

BYLAW 13-01, AMENDMENT
TO
BYLAW NO 10-04 OF THE TOWN OF SAINT ANDREWS
RESPECTING ZONING

BE IT ENACTED by the Council of the Town of Saint Andrews that Zoning By-law NO. 10-04 is hereby amended as follows:

- 1. Define the word "condominium" by adding immediately after the definition of "conditional use" in Section 1.1, the following:

"Condominium" means any Multiple Dwelling(s) regulated under the Condominium Property Act (Chapter C-16.05 SNB and any amendments thereto).

- 2. By adding immediately after Section 4.3.6 the following:

4.4 MR1 (Multiple Residential) Zone

4.4.1 MR1 Zone Permitted Uses

Any land, **building** or **structure** may be used for the purposes of:

- (a) One of the following **main uses**:
 - (i) a **single-family dwelling**;
 - (ii) a **semi-detached dwelling**;
 - (iii) a **two-family dwelling**;
 - (iv) **rowhouse dwellings** of three or more units, subject to section 4.1.1;
 - (v) **apartment dwellings** of three or more units, subject to sections 4.1.13 and 4.1.14;
 - (vi) a **group home**, subject to section 4.1.12;
 - (vii) a **boarding house**, subject to section 4.1.11;
 - (viii) **senior citizens' housing**, subject to sections 4.1.13 and 4.1.14;
 - (ix) a **residential care facility**, subject to sections 4.1.13 and 4.1.14;
- (b) One of the following **secondary uses**:
 - (i) subject to Section 4.1.9, a **home based business** other than a **bed and breakfast** or **boarding house**;
- (c) Subject to 4.1.7, any **accessory building, structure or use** incidental to the **main use** of the land, **building** or **structure** if such **main use** is permitted in this Section.

4.4.2 Converted Dwelling Units

Existing **single-family** or **two-family dwellings** within the MR Zone may be converted to provide three or more **dwelling units** provided that the **dwelling units** created by the conversion are self-contained, and the **building** and the **lot** meet all of the requirements of this By-law following the conversion.

4.4.3 MR1 Zone Standards

No **development** shall be undertaken nor shall any land, **building** or **structure** be used within the MR (Multiple Residential) Zone unless the following standards are met:

I certify that this instrument is registered or filed in the County Registry Office, New Brunswick
Nouveau-Brunswick
AUG 23 2013 9:50:46 33025595
date/date time/heure number/numéro
Doreen Dayle
Registrar-Conservateur

MR1 Lot Requirements	
Lot Component	Requirement
Minimum Lot Area	540 m ² (5,805 ft ²)
Minimum Lot Frontage	24.4 m (80 ft) or 6.0 m (20 ft) per <i>dwelling unit</i> , whichever is greater
Minimum Lot Depth	30 m (100 ft)
Minimum Required Front Yard	6.0 m (20 ft)
Minimum Required Flankage Yard	4.5 m (14.8 ft)
Minimum Required Rear Yard	7.5 m (25 ft)
Minimum Required Side Yard	3.0 m (10 ft)
Minimum Required Side Yard abutting the ER or SR Zone	10 m (32.8 ft)
Maximum Height	<i>Main buildings:</i> 8.5 m (28 ft) <i>Accessory buildings:</i> 5.5 m (18 ft)
Maximum Lot Coverage	45 %

4.4.4 Accessory Building Height

Notwithstanding Section 4.4.3, no *accessory building* may exceed the *height* of the *main building* on the *lot*.

4.4.5 Use of Front Yards

No *accessory building* or *structure*, including a *swimming pool* may be *erected* in the *front yard* of a property, and not more than twenty percent (20%) of the *front yard* area may be used for the purposes of *parking spaces*, *parking aisles* or *driveways*.

4.4.6 Minimum Floor Area

Each *dwelling unit* in an *apartment dwelling development* shall be self-contained with respect to kitchen, bath, sleeping quarters and general living space. The minimum floor area per unit, calculated without including *garages*, *carports*, *porches*, verandahs, decks, breeze-ways, unenclosed balconies or stairways or enclosed stairways common to more than one unit shall be provided as follows:

MR1 Zone Floor Area Requirements	
Type of Dwelling unit	Square Meters of Floor Area
Bachelor Apartments	32.5 m ² (350 ft ²)
One-bedroom apartments	42 m ² (450 ft ²)
Two-bedroom apartments	58 m ² (625 ft ²)
Apartments with three or more bedrooms	65 m ² (700 ft ²)

4.5 MR2 (High Density Multiple Residential) Zone Outside Town Plat

4.5.1 MR2 Zone Permitted Uses

Any land, building or structure may be used for the purposes of:

- (a) One of the following main uses:

- (i) rowhouse dwellings of four or more units, subject to section 4.1.1;
 - (ii) apartment dwellings of four or more units, subject to sections 4.1.13 and 4.1.14;
 - (iii) senior citizen's housing, subject to sections 4.1.13 and 4.1.14;
 - (iv) a residential care facility, subject to sections 4.1.13 and 4.1.14;
 - (v) a condominium.
- (b) May also include such secondary uses within the building as:
- (i) Medical offices or clinics;
 - (ii) Personal service shops; and/or
 - (iii) A retail store not exceeding 16 m² (172.2 ft²);
 - (iv) Amenity uses including pools, garages, gazebo, greenhouse, games and meeting room space.
 - (v) Food Service for Residents & Guests
- (c) Subject to 4.1.7, any accessory building, structure or use incidental to the main use of the land, building or structure if such main use is permitted in this Section.

4.5.2 MR2 Zone Standards

No development shall be undertaken nor shall any land, building or structure be used within the MR2 (High Density Multiple Residential) Zone unless the following standards are met:

MR2 Lot Requirements	
Lot Component	Requirement
Minimum Lot Area	6,000 m ² (19,686 ft ²) or 200 m ² per dwelling unit, whichever is greater
Minimum Lot Frontage	100 m (328 ft) or 2.5 m (8.2 ft) per dwelling unit, whichever is greater
Minimum Lot Depth	50 m (164 ft)
Minimum Required Front Yard	7.6 m (25 ft)
Minimum Required Flankage Yard	6.0 m (20 ft)
Minimum Required Rear Yard	9.0 m (30 ft)
Minimum Required Side Yard	7.6 m (25 ft)
Minimum Required Side or Rear Yard abutting the ER or SR Zone	15.0 m (49.2 ft)
Maximum Height	Main buildings: 11m (36 ft) Accessory buildings: 5.5 m (18 ft)
Maximum Lot Coverage	35%

4.5.3 Accessory Building Height

Notwithstanding Section 4.5.2, no accessory building may exceed the height of the main building on the lot.

4.5.4 Use of Front Yards

No accessory building or structure, including a swimming pool may be erected in the front yard of a property, and not more than twenty percent (20%) of the front yard area may be used for the purposes of parking spaces, parking aisles or driveways.

4.5.5 Minimum Floor Area

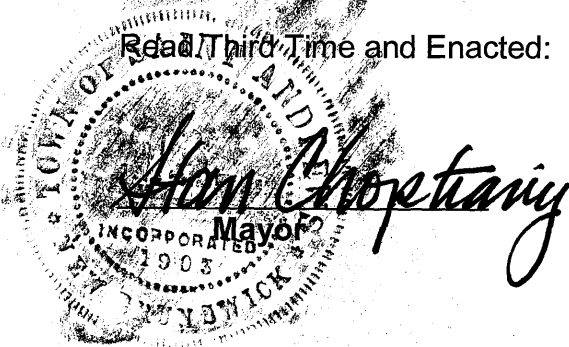
Each dwelling unit in an apartment dwelling development shall be self-contained with respect to kitchen, bath, sleeping quarters and general living space. The minimum floor area per unit, calculated without including garages, carports, porches, verandahs, decks, breeze-ways, unenclosed balconies or stairways or enclosed stairways common to more than one unit shall be provided as follows:

MR2 Zone Floor Area Requirements	
Type of Dwelling Unit	Square Meters of Floor Area
Bachelor Apartments	32.5 m ² (350 ft ²)
One-bedroom apartments	42 m ² (450 ft ²)
Two-bedroom apartments	58 m ² (625 ft ²)
Apartments with three or more bedrooms	65 m ² (700 ft ²)

Read First Time: July 8, 2013

Read Second Time: August 12, 2013

Read Third Time and Enacted: August 12, 2013



Tom Choptiany
Mayor

W. J. ...
Clerk