

TOWN OF TORBAY

SCHEDULE "C"

USE ZONE TABLES

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

The schedule contains tables for the following Use Zones:

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USE ZONE TABLE

ZONE TITLE	RESIDENTIAL INFILL (RI)						
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling; recreational open space.							
DISCRETIONARY USE CLASSES - (see Regulations 32 and 90) Double dwelling; row dwelling; apartment building; place of worship; educational; convenience store; child care; office; medical and professional; personal service; light industry; traditional agriculture; boarding house residential; antenna.							
STANDARD (Minimum)	Single Dwelling	Double Dwelling	Row Dwelling	1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.
Lot Area (m ²) Serviced	555	400 ^a	350 ^a	200 ^a	250 ^a	280 ^a	300 ^a
On-Site Services ^c	3035 or 1860 on existing road	e	e	e			
Piped Water or Off-site Sewage Disposal ^d	1400	e	e	e			
Frontage (m) Serviced	18.2f	26.75	12 (average)	42			
On-Site Services ^c	36.4 or 30 on existing road	e	e	e			
Piped water or Off-site Sewage Disposal ^d	22.8	e	e	e			
Floor area (m ²)	80	80 ^a	65 ^a	40 ^a	50 ^a	60 ^a	70 ^a
Building Line Setback (m) ^b	8	8	8	10			
Min. Rearyard Depth (m)	9g	14	15	15			
Sidyard Width (m)	2	3 & 2	2	5			
Height (m) maximum)	8	8	10	10			
Lot Coverage, Serviced (%) (maximum)	33	33	33	33			
(See Conditions) * Per dwelling unit ** except where designated by the Department of Transportation and Works.							

- a. Per Dwelling Unit
- b. Except where designated by Dept. of Transportation and Works
- c. On-site well or private well and sewage disposal on site (e.g. septic or drain field)
- d. Municipal piped water and on-site sewage disposal or on-site well and sewage disposal off-site
- e. Size shall be determined by Council, in consultation with the Department of Health.
- f. Where a serviced infill lot meets all development standards for this zone, but cannot meet the minimum frontage requirement, then the minimum frontage shall be determined by Council.
- g. Where a serviced infill lot meets all development standards for this zone, but cannot meet the minimum rearward depth requirement, then the minimum rearward depth shall be determined by Council.

CONDITIONS FOR RESIDENTIAL INFILL ZONE

1. Subsidiary Apartments

- (a) One subsidiary apartment may be permitted in a single dwelling.
- (b) For the purpose of calculating lot area and yard requirements, the apartment shall be considered part of the single dwelling.
- (c) Two off street parking spaces shall be required for the apartment.
- (d) The minimum floor area required is 40 m² for a one bedroom subsidiary apartment, plus ten square metres for each additional bedroom.
- (e) For lots without municipal water and sewer services, the Government Service Centre shall determine water and sewage disposal requirements and a permit will be issued subject to its approval.

2. Dwelling Frontage

The front wall of a dwelling shall be parallel to the street on which it is fronting and has a civic number.

3. Backlot Development

Where vacant parcels of land exist which have access to a public street and are of sufficient size for a building lot, but which do not have the required frontage on a publicly maintained street, they may be considered on a discretionary basis provided the following conditions are met:

- a) the maximum setback from a public street shall be 32 metres. The minimum lot area and all other standards shall be the same as for other residential development in this zone;
- b) only single dwellings may be permitted;
- c) lots must have access to, and street line frontage on, a publicly maintained street;
- d) the development of the lot would not prevent the use of adjoining lands for future development. Where there is potential for additional development in the area, the lot and access shall be developed in a manner which will accommodate future development. As such, the access to the public street to which the owner must have clear title, shall be a minimum width of 15 m to accommodate future public use;
- e) where there is no potential for future development, the access to the public street shall be a minimum of 6 m in width and shall be treated as a private driveway;
- f) the dwelling is separated from, and oriented, in a manner that does not adversely affect the privacy and enjoyment of adjoining properties. Separation distances may be required by the Council as a condition for development, considering such things as slope, tree cover and soil conditions.

4. Double Dwellings

Council shall prevent an excessive concentration of double dwellings. The definition of excessive will be determined case-by-case and will take into account community character, generation of traffic, and demand on services (e.g., water, sewer, and recreation facilities).

5. Row Dwellings and Apartment Buildings

Row dwellings and apartment buildings shall be limited to housing exclusively operated for and used by senior citizens. One off street parking space shall be provided for every four (4) dwelling units.

6. Accessory Buildings

- (a) Accessory Buildings shall have a lot coverage and height no greater than the maximums set out below, depending on the area and frontage of the lot:

Lot: Area and Frontage (m/m ²)	Accessory Building Max. Lot Coverage	Accessory Building Max. Height
Less than 18.2 m/555 m ²	7%	3.6 m
Between 18.2 m/555 m ² and 30 m/1860 m ²	48 m ²	3.6 m
30 m/1860 m ² and over	Same as Dwelling	Same as Dwelling

- (b) Accessory buildings shall be no closer to the street than the building line of the residence and shall be a minimum of 1.5 metres from the side lot line.

7. Airport Noise Exposure Forecast (NEF)

Residential development shall take account of the Noise Exposure Forecast (NEF) lines issued by Transport Canada. In areas above the 30 NEF line, new residential uses shall include sufficient sound insulation as established from time to time by appropriate authorities.

8. Place of Worship and Education Use

Where permitted as a discretionary use, a place of worship and an educational use shall conform to the frontage, building line setback, sideyard, rearyard, lot coverage and height requirements specified for a single dwelling.

9. Traditional Agricultural Use

Traditional small-scale hobby and subsistence agricultural uses may be permitted within this zone. The minimum lot area required for a particular use shall be determined by Council in conjunction with the Department of Natural Resources and the Department of Environment and Conservation, considering factors outlined in the Torbay Municipal Plan. The minimum lot area shall be no less than 2,500 m².

10. Convenience Store

Convenience stores shall not exceed 140 m² of floor area. The retail use shall be subsidiary to the residential character of the area and shall not affect residential amenities of adjoining properties.

A building containing a convenience store shall be of a design and sited, and any lighting or signs arranged, so as to blend in with the character of and to minimize its effect on the adjacent residential uses.

Not more than two convenience stores shall be located in close proximity to each other and not more than three shall be located within a radius of 0.4 kilometres.

11. Home Businesses - Office, Medical and Professional Service, Personal Service, Child Care and Light Industry Uses as Home Occupations

A Home Business is defined as an accessory use of a residential dwelling consisting of an occupation or profession which generates revenue for the resident.

Office, medical and professional service, personal service, and light industry uses may be permitted provided they are carried out as home occupations, businesses operated in the dwelling, or in a building subsidiary to the dwelling on the same lot, by the occupants of the dwelling, and meet the following requirements.

