



PLAN  
RICHMOND  
COUNTY



# **Municipality of the County of Richmond**

## Draft Land Use By-law

June 17, 2022



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# 1 Title, Purpose, Authority, and Applicability

## 1.1 Title

1.1.1 This By-law shall be known as, and may be cited as, the Municipality of the County of Richmond Land Use By-law for the Municipality of the County of Richmond (“Municipality”).

## 1.2 Purpose

1.2.1 The purpose of this By-law is to facilitate the sustainable, orderly, economical, and beneficial development and use of land and buildings within the Municipality of the County of Richmond, and for that purpose the By-law, among other things:

- (a) divides the Municipality of the County of Richmond Planning Area into zones;
- (b) prescribes and regulates for each zone the purposes for which land and buildings may be used;
- (c) establishes standards for the dimensions of land within each zone and the positioning of buildings upon those lands;
- (d) establishes a method of making decisions on applications for development permits, including the issuing of development permits; and
- (e) establishes a method for making decisions on applications for site plan approval.

## 1.3 Authority

1.3.1 This By-law shall be applied in a manner consistent with the Municipality of the County of Richmond’s Municipal Planning Strategy and the *Municipal Government Act* (“Act”), as amended from time to time.

## 1.4 Applicability

1.4.1 This By-law shall apply to all lands within the Municipality, excepting those lands subject to Secondary Municipal Planning Strategies, as identified on Schedule ‘A’, the Zoning Map.

1.4.2 Notwithstanding Section 1.4.1, the wind turbine provisions of Section 6.34 shall apply to all areas of the Municipality.

## **2 Interpretation**

### **2.1 Certain Words**

2.1.1 In this By-law:

- (a) the word “shall” means mandatory compliance;
- (b) the word “may” means discretionary compliance or a choice in applying a policy or regulation;
- (c) words used in the plural include the singular, and words in the singular include the plural; and
- (d) gendered words shall be interpreted to mean any gender.

2.1.2 Words not otherwise defined in this By-law shall have the meaning assigned to them in the Act.

### **2.2 Conflict**

2.2.1 In the case of any conflict between the text of this By-law and any maps or drawings used to illustrate any aspect of this By-law, the text shall prevail.

2.2.2 Colour coding throughout this By-law and the zoning maps is for ease of reference only and the text of the By-law shall take priority.

2.2.3 In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall prevail.

2.2.4 In the case of conflict between a written zone name and a zone symbol, the written zone name shall prevail.

### **2.3 Definitions**

2.3.1 For the purposes of this By-law, words shall have the meaning or meanings assigned to them in Part 29—Definitions. Where a word is not defined in Part 29, the word shall have the meaning or meanings assigned by accepted Canadian English dictionaries.

### **2.4 Units of Measurement**

2.4.1 This By-law uses the metric system of measurement. Numerical measurements in this document may also be presented in other units; however, this is for convenience only. If a metric measurement conflicts with its conversion in another unit, the metric measurement shall take priority.

## **2.5 Interpretation of Zone Boundaries**

2.5.1 Boundaries between zones shall be determined as follows:

- (a) where a zone boundary is indicated as following a survey line as recorded at the Land Registration Office, the boundary shall follow that line;
- (b) where a zone boundary is indicated as following a street, private road, or controlled access highway, the centerline of the street, private road, or controlled access highway shall be the boundary unless otherwise indicated;
- (c) where a zone boundary is indicated as following a railway or utility right-of-way, the centerline of the right-of-way shall be the boundary unless otherwise indicated;
- (d) where the zone boundary is indicated as approximately following lot lines, the boundary shall follow the lot lines;
- (e) where the zone boundary is indicated as following the shoreline of a river, watercourse, lake, or salt water body, the ordinary high watermark shall be the boundary; and
- (f) where none of the above provisions apply, the Development Officer shall scale the zone boundary from the zoning map.

