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PART 4: Use-Specific Standards

Regardless of whether a use is allowed as a permitted or a conditional use, and regardless of the zone in which the use is located, the following standards for specific uses must be met, except as otherwise provided in this by-law or by a conditional use or variance order:

4.1 Bed and Breakfast

Use	Zones								
Bed and Breakfast	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	P*		C*	C*	C*	C*	C*	C*	C*

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

4.1.1 A bed and breakfast shall only be allowed on a site in a zone in which it is a permitted or conditional accessory use if it meets all of the following regulations: A development permit is issued under this by-law;

- a) The bed and breakfast shall be operated by a live-in owner as a secondary use only;
- b) No more than three bedrooms shall be used for the bed and breakfast operation;
- c) Outside of the restricted vehicle area one additional on-site parking spot shall be provided for each bedroom that is used for the bed and breakfast operation;
- d) Signs shall follow the regulations for home-based businesses in the zone in which the bed and breakfast is located;
- e) No in-room cooking facilities or catering; and
- f) The bed and breakfast operation shall not change the principal residential character or external appearance of the dwelling.

4.2 Carriage Suite or Coach Suite

Use	Zones								
	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
Carriage Suite or Coach Suite						P*	C*	C*	C*

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

4.2.1 A Carriage or Coach Suite shall also comply with the following regulation:

- The area of the Carriage or Coach Suite shall be less than the principal dwelling and shall not exceed 92.9 sq m (1,000 sq ft);
- A detached garage with a Carriage or Coach Suite must adhere to all dimensional standards that apply to the zone in which it is situated, with the exception of building height, which for a Carriage or Coach Suite shall not exceed 28 ft. in height;
- A detached garage containing a Carriage or Coach Suite shall be separated from the principal dwelling a minimum of 3.05 m (10 ft) and a maximum of 15.24 m (50 ft);
- The exterior of the structure shall incorporate building materials, textures, and colours that are similar to those found on the principal dwelling; and
- Carriage and Coach suites must have an entrance that is separate from the vehicle entrance.

4.3 Detached Sleeping Quarters

Use	Zones								
	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
Detached Sleeping Quarters	P*		P*	P*	P*	P*	P*	P*	P*
Use Specific Standard(s)									
Floor Area (ft.) (Max.)	240		240	240	240	360	360	360	360
Height (ft.) (Max.)	16		16	16	16	20	20	20	20

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

4.3.1 One detached building which provides accommodation for family members and guests shall be allowed as an accessory use to a cottage or dwelling provided it complies with the following regulations:

- a) As an accessory use, it is used as an extension of the principal use and is not intended for exclusive occupancy by individuals living independent from the occupants of the cottage or dwelling;
- b) It can only contain limited cooking facilities such as a mini fridge and a microwave and not more than one bathroom;
- c) The combined site coverage for all living areas (Principal Use and Detached Sleeping Quarters) as well as all Accessory Uses shall not exceed 25% site coverage (see Table 3.2); and
- d) Lofts may not exceed 50% of the floor area and shall not exceed 6 feet in height in the VRA.

4.4 Dwelling, Two-Unit

Use	Zones								
	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
Dwelling, Two-Unit	P*								

P = Permitted Use

4.4.1 Two-unit dwellings shall have no required yard on a side that shares a party wall with a building on an adjacent site.

4.5 Dwelling, Multi-Unit

Use	Zones								
	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
Dwelling, Multi-Unit	C*								

C = Conditional Use

4.5.1 Multi-unit dwellings shall have no required yard on a side that shares a party wall with a

building on an adjacent site. The minimum lot size for multi-unit dwellings shall increase by 1,000 sq. ft. for each unit over and above 4 units.

4.6 Garage

Use	Zones								
Garage	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	P*			P*	P*	P*	P*	P*	P*
Use Specific Standard(s)									
Floor Area (ft.) (Max.)	1000	720		576	576	1000	1000	1000	1000
Height (ft.) (Max.)	20	16		16	16	20	20	20	20

P = Permitted as an Accessory Use

4.6.1 A Garage shall also be subject to the following regulations:

- a) Detached and or attached garages or carports shall not be permitted in VRR1 Zone-
- b) Detached and or attached garages or carports shall not be permitted in the VRR3 Zone for properties located on First Avenue -; and
- c) A garage shall not be used as a living space.