- (a) Office uses shall be limited to small business services and professional offices;
- (b) Light Industry uses shall be limited to fabrication for the production of handmade articles such as clothing, arts and crafts objects, and workshops;
- (c) The use is clearly subsidiary to the residential use, does not alter the residential character of the dwelling unit, and does not detract from the residential character of the neighbourhood.
- (d) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, no repairs to vehicles or heavy equipment are carried out.

- (e) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or inconvenience to occupants of adjoining residences.
- (f) Activities associated with the use shall be carried on inside the dwelling or in a building separate from the dwelling.
- (g) One building only, separate from the dwelling, may be used in connection with a light industrial use and service use and shall conform to the Accessory Buildings condition height and floor area limit for this zone; child care use shall be carried out in the dwelling unit or be attached to the dwelling unit.
- (h) Except for child care, no more than 30% of the total floor area of the dwelling is devoted to the use.
- (i) The use shall not generate traffic, parking, sewage or water use in excess of what is normal in the residential area.
- (j) Activities associated with the use are not hazardous and do not cause a noticeable increase in noise, odour, dust or fumes, nor cause electrical interference or in any other way result in a nuisance to the occupants of surrounding residences.
- (k) The residential lot has sufficient area to accommodate the parking requirements of the dwelling unit and the home occupation.
- (l) No regular parking of commercial vehicles except for one vehicle with a gross weight of no greater than one tonne will be permitted on the lot or on the road reservation adjacent to the lot.

12. Boarding House Residential

A boarding or lodging house is permitted in any dwelling that can adequately accommodate the specified number of persons. The total number of boarders or lodgers shall not exceed (5) persons.

A “bed and breakfast” use in a dwelling may be permitted as a discretionary use to provide room and board for tourists or the travelling public, under the following conditions:

- (a) the use does not detract from the residential character of the neighbourhood and the building in which the use takes place is similar in exterior finish, design, height, and scale to a private dwelling;
- (b) the use is carried out by a resident of the dwelling unit;
- (c) the building lot shall have a minimum lot area of 600 m² and a minimum frontage of 20 metres;
- (d) a non-illuminated, free-standing sign not exceeding 0.3 m² in area and a fascia sign not exceeding 0.2 m² in area shall be permitted provided that the signs are consistent with the residential character of the neighbourhood;
- (e) paved parking shall be provided as required in Schedule D;
- (f) a parking area abutting a residential lot shall be screened by a fence, wall or hedge no less than 1 metre high and located a minimum distance of 1 metre from the edge of the parking area;
- (g) no change in the type, class or extent of the use shall be permitted except in accordance with a permit issued by Council;
- (h) the establishment is licensed under the Tourist Establishment Regulations, 1994, as amended from time to time.

13. Mature trees

Because of their importance to the landscape and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

14. Livestock Operations and Buffers

The Torbay zoning maps show a 610-metre buffer around existing livestock operations. No development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, and the Department of Environment and Conservation; (see Development Regulation 45).

15. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

16. East Cost Trail

The East Coast Trail Association is developing a natural walking/hiking trail within the Town of Torbay along the coastline of Torbay Bight and the Atlantic Ocean as part of a larger coastal trail system. Council shall encourage the maintenance of a buffer along the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE		RESIDENTIAL MEDIUM DENSITY (RMD)					
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling; recreational open space.							
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Double dwelling; row dwelling; apartment building; place of worship; educational; convenience store; child care; office, medical and professional; personal service; light industry; boarding house residential; antenna, catering, traditional agriculture.							
STANDARDS	Single Dwelling	Double Dwelling	Row Dwelling	APARTMENT BUILDING			
				1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.
Lot area (m ²) minimum	555	410*	450* (average)	300*	400*	450*	500*
Floor area (m ²) minimum	80	80*	100*	50*	60*	70*	80*
Frontage (m) minimum							
Serviced ¹	18.2	26.75	14* (av)	42			
Piped water or Off-site Sewage Disposal	22.8	***	***	***			
On-Site Services	30	***	***	***			
Building Line Setback (m) (minimum)**	8	8	10	10			
Sidyard Width (m)(min.)	2	3 & 2	2	5			
Rearyard Depth ² (m)(min.)	9	14	15	15			
Lot Coverage %(max.)	33	33	33	33			
Height (max.)	8	8	10	10			
(See Conditions)							
* Per dwelling unit							
** except where designated by the Department of Transportation and Works.							
*** Size shall be determined by Council, in consultation with the Government Service Centre							

CONDITIONS FOR RESIDENTIAL MEDIUM DENSITY ZONE

1. Subsidiary Apartments

- (a) One subsidiary apartment may be permitted in a single dwelling.
- (b) For the purpose of calculating lot area and yard requirements, the apartment shall be considered part of the single dwelling.
- (c) Two off street parking spaces shall be required for the apartment.
- (d) The minimum floor area required is 40 m² for a one bedroom subsidiary apartment, plus ten square metres for each additional bedroom.
- (e) For lots without municipal water and sewer services, the Government Service Centre shall determine water and sewerage disposal requirements and a permit will be issued subject to its approval.

2. Dwelling Frontage

The front wall of a dwelling shall be parallel to the street on which it is fronting and has a civic number.

3. Double Dwellings

Council shall, where possible, avoid an excessive concentration of double dwellings. The definition of excessive will be determined case-by-case and will take into account community character, generation of traffic, and demand on services (e.g., water, sewer, and recreation facilities).

4. Row Dwellings and Apartment Buildings

Row dwellings and apartment buildings shall be limited to housing exclusively operated for and used by senior citizens. One off street parking space shall be provided for every four (4) dwelling units.

5. Accessory Buildings

(a) Accessory Buildings shall have a lot coverage and height no greater than the maximums set out below, depending on the area and frontage of the lot:

Lot: Area and Frontage (m/m ²)	Accessory Building Max. Lot Coverage	Accessory Building Max. Height
Less than 18.2 m/555 m ²	7%	3.6 m
Between 18.2 m/555 m ² and 30 m/1860 m ²	48 m ²	3.6 m
30 m/1860 m ² and over	Same as Dwelling	Same as Dwelling

(b) Accessory buildings shall be no closer to the street than the building line of the residence and shall be a minimum of 1.5 metres from the side lot line.

6. Airport Noise Exposure Forecast (NEF)

Residential development shall take account of the Noise Exposure Forecast (NEF) lines issued by Transport Canada. In areas above the 30 NEF line, new residential uses shall include sufficient sound insulation as established from time to time by appropriate authorities.

7. Place of Worship and Educational Use

Where permitted, a place of worship and an educational use shall conform to the frontage, building line setback, sideyard, rearyard, lot coverage and height requirements specified for a single dwelling. The only educational uses that may be permitted on a discretionary basis are elementary and junior high schools.

8. Convenience Store

Convenience stores shall not exceed 140 m² of floor area. The retail use shall be subsidiary to the residential character of the area and shall not affect residential amenities of adjoining properties.

A building containing a convenience store shall be of a design and sited, and any lighting or signs arranged, so as to blend in with the character of and to minimize its effect on the adjacent residential uses.

