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THE TOWN OF ST. STEPHEN

BY-LAW NO. Z-1.7

A BY-LAW TO AMEND BY-LAW NO. Z-1, BEING THE TOWN OF ST. STEPHEN ZONING BY-LAW.

BE IT ENACTED by the Council of The Town of St. Stephen as follows:

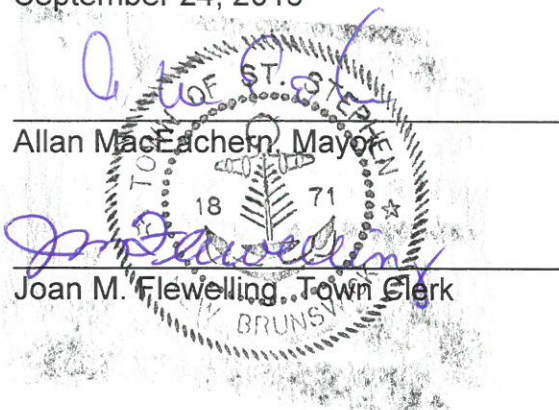
1. By-Law No. Z-1, being The Town of St. Stephen Zoning By-Law, is amended by adding a new zone known as Waterfront (WF) under Section 5.0 Commercial Zones, and becoming Subsection 5.6 as outlined on the attached Schedule "1".
2. By-Law No. Z-1, being The Town of St. Stephen Zoning By-Law, is amended by changing the zone as shown on the Zoning Map attached to the said By-Law as Schedule "A" thereof for the lands shown on Schedule "2" attached hereto and forming part hereof from Downtown (DT) to Waterfront (WF).
3. The land for which the zone is being changed is also shown on a portion of the Service New Brunswick Digital Property Mapping attached hereto as Schedule "3" and identified as PID # 15194285 (51 Budd Avenue).

IN WITNESS WHEREOF The Town of St. Stephen has caused the corporate seal of the said Town to be affixed to this By-Law the 24th day of September, 2018.

FIRST READING: August 27, 2018

SECOND READING: September 24, 2018

THIRD READING AND ENACTED: September 24, 2018


Allan MacEachern, Mayor
Joan M. Flewelling, Town Clerk

Town of St. Stephen Zoning By-law (By-law No. Z-1)

SCHEDULE "1"

5.6 WF (Waterfront)

5.6.1 WF Zone Permitted Uses

(1) A *lot* shall not be developed for any other purpose than:

(a) One of the following main uses:

- (i) Business use;
- (ii) Communications use;
- (iii) Cultural use;
- (iv) Office;
- (v) Entertainment use;
- (vi) Financial institution;
- (vii) Government use;
- (viii) Health services use;
- (ix) Hotel;
- (x) Personal service shop;
- (xi) Restaurant;
- (xii) Retail store; and
- (xiii) Multiple unit residential use up to 50 units, subject to subsections 4.1.5 (landscaping), 4.1.8 (minimum apartment floor areas), 4.1.17 (parking), 4.1.18 (amenity space) and 5.2.6 (proximity to similar buildings).

(b) Any accessory *building, structure or use* normally incidental to the permitted main or secondary use of the land, building or structure, unless such accessory use is prohibited by definition or otherwise.

5.6.2 WF Zone Lot Requirements

(1) No development shall be undertaken nor shall any land, building or structure be used within the WF (Waterfront Zone) unless the following standards are met:

WF Zone Lot Requirements	
Lot Component	Requirement
Minimum lot area	690 m ² (2,263 ft. ²)
Minimum lot frontage	20 m (66 ft.)
Minimum lot depth	75 m (246 ft.)
Minimum front yard	6 m (20 ft.)
Maximum front yard	15 m (49 ft.)
Minimum rear yard	6 m (20 ft.)
Minimum side yard	the greater of: 0.3 times the height of the Multiple Dwelling to a maximum of 9 meters (30 ft.), or 3 meters (10 ft.)
Minimum flankage yard	3.5 m (11 ft.)
Maximum building height	19 m (62 ft.)
Maximum lot occupancy	50 % of lot area

- (2) Other requirements: in accordance with the General Provisions of the *National Building Codes*, Part 3 through Part 9.

5.6.3 Design Guidelines for Waterfront Zone

- (1) Within the Waterfront Zone, no development shall be permitted and no main building or structure may be used unless:
- (i) no less than 40% of the first floor façade of the main building fronting a street or the waterfront is composed of windows and doors;
 - (ii) no less than 25% of the main building façade above the first floor fronting a street or the waterfront is composed of windows;
 - (iii) there is at least one public entrance to the building facing any public street;
 - (iv) the maximum height of the building is 19 m (63 ft.);
 - (v) the minimum height of the building is two stories;
 - (vi) no less than 90% of the façade is finished with traditional building materials; and
 - (vii) all mechanical, electrical, air conditioning or other similar equipment located on the roof of the building is screened from view from the adjacent public street and waterfront.

- (2) No *building* or *structure* used for the sole purpose of a multiple unit dwelling may be located so that it is closer than 20 m to another building used for the sole purpose of a multiple unit dwelling on the same side of the street.
- (3) No residential development shall be undertaken unless the following minimum lot area standards are met:
 - (a) for each dwelling unit therein having three (3) or more bedrooms 74 m² (243 ft.²)
 - (b) for each dwelling unit therein having two (2) bedrooms 55 m² (180 ft.²)
 - (c) for each Bachelor or dwelling unit therein having one (1) bedroom 37 m² (121 ft.²)
- (4) No residential development shall be undertaken unless the following minimum gross floor area standards are met:
 - (a) for each dwelling unit therein having 3 (three) or more bedrooms 65 m² (213 ft.²)
 - (b) for each dwelling unit therein having 2 (two) bedrooms 55 m² (180 ft.²)
 - (c) for each Bachelor or dwelling unit therein having one (1) bedroom 37 m² (121 ft.²)

5.6.4 Other Considerations

- (1) A Health and Fitness Facility, Medical Clinic, Personal Service Shop, Restaurant, or Convenience Retail *shall be* permitted subject to the following:
 - (a) be located in the multi storey building, but not above the second storey of the building;
 - (b) have its entry from within a hall in the multi storey building; and
 - (c) not occupy more than 10 percent of the gross floor area of the multi storey building.

By-Law No. Z-1-1.7

Schedule "2"

Rezone from Downtown (DT) to Waterfront (WF).