4.7 Garage (Portable)

Use	Zones								
Garage (Portable)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	P*		P*	P*	P*	P*	P*	P*	P*

P = Permitted as an Accessory Use

4.7.1 Portable garages shall also be subject to the following regulations:

- a) They are permitted in the rear yard in the VRR1, VRR2, and VRR3 Zones.

- b) They are only permitted in the front yard in the VRR1, VRR2, and VRR3 Zones between October 1st and May 31st of each year.
- c) They shall be subject to:
 - i. A permit renewed annually (See Section 2.7);
 - ii. Yard setbacks as required for zone; and
 - iii. Being maintained in acceptable condition.

4.8 Home-Based Business

Use	Zones								
Home-Based Business	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	P*		C*	C*	C*	C*	C*	C*	C*

P = Permitted as an Accessory Use

- 4.8.1 A Home-based business shall be allowed as an accessory use to a dwelling provided it complies with the following regulations:
- a) Be conducted by a person or persons residing in the dwelling;
 - b) Have a valid business license or permit, if required by the authority having jurisdiction;
 - c) Not have processing or outside storage of goods;
 - d) Not have more than 30 per cent of the total floor area of buildings on the site devoted to the business;
 - e) Have a maximum of one business sign in compliance with Sign Regulations (Table 4.1); and
 - f) The home-based business shall not generate undue traffic or congestion, adversely affect the amenity and convenience of the neighbourhood, or create a nuisance, and if located in the vicinity of a provincial highway should not impair the safe and efficient operation of the highway.

4.9 Hot Tubs

Use	Zones								
Hot Tubs	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	P*		P*	P*	P*	P*	P*	P*	P*

P = Permitted as an Accessory Use

4.9.1 Hot Tubs and similar structures with a water depth of greater than two (2) feet, may be allowed as an accessory use to a residential use, recreational, or commercial development provided that:

- They meet the site requirements for accessory structures in the zone which they are located;
- Are protected by a fence with lockable gates and a minimum height of 1.83 meters (six feet) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from crawling underneath;
- If the hot tub is not secured by a fence, as described above, it must be secured by a lockable cover with sufficient strength to hold 200 pounds weight;
- A development permit is issued under this by-law; and
- Water must be obtained from an outside source and not unduly burden municipal water source.

4.9.2 Nothing in this subsection shall relieve any such structure from complying with the requirements under the *RM of Victoria Beach Building By-law* or applicable provincial regulations including *The Buildings and Mobile Homes Act* and *The Public Health Act*.

4.10 Identification Signs

Use	Zones								
Home-Based Business	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	P*		C*	C*	C*	C*	C*	C*	C*

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

4.10.1 The following provisions shall apply to all signs erected or maintained within the Rural Municipality of Victoria Beach except wherein otherwise stated:

- a) Signs and sign structures may be allowed as accessory uses in accordance with the Sign Regulations (Table 4.1), subject to the issuance of a development permit, except as provided in Section 4.10.1 (b) of this zoning by-law;
- b) The following signs shall not require a development permit. However, they must still comply with any applicable standards in this by-law:
 - i. **Civic Signs** posted by duly constituted public authorities in the performance of their public duties;
 - ii. **Flags or Emblems** of a political, civic, educational or religious organization;
 - iii. **Commemorative or Memorial Signs** or tablets;
 - iv. **Temporary Signs** including real estate signs, construction signs, election signs, garage sale signs and similar;
 - v. **Sidewalk Sign** not exceeding 0.5 m² (5 ft²) in surface area (for a single sign face);
 - vi. **Awning Sign** with signage originally incorporated in the design or awning material;
 - vii. **Residential On-site**;
 - viii. **Identification Sign** (including yard sign) or warning signs (such as "private property" signs and similar) not exceeding six square feet each in surface area; and
 - ix. **Direction Signs** required for direction and convenience of the public, including signs identifying restrooms or parking entrances, not exceeding 0.5 m² (5 ft²) in sign surface area.
- c) Name plates and address signs shall be allowed in any required front, side or rear yard provided they comply with the requirements and regulations of this by-law;
- d) Billboards and other signs directing attention to a business, commodity or message offered elsewhere than upon the same zoning lot on which that sign is

located may only be allowed in zones where advertising signs are a permitted or conditional use. Such signs must also be constructed in accordance with the Sign Regulations (Table 4.1), and subject to the issuance of a development permit;

