheque deposits-In progress.
- C) Payroll processing (Timesheet review, payroll entry, and other processing requirements).
 - Bi-weekly 73 employees, Monthly 28 employees, Quarterly 1 employee, Bi-yearly 7 employees, Total 109 employees.
- D) General Ledger reconciliation's and analysis of accounts of all funds (Monthly closing of accounting records for nine funds).
 - Finalized Month end completed to December 31, 2019.
 - Department Head and Council Statements to September 30, 2020

2) Meetings:

- A) Accounting Department staff meetings.
- B) Senior Managers staff meetings.
- C) Council meeting-December 30, 2020.

3) Projects:

- A) Capital Projects-Analysis, MCBB application and projection, tendering, approval, and processing of progress payments, grant remittance forms and debenture applications:
 - 1) Elm Park, Pinewood, and Maple-Sewer Separation and Infrastructure Renewal.
 - 2) Milltown Boulevard (King Street to Hawthorne Street)-Water main and Sanitary Sewer Renewal.
 - 3) Thompson Avenue and Springwood Court-Sanitary Sewer Renewal and Combined Sewer Separation.
 - 4) Designated Highway-Milltown Blvd (Boundary Street to Hill Street).
 - 5) Waterfront Revitalization.
 - 6) Waterfront Enhancements (GTF).
 - 7) Water and Sanitary Sewer System Extension Route 3 (GTF and Other Funding).
 - 8) Riverside Drive (East) Wastewater Pumping Station Replacement (GTF).
 - 9) West Street Utility Renewal (GTF).
 - 10) Maxwell Crossing Pump Station Roof Rehabilitation (GTF).
 - 11) Waterfront Trail.
 - 12) W.F. Ganong Commemorative Statue.
 - 13) Single Axel Aerial Platform Fire Truck
 - 14) Combined Sewer Separation & Utility Renewal-Union Street (West to Boundary)

- B) Civic Center accounting reconciliations and various daily accounting issues-Month end completed to November 30, 2020.

- C) Accounting office planning to minimize paper use-In progress.

- D) Bill Weston NDMP project-In Progress.

- E) Multiple HST remittances-Ongoing.

- F) Administering the Charles F Todd Trust Fund-Ongoing.



Town of St. Stephen Information Report to Council Report: Protective Services 23-20



To: Jeff Renaud, Chief Administrative Officer
From: Sean Morton, Director of Protective Services
Resource Staff: Bylaw Officer, Building Inspector and Animal Control Officer
Date of Meeting: Wednesday, January 27, 2021
Subject: Protective Services Report for December

Recommendation: That this report be received for informational purposes.

Fire Chief Report for December

| | | |
|------------------------|--------------------|-----------|
| 1. Alarms were: | Town Alarms | 9 |
| | Out of Town Alarms | 8 |
| | Total | 17 |