## **2.6 Severability**

2.6.1 If any provision of this By-law is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this By-law.

## **3 Administration**

### **3.1 Administration of Land Use By-law**

- 3.1.1 Council shall appoint one (1) or more Development Officer(s) for the Municipality.
- 3.1.2 The Development Officer shall be responsible for the administration of this By-law.

### **3.2 Inspection**

- 3.2.1 Subject to Section 267 of the *Municipal Government Act*, the Development Officer or authorized agent of the Development Officer is authorized to enter, at all reasonable times, into or upon any property within the Municipality for the purpose of any inspections necessary to administer this By-law.

### **3.3 Enforcement and Penalty**

- 3.3.1 In the event of any contravention of the provisions of this By-law, the Municipality may act as provided for in Section 266 of the *Municipal Government Act*.

### **3.4 Compliance with Other Legislation**

- 3.4.1 Nothing in this By-law shall exempt any person from complying with the requirements of any other by-law in force within the Municipality, or from obtaining any license, permission, permit, authority, or approval required by any other by-law of the Municipality or statute or regulation of the Province of Nova Scotia or the Government of Canada.
- 3.4.2 Where the provisions in this By-law conflict with those of any other by-law of the Municipality or statute or regulation of the Province of Nova Scotia or the Government of Canada, the higher or more stringent provision shall prevail.

### **3.5 Restoring to a Safe Condition**

- 3.5.1 Nothing in this By-law shall prevent the restoration of any building or structure to a safe condition when so required by a municipal order issued against a property.

### **3.6 Effective Date**

- 3.6.1 Upon adoption by the Council of the Municipality of the County of Richmond and approval by the Minister of Municipal Affairs, this By-law shall take effect on the date a notice is published in a newspaper, circulating in the Municipality, informing the public that the Land Use By-law is in effect.

### **3.7 Repeal**

- 3.7.1 The Municipality's Shannon Lake Land Use By-law, Sporting Mountain Land Use By-law, and Wind Turbine Development Land Use By-law are hereby repealed.

### **3.8 Existing Structures and Uses**

- 3.8.1 A structure or use of land shall be deemed to exist on the effective date of this By-law if:
- (a) it has lawfully been constructed;
  - (b) it has lawfully commenced;
  - (c) it is lawfully under construction; or
  - (d) all required permits for its construction or uses were in force and effect, except that this shall not apply unless the construction or use is commenced within 12 months after the date of the latest issuance of the required permits.

## 4 Development Permitting

### 4.1 Development Permit

- 4.1.1 Unless otherwise stated in this By-law, no person shall undertake a development within the Municipality, including the development of any wind turbine development, without first obtaining a development permit from the Development Officer.
- 4.1.2 The Development Officer shall only issue a development permit in conformance with this By-law and any development agreement or site plan agreement in effect on the site, except where a variance is granted or in the case of an existing nonconforming use or structure, in which case a development permit shall be issued in conformance with the Act.
- 4.1.3 A development permit shall expire within the following time periods from the date issued if the development has not commenced:
- (a) Three (3) years for utility scale wind turbines.
  - (b) Two (2) years for industrial uses.
  - (c) One (1) year for all other uses.
- 4.1.4 The Development Officer may revoke a development permit where information provided on the application is found to be inaccurate or the permit was issued in error.
- 4.1.5 The Development Officer shall, at the applicant's request and subject to the payment of fees in conformance with the fee schedule adopted by resolution of Council, renew a development permit for one (1) additional year if:
- (a) the development permit has not been renewed previously; and
  - (b) the Development Officer is satisfied the development permit is consistent with the current Land Use By-law and any proposed amendments to the Land Use By-law for which Council has provided public notification regarding their intent to adopt.