- e) No sign or sign structure shall be erected at any location where it may interfere with or obstruct the view of any street or intersection, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display;
- f) No sign may contain flashing lights or digital images unless located within the CA Zone with an approved Development Permit;
- g) No sign or sign structure shall be erected or maintained on, over or above any land or right-of-way belonging to the Rural Municipality of Victoria Beach without a development permit;
- h) The placing of signs within the controlled area of a Provincial Road or Provincial Trunk Highway shall require a permit from the applicable provincial authority; and
- i) All signs and sign structures shall be kept in good repair and in a proper state of preservation. Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair shall be repaired, removed or relocated within 30 days following notice by the Development Officer.


Table 4.1: Sign Regulations			
Sign Type	Specifications	Allowed in Zones	Permit Required
 <p>Address Sign</p>	<p>Quantity 1 per address</p> <p>Area..... max 3.0 sq. ft.</p> <p>Width n/a</p> <p>Height n/a</p> <p>Depth max 3.0 in.</p> <p>Clearance..... min 4.5 ft.</p>	<p>CA</p> <p>OS</p> <p>VRR1</p> <p>VRR2</p> <p>VRR3</p> <p>LR</p> <p>RR1</p> <p>RR2</p> <p>RR3</p>	No

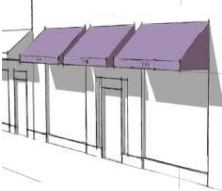



Table 4.1: Sign Regulations			
Sign Type	Specifications	Allowed in Zones	Permit Required
 Awning Sign	Quantity 1 per window Area..... n/a Width max equal to facade Depth min 4.0 ft. Clearance..... min 8.0 ft. Valance Height max 1.0 ft. Dist. from Curb ... min 2.0 ft.	CA OS	No
 Fascia or Wall Sign	Quantity 1 per business Area 1.5 sq. ft. per lin. ft. facade Width max 90% width of facade Depth max 7.0 in. Clearance..... min 7.0 in.	CA OS	No
 Freestanding or Ground	Quantity 1 per site Area (Single occupancy) ... max 100 sq. ft. Area (Multi. Occupancy) ... max 8.0 ft. Height (ground) .. max 8.0 ft. Height (Freestanding) ... max. 25.0 ft. Depth max 12.0 in. Clearance (Ground) n/a Clearance (Freestanding) .. min 6.0 ft.	CA OS	Yes
 Alleys and Racquet Clubs	Quantity 1 per business Area..... n/a Width entrance plus 2 ft. per side Depth min 4.0 ft.; max 10 ft. Clearance..... min 8.0 ft. Dist. from Curb ... min 3.0 ft.	CA	Yes

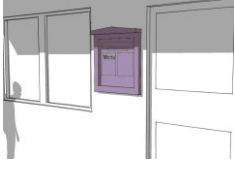





Table 4.1: Sign Regulations			
Sign Type	Specifications	Allowed in Zones	Permit Required
 Outdoor Display Case	Quantity 1 per business Area..... max 6.0 sq. ft. Width max 3.5 ft. Height max 3.5 ft. Depth max 5.0 in. Clearance..... min 4.0 ft.	CA OS	No
 Portable or Mobile Sign	Quantity 1 per site Area..... max 48.0 sq. ft. Width n/a Height max 10.0 ft. Depth n/a Clearance..... n/a	CA OS	Yes
 Projecting Sign	Quantity 1 per business Area..... max 4.0 sq. ft. Width 4.0 ft. Depth max 4.0 ft. Clearance..... min 8.0 ft.	CA OS	Yes
 Sidewalk Sign	Quantity 1 per business Area..... max 5.0 sq. ft. Width 26.0 in. Depth n/a Clearance..... n/a	CA OS	No

