

Schedule A:

Community of Eastern Kings Zoning Map

Schedule B: Definitions

For the purpose of this Bylaw:

“accessory building” means a building on the same parcel of land as the main building, the use of which is clearly incidental to that of the main building.

“apartment” means a dwelling unit within a single family dwelling, duplex dwelling or other building which has, for purposes of habitation, its own kitchen and bathroom facilities separate from those of the main dwelling or building, and which is accessed by either a separate exterior entrance or an entrance leading from a common entryway.

“Community” means the Community of Eastern Kings.

“Council” means the Community Council of the Community of Eastern Kings.

“Development Officer” means an individual appointed by the Council to administer, on its behalf, the Community’s Zoning & Subdivision Control Bylaws.

“dwelling” or **“dwelling unit”** means a unit designed for occupancy by a family, with its own kitchen and bathroom facilities.

“existing parcel of land” or **“parent parcel of land”** means a parcel of land held under a separate deed, and having a Provincial property identification number (PID), existing on the effective date of this Bylaw, unless a prior date is specified.

“family” means one or more individuals living together as a unit, and includes boarders and tourists who may be living with the family temporarily.

“farm” means arable land greater than ten (10) acres in size and complimentary buildings, operated as a farm enterprise by a bona fide farmer and includes land leased from the Crown and operated as part of a farm enterprise, but excludes land leased or rented from owners who are not bona fide farmers.

“farm enterprise” for the purposes of these regulations has the same meaning as set out in the Real Property Assessment Act, R.S.P.E.I. 1988, Cap. R-5.

“footprint” means the outline of the total area of a lot or site that is surrounded by the exterior walls of a building or portion of a building, exclusive of courtyards.

“frontage” means all land abutting on one side of a street or road measured along the street or road line.

“garden suite” means a temporary additional dwelling unit intended for the sole occupancy of one or two adults. The floor area of the suite shall not exceed 30% of the existing primary residence.

“height, maximum” means the highest allowable distance from the ground level next to the main entrance of the building to the highest point of the building, exclusive of any accessory roof construction such as a chimney, antenna, or mechanical equipment enclosure;

“intensive livestock building” means any building or structure used in conjunction with an intensive livestock operation for the housing of livestock or poultry.

“intensive livestock operation” means the rearing of livestock or poultry which may be confined in buildings, open sheds, yards, paddocks or by field grazing, the numbers of which, type of management system, minimum separation distance, etc., as recommended by the P.E.I. Department of Agriculture and Forestry's "Guidelines for Manure Management and Separation Distances" shall define intensive use for the purpose of evaluating the environmental impact of such an operation on the surrounding area.

“lot coverage” means the percentage of the lot that is covered by buildings, also known as the building footprint; Maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot;

“mini home” means a pre-manufactured dwelling unit having an average width of less than six (6) metres or more, not including any appurtenances such as porches, entries, etc.

“mobile/home” means a transportable dwelling unit suitable for long-term occupancy, designed to be transported on its wheels and chassis, and, when located, fixed on a firmly grounded foundation;

- a) **“mobile/mini home court”** means a lot or parcel of land planned and developed for the placement of mobile/mini homes; and
- b) **“mobile/mini home space”** means a space in a mobile/mini home court for the placement of a mobile/mini home.

“parking lot” means an open area of land other than a street or access driveway, or an area within a structure used for the parking of vehicles.

“parking space” means a space on a parking lot for the temporary parking or storage of a vehicle.

“park/ parkland” means an area consisting largely of open space, which may include a recreational area, play ground or similar use but shall not include a mobile home park, a campground or trailer park.

personal service shop” means a shop in which personal services such as hair styling, tutoring, tailoring, shoe repairs, and small appliance repairs are performed.

“public open space” means land which may be used for recreational or other outdoor leisure activities by the general public.

“resort” means a tourist establishment that provides accommodations and that has facilities for serving meals and furnishes equipment, supplies, or services in connection with recreational purposes.

“sewerage system” means the infrastructure that collects, conveys, treats and/or disposes of sewage, encompassing but not limited to drains, sewers, manholes, pumping stations and sewage treatment.

“site plan” means a plan drawn to a suitable engineering scale showing details of existing and proposed features on a parcel of land which is the subject of an application for development.