Not more than two convenience stores shall be located in close proximity to each other and not more than three shall be located within a radius of 0.4 km.

9. Home Businesses - Office, Medical and Professional Service, Personal Service, Child Care and Light Industry Uses as Home Occupations

A Home Business is defined as an accessory use of a residential dwelling consisting of an occupation or profession which generates revenue for the resident.

Office, medical and professional service, personal service, and light industry uses may be permitted provided they are carried out as home occupations, businesses operated in the dwelling, or in a building subsidiary to the dwelling on the same lot, by the occupants of the dwelling, and meet the following requirements.

- (a) Office uses shall be limited to small business services and professional offices;
- (b) Light Industry uses shall be limited to fabrication for the production of handmade articles such as clothing, arts and crafts objects, and workshops;
- (c) The use is clearly subsidiary to the residential use, does not alter the residential character of the dwelling unit, and does not detract from the residential character of the neighbourhood.
- (d) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, no repairs to vehicles or heavy equipment are carried out.
- (e) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or inconvenience to occupants of adjoining residences.
- (f) Activities associated with the use shall be carried on inside the dwelling or in a building separate from the dwelling.
- (g) One building only, separate from the dwelling, may be used in connection with a light industrial use and service use and shall conform to the Accessory Buildings condition height and floor area limit for this zone; child care use shall be carried out in the dwelling unit or be attached to the dwelling unit.
- (h) Except for child care, no more than 30% of the total floor area of the dwelling is devoted to the use.
- (i) The use shall not generate traffic, parking, sewage or water use in excess of what is normal in the residential area.
- (j) Activities associated with the use are not hazardous and do not cause a noticeable increase in noise, odour, dust or fumes, nor cause electrical interference or in any other way result in a nuisance to the occupants of surrounding residences.
- (k) The residential lot has sufficient area to accommodate the parking requirements of the dwelling unit and the home occupation.
- (l) No regular parking of commercial vehicles except for one vehicle with a gross weight of no greater than one tonne will be permitted on the lot or on the road reservation adjacent to the lot.

10. Boarding House Residential

A boarding or lodging house is permitted in any dwelling that can adequately accommodate the specified number of persons. The total number of boarders or lodgers shall not exceed (5) persons.

A “bed and breakfast” use in a dwelling may be permitted as a discretionary use to provide room and board for tourists or the travelling public, under the following conditions:

- (a) the use does not detract from the residential character of the neighbourhood and the building in which the use takes place is similar in exterior finish, design, height, and scale to a private dwelling;
- (b) the use is carried out by a resident of the dwelling unit;
- (c) the building lot shall have a minimum lot area of 600 m² and a minimum frontage of 20 metres;
- (d) a non-illuminated, free-standing sign not exceeding 0.3 m² in area and a fascia sign not exceeding 0.2 m² in area shall be permitted provided that the signs are consistent with the residential character of the neighbourhood;
- (e) paved parking shall be provided as required in Schedule D;
- (f) a parking area abutting a residential lot shall be screened by a fence, wall or hedge no less than 1 metre high and located a minimum distance of 1 metre from the edge of the parking area;
- (g) no change in the type, class or extent of the use shall be permitted except in accordance with a permit issued by Council;
- (h) the establishment is licensed under the Tourist Establishment Regulations, as amended from time to time.

11. Mature trees

Because of their importance to the landscape and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

12. Livestock Operations and Buffers

The Torbay zoning maps show a 610-metre buffer around existing livestock operations. No development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, and the Department of Environment and Conservation; (see Development Regulation 45).

13. Watershed Protection

Residential development in the area Bullocks Town Road, McFayden Street and McGory Place and identified on the zoning map as requiring watershed protection may be approved subject to the approval of the Water Resources Division, Department of Environment and Conservation and provided the development will not adversely affect North Pond water quality.

14. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

15. Catering

Catering use shall be permitted as a discretionary use to a permitted use within the Residential Medium Density land use zone. The Catering uses shall be a minor use and be located within the permitted use building.

16. Traditional Agricultural Use

Traditional small-scale hobby and subsistence agricultural uses may be permitted within this zone. The minimum lot area required for a particular use shall be determined by Council in conjunction with the Department of Natural Resources and the Department of Environment and Conservation, considering factors outlined in the Torbay Municipal Plan. The minimum lot area shall be no less than 2,500 m².

17. Infill Lot

Where a potential serviced infill lot has been identified and that lot meets all of the development standards specified in this Land Use Zone, with the exception of minimum frontage or rearyard depth, the Authority may approve the lot for development with a reduced frontage or rearyard depth, but not both. In such a case, the Authority shall determine the minimum frontage requirements or rearyard depth requirement.

Where a lot is considered for development under this condition with either a reduced frontage or rearyard depth requirement, the lot may not be considered for further variance of other development standards as provided by Regulation 11 of the Development Regulations.

18. East Cost Trail

The East Coast Trail Association is developing a natural walking/hiking trail within the Town of Torbay along the coastline of Torbay Bight and the Atlantic Ocean as part of a larger coastal trail system. Council shall encourage the maintenance of a buffer along the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	RESIDENTIAL SMALL LOT (RSL)
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling, mobile home; conservation; recreational open space.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Place of worship; educational; office; personal service; light industry; traditional agriculture.	

CONDITION FOR RESIDENTIAL SMALL LOT ZONE

1. Mobile Home Development Density

The number of mobile homes in the Mobile Home Park shall not exceed 19.

2. Mobile Home Lot Clearance

- (a) Minimum setback for each mobile home unit including each attached structure on a mobile home lot shall be 3.6 m from a lot line abutting a street allowance or public space.
- (b) One long side of every single-wide mobile home unit, in which the main entrance or living room window is located, shall be sited a minimum distance of 6.7 m from the adjacent lot line.
- (c) One long side of every expandable or double-wide mobile home unit, in which the main entrance or living room window is located, shall be sited a minimum distance of 3.6 m from the adjacent lot line.
- (d) The remaining long side of every mobile home unit shall be sited a minimum distance of 1.2 m from the adjacent lot line.
- (e) No part of a mobile home unit shall be sited less than 3.6 m from the rear lot line in a mobile home park.

- (f) Where a second entrance is located on a side of a mobile home unit other than that containing the main entrance, the distance to the adjacent lot line shall be not less than 1.2 m from the outside edge of any steps or landing.
- (g) Where each mobile home unit is laid out in each mobile home park in such a manner as to provide for the siting of units at angles other than at right angles to the street, the distance between each mobile home unit shall not be less than 7.6 m unless otherwise approved by the Authority.
- (h) No mobile home unit shall be sited in a manner which will ultimately place such mobile home unit closer than 2.4 m from another mobile home unit.
- (h) No site coverage for a mobile home unit including attached structures shall be greater than thirty-five (35) percent of the lot upon which such mobile home unit including attached structures is situated.