Table 4.1: Sign Regulations			
Sign Type	Specifications	Allowed in Zones	Permit Required
 Window Sign	Quantity 1 per window Area max 25% of glass Width n/a Height n/a Depth n/a Clearance min. 3.0 ft.	CA OS	No
 Yard Sign	Quantity 1 per site Area identification max 6.0 sq. ft. Width 3.0 ft. Height mx 2.0 ft. (not incl. post) Depth n/a Apex max. 6.0 ft. to top of post	CA OS VRR1	No

4.11 Metal Shipping Container

Use	Zones								
Metal Shipping Container	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	C*	C*	C*	C*	C*	C*	C*	C*	C*

C = Conditional as an Accessory Use

- 4.11.1 For the purposes of this By-law, the term metal shipping containers shall apply to all large, portable storage enclosures including tractor-trailers and similar units.
- 4.11.2 Metal shipping containers shall not be stacked unless approved by the Development Officer.

- 4.11.3 If used for more than a total of 90 days per calendar year, a shipping container or other portable storage unit shall be considered an accessory use under this By-law and shall:
- a) Meet the standards for accessory uses in this By-law;
 - b) Meet the dimensional requirements for accessory uses in the zone in which it is located;
 - c) Be located to the rear of the principal building;
 - d) Must be painted the same colour as the principal dwelling;
 - e) Be placed on a secure and level foundation as determined by the Development Officer;
 - f) For sites less than 1 ha (2.27 ac) there shall be no more than one (1) shipping containers;
 - g) For sites between 1 ha (2.27 ac) and 2 ha (4.94 ac) there shall be no more than two (2) shipping containers; and
 - h) For sites greater than 2 ha (4.94 ac) there shall be no more than three (3) shipping containers.
- 4.11.4 If used for less than 90 days per calendar year, the shipping container shall be considered a temporary use and shall:
- a) Be located to the rear of the principal building wherever possible; and
 - b) Meet the requirements for temporary uses and structures as identified in this By-law.
- 4.11.5 Metal shipping containers shall not remain on a site for more than 24 months.
- 4.11.6 A Development Permit is required.

4.12 Planned Unit Developments

Use	Zones								
Planned Unit Development	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	C*					C*	C*	C*	C*

C = Conditional Use

4.12.1 A Planned Unit Development:

- a) May only be established on a zoning site or proposed development area larger than 4 acres in size;
- b) The uses and standards of a planned unit development must be
- c) generally consistent with the desired character for the area as set out in the development plan or the uses and standards in the zones adjacent to the site.
- d) An application for a planned unit development shall be considered
- e) as a conditional use application subject to the conditional use provisions of this by-law and the Act.
- f) An application for a planned unit development must be accompanied by a detailed site plan including:
 - i. Location of the site boundaries;
 - ii. Planned location of buildings and structures;
 - iii. Planned location of roads;
 - iv. Planned location of sidewalks and active transportation paths;
 - v. Planned location of vehicle parking;
 - vi. Planned location of systems supplying electrical power, water, and sewage disposal; and
 - vii. A list of all instances on the site where the bulk standards of the proposed buildings and structures do not comply with the requirements of the zoning by-law.

4.13 Private Camp

Use	Zones								
Private Camp	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
						P*			P*

P = Permitted Use

- 4.13.1 A Private Camp shall be a permitted use on lands described as Lots 1/3 Plan 3920 and Lot 13 Plan 14268.

4.14 Swimming Pool

Use	Zones								
Swimming Pool	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3
	P*					P*	P*	C*	C*

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

- 4.13.1 **Swimming Pools** and similar structures with a water depth of greater than two (2) feet, may be allowed as an accessory use to a residential use, recreational, or commercial development provided that:

- They meet the site requirements for accessory structures in the zone which they are located;
- A swimming pool area is protected by a fence with lockable gates and a minimum height of 1.83 meters (six feet) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from crawling underneath;
- A development permit is issued under this by-law; and
- Water must be obtained from an outside source and not unduly burden municipal water source.

Nothing in this Section shall relieve any such structure from complying with the requirements under the *RM of Victoria Beach Building By-law* or applicable provincial regulations including *The Buildings and Mobile Homes Act* and *The Public Health Act*.