## **4.2 Development Not Requiring a Development Permit**

4.2.1 The following developments shall not require a development permit:

- (a) Interior or exterior renovations or alterations to a structure that do not result in a change in volume or gross floor area, number of dwelling units, or a change in use of the structure.
- (b) Fences that do not exceed 1.9 metres (6.23 feet) in height or fences within the Rural General (RG) Zone, the Agriculture Potential (AP) Zone, the Rural Commercial (RC) Zone, the Rural Industrial (RM) Zone, or the Lakeshore (RL) Zone.
- (c) Signs smaller than 0.2 square metres (2.15 square feet) in sign area, where signs are permitted.
- (d) Temporary buildings or structures erected for a period not exceeding 60 days.
- (e) Temporary buildings or structures incidental to construction or community events.
- (f) Public and private utilities located within the street right-of-way.
- (g) Temporary greenhouses, cloches, crop hoops, or other such temporary crop structures.
- (h) Accessory electric vehicle charging stations.
- (i) Farm, fish, and forest stalls meeting the requirements of Section 6.10.
- (j) Personal offices or studios meeting the requirements of Section 6.13.1.
- (k) The teaching of one (1) student at a time, meeting the requirements of Section 6.13.2.
- (l) Any building with a footprint of 19.97 square metres (215 square feet) or less, provided all other requirements of this By-law are met.
- (m) Signs permitted in all zones, as listed in Section 8.3.

4.2.2 For greater clarity, a building permit or other form of license may still be required for developments that are exempt from requiring a development permit. Applicants should inquire with the Municipality prior to undertaking any development.

## **4.3 No Exemption from Requirements**

4.3.1 Every development shall be subject to the requirements of this By-law whether or not a development permit is required.



## **4.4 Application Requirements**

- 4.4.1 Every application for a development permit shall be made in writing on an approved form and shall include:
- (a) the signature of the registered land owner or their duly authorized agent;
  - (b) application fees in conformance with the fee schedule adopted by resolution of Council;
  - (c) a statement of the proposed use of the land;
  - (d) a statement of the estimated commencement and completion date of development;
  - (e) a lot plan, as detailed in Section 4.5; and
  - (f) any other information required by this Land Use By-law.

## **4.5 Lot Plan Requirements**

- 4.5.1 Every application for a development permit shall be accompanied by a lot plan of the proposed development, drawn to an appropriate scale and showing:
- (a) the true shape and dimensions of all lots to be used;
  - (b) the proposed location, height, and dimensions of the building, structure, or work for which the permit is applied;
  - (c) the location of rights-of-way and easements within the subject property;
  - (d) the proposed location and dimensions of parking spaces, loading spaces, driveways, solid waste storage areas, and landscaping areas, where applicable;
  - (e) the location of all watercourses on the property; and
  - (f) other such information as necessary to determine whether or not every development conforms to the requirements of this By-law.

## **4.6 Additional Plan Information**

4.6.1 Where the Development Officer is unable to determine whether the proposed development conforms to this By-law or other by-laws and regulations in force, they may require that the lot plan submitted under Section 4.5 shows:

- (a) the location of every building or structure already erected on or partly erected on such lot;
- (b) the location of every building erected upon any abutting lot;
- (c) the location of existing and proposed walkways;
- (d) the type and location of existing and proposed outdoor lighting;
- (e) the type, location, and height of any existing and/or proposed retaining walls, fences, hedges, trees, shrubs, or groundcover, as well as any retained natural vegetation;
- (f) the location and type of any amenity area or facilities provided for users of the development; and/or,
- (g) existing and proposed service connections or on-site services.

## **4.7 Additional Studies and Plans**

4.7.1 Where necessary to determine conformance with this Land Use By-law, the Development Officer may require the applicant to provide additional information at the necessary level of detail and, if necessary, prepared by the appropriate qualified professional at the applicant's cost. Such additional information may include, but is not limited to:

- (a) site survey and/or location certificate prepared and stamped by a Nova Scotia Land Surveyor;
- (b) topography and soil conditions of the subject site;
- (c) watercourse and/or wetland delineation study;
- (d) stormwater management plan;
- (e) floor plans and elevation drawings of any proposed structures;
- (f) geotechnical study;
- (g) site grading plan;
- (h) traffic impact assessment or study;
- (i) groundwater supply study; and/or
- (j) any other information deemed necessary by the Development Officer.