3. Dwelling Frontage

The front wall of a dwelling shall be parallel to the street on which it is fronting and has a civic number.

4. Accessory Buildings

No permanent structures other than mobile homes shall be permitted on mobile home lots except accessory buildings, provided the floor area of all accessory buildings taken together shall be less than seven (7) percent of the area of the lot on which the mobile home unit is located or 55 m², whichever is the lesser.

5. Single Dwellings

Single dwellings permitted within this zone shall be provided with municipal water and sewage services and shall meet the following standards:

Minimum Lot Area	450 m ²
Minimum Floor Area	80 m ²
Minimum Frontage	15 m
Minimum Building Line Setback	8 m
Minimum Sideyard Width	2 m
Minimum Rearyard Depth	9 m
Maximum Lot Coverage	33%
Minimum Height	8 m

6. Mature trees

Because of their importance to the landscape and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

7. Home Businesses - Office, Medical and Professional Service, Personal Service, Child Care and Light Industry Uses as Home Occupations

A Home Business is defined as an accessory use of a residential dwelling consisting of an occupation or profession which generates revenue for the resident.

Office, personal service, and light industry uses may be permitted provided they are carried out as home occupations, businesses operated in the dwelling, by

the occupants of the dwelling, and meet the following requirements:

- (a) Office uses shall be limited to small business services and consultant offices;
- (b) Light Industry uses shall be limited to fabrication for the production of handmade articles such as clothing, arts and crafts objects, and workshops;
- (c) The use is clearly subsidiary to the residential use, does not alter the residential character of the dwelling unit, and does not detract from the residential character of the neighbourhood.
- (d) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, no repairs to vehicles or heavy equipment are carried out.
- (e) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or inconvenience to occupants of adjoining residences.
- (f) Activities associated with the use shall be carried on inside the dwelling.
- (g) No more than 30% of the total floor area of the dwelling is devoted to the use.
- (h) The use shall not generate traffic, parking, sewage or water use in excess of what is normal in the residential area.
- (i) Activities associated with the use are not hazardous and do not cause a noticeable increase in noise, odour, dust or fumes, nor cause electrical interference or in any other way result in a nuisance to the occupants of surrounding residences.
- (j) The residential lot has sufficient area to accommodate the parking requirements of the dwelling unit and the home occupation.
- (k) No regular parking of commercial vehicles except for one vehicle with a gross weight of no greater than one tonne will be permitted on the lot or on the road reservation adjacent to the lot.

8. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	RESIDENTIAL LARGE LOT (RLL)
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling; recreational open space.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Double dwelling; row dwelling; apartment building; place of worship; educational; convenience store; child care; office; medical and professional services; personal service; light industry; traditional agriculture; boarding house residential; antenna.	

CONDITION FOR RESIDENTIAL LARGE LOT ZONE

1. Development Standards

The development standards for this zone shall be as follows:

a) Minimum Lot Size	3035 m ²
b) Minimum Frontage	36.4 m
c) Minimum Floor Area	100 m ²
d) Minimum Building Line Setback	15 metres
e) Maximum Building Line setback	32 metres
f) Minimum Sideyard Width	3 metres
g) Minimum Rearyard Depth	15 metres
h) Maximum Height	8 metres
i) Maximum Lot Coverage	33 %

2. Dwelling Frontage

The front wall of a dwelling shall be parallel to the street on which it is fronting and has a civic number.

3. Backlot Development

Where vacant parcels of land exist which have access to a public street and are of sufficient size for a building lot, but which do not have the required frontage on a publicly maintained street, they may be considered on a discretionary basis provided the following conditions are met:

- a) the maximum setback from a public street shall be 32 metres. The minimum lot area and all other standards shall be the same as for other residential development in this zone;
- b) only single dwellings may be permitted;
- c) lots must have access to, and street line frontage on, a publicly maintained street;
- d) the development of the lot would not prevent the use of adjoining lands for future development. Where there is potential for additional development in the area, the lot and access shall be developed in a manner which will accommodate future development. As such, the access to the public street to which the owner must have clear title, shall be a minimum width of 15 m to accommodate future public use;
- e) where there is no potential for future development, the access to the public street shall be a minimum of 6 m in width and shall be treated as a private driveway;
- f) the dwelling is separated from, and oriented, in a manner that does not adversely affect the privacy and enjoyment of adjoining properties. Separation distances may be required by the Council as a condition for development, considering such things as slope, tree cover and soil conditions.

4. Double Dwellings

Council shall avoid an excessive concentration of double dwellings. The definition of excessive will be determined case-by-case and will take into account community character, generation of traffic, and demand on services (e.g., water, sewer, and recreation facilities).

5. Row Dwellings and Apartment Buildings

Row dwellings and apartment buildings shall be limited to housing exclusively operated for and used by senior citizens. One off street parking space shall be provided for every four (4) dwelling units.

6. Accessory Buildings

(a) Accessory Buildings shall have a lot coverage and height no greater than the maximums set out below, depending on the area and frontage of the lot:

Lot: Area and Frontage (m/m ²)	Accessory Building Max. Lot Coverage	Accessory Building Max. Height
Less than 18.2 m/555 m ²	7%	3.6 m
Between 18.2 m/555 m ² and 30 m/1860 m ²	48 m ²	3.6 m
30 m/1860 m ² and over	Same as Dwelling	Same as Dwelling

(b) Accessory buildings shall be no closer to the street than the building line of the residence and shall be a minimum of 1.5 metres from the side lot line.

7. Airport Noise Exposure Forecast (NEF)

Residential development shall take account of the Noise Exposure Forecast (NEF) lines issued by Transport Canada. In areas above the 30 NEF line, new residential uses shall include sufficient sound insulation as established from time to time by appropriate authorities.

8. Place of Worship and Education Use

Where permitted as a discretionary use, a place of worship and an educational use shall conform to the frontage, building line setback, sideyard, rearyard, lot

coverage and height requirements specified for a single dwelling.

9. Traditional Agricultural Use

Traditional small-scale hobby and subsistence agricultural uses may be permitted within this zone. The minimum lot area required for a particular use shall be determined by Council in conjunction with the Department of Natural Resources and the Department of Environment and Conservation, considering factors outlined in the Torbay Municipal Plan. The minimum lot area shall be no less than 2,500 m².

10. Convenience Store

Convenience stores shall not exceed 140 m² of floor area. The retail use shall be subsidiary to the residential character of the area and shall not affect residential amenities of adjoining properties.

A building containing a convenience store shall be of a design and sited, and any lighting or signs arranged, so as to blend in with the character of and to minimize its effect on the adjacent residential uses.

Not more than two convenience stores shall be located in close proximity to each other and not more than three shall be located within a radius of 0.4 kilometres.

11. Home Businesses - Office, Medical and Professional Service, Personal Service, Child Care and Light Industry Uses as Home Occupations

A Home Business is defined as an accessory use of a residential dwelling consisting of an occupation or profession which generates revenue for the resident.