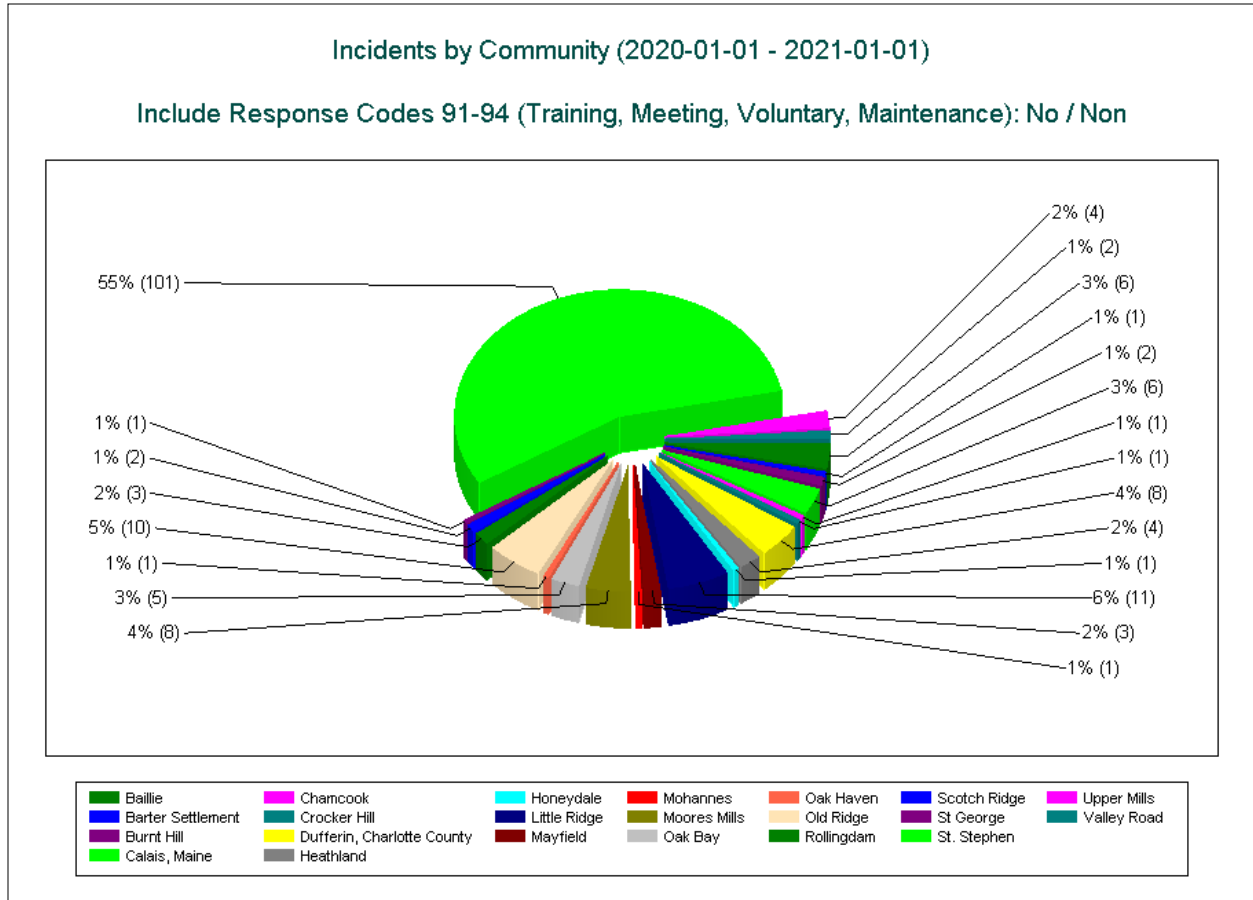
| Alarms | # Calls | # FF | # Hours |
|---------------------|---------|------|---------|
| 1. MVA | 7 | 82 | 95 |
| 2. Alarm | 3 | 25 | 25 |
| 3. NB Power | 2 | 22 | 22 |
| 4. Structure Fire | 1 | 16 | 48 |
| 5. Ambulance Assist | 1 | 6 | 6 |
| 6. Chimney Fire | 1 | 15 | 15 |
| 7. Vehicle Fire | 1 | 10 | 20 |
| 8. Smell of Gas | 1 | 3 | 3 |

| Total | | | |
|---------------|----|--|--|
| SSFD | 17 | | |
| Other FD | 52 | | |
| St Stephen PW | 6 | | |
| St Andrews PW | 4 | | |

Total calls dispatched **79**

2020 Statistics

| Incident Type | Total Incidents | Total Manhours |
|-------------------------|-----------------|----------------|
| 9. MVA | 45 | 575 |
| 10. Alarm | 34 | 278 |
| 11. Structure | 18 | 692 |
| 12. Nuisance Fires | 17 | 81 |
| 13. ANB Assist | 14 | 129 |
| 14. NB Power | 8 | 48 |
| 15. Forest Fire | 6 | 192 |
| 16. RCMP Assist | 5 | 118 |
| 17. Vehicle Fire | 5 | 65 |
| 18. Electrical Fire | 4 | 61 |
| 19. Smell of Gas | 3 | 12 |
| 20. Entrapment Rescue | 2 | 67 |
| 21. Chimney Fire | 2 | 27 |
| 22. Grass Fire | 2 | 24 |
| 23. Smoke in Building | 2 | 23 |
| 24. Unknown Odour | 2 | 23 |
| 25. Public Assist | 2 | 17 |
| 26. Rubbish Fire | 2 | 12 |
| 27. Water Rescue | 1 | 26 |
| 28. Brush Fire | 1 | 20 |
| 29. Off-Road Rescue | 1 | 18 |
| 30. False Alarm | 1 | 14 |
| 31. BBQ Fire | 1 | 12 |
| 32. GSAR Assist | 1 | 11 |
| 33. Rail Car Fire | 1 | 11 |
| 34. Stove Fire | 1 | 10 |
| 35. Propane Leak | 1 | 8 |
| 36. Fuel Leak | 1 | 7 |
| 37. Oil Spill | 1 | 3 |
| SSFD Totals | 184 | 2584 |
| Other FD | 586 | |
| SSPW | 62 | |
| SAPW | 19 | |
| Total Dispatched | 851 | |