## **4.8 Additional Information for Wind Turbine Developments**

4.8.1 Where a development proposal includes a wind turbine, the applicant shall provide, in addition to any other requirements of this By-law:

- (a) the turbine manufacturer's specifications and Canadian Safety Association certification;
- (b) a project definition including installed turbine(s) capacity, targeted long term production levels, scaled elevations or photos of turbines showing total height, tower height, rotor diameter, and colour;
- (c) an analysis of noise impact, including a map indicating all lands and sensitive receptors impacted by the greater than 40 decibel emission level and estimated noise levels at property lines and receptors, if the wind turbine development has a nameplate capacity equal to or greater than one (1) kilowatt (1,000 watts); and
- (d) any other information deemed necessary by the Development Officer to evaluate the application.

4.8.2 Where a proposal includes a utility scale wind turbine, the applicant shall provide, in addition to any other requirements of this By-law:

- (a) authorization documents from Transport Canada, NavCan, and any other federal departments, if applicable;
- (b) an Environmental Impact Assessment, if the turbine or wind farm has a nameplate capacity equal to or greater than two (2) megawatts;
- (c) documentation stating that the project does not disrupt provincially significant wildlife habitat or endangered species habitat; and
- (d) a decommissioning and site reclamation plan.

## **4.9 Variances**

4.9.1 Notwithstanding anything in this By-law, the Development Officer may grant a variance subject to Section 235 of the *Municipal Government Act*. Specifically, the Development Officer may vary:

- (a) the percentage of land that may be built upon;
- (b) the size or other requirements relating to setbacks;
- (c) lot frontage;
- (d) lot area;
- (e) the location and number of parking spaces and loading spaces required;
- (f) the ground area of a structure;
- (g) the height of a structure;
- (h) the floor area occupied by a home-based business; and/or
- (i) the height and area of a sign.

4.9.2 In accordance with the *Municipal Government Act*, the Development Officer shall not grant a variance if:

- (a) the variance violates the intent of the Land Use By-law;
- (b) the difficulty experienced is general to properties in the area; or
- (c) the difficulty experienced results from an intentional disregard for the requirements of this Land Use By-law.

## **4.10 Site Plan Approval**

- 4.10.1 This By-law states the types of land uses that are subject to site plan approval through the permitted use tables and/or lists for each zone.
- 4.10.2 The approval and appeal procedures for site plan approval shall follow the requirements of the *Municipal Government Act*.
- 4.10.3 All other applicable criteria of this Land Use By-law shall still apply to any development proposed and undertaken through site plan approval, except for the following which may be varied by the Development Officer:
- (a) requirements related to yards;
  - (b) lot coverage; and,
  - (c) minimum parking requirements.
- 4.10.4 In addition to the requirements of Sections 4.4, 4.5, and 4.6, applications for site plan approval shall meet the following requirements:
- (a) The application shall be accompanied by a written request, including a rationale and any necessary supporting illustrations addressing each of the applicable criteria outlined in Part 28.
  - (b) The application shall be accompanied by a fee, in the amount prescribed by resolution of Council.

## **4.11 Site Plan Approval Exemptions**

- 4.11.1 Notwithstanding zone requirements for site plan approval, the following developments shall be exempt from site plan approval, provided all other requirements of this By-law are met:
- (a) Interior building reconfigurations, or additions of up to a gross floor area of 25.0 square metres (269.1 square feet).
  - (b) Installation, replacement, or repair of building features, and building repairs or additions that neither change the footprint of the building nor increase parking requirements.
  - (c) Accessory structures with a footprint of less than 25.0 square metres (269.1 square feet) on a property which is not subject to a previously approved site plan, or where accessory structures are not indicated on a previously approved site plan.
  - (d) Changes to signage on a property which is not subject to a previously approved site plan, or where signage was not indicated on a previously approved site plan.
  - (e) Temporary uses.