Office, medical and professional services, personal service, and light industry uses may be permitted provided they are carried out as home occupations, businesses operated in the dwelling, or in a building subsidiary to the dwelling on the same lot, by the occupants of the dwelling, and meet the following requirements.

- (a) Office uses shall be limited to small business services and professional offices;

- (b) Light Industry uses shall be limited to fabrication for the production of handmade articles such as clothing, arts and crafts objects, and workshops;
- (c) The use is clearly subsidiary to the residential use, does not alter the residential character of the dwelling unit, and does not detract from the residential character of the neighbourhood.
- (d) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, no repairs to vehicles or heavy equipment are carried out.
- (e) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or inconvenience to occupants of adjoining residences.
- (f) Activities associated with the use shall be carried on inside the dwelling or in a building separate from the dwelling.
- (g) One building only, separate from the dwelling, may be used in connection with a light industrial use and service use and shall conform to the Accessory Buildings condition height and floor area limit for this zone; child care use shall be carried out in the dwelling unit or be attached to the dwelling unit.
- (h) Except for child care, no more than 30% of the total floor area of the dwelling is devoted to the use.
- (i) The use shall not generate traffic, parking, sewage or water use in excess of what is normal in the residential area.
- (j) Activities associated with the use are not hazardous and do not cause a noticeable increase in noise, odour, dust or fumes, nor cause electrical interference or in any other way result in a nuisance to the occupants of surrounding residences.
- (k) The residential lot has sufficient area to accommodate the parking requirements of the dwelling unit and the home occupation.
- (l) No regular parking of commercial vehicles except for one vehicle with a gross weight of no greater than one tonne will be permitted on the lot or on the road reservation adjacent to the lot.

12. Boarding House Residential

A boarding or lodging house is permitted in any dwelling that can adequately accommodate the specified number of persons. The total number of boarders or lodgers shall not exceed (5) persons.

A “bed and breakfast” use in a dwelling may be permitted as a discretionary use to provide room and board for tourists or the travelling public, under the following conditions:

- (a) the use does not detract from the residential character of the neighbourhood and the building in which the use takes place is similar in exterior finish, design, height, and scale to a private dwelling;
- (b) the use is carried out by a resident of the dwelling unit;
- (c) the building lot shall have a minimum lot area of 600 m² and a minimum frontage of 20 metres;
- (d) a non-illuminated, free-standing sign not exceeding 0.3 m² in area and a fascia sign not exceeding 0.2 m² in area shall be permitted provided that the signs are consistent with the residential character of the neighbourhood;
- (e) paved parking shall be provided as required in Schedule D;
- (f) a parking area abutting a residential lot shall be screened by a fence, wall or hedge no less than 1 metre high and located a minimum distance of 1 metre from the edge of the parking area;
- (g) no change in the type, class or extent of the use shall be permitted except in accordance with a permit issued by Council;
- (h) the establishment is licensed under the Tourist Establishment Regulations, as amended from time to time.

13. Mature trees

Because of their importance to the landscape and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

14. Livestock Operations and Buffers

The Torbay zoning maps show a 610-metre buffer around existing livestock operations. No development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, and the Department of Environment and Conservation; (see Development Regulation 45).

15. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

16. Management Unit

There shall be no development within any area of this Land Use Zone that encroaches into a Management Unit as defined by the Habitat Management Plan adopted by the Town of Torbay.

USE ZONE TABLE

ZONE TITLE	RESIDENTIAL SUBDIVISION AREA (RSA)
PERMITTED USE CLASSES - (see Regulation 89) None except maintenance and operation of existing uses.	

CONDITIONS FOR RESIDENTIAL SUBDIVISION AREA ZONE

1. Purpose of the Residential Subdivision Area Zone

Lands zoned Residential Subdivision Area may be suitable for large-scale residential development. The Residential Subdivision Area zoning prevents development until comprehensive planning has been carried out as specified in the Torbay Municipal Plan.

In Residential Subdivision Area zones which require municipal water and sewage, the developer shall submit a plan of subdivision for all or a part of the Residential Subdivision zone, showing how the proposed development will connect to the remainder of the Residential Subdivision Area zone and to adjacent development.

In Residential Subdivision Area zones which may permit unserviced development, the developer shall submit a development scheme for the entire Residential Subdivision zone, showing how the proposed development will connect to adjacent development. Unserviced lot sizes shall conform to standards of the Residential Large Lot zone.

Development shall not be permitted in a Residential Subdivision Area zone until the land has been appropriately rezoned.

2. Advertisements

The erection or display of advertisements specified in Regulation 63 of these Development Regulations is permitted without application to Council. No other

advertisements are permitted in this zone.

3. Mature Trees

Because of their importance to the landscape, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

4. Livestock Operations and Buffers

The Torbay zoning maps show a 610-metre buffer around existing livestock operations. No development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, and the Department of Environment and Conservation; (see Development Regulation 45).

5. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	COMMERCIAL GENERAL (CG)
PERMITTED USE CLASSES - (see Regulation 89) Medical and professional; personal services; convenience stores; apartment (over a permitted use).	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Shop; take-out food service; child care. General Industry.	

CONDITIONS FOR COMMERCIAL GENERAL ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- | | |
|--|-----------|
| a) Minimum Building Line Setback | 4 metres |
| b) Minimum Sideyard Width
(except where buildings are built with adjoining party walls) | 5 metres |
| c) Minimum Rearyard Depth | 10 metres |
| d) Maximum Height | 8 metres |

2. Buffer and Residential Uses

Where a non-residential use abuts a residential use, Council may require a screen or barrier such as a fence, landscaped embankment, or trees to be erected on the non-residential site along the lot lines, consistent with the visibility requirements for traffic safety. Alternatively, Council may increase the sideyard and rearyard requirements on the non-residential site to provide additional separation from the abutting residential use.

3. Mature Trees

Because of their importance to the landscape and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

4. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m² in area.

5. Advertisements Relating to Offsite Uses

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

- (a) No advertisement shall exceed 3 m² in area.
- (b) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to, the premises to which they relate.
- (c) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions and nearby buildings, and amenities of the surrounding area.

6. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

7. Council may consider a general industry use within this Land Use Zone such that the proposed use is associated with an existing commercial or industrial property.
8. Where a proposed commercial or general industry use abuts a non-industrial use, Council may require adequate buffering, screening and/or separation distance as determined by the Authority. Such buffering and screening requirements and/or separation distances may vary from use to use by the Authority on the basis of the following:
 - a) An Environmental Impact Study undertaken by a qualified consultant and paid for by the developer in accordance with the requirements of the Authority; and/or
 - b) The type of commercial or general industry use proposed and the type of existing and proposed non-industrial uses located along the boundary of the property where the general industry use is proposed.
9. Outdoor storage associated with a commercial or general industry use shall be permitted in side and rear yards subject to adequate buffering, screening and/or separation distance as determined by the Authority.
10. Outdoor storage associated with a commercial or general industry use shall be permitted in front yards at the discretion of the Authority, such that the Authority is satisfied that the property will not be unsightly.