“structure” means any construction fixed to, supported by or sunk in to land or water, and includes sewerage lagoons, manure pits, underground storage tanks, and fences over four (4) feet in height, but excludes concrete or asphalt paving or similar surfacing, clothesline poles, flagpoles and utility poles, or structures 100 sq. ft. or less in floor area..

“subdivider” means the owner of a parcel of land which is being subdivided, or his authorized agent; "subdivide" shall have a corresponding meaning.

"subdivision" means a division of a parcel of land by means of a plan of subdivision, plan of survey, agreement, deed or any instrument, including a caveat, transferring or creating an estate or interest in part of the parcel.

"subdivision agreement" means a legal document describing a two-party agreement between a subdivider and the authority having jurisdiction, the subject of which pertains to actions to be taken in the subdividing of a parcel of land.

"survey plan" means an appropriately scaled drawing of survey details certified by a Prince Edward Island land surveyor.

“swimming pool” means any structure used for bathing or swimming purposes which is sunk into the ground, or is erected above the ground and which has a possible maximum depth of greater than 0.6m, but shall not include inflatable pools or pools erected on a seasonal basis.

"tourist home or tourist accommodation facility" means a dwelling in which overnight accommodation is provided or offered for transient guests for compensation.

"utility building" means a building which houses stationary equipment for telephone, electric power, public water supply, or sewerage services.

“variance” means a minor variance of up to ten percent (10%) from the applicable provisions of these Regulations.

“watercourse” means the full length and width, including the sediment bed, bank and shore, of any stream, spring, creek, brook, river, lake, pond, bay, estuary or coastal water body or any part thereof, whether the same contains water or not.

“wetland” means lands commonly referred to as marshes, salt marshes, swamps, bogs, flats and shallow watercourses that are saturated with water long enough to promote wetland or aquatic biological processes which are indicated by poorly drained soil, water-tolerant vegetation, and biological activities adapted to a wet environment.

"yard" means an open, uncovered, unoccupied space appurtenant to a building;

- a) **“flankage yard”** means, on a corner lot, that yard extending across the full width of the lot and fronting on a roadway which is not the roadway along which the front yard extends;
- b) **"front yard"** means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building on the lot;
- c) **"rear yard"** means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on the lot; and
- d) **"side yard"** means a yard extending across the full width of the lot between a side lot line and the nearest main wall of the main building on the lot, exclusive of any chimney breast.

"zone" means an area of land designated under these Bylaw within which specific land uses are permitted and others restricted or prohibited.

Schedule C:

Table 1 Minimum Lot Size Standards

Residential Lots

Chapter P-8 Planning Act Subdivision and Development Regulations

TABLE 1 - MINIMUM LOT SIZE STANDARDS: RESIDENTIAL LOTS

| <i>(a) Servicing</i> | <i>(b) Lot Category</i> | <i>(c) Minimum Lot Frontage</i> | <i>(d) Number of Dwelling Units</i> | <i>(e) Minimum Lot Area sq. ft. / sq. m.</i> | <i>(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres</i> |
|---|-------------------------|---|-------------------------------------|---|---|
| on-site water supply and on-site sewage disposal system | I | 100 ft / 30.5 m (or 50 ft / 15.25 m, where the frontage is on the interior curve of a street) | 1 | 25,000 sq. ft. / 2,322.5 sq. m. | 150 ft. / 45.7 m. |
| | | | 2 | 30,000 sq. ft. / 2,787 sq. m. | 160 ft. / 48.8 m. |
| | | | 3 | 35,000 sq. ft. / 3,251.5 sq. m. | 175 ft. / 53.3 m. |
| | | | 4 | 40,000 sq. ft. / 3,717 sq. m. | 200 ft. / 61 m. |
| | | | more than 4 | 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 200 ft. / 61 m. |
| on-site water supply and on-site sewage disposal system | II | 100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street) | 1 | 35,000 sq. ft. / 3,251.5 sq. m. | 175 ft. / 53.3 m. |
| | | | 2 | 40,000 sq. ft. / 3,717 sq. m. | 200 ft. / 61 m. |
| | | | 3 | 45,000 sq. ft. / 4,180.5 sq. m. | 225 ft. / 68.6 m. |
| | | | 4 | 50,000 sq. ft. / 4,645 sq. m. | 250 ft. / 76.2 m. |
| | | | more than 4 | 50,000 sq. ft. / 4,645 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 250 ft. / 76.2 m. |
| on-site water supply and on-site sewage disposal system | III | 100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street) | 1 | 51,000 sq. ft. / 4,738 sq. m. | 225 ft. 68.6 m. |
| | | | 2 | 56,000 sq. ft. / 5,202 sq. m. | 250 ft. / 76.2 m. |
| | | | 3 | 61,000 sq. ft. / 5,667 sq. m. | 275 ft. / 83.8 m. |
| | | | 4 | 66,000 sq. ft. / 6,131 sq. m. | 300 ft. / 91.4 m. |

| <i>(a) Servicing</i> | <i>(b) Lot Category</i> | <i>(c) Minimum Lot Frontage</i> | <i>(d) Number of Dwelling Units</i> | <i>(e) Minimum Lot Area sq. ft. / sq. m.</i> | <i>(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres</i> |
|---|-------------------------|---|-------------------------------------|---|---|
| | | | more than 4 | 66,000 sq. ft. / 6,131 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 300 ft. / 91.4 m. |
| on-site water supply and on-site sewage system | IV | 100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street) | 1 | 75,000 sq.ft. / 6,975 sq.m. | 300 ft. / 91.4 m. |
| | | | 2 | 80,000 sq.ft. / 7,440 sq.m. | |
| | | | 3 | 85,000 sq.ft. / 7,905 sq.m. | |
| | | | 4 | 90,000 sq.ft. / 8,370 sq.m. | |
| | | | more than 4 | 90,000 sq.ft. / 8,370 sq.m., plus 1,500 sq.ft. / 457 sq.m. for each additional unit | |
| on-site water supply and on-site sewage system | V | N/A | N/A | not developable | N/A |
| central water supply and on-site sewage disposal system | I | 50 feet / 15.25 metres | 1 | 20,000 sq. ft. / 1,858 sq. m. | 125 ft. / 38.1 m. |
| | | | 2 | 25,000 sq. ft. / 2,322.5 sq. m. | 150 ft. / 45.7 m. |
| | | | 3 | 30,000 sq. ft. / 2,787 sq. m. | 160 ft. / 48.8 m. |
| | | | 4 | 35,000 sq. ft. / 3,251.5 sq. m. | 175 ft. / 53.3 m. |
| | | | more than 4 | 35,000 sq. ft. / 3,251 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 175 ft. / 53.3 m. |
| central water supply and on-site sewage disposal system | II | 50 feet / 15.25 metres | 1 | 25,000 sq. ft. / 2,322.5 sq. m. | 150 ft. / 45.7 m. |
| | | | 2 | 30,000 sq. ft. / 2,787 sq. m. | 160 ft. / 48.8 m. |
| | | | 3 | 35,000 sq. ft. / 3,251.5 sq. m. | 175 ft. / 53.3 m. |
| | | | 4 | 40,000 sq. ft. / 3,717 sq. m. | 200 ft. / 61 m. |
| | | | more than 4 | 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 200 ft. / 61 m. |
| central water supply and on-site sewage disposal system | III | 50 feet / 15.25 metres | 1 | 40,000 sq. ft. / 3,717 sq. m. | 200 ft. / 61 m. |
| | | | 2 | 45,000 sq. ft. / 4,180.5 sq. m. | 225 ft. / 68.6 m. |
| | | | 3 | 50,000 sq. ft. / 4,645 sq. m. | 250 ft. / 76.2 m. |
| | | | 4 | 55,000 sq. ft. / | 275 ft. / 83.8 m. |

| <i>(a) Servicing</i> | <i>(b) Lot Category</i> | <i>(c) Minimum Lot Frontage</i> | <i>(d) Number of Dwelling Units</i> | <i>(e) Minimum Lot Area sq. ft. / sq. m.</i> | <i>(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres</i> |
|---|-------------------------|---------------------------------|-------------------------------------|---|---|
| | | | | 5,110 sq. m. | |
| | | | more than 4 | 55,000 sq. ft. / 5,110 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 275 ft. / 83.8 m. |
| central water supply and on-site sewage disposal system | IV | 50 feet / 15.25 metres | 1 | 60,000 sq. ft. / 5,580 sq. m. | 275 ft. / 83.8 m. |
| | | | 2 | 65,000 sq. ft. / 6,450.5 sq. m. | |
| | | | 3 | 70,000 sq. ft. / 6,510 sq. m. | |
| | | | 4 | 75,000 sq. ft. / 6,975 sq. m. | |
| | | | more than 4 | 75,000 sq. ft. / 6,975 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | |
| central water supply and on-site sewage disposal system | V | N/A | N/A | not developable | N/A |
| on-site water supply and central waste treatment system | I or II | 50 feet / 15.25 metres | 1 | 15,000 sq. ft. / 1,393.5 sq. m. | 100 ft. / 30.5 m. |
| | | | 2 | 20,000 sq. ft. / 1,858 sq. m. | 125 ft. / 38.1 m. |
| | | | 3 | 25,000 sq. ft. / 2,322.5 sq. m. | 150 ft. / 45.7 m. |
| | | | 4 | 30,000 sq. ft. / 2,787 sq. m. | 160 ft. / 48.8 m. |
| | | | more than 4 | 30,000 sq. ft. / 2,787 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 160 ft. / 48.8 m. |
| on-site water supply and central waste treatment system | III | 50 feet / 15.25 metres | 1 | 20,000 sq. ft. / 1,858 sq. m. | 125 ft. / 38.1 m. |
| | | | 2 | 25,000 sq. ft. / 2,322.5 sq. m. | 150 ft. / 45.7 m. |
| | | | 3 | 30,000 sq. ft. / 2,787 sq. m. | 160 ft. / 48.8 m. |
| | | | 4 | 35,000 sq. ft. / 3,251.5 sq. m. | 175 ft. / 53.3 m. |
| | | | more than 4 | 35,000 sq. ft. / 3,251.5 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit | 175 ft. / 53.3 m. |
| central water supply and waste treatment systems | I, II, or III | n/a | any number | as determined by the Minister | as determined by the Minister |

Table 2 Minimum Lot Size Standards Non Residential Lots

| <i>(a) Servicing</i> | <i>(b) Lot Category</i> | <i>(c) Minimum Lot Frontage</i> | <i>(e) Minimum Lot Area</i> | <i>(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres</i> |
|---|-------------------------|---|---------------------------------|---|
| on-site water supply and on-site sewage disposal system | I | 100 ft / 30.5 m (or 50 ft / 15.25 m, where the frontage is on the interior curve of a street) | 25,000 sq. ft. / 2,322.5 sq. m. | 150 ft. / 45.7 m. |
| on-site water supply and on-site sewage disposal system | II | 100 ft / 30.5 m (or 50 ft / 15.25 m, where the frontage is on the interior curve of a street) | 35,000 sq. ft. / 3,251.5 sq. m. | 175 ft. / 53.3 m. |
| on-site water supply and on-site sewage disposal system | III | 100 ft / 30.5 m (or 50 ft / 15.25 m, where the frontage is on the interior curve of a street) | 51,000 sq. ft. / 4,738 sq. m. | 225 ft. / 68.6 m. |
| central water supply and on-site sewage disposal system | I | 50 ft / 15.25 m | 20,000 sq. ft. / 1,858 sq. m. | 125 ft. / 38.1 m. |
| central water supply and on-site sewage disposal system | II | 50 feet / 15.25 m | 25,000 sq. ft. / 2,322.5 sq. m. | 150 ft. / 45.7 m. |
| central water supply and on-site sewage disposal system | III | 50 ft / 15.25 m | 35,000 sq. ft. / 3,251.5 sq. m. | 175 ft. / 53.3 m. |

| <i>(a) Servicing</i> | <i>(b) Lot Category</i> | <i>(c) Minimum Lot Frontage</i> | <i>(e) Minimum Lot Area</i> | <i>(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres</i> |
|--|--------------------------------|--|--|--|
| on-site water supply and central waste treatment system | I, II or III | 50 ft / 15.25 m | 15,000 sq. ft. / 1,393.5 sq. m. | 100 ft. / 30.5 m. |
| central water supply and waste treatment systems | I, II or III | n/a | as determined by the Minister | as determined by the Minister |