Primary Response Communities

| | |
|--------------|-----|
| Calais | 6 |
| Crocker Hill | 1 |
| Dufferin | 8 |
| Heathland | 4 |
| Mayfield | 3 |
| Mohannes | 1 |
| Old Ridge | 10 |
| St. Stephen | 101 |
| Upper Mills | 4 |

Mutual Aid Communities

| | |
|-------------------|----|
| Baillie | 6 |
| Barter Settlement | 2 |
| Burnt Hill | 2 |
| Chamcook | 1 |
| Honeydale | 1 |
| Little Ridge | 11 |
| Moore's Mills | 8 |
| Oak Bay | 5 |
| Oak Haven | 1 |
| Rollingdam | 3 |
| Scotch Ridge | 2 |
| St. George | 1 |
| Valley Rd | 1 |

Total Primary 138
75.8%

Total Mutual Aid 44
24.2%

2. Fire Department Activities

1. Monthly meeting
2. Fire extinguisher program
3. Online training opportunities.
4. Ladder Truck Committee meeting.
5. Santa event at GCC

3. Fire Chiefs Activities

1. Monthly reporting to the Office of the Fire Marshal.
2. Monthly payroll entries for volunteers.
3. Senior Management Team meetings.
4. NBCC Association Training Representative duties.
5. Director of Protective Services duties. (Building and By-law)
6. Milltown Dam Community Liaison Committee.
7. Office of Fire Marshal Zoom meeting.
8. Discontinuation of dispatch services for LSD Fire Departments.
9. JHSC meetings and related work.
10. Aerial apparatus specifications committee meeting.
11. GPS telematics installations.
12. Fire Underwriters Survey
13. GNB Press Conferences.
14. Operational Plan updates for General Plan and the FD Plan.
15. Civic Number clarifications for NB911 and Canada Post.
16. Proposed Zoning Bylaw review committee meeting.
17. Covid-19 PPE re-stocking through NBEMO.
18. Santa Event at GCC.
19. Acting CAO Dec 7 – 13.
20. Finalization of Aerial Fire Truck tender w/ CAO Renaud.
21. Year end Statistics
22. Volunteer Performance reviews.

4. Personnel

After reverting to the Covid-19 Orange phase we have our sleep night volunteers on call at home.

Fire Chief Sean Morton

By-Law Enforcement Report for December

Please find enclosed the report for By-Law –Enforcement. We handled 74 occurrences.

Assist other Dept. (2)

- (1) Received a call from street dept. of an abandoned vehicle on Union St.

Cleghorn's towing was called to remove same from the area.

- (2) Received a call from public works with regards to water being discharged onto a street in Milltown.

Letter has been sent to the property owner to rectify the issue.

Assist general public (63)

- (1) Received a call from a complaint of flyers being thrown onto a lawn on Queensway.

Spoke to the regional manager for the delivery of same and he apologized stating that a temp. was doing the run and that it would not happen again.

- (2) Received a call from a gentleman requesting information on running a taxi business.

He was supplied with a copy of the by-law.

- (3) Fifty-three (53) letters were distributed throughout the Town to residents who did not get their fall pick up done, stating that they were either late for the pick-up or that they did not have the items bundled or bagged properly.

- (4) Received a request to look at trees on a property that were in danger of falling over into a stream

Info passed onto the Street Dept. to have a look

- (5) Received a complaint of damage done to a lady's lawn by a local contractor, and they were refusing to fix.