USE ZONE TABLE

ZONE TITLE	MIXED DEVELOPMENT (MIX)
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling; apartment (over a permitted use); theatre; cultural and civic; general assembly; club and lodge; child care; office; medical and professional; personal service; general service; taxi stand; shop; convenience store.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Funeral home; amusement; indoor assembly; commercial residential; boarding house residential; communications; service station; catering; take-out food service; outdoor market; light industrial, special care-institutional.	

CONDITIONS FOR MIXED DEVELOPMENT ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- | | |
|----------------------------------|--------------|
| a) Minimum Building Line Setback | 15 metres* |
| b) Minimum Sideyards | 4 & 1 metres |
| c) Minimum Rearyard | 6 metres |
| d) Maximum Height | 10 metres |

Residential development shall conform to the standards of the Residential Infill zone.

* requirement of the Department of Transportation and Works which shall apply to non-residential development.

2. Accessory Buildings

- (a) Accessory Buildings shall have a lot coverage and height no greater than the maximums set out below, depending on the area and frontage of the lot:

Lot: Area and Frontage (m/m²)	Accessory Building Max. Lot Coverage	Accessory Building Max. Height
Less than 18.2 m/555 m ²	7%	3.6 m
Between 18.2 m/555 m ² and 30 m/1860 m ²	48 m ²	3.6 m
30 m/1860 m ² and over	Same as Dwelling	Same as Dwelling

- (b) Accessory buildings shall be no closer to the street than the building line of the residence and shall be a minimum of 1.5 metres from the side lot line.

3. Dwelling Frontage

The front wall of a dwelling shall be parallel to the street on which it is fronting and has a civic number.

4. Discretionary Use Classes

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

5. Buffer for Residential Uses

Where a non-residential use abuts a residential use, Council may require a screen or barrier such as a fence, landscaped embankment, or trees to be erected on the non-residential site along the lot lines, consistent with the visibility requirements for traffic safety. Alternatively, Council may increase the sideyard and rearyard requirements on the non-residential site to provide additional separation from the abutting residential use.

6. Home Businesses - Office, Medical and Professional Service, Personal Service, Child Care and Light Industry Uses as Home Occupations

A Home Business is defined as an accessory use of a residential dwelling consisting of an occupation or profession which generates revenue for the resident.

Office, medical and professional, personal service, and light industry uses as a home occupation for the occupants of the dwelling may be permitted as a discretionary use in a dwelling unit or in an accessory building on the same lot as the dwelling unit, subject to the following conditions:

- (a) Office uses shall be limited to small business services and professional offices;
- (b) Light Industry uses shall be limited to fabrication for the production of handmade articles such as clothing, arts and crafts objects, and workshops;
- (c) The use is clearly subsidiary to the residential use, does not alter the residential character of the dwelling unit, and does not detract from the residential character of the neighbourhood.
- (d) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use, no repairs to vehicles or heavy equipment are carried out.
- (e) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or inconvenience to occupants of adjoining residences.
- (f) Activities associated with the use shall be carried on inside the dwelling or in a building separate from the dwelling.
- (g) One building only, separate from the dwelling, may be used in connection with a light industrial use and service use and shall conform to the Accessory Buildings condition height and floor area limit for this zone.
- (h) No more than 30% of the total floor area of the dwelling is devoted to the use.
- (i) The use shall not generate traffic, parking, sewage or water use in

excess of what is normal in the residential area.

- (j) Activities associated with the use are not hazardous and do not cause a noticeable increase in noise, odour, dust or fumes, nor cause electrical interference or in any other way result in a nuisance to the occupants of surrounding residences.
- (k) The residential lot has sufficient area to accommodate the parking requirements of the dwelling unit and the home occupation.
- (l) No regular parking of commercial vehicles except for one vehicle with a gross weight of no greater than one tonne will be permitted on the lot or on the road reservation adjacent to the lot.

7. Outdoor Storage

Outdoor storage will not be permitted in frontyards. It may be permitted in sideyards and rearyards. Council may require fencing or other forms of screening to prevent an unsightly appearance.

8. Outdoor Market

An outdoor market may include a used car lot, provided due consideration is given to the size and scale of the development relative to the site and to surrounding uses. Due consideration shall also be given to buffering, off-street parking, traffic movement, congestion, and safe access.

9. Airport Noise Exposure Forecast (NEF)

Residential development shall take account of the Noise Exposure Forecast (NEF) lines issued by Transport Canada. In areas above the 30 NEF line, new residential uses shall include sufficient sound insulation as established from time to time by appropriate authorities.

10. Mature Trees

Because of their importance to the landscape and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

11. Other Requirements

Other standards or conditions attached to residential or commercial zones in these Development Regulations may be applied by Council to uses permitted in the Mixed Development zone.

12. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m² in area.

13. Advertisements Relating to Offsite Uses

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

- (a) No advertisement shall exceed 3 m² in area.
- (b) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to, the premises to which they relate.
- (c) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions and nearby buildings, and the amenities of the surrounding area.

14. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	INDUSTRIAL - GENERAL (IG)
PERMITTED USE CLASSES - (see Regulation 89) General Industry; light industry.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Shop; antenna.	

CONDITIONS FOR INDUSTRIAL-GENERAL ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- | | |
|----------------------------------|-----------|
| a) Minimum Building Line Setback | 10 metres |
| b) Minimum Sideyards | 5 metres |
| c) Minimum Rearyard | 15 metres |
| d) Maximum Height | 15 metres |

2. Services

Industrial development shall not be permitted in this zone unless adequate municipal services and fire fighting capability are available to meet the needs of the particular industrial use.

3. Requirements Adjacent to Navigable Water

All development occurring in, on, over or under navigable water must have the approval of Transport Canada under the Navigable Waters Protection Act. Where the development would occupy Crown land covered by water, an appropriate lease or grant from the Crown must first be obtained.

4. Outdoor Storage

Outdoor storage will not be permitted in front yards. It may be permitted in side yards and rear yards. Council may require fencing or other forms of screening to prevent an unsightly appearance.

5. Storage of Flammable Liquids

All uses and structures for the bulk storage of flammable liquids shall conform to the requirements of the Provincial Fire Commissioner and shall be surrounded by such buffers and landscaping as Council may require to prevent damage to adjacent uses by fire, explosion, or spills of flammable liquid.

6. Buffer for Residential Uses

Where an industrial development abuts a residential use or proposed residential area or is separated from it by a road only, the developer shall provide a buffer strip not less than 10 metres wide between any residential activity or area and the industrial use. The buffer shall include a natural or structural barrier, as deemed necessary by Council, and shall be maintained by the owner or occupier to the satisfaction of Council.

7. Shops

Retail shops may be permitted at the discretion of Council if they are accessory to an industrial use or if they directly service the industrial uses or the industrial employees.

8. Mature Trees

Because of their importance to the landscape of the Town, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct

construction.

9. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m² in area.

10. Advertisements Relating to Offsite Uses

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

- (a) No advertisement shall exceed 3 m² in area.
- (b) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to, the premises to which they relate.
- (c) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, and nearby buildings, and the amenities of the surrounding area.

11. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result

from development within the Zone.

USE ZONE TABLE

ZONE TITLE	INDUSTRIAL LIGHT (IL)
PERMITTED USE CLASSES - (see Regulation 89) Light Industry; conservation; recreational open space; funeral home.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Indoor market; outdoor market; shop.	

CONDITIONS FOR INDUSTRIAL LIGHT ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- a) Minimum Building Line Setback 10 metres
- b) Minimum Sideyards 5 metres
- c) Minimum Rearyard 15 metres
- d) Maximum Height 15 metres

2. Buffer for Residential Uses

Where an industrial development abuts a residential use or proposed residential area or is separated from it by a road only, the developer shall provide a buffer strip not less than 10 metres wide between any residential activity or area and the industrial use. The buffer shall include a natural or structural barrier, as deemed necessary by Council, and shall be maintained by the owner or occupier to the satisfaction of Council.

3. Services

Industrial development shall not be permitted in this zone unless adequate municipal services and fire fighting capability are available to meet the needs of

the particular industrial use.

4. Outdoor Storage

Outdoor storage will not be permitted in front yards. It may be permitted in side yards and rear yards. Council may require fencing or other forms of screening to prevent an unsightly appearance.

5. Shops

Retail shops may be permitted at the discretion of Council if they are accessory to an industrial use or if they directly service the industrial uses or industrial employees.

6. Discretionary Use Classes

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

7. Mature Trees

Because of their importance to the landscape, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation or landscape purposes and building occupancy; or if they will unduly obstruct construction.

8. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the

general amenities of the surrounding area.

- (b) No advertisement shall exceed 5 m² in area.

9. Advertisements Relating to Offsite Uses

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

- (a) No advertisement shall exceed 3 m² in area.
- (b) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate.
- (c) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions and nearby buildings, and the amenities of the surrounding area.

10. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	INDUSTRIAL/HAZARDOUS (IH)
PERMITTED USE CLASSES - (see Regulation 89) Hazardous Industry	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Office, Light Industry.	

CONDITIONS FOR INDUSTRIAL-GENERAL ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- a) Minimum Building Line Setback 10 metres
- b) Minimum Sideyards 5 metres
- c) Minimum Rearyard 15 metres
- d) Maximum Height 15 metres

2. Industrial/Hazardous Use

The only Industrial/Hazardous use to be permitted within this lands use is a Regional Fire Training Centre and any associated uses that form part of it. No other Industrial/Hazardous use shall be permitted within this land use designation.

3. Discretionary Uses

The only discretionary uses permitted shall be an office that is related to the permitted use and light industry use which would be for the storage of equipment or other firefighting supplies. No other discretionary uses shall be

permitted.

4. Services

Industrial development permitted in this zone shall be required to have adequate on-site services capability of meeting the needs of the particular industrial use.

5. Requirements Adjacent to Navigable Water

All development occurring in, on, over or under navigable water must have the approval of Canadian Coast Guard under the Navigable Waters Protection Act. Should the development utilize Picco's Brook as a source of water supply, then approvals shall be required from all Government Regulatory bodies. Should the development occupy Crown land, covered by water, or within the 15 public shoreline reservation, then approval in the form of a License to Occupy; a lease, or Crown grant is required from the Department of Environment and Conservation.

6. Outdoor Storage

Outdoor storage will not be permitted in front yards. It may be permitted in side yards and rear yards. Car wrecks and other equipment used for training purposes with rescue equipment may be stored on site on a temporary basis. Council may require fencing or other forms of screening to prevent an unsightly appearance of stored materials or vehicles.

7. Storage of Flammable Liquids

All uses and structures for the bulk storage of flammable liquids shall conform to the requirements of the Provincial Fire Commissioner Office and the Department of Government Services. Storage areas shall be surrounded by such buffers and landscaping as Council may require to prevent damage to adjacent uses by fire, explosion, or spills of flammable liquid.

8. Buffer from Adjoining Uses

Where an industrial/hazardous use abuts other development that may be negatively effected by the industrial/hazardous use, a buffer shall be required either of a natural or structural barrier, as deemed necessary by Council, and shall be maintained by the owner or occupier to the satisfaction of Council.

9. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m⁵ in area.

10. Advertisements Relating to Offsite Uses

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

- (a) No advertisement shall exceed 3 m² in area.
- (b) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to, the premises to which they relate.
- (c) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, and nearby buildings, and the amenities of the surrounding area.

11. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	
COMPREHENSIVE DEVELOPMENT AREA - INDUSTRIAL	(CDA-I)
PERMITTED USE CLASSES - (see Regulation 89) (Maintenance of existing uses).	

CONDITIONS FOR CDA - INDUSTRIAL ZONE

1. Purpose of CDA-I Zone

Lands in the zone are intended to be developed as a fully serviced industrial park. Before development takes place, a development scheme for the park shall be prepared under the Urban and Rural Planning Act. The scheme shall take account of buffering for residential uses, access to and from Torbay Road and the bypass highway, and airport operations. The road links shown on the zoning map will form the basic road network for the scheme and park.

2. Advertisements

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

3. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result

from development within the Zone.

USE ZONE TABLE

ZONE TITLE	PUBLIC BUILDINGS (PB)
PERMITTED USE CLASSES - (see Regulation 89) Educational; general assembly; place of worship; child care; recreational open space; cultural and civic; office; medical care and special treatment.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Indoor assembly; outdoor assembly; collective residential; antenna; cemetery; club and lodge.	

CONDITIONS FOR PUBLIC BUILDINGS ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- | | |
|----------------------------------|-----------|
| a) Minimum Building Line Setback | 10 metres |
| b) Minimum Sideyards | 5 metres |
| c) Minimum Rearyard | 15 metres |
| d) Maximum Height | 15 metres |

2. Discretionary Use Classes

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

3. Offices

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

4. Mature Trees

Because of their importance to the landscape of the Town and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction. In particular, the row of trees off Convent Lane along the west boundary of the Holy Trinity Church site shall be retained.

5. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m² in area.

6. Advertisements Relating to Offsite Uses

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

- (a) No advertisement shall exceed 3 m² in area.
- (b) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to, the premises to which they relate.
- (c) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions and nearby buildings, and the

amenities of the surrounding area.

7. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	RECREATIONAL OPEN SPACE (ROS)
PERMITTED USE CLASSES - (see Regulation 89) Recreational open space; conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Indoor assembly; outdoor assembly; take-out food service; antenna; child care.	