## **4.12 Site Plan Approval Review**

- 4.12.1 The Development Officer shall review applications for new developments permitted by site plan approval, and amendments to existing site plan approvals, against all applicable criteria of this Land Use By-law and the applicable criteria in Part 28.

## **4.13 Site Plan Approval Notification**

- 4.13.1 Where the Development Officer has granted a site plan approval, notification of the approval shall be served upon all assessed properties that lie within:
- (a) 30.0 metres (98.42 feet) of the property subject to the site plan approval within the Main Street (MS) Zone, the General Centre (GC) Zone, the Residential Centre (RC) Zone, and the Light Industrial Centre (MI) Zone.
  - (b) 60.0 metres (196.85 feet) of the property subject to the site plan approval in the Hamlet Residential (HR) Zone and Hamlet Core (HC) Zone; and
  - (c) 100.0 metres (328.08 feet) of the property subject to the site plan approval in the Rural General (RG) Zone, the Rural Commercial (RC) Zone, the Rural Industrial (RM) Zone, the Agriculture Potential (AP) Zone, the Lakeshore (RL) Zone, the Conservation (C) Zone, the Source Water Protection (WP) Zone, the Fishing (RF) Zone, the Parks and Open Space (PO) Zone, the Commercial Recreation (CR) Zone, the Highway Commercial (HWY) Zone, and the Institutional (I) Zone.

## 5 Zones and Zoning Maps

### 5.1 Zones

- 5.1.1 For the purposes of this By-law, the Municipality is divided into the following zones, the boundaries of which are shown on the attached Schedule 'A'. Such zones may be referred to by the appropriate symbols:

Zone Name	Zone Symbol
Agriculture Potential Zone	AP
Commercial Recreation Zone	CR
Comprehensive Development District Zone	CDD
Conservation Zone	C
Fishing Zone	RF
General Centre Zone	GC
Hamlet Core Zone	HC
Hamlet Residential Zone	HR
Highway Commercial Zone	HWY
Institutional Zone	I
Lakeshore Zone	RL
Light Industrial Centre Zone	MI
Main Street Zone	MS
Parks and Open Space Zone	PO
Residential Centre Zone	R
Rural Commercial Zone	RC
Rural General Zone	RG
Rural Industrial Zone	RM
Source Water Protection Zone	WP

### 5.2 Zoning Maps

- 5.2.1 Schedule 'A' attached hereto may be cited as the "Zoning Maps."  
5.2.2 The Zoning Maps shall form part of this By-law.

### 5.3 Zones Not on the Zoning Maps

- 5.3.1 The Zoning Maps of this Land Use By-law may be amended, in conformance with the Richmond County Municipal Planning Strategy, to utilize any zone in this By-law, regardless of whether or not such zone had previously appeared on the Zoning Maps.

## **6 General Provisions**

### **6.1 Application of General Provisions**

- 6.1.1 The provisions of this Part shall, unless otherwise specified, apply to all uses and zones and shall prevail over all zone requirements except where expressly stated otherwise.

### **6.2 Accessory Agricultural Uses**

- 6.2.1 Accessory agricultural uses, where permitted, may be permitted up to 10,000.0 square metres (107,639.1 square feet) in lot area.
- 6.2.2 Where an accessory agricultural use includes the keeping of livestock, the use may be permitted one (1) accessory structure, with a gross floor area no greater than 20.0 square metres (215.27 square feet), for the keeping of livestock.
- 6.2.3 Where an accessory agricultural use includes the keeping of livestock, any livestock shall not be permitted to run at large, in compliance with the *Fences and Detention of Stray Livestock Act*.
- 6.2.4 Any accessory structure used for an accessory agricultural use shall be subject to the requirements of Section 6.3.