Directed the complainant to contact the RCM Police as it would be damage to property.

- (6) Still receiving calls from concerned citizens over the Covid -19 protocols.

Directing these people to call either Public Safety or the RCM Police.

- (7) Received a call from a gentleman with regards to a variance that had been issued for a business.

Passed onto to the building inspector.

Parking (8)

- (1) With regards to the parking complaints on Porter St. the issues, seems to have been rectified. Will continue to monitor.

- (2) Seven warnings given for parking.

Dog Complaints (1)

Received a complaint from a lady on School St. with regards to her neighbour's dogs running and using her lawn as a bathroom.

Passed onto the animal control for investigation.

Regards

Brent MacDougall, By Law Enforcement

Animal Control Officer Report for December

Received a number of calls on a dog running ay large on Queen St. W. I spoke to the owner and a warning was given. Received numerous calls on lost dogs. Received a call of a Beagle biting a man on Pleasant St., I was unable to locate the owner, the bite did not break the skin. Received a call of three labs going onto neighbor's property. I spoke to the owner and a warning was given. Received a call of a pit bull loose on Sprucewood Court. Unable to catch.

Regards,

Mike Shannon

Animal Control Officer

Building Inspector Report for December

| BUILDING INSPECTION 2020 | 2020 | 2019 | 2020 | 2019 | 2020 | 2019 | 2020 | 2019 |
|-----------------------------|------------------|------------------|--------------------|---------------------|---------------------|---------------------|-----------------------|------------------------|
| DECEMBER | | | | | | | | |
| | # of Per. | # of Per. | Value | Value | YTD.#Permits | YTD.#Permits | YTD.Value | YTD.Value |
| TYPE OF CONSTRUCTION | Pres/mth | Prev/yr/mth | Pres. Mth | Prev.Yr Mth | Present Year | Prev year | Present Year | Previous Year |
| New Residential | 0 | 0 | \$0.00 | \$0.00 | 8 | 4 | \$1,307,600.00 | \$575,000.00 |
| Residential Renos/Additions | 6 | 3 | \$40,222.00 | \$31,500.00 | 111 | 81 | \$880,974.50 | \$557,680.00 |
| New Com/Indus/Instit. | 0 | 0 | \$0.00 | \$0.00 | 4 | 4 | \$885,816.00 | \$7,544,000.00 |
| Com./Indus./Inst. Renos | 2 | 1 | \$20,000.00 | \$159,016.00 | 14 | 9 | \$297,903.24 | \$1,758,016.00 |
| Institutional | 0 | 0 | \$0.00 | \$0.00 | 5 | 7 | \$522,420.00 | \$2,074,200.00 |
| Demolition | 0 | 1 | \$0.00 | \$2,500.00 | 8 | 10 | \$41,842.50 | \$50,255.00 |
| TOTALS | 8 | 5 | \$60,222.00 | \$193,016.00 | 150 | 115 | \$4,086,136.00 | \$12,559,151.00 |
| | Cur. Mth | | | | | | | |
| Demolition Permits | 0 | N/A | | | | | | |
| Stop Work Orders Issued | 1 | N/A | | | | | | |
| Inspections | 12 | N/A | | | | | | |
| Electrical waivers issued | 2 | N/A | | | | | | |
| Active Unsightly Premises | 4 | N/A | | | | | | |

Sincerely,

Manzer Young

Building Inspector



Town of St. Stephen Information Report to Council Report: CMS 01-21



To: Jeff Renaud, Chief Administrative Officer
From: Kev Sumner, Director of Community Services
Resource Staff: Aaron Muzzatti, Nikki Mott, Jeremy McShane & Michelle Vest
Date of Meeting: Wednesday, January 27th
Subject: Community Services Monthly Report

Recommendation: That this report be received for information.

Community Services

1. Past Month's Tasks:

- a. Over Budget GL – The Coastal Link Trail inc. project to redevelop the Waterfront Trail went over budget by \$21,940.06 (including HST) and this was due to the additional retaining wall construction that was located behind the Bell Aliant building. This additional expense was approved and reimbursed by the Coastal Link Trail inc. Board.
- b. The Bateau work continues, I am working on a plaque with the volunteers so we can share details of the project with the community.
- c. GCC Membership Policy development continues, staff drafted a GCC membership extension policy regarding concerns on the number of days the GCC is open to members.
- d. Work on the 2021 Capital Budget took place in January and plans for the next 5 years.
- e. The GCC has transitioned between Yellow, Orange & Red phases in recent weeks, our members and staff have adapted well in this time and Public Safety officers have documented they are happy with the operational plans and work we have done.
- f. The mural project has been completed by the local artist and needs to be installed on the Library wall, this will be carried out by the artist in the second half of January.
- g. Tourism update – Staff and Kendall from Future St. Stephen are meeting representatives from ACOA to discuss funding on Jan 20th with the goal of acquiring funding.
- h. Staff continue to review potential software options for scheduling needs at the GCC and throughout the Town. We have met PerfectMind and the next demo is with the Amelia and Townsuite products.
- i. Our new website is being finalized and we should be able to review the new link in the next week, once staff have reviewed it for quality assurance, we will give the go ahead to go live.
- j. I am still waiting for a response from CP Rail regarding the potential dog park. On an unrelated note, we have received several complaints of dog waste. Additional dog waste stations have been added throughout the town this winter.
- k. We received reports of fallen trees in the Elm Street Nature Park, this could have been caused by the logging work in the lot next to the park. Our crews walked the trails and cleared any fallen trees. Playground inspections continued because of the mild weather, however as we moved to the RED phase, we have closed them indefinitely.

2. Meetings & other activities:

- a. Community Service departmental meetings every other Tuesday at 10am.
- b. Senior Management Team meetings every Tuesday morning at 9am.
- c. Monthly Joint Health & Safety Meetings at 199 Union St, first Weds of month.
- d. Fundy Recreation Professionals Assoc. (FRPA) zoom meeting every month to discuss COVID19 and other issues relating to municipalities.
- e. Monthly Town Council meeting
- f. Ganong Statue follow up with Future St. Stephen – Jan 11

Administration & Accounting

1. Monthly Projects (December 2020):

- a. Reviewed Outstanding Invoices – re-sent past due invoices for payment and processed. payments received. Fixed any errors in the system.
- b. Sent monthly invoices to various organizations.
- c. Processed the Revenue reports for Corporate Services.
- d. Data Entry for Accounts Payable (Corporate Services).
- e. Deposits, banking, and reconciled shifts.
- f. Training for new hire to fill Union Part Time position.
- g. Various training with student staff.
- h. Various administrative and accounting.

2. Statistics (December 2020):

- a. The Walking Track had approx. 1071 users check-in.
- b. The Arena had approx. 341 users participate in Public skate times (*Public Skate was closed until our Zone returned to Yellow Phase on Dec. 11/20*).
- c. The Fitness Center had approximately 1167 member's check-in.
- d. Membership Sales (approx.):
 - i. Monthly = 86 sold
 - Semi/Annual = 2 sold
 - Punch Cards = 33 sold

Aquatics & Programming

1. Past Month's Events:

- a. Research of different pool deck materials led us to the foam composite "Life Floor" as a possible replacement for the current tile pool deck, which is at present in need of replacing, due to tiles lifting off the pool deck and cracking, leading to safety concerns.
- b. With the new year, the new aquatic staff rates of pay were implemented, to better reflect the ability and position of the individual, as opposed to certifications held and seniority. This is aimed at better motivating the student staff and rewarding those who show motivation.

2. Update on Aquatic Programming:

- a. Swimming lessons began under the Red Cross program as of January 4th. Classes now run five days per week, in an effort to better serve the community and to accommodate the increase in the number of levels, which Red Cross brings.

- b. The Great Barrier Busters program began its second session, under funding from the Fundy Community Foundation meant to fund the purchase of specialized equipment. More funding is anticipated from the Government of New Brunswick to begin affiliation with the Autism Swim organization based out of Australia.
- c. A Bronze Medallion/Cross split class is scheduled for mid-February, provided the Zone moves to the Yellow Phase of recovery.
- d. A National Lifeguard Service course is scheduled for March Break and is anticipated to be the final Lifesaving Society lifeguarding course offered at the GCC before the full move to Red Cross programming. This course is also contingent on the move to the Yellow Phase of recovery within our Zone.

Operations and Maintenance

1. Ongoing preventative maintenance in the GCC.
2. Transitioned to between Yellow, Orange & Red Phase
3. NB Power re-commissioning report, our final report is done. We will be setting a meeting to review final report with Mayor, CAO.
4. Work Completed on KUBE #4, damage due to the result of a Phase drop on the buildings power supply.
5. Regular preventive maintenance completed on all main dehumidifiers.
6. Worked on the BAS (Building Automation System), have received recommendations to upgrade system to be more energy efficient.
7. Looking into applying for the commercial building's energy efficiency retrofit program, will have update in the next RTC.
8. Continuing work on COVID-19 Operational plans.
9. Working through some staffing HR concerns.
10. Created and filled a fulltime position.
11. Posted new Casual/part time position, closes in January.
12. Attended GCC management meetings.
13. Attended virtual FRPA meetings.
14. Attended virtual Recreation NB meetings.

Events Development

3. Past Month's Events:

- a. Kiwanis Seniors Christmas "Delite" Tour – the Town assisted Kiwanis with preparing 350 treat boxes for delivery to local seniors December 19th.
- b. December 4th – **Santa's Arrival.** Due to the move to Orange Phase, this event was moved inside the GCC, was well attended, and operated within provincial guidelines of single-family bubbles.
- c. January 1st – Virtual Mayor's Levee and Kick Off to 150! Technical difficulties affected the first 2 performances but CHCO was able to get things up and running for the final 3 performances as well as the Mayor's Speech.
 - i. Total reach: Jan 1 – 1337, Jan 14 – 5656.
 - ii. Total views as of Jan 14: video 1 - 1000 views, video 2 – 1800 views, video 3 – 3300 views.

4. Future Events:

- a. 150 Garden Contest – Local homes will be invited to submit their garden for consideration for best garden of the year. Additional contest outlines to be confirmed but aiming for 3 x \$150 cash prizes. Homes will then be put together as a driving tour (similar to Christmas Lights).
- b. 150 Historical home driving tour – Ghislaine and I plan to work with Charlotte County Museum to use their current driving tour and to build on it for 150.
- c. 150 Commemorative magazine – Ghislaine is on the committee and will have more details but it is confirmed that it will be completed and printed in full colour.

5. Additional Information:

- a. Holland College will be holding a course at the GCC through May 2021.
- b. CANCELLED – January SSMHA Hockey Tournament. All future tournaments pending.
- c. 4 x 150 Logos to be added to the rink boards at the GCC in January.
- d. Sari Green did her first 150 article for the Courier on January 12 and will be completing more as she receives details from the committee on events.

Respectfully submitted,
Kev Sumner - Director of Community Services



**Town of St. Stephen
Information Report to Council
Report: PW 14-20**



To: Jeff Renaud, Chief Administrative Officer
From: Lee Johnson, Director of Operations
Resource Staff: Supervisor II, Supervisor I and Treatment Plant Operator
Date of Meeting: January 27, 2021
Subject: January Council Meeting

Recommendation: That this report be received for informational purposes.

1: Water system:

- a) Read Meters.
- b) Installed 12 new Meters.
- c) Repaired 1 Water Main.
- d) Repaired 7 Meters.
- e) There was a 2020 safety related expense of \$4,000 for Cold Patch.

2: Streets:

- a) Sanded Streets.
- b) Hauled Gravel for Winter.
- c) Winter Equipment Maintenance.
- d) Cleaned up Blown Down Trees.
- e) There was a 2020 safety related expense of \$2,248.47 for Cold Patch.

3: Waste Water:

- a) Cleaned 13 Catch Basins and manholes.
- b) Videoed 2 Sewer Lateral.
- c) Rodded 2 Sewer Laterals.
- d) Flushed 1 Sewer Main.
- e) There was a 2020 emergency expense of \$9079.94 for repairs to a Blower at the Lagoons.

Project Updates – Town of St. Stephen

January 12, 2021

[Milltown Boulevard Designated Highway Upgrades 2020 – Project No. 20-2637](#)

2020 work is complete and the contractor is off site. Minor deficiencies are scheduled to be addressed in the spring.

[Waterfront Trail Upgrades – Project No. 20-2509](#)

The work is complete with final payments being processed.

[West Street Infrastructure Renewal – Project No. 19-1946](#)

2020 work is complete and the contractor is off site. The final course of seal asphalt will be constructed in the spring.

[Riverside Drive WWPS Replacement – Project No. 19-9953](#)

Dillon is currently coordinating the procurement of easements with NB Power and finalizing design and tender documents.

[Waterfront Revitalization – Project No. 18-7081](#)

The wharf contractor is off site and the work and deficiencies are complete with the exception of the floating docks and gangway. The floating docks and gangway are fabricated and installation is scheduled to take place in the spring.



Town of St. Stephen
REQUEST FOR DECISION
Report: TR 27-20



To: Jeff Renaud, Chief Administrative Officer
From: Tim Tozer, Treasurer
Resource Staff: N/A
Date of Meeting: January 27, 2021
Subject: Transfer from the General Operating Reserve Fund-2021 General Operating Fund Budget

Recommendation for Resolution: *That the amount of \$230,000 (two hundred and thirty thousand dollars) be transferred from the General Operating Reserve Fund to the General Operating Fund.*

BACKGROUND

In the approved 2021 General Operating Fund Budget \$230,000 was budgeted to be transferred from the General Operating Reserve Fund to the General Operating Fund to assist with 2021 operating expenses. I recommend the Town does this as soon as possible for cash flow purposes.

Transfers to and from reserves must be approved by resolution before the end of the applicable budget year.

OPTIONS

Option 1-Approve the recommendation and direction: Council may determine that the proposed request is appropriate and may approve the recommendation and direction.

Option 2-Transfer a different amount: Council may determine to transfer a different amount from the General Operating Reserve Fund to assist with operating expenses.



TERMS OF REFERENCE | JANUARY 2021

INNOVATION & TECHNOLOGY COMMITTEE

PURPOSE AND CORE RESPONSIBILITIES

The Innovation & Technology Committee ('the Committee') is an ad hoc committee established by Council and created to assist the Council in the effective discharge of its responsibilities in relation to the matters set out in these Terms of Reference.

In meeting its responsibilities, the Committee will report to Council with respect to the following key areas:

- Use of Technology to enhance operational effectiveness or efficiency
- Use of new operational protocols to enhance operational effectiveness or efficiency
- Use of Technology or Innovative Practices to enhance client/citizen engagement

SCOPE OF WORK

The Committee will review, consider and make recommendations on:

- the identification of areas of the municipal operations that could benefit from technological or innovative intervention;
- the trial or deployment of technology and technology-related operational initiatives that could have a significant impact on the municipal performance and/or strategic goals;
- IT strategy, roadmaps and execution, including the financial, tactical and strategic benefits of proposed major IT initiatives.

In discharging its responsibilities, the Committee will:

- consider the planned financial and talent resources required to achieve operational and commercial success in the areas for which the Committee is reviewing;
- review existing and future trends in technology that may affect the services which the Town provides and its strategic plans;
- Utilize community engagement strategies to seek public input into areas and/or projects to consider. Also, work with established community groups to determine if projects can be identified that may have a mutual benefit.

COMMITTEE TERM

The Committee will provide a recommendation and/or status report to Council:

- At each regular meeting of Council;
- Whenever the committee has reached a consensus recommendation for a project;
- A final recommendation report shall be filed by the deadline established by Council for project submissions for the 2022 municipal budget deliberations; or
- Whenever requested by Council.

The committee shall be dissolved up presentation of the Final Recommendation Report. A new Committee may be appointed at the discretion of Council.

AUTHORITY

In carrying out its duties, the Committee has the authority to discuss directly with management, internal auditors, experts/potential vendors, any issue within its remit and to request reports, explanations and information of any of the activities or procedures of the Town of St. Stephen.

The Committee has no independent expenditure authority. Any incurred expenses for the conduct of committee work shall be authorized in accordance with normal purchasing procedures.

MEMBERSHIP

The Committee will be comprised of:

- 1) Two appointed members of the Town Council, one to serve in the capacity of Chair
- 2) The CAO, or their designate, serving as Administrative Lead
- 3) One member of the general public appointed by Council.
- 4) Mayor shall be an ex officio member.

The Committee may invite any other individuals to attend meetings of the Committee as it considers appropriate.

Administrative Support to the committee will be provided by Administration on an as needed basis.

MEETINGS

The Committee will meet at least three times annually or more frequently as required. The Chair or the Administrative Lead may call a meeting. Quorum shall consist of 3 members of which one must be the Administrative Lead.

The Chairman of the Committee will provide a report to the Council on a monthly basis.



Town of St. Stephen
REQUEST FOR DECISION
Report: CAO 02-21



To: Mayor and Council
From: Jeff Renaud, Chief Administrative Officer
Resource Staff: Tim Tozer, Treasurer
Date of Meeting: January 27, 2021
Subject: Community Grants Fund

Recommendation: That Council approves the awarding of the following Community Grants:

| | |
|---|-----------------|
| Boys & Girls Club | \$5,000 |
| Charlotte County Museum (insurance) | \$2,500 |
| Chocolate Festival | \$1,500 |
| Chocolate Museum | \$6,000 |
| Charlotte County Ground Search and Rescue | \$2,500 |
| St. John Regional Hospital Foundation | \$3,000 |
| *Charlotte County Hospital Foundation | \$3,000 |
| Lonicera Hall | \$5,000 |
| St. Stephen Rural Cemetery | \$3,000 |
| TOTAL | \$31,500 |

BACKGROUND:

Within the General Operating budget there is an approved allotment for the purposes of supporting groups which provide valued services to our community, identified as the Community Grants Fund. For 2021, this amount was set at \$50,000.

| | | |
|-------|---|-----------------|
| | 2021 Community Grants Fund Budget | \$50,000 |
| LESS: | (Previous Commitments) | |
| | Boys & Girls Club | 5,000 |
| | Charlotte County Museum (insurance) | <u>2,500</u> |
| | Available for 2021 Discretionary Application | \$42,500 |

2021 Community Grants Fund Requests Received to date

| | |
|---|---|
| Chocolate Festival | \$ 1,500 |
| Chocolate Museum | \$ 6,000 |
| Charlotte County Ground Search and Rescue | (no amount specified) [\$2,500 in 2020] |
| St. John Regional Hospital Foundation | (no amount specified) [\$3,000 in 2020] |
| St. Stephen Rural Cemetery | \$3,000 |
| Lonicera Hall | (no amount specified) |

ADMINISTRATIVE REVIEW:

Following Council’s adoption of the 2021 General Operating Budget, the Senior Management Team reviewed the information noted above with the intent of making a recommendation to Council on the potential expenditure of Community Grants funding. The results of this review are that the Senior Management Team recommends the following grants be approved:

| | |
|---|-----------------|
| Boys & Girls Club | \$5,000 |
| Charlotte County Museum (insurance) | \$2,500 |
| Chocolate Festival | \$1,500 |
| Chocolate Museum | \$6,000 |
| Charlotte County Ground Search and Rescue | \$2,500 |
| St. John Regional Hospital Foundation | \$3,000 |
| *Charlotte County Hospital Foundation | \$3,000 |
| Lonicera Hall | \$5,000 |
| <u>St. Stephen Rural Cemetery</u> | <u>\$3,000</u> |
| TOTAL | \$31,500 |

***no request received at time of report**

COMMUNITY GRANT FUNDS REMAINING IF RECOMMENDATION APPROVED: \$18,500

Option 1—Approve the Distribution of Funds as Recommended: Council may determine that administration’s recommendations on the expenditure of the Community Grant funds are appropriate and authorize the release of these funds. Approval of this option would allow for \$9,900 to be distributed at other times through the year.

Option 2—Approve the recommendation with amendments: Council may determine that the amounts recommended by administration should be amended by increasing or decreasing amounts, removing or adding recipients.

Option 3—Elect not to Approve funding: Council may be unprepared to release funding at this time. Should this option be selected, administration would request that Council provide a timeline for re-presentation of this report and/or any additional information requested to be provided at that time.