CONDITIONS FOR RECREATIONAL OPEN SPACE ZONE

1. Development Standards

The development standards for this zone shall be as follows:

- | | |
|----------------------------------|-----------|
| a) Minimum Building Line Setback | 4 metres |
| b) Minimum Sideyards | 5 metres |
| c) Minimum Rearyard | 6 metres |
| d) Maximum Height | 15 metres |

2. Discretionary Use Classes

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

3. Take-Out Food Service

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

4. Mature Trees

Because of their importance to the landscape and to the privacy and amenities of residential areas, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

5. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	CONSERVATION (CON)
PERMITTED USE CLASSES - (see Regulation 89) Conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Agriculture; forestry; antenna.	

CONDITIONS FOR CONSERVATION ZONE

1. Discretionary Use Classes

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

2. Mature Trees

Because of their importance to the landscape, mature trees shall be preserved and replaced as necessary. Such trees may be removed only when they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy; or if they will unduly obstruct construction.

3. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result

from development within the Zone.

4. East Cost Trail

The East Coast Trail Association is developing a natural walking/hiking trail within the Town of Torbay along the coastline of Torbay Bight and the Atlantic Ocean as part of a larger coastal trail system. Council shall encourage the maintenance of a buffer along the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	WATERSHED (WAT)
PERMITTED USE CLASSES - (see Regulation 89) Conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Forestry; agriculture; antenna.	

CONDITIONS FOR WATERSHED ZONE

1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to permitted uses and will not adversely affect the quality or quantity of water in the pond identified as a water supply source.

2. Forestry, Agriculture, and Existing Uses

Selective forestry activities, agriculture, and the maintenance and limited extension of existing uses may be permitted provided they cause no detrimental effect on water quality.

3. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	AGRICULTURAL (AG)
PERMITTED USE CLASSES - (see Regulation 89) Agriculture.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Single dwelling; veterinary; mercantile uses (related directly to agriculture); mineral working; antenna; forestry; recreational open space.	

CONDITIONS FOR AGRICULTURAL ZONE

1. Discretionary Use Classes

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

2. Forestry and Silviculture

Where forest cover exists, it shall be maintained, managed and harvested until the land is cleared for agricultural use.

3. Single Dwellings

Only single dwellings solely related to agricultural operations may be permitted as discretionary uses within this zone.

4. The Lands Act and Regulations

No development shall be permitted in this zone unless a permit or Crown Lease has been issued by the Department of Environment and Conservation according to the regulations made under the Lands Act.

5. Livestock Operations and Buffers

The Torbay zoning maps show a 610-metre buffer around existing livestock operations. No development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, and the Department of Environment and Conservation; (see Development Regulation 45).

6. Mineral Working

Mineral working shall be restricted to the extraction of peat. Council may apply the conditions set out for mineral workings in the Rural Zone.

7. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m² in area.

8. Advertisements Relating to Offsite Uses

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

- (a) No advertisement shall exceed 3 m² in area.
- (b) When the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to, the premises to which they relate.
- (c) The location, siting and illumination of each advertisement shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions and nearby buildings, and the

amenities of the surrounding area.

9. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

10. East Cost Trail

The East Coast Trail Association is developing a natural walking/hiking trail within the Town of Torbay along the coastline of Torbay Bight and the Atlantic Ocean as part of a larger coastal trail system. Council shall encourage the maintenance of a buffer along the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

USE ZONE TABLE

ZONE TITLE	HIGHWAY RESERVE (HR)
PERMITTED USE CLASSES - (see Regulation 89) Highway.	

CONDITIONS FOR HIGHWAY RESERVE ZONE

1. Torbay Bypass Highway

Lands within this zone are reserved for development of the Torbay Bypass Highway. Concerns about the North Pond, South Pond, and Great Pond watersheds are outlined in the Torbay Municipal Plan. These concerns regarding drainage and water quality must be addressed before highway construction proceeds.

2. Stewardship Zone

The Torbay Zoning maps show a Stewardship Zone covering the western half of the Town and a section along North Pond River. Any application for development within wetlands areas within the Stewardship Zone shall be reviewed by Council to ensure that the proposed development does not have negative impacts on sensitive wetlands used by waterfowl for habitat. Where any development may have impacts, Council will establish mitigating measures to be used by the developer to reduce any habitat degradation that may result from development within the Zone.

USE ZONE TABLE

ZONE TITLE	RURAL (RUR)
PERMITTED USE CLASSES - (see Regulation 89) Agriculture; forestry; recreational open space; conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 90) Single dwelling; general industry; mineral working; antenna; cemetery.	

CONDITIONS FOR RURAL ZONE

1. Discretionary Use Classes

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

2. Development Standards

The development standards for uses in this zone shall be determined case-by-case and shall conform to the standards for the same uses in other zones.

3. Single Dwellings

Single dwellings may be permitted in this zone only as accessory to agriculture or forestry uses.

4. Livestock Operations and Buffers

The Torbay zoning maps show a 610-metre buffer around existing livestock operations. No development within a livestock buffer shall be permitted without the approval of the Department of Natural Resources, and the Department of Environment and Conservation; (see Development Regulation 45).

5. General Industry

General industry shall be restricted to sawmills or planing mills.

6. Mineral Working

Council may permit mineral working subject to the following conditions:

- (a) Effective tree screens shall be maintained around the periphery of any mineral working. Where trees are not present to create an effective screen, Council may require the installation of a landscaped embankment or fence.
- (b) Topsoil removed for mineral working shall be retained for restoration of the site.
- (c) No mineral working shall be conducted which causes danger or nuisance to the public.
- (d) No mineral working shall be permitted within the view of a designated scenic road.
- (e) Proposed mineral working operations will be evaluated carefully by Council in conjunction with the Department of Natural Resources.
- (f) No mineral working shall unacceptably reduce the quality of water in a watercourse or waterbody. Any access road which crosses a watercourse shall have a bridge or culvert according to the regulations of the Department of Environment and Conservation.
- (g) No mineral working shall result in the excavation of land below the level of the water table nor cause the ponding of water. However, settling ponds may be permitted with the approval of the Department of Environment and Conservation.
- (h) No mineral working shall be carried out in a manner which causes the erosion of adjacent land.
- (i) The mineral working shall be kept clean of refuse, abandoned vehicles and equipment, and derelict buildings.

- (j) Upon completion of mineral working, and when there is no intention to re-open such operations, all buildings and machinery shall be removed from the site and the site restored so as not to constitute a danger to the public or present an unsightly appearance.

7. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a permitted use or a legal non-conforming use shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed 5 m² in area.

8. Advertisements Relating to Offsite Uses

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

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9. Stewardship Zone

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10. Management Unit

The Torbay Zoning maps show Western Island Pond and Goose Pond within the boundaries of a Management Unit. The Management Unit buffer shall be 30 metres from the high water mark around the shorelines of the ponds. No development shall be permitted within the Management Unit. Passive recreation uses may be permitted provided no motorized recreation vehicles are used. Any application for development on lands adjacent to Management Unit that may have negative impact on the sensitive wetlands or waterfowl habitat may be referred to Inland Fish and Wildlife Division for review and comments before the Council issues any permits for development.