### **6.3 Accessory Buildings and Structures**

- 6.3.1 Accessory buildings and structures shall be located on the same lot as the main use.
- 6.3.2 Accessory buildings and structures shall not be located in the front or flanking yard.
- 6.3.3 The combined footprint for all accessory buildings and structures shall not exceed 40 percent of the lot area.
- 6.3.4 Notwithstanding the minimum rear setback for accessory buildings and structures, boat houses, docks, wharves, or piers may be built across the lot line when said lot line corresponds to the water's edge.
- 6.3.5 Notwithstanding lot standards for accessory buildings and structures, accessory buildings legally existing on the date of this By-law's adoption with less than the required setback shall be permitted to be replaced or rebuilt in the same location provided the accessory building or structure does not increase its non-conformity.
- 6.3.6 Notwithstanding the minimum rear and side setback for accessory buildings and structures, accessory buildings without windows or perforations on the side of the building facing the abutting lot line may be built 0.6 metres (2.0 feet) from said lot line.

### **6.4 Accessory Uses**

- 6.4.1 Uses accessory to a permitted use shall be permitted in all zones.

### **6.5 Building Height Exception**

- 6.5.1 Notwithstanding building height requirements in this By-law, maximum height requirements shall not apply to church spires, solar collectors, observation towers, silos, gondolas, water tanks, elevator enclosures, flag poles, television or radio antennae, ventilators, skylights, chimneys, clock towers, guard rails, telecommunication towers, and other similar structures.

### **6.6 Building to be Moved**

- 6.6.1 No person shall move any building onto a lot without first obtaining a development permit from the Development Officer.

### **6.7 Electric Vehicle Charging - Accessory**

- 6.7.1 Non-commercial electric vehicle charging stations shall be permitted as an accessory use in all zones and a development permit shall not be required.

## 6.8 Encroachment into Setbacks

6.8.1 Notwithstanding the zone standards in this By-law, the following encroachments into minimum required setbacks shall be permitted:

Feature	Required Setback in which Encroachment is Permitted	Permitted Encroachment Distance
Balconies, decks (> 0.3 m [0.98 ft] high), patios, steps, verandas, porches (open) not exceeding one (1) storey in height, and terraces (uncovered)	Any	To lot line
Barrier free access structures	Any	To lot line
Carports	Side	0.6 m (1.96 ft) from lot line
Exterior insulation retrofitted to an existing building	Any	0.3 m (0.98 ft)
Fire escapes and exterior staircases	Rear and Side	1.5 m (4.92 ft)
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, or similar architectural features	Any	0.6 m (1.96 ft)
Window bays up to 3.0 metres (9.8 ft) wide	Front, Rear, and Flankage	1.0 m (3.28 ft)

## 6.9 Existing Undersized Lots

6.9.1 Any lot legally in existence on or before the effective date of this By-law, having less than the required minimum lot frontage or area, may be:

- (a) used for a purpose permitted in the zone on the lot and a building may be erected on such lot, provided that all other applicable provisions of this By-law are satisfied; and
- (b) increased in area and/or frontage as a result of an approved plan of subdivision and still be considered an undersized lot under this By-law.

## **6.10 Farm, Fish, and Forestry Stalls**

- 6.10.1 Nothing in this By-law shall prevent the direct sale of fish or other seafood; farm products such as, but not limited to, flowers, fruit, and vegetables; and forestry products such as, but not limited to, Christmas trees, wreaths, and maple products by individuals or companies engaged in the harvesting of such, subject to the following provisions:
- (a) any associated structures shall be limited to a maximum total footprint of 10.0 square metres (107.63 square feet) on a lot;
  - (b) associated structures shall meet zone requirements for minimum side and rear setbacks, but shall not be required to meet minimum front setbacks; and
  - (c) no development permit shall be required.

## **6.11 Flag Lots**

- 6.11.1 Flag lots shall be subject to the following provisions:
- (a) zone standards for minimum lot area shall be satisfied within the main portion of the flag lot; and
  - (b) the prolongation, or “pole”, shall not at any point be narrower than 6.0 metres (19.6 feet).

## **6.12 Frontage on a Road**

- 6.12.1 Unless otherwise permitted by this By-law, the Development Officer shall only issue a development permit if the lot intended for development abuts a private road existing on [approval date], a public street, or a private bona fide road approved as an access road for up to six lots in the Agriculture Potential (AP) Zone. This requirement shall be waived for agricultural uses and forestry uses, provided the use is permitted in the applicable zone and such use does not include a dwelling.
- 6.12.2 Notwithstanding Subsection 6.12.1, the Development Officer may issue a development permit on private roads created after [approval date] in the following zones, provided all requirements of this By-law are met:
- (a) Commercial Recreation Zone
  - (b) Conservation Zone
  - (c) Fishing Zone
  - (d) Hamlet Core Zone
  - (e) Hamlet Residential Zone
  - (f) Highway Commercial Zone
  - (g) Institutional Zone
  - (h) Lakeshore Zone
  - (i) Parks and Open Space Zone
  - (j) Rural Commercial Zone
  - (k) Rural General Zone
  - (l) Rural Industrial Zone
  - (m) Source Water Protection Zone

## 6.13 Home-based Businesses

- 6.13.1 Nothing in this By-law shall prevent, and no development permit shall be required for, the use of a portion of any dwelling or building accessory to a dwelling as a personal office or studio for residents of the dwelling if the personal office or studio is not intended to be visited by members of the public.
- 6.13.2 Nothing in this By-law shall prevent, and no development permit shall be required for, the use of a portion of any dwelling or building accessory to a dwelling for the instruction of one (1) student at a time.
- 6.13.3 Level I home-based businesses shall meet the following requirements:

(a) Permitted Uses	(i) Animal care (ii) Art Gallery / Studio (iii) Business or Professional Office (iv) Commercial School - 6 or fewer students (v) Craft Product Workshop (vi) Medical Clinic (vii) Personal Service Shop (viii) Service and Repair Shop, excluding Small Engine Repair
(b) Maximum number of on-site, non-resident employees	(i) Two (2)
(c) Maximum Floor Area of Home-based business	(i) 25 percent of the gross floor area of the dwelling unit or 50 square metres (538.19 square feet), whichever is lesser.
(d) Outdoor Storage and Display	(i) Outdoor storage and display shall not be permitted
(e) Retail Sales	(i) Retail sales shall be limited to the sale of products made, assembled, refined, or repaired on the premises; and the sale of goods or materials associated with and secondary to the main business, such as the sale of shampoo by a hairdresser.
(f) Permitted Signage	(i) One (1) non-illuminated wall sign, not exceeding 1.0 square metres (10.76 square feet).

6.13.4 Level II home-based businesses shall meet the following requirements:

(a) Permitted Uses	(i) Animal care (ii) Art Gallery / Studio (iii) Automobile Repair Shop - 3 or fewer automobiles at one time (iv) Business or Professional Office (v) Commercial School - 10 or fewer students (vi) Craft Product Workshop (vii) Forestry Use (viii) Medical Clinic (ix) Personal Service Shop (x) Service and Repair Shop (xi) Take-out Restaurant
(b) Maximum number of on-site, non-resident employees	(i) Three (3)
(c) Maximum Floor Area of Home-based business	(i) 150 square metres (1,614.59 square feet), but when located in a dwelling, the home-based business shall not occupy more than 40 percent of the gross floor area of the dwelling unit.
(d) Outdoor Storage and Display	(i) The total area of outdoor storage and outdoor display (combined) shall not exceed the maximum permitted floor area of the home-based business. (ii) Outdoor storage and outdoor display shall not be permitted in the front or flankage yard or in minimum require side and rear setbacks.
(e) Retail Sales	(i) Retail sales shall be limited to the sale of products made, assembled, refined, or repaired on the premises; and the sale of goods or materials associated with and secondary to the main business, such as the sale of shampoo by a hairdresser.
(f) Permitted Signage	(i) One (1) non-illuminated wall sign, not exceeding 1.0 square metres (10.76 square feet).

## 6.14 Illumination

6.14.1 Exterior lighting on any lot shall be directed away from, and shall not cause glare on, adjoining properties or adjacent streets.

## **6.15 Islands**

- 6.15.1 Notwithstanding minimum lot frontage requirements, the Development Officer may grant a development permit for development on an island provided:
- (a) the lot has a minimum of 6.0 metres (19.68 feet) of water frontage on the body of water that creates the island; and
  - (b) all other requirements of this By-law are satisfied.

## **6.16 Habitation of Vehicles**

- 6.16.1 Trucks, trailers, buses or coach bodies, or similar structures shall not be used for human habitation.

## **6.17 Kennels**

- 6.17.1 Notwithstanding minimum lot area and minimum side and rear yard setback requirements, kennels, where permitted, shall be subject to the following requirements:
- (a) Kennel uses shall have a minimum lot area of 10,000 square metres (107,639.1 square feet).
  - (b) Side and rear yard setbacks shall be a minimum of 15.24 metres (50.0 feet).

## **6.18 Landscaping and Stormwater Management Plans for Large Developments**

- 6.18.1 Any commercial or industrial development within the Plan Area with a footprint of 1,000 square metres (10,763.9 square feet) or greater shall be required to prepare a landscaping plan and/or stormwater management plan to the satisfaction of the Development Officer.

## **6.19 Marine Industrial Uses**

- 6.19.1 Notwithstanding the provisions of this By-law, the storage of equipment associated with a marine industrial use shall be permitted as an accessory use in all zones.

## **6.20 Multiple Main Buildings**

- 6.20.1 Unless otherwise prohibited in this By-law, any number of main buildings may locate on the same lot, subject to applicable zone requirements.

## **6.21 Multiple Main Building**

- 6.21.1 In any zone, where any land or building is used for more than one (1) purpose, all the provisions of this By-law relating to each use shall be satisfied. Where there is a conflict, such as in the case of lot area or lot frontage, the higher or more stringent standard shall prevail.

## **6.22 Non-conforming Structures**

- 6.22.1 Notwithstanding lot area, lot frontage, and minimum setback requirements of this By-law, the use of a non-conforming structure may be changed to any other use permitted in that zone, provided all other requirements of this By-law are met.
- 6.22.2 Non-conforming structures may be replaced, reconstructed, enlarged, renovated, and/or repaired, provided:
- (a) any such construction does not further infringe on the By-law requirements(s) that created the non-conformity; and
  - (b) all other requirements of this By-law are met.

## **6.23 Non-conforming Uses**

- 6.23.1 Non-conforming uses shall be subject to the provisions for non-conforming uses of the *Municipal Government Act*, except the use may be recommenced if discontinued for a continuous period of 12 months.
- 6.23.2 Non-conforming uses may be converted to another non-conforming use by site plan approval, subject to the applicable provisions of Part 28.

## **6.24 Self-Storage Facilities**

- 6.24.1 Where permitted, and notwithstanding minimum side and rear yard setback requirements, self-storage facilities shall adhere to the following provisions:
- (a) Self-storage facility units accessed from the external building walls shall not be permitted to be located along the front lot line of any self-storage facility.
  - (b) Side and rear yard setbacks shall be a minimum of 15.24 metres (50.0 feet).

## **6.25 Side Yard Requirement - Exception**

- 6.25.1 Notwithstanding anything else in the By-law, where buildings on adjacent lots share a common wall, the applicable side yard requirements shall be waived.



## **6.26 Shipping Containers**

- 6.26.1 Shipping containers shall be permitted as an accessory structure, and they shall be subject to the accessory structure provisions of Section 6.3.

## **6.27 Short-term Rentals**

- 6.27.1 Short-term rentals shall be limited to one (1) unit per lot.

## **6.28 Solar Collector Systems - Large-scale**

- 6.28.1 Large-scale solar collector systems in the Hamlet Residential (HR) and Hamlet Core (HC) Zone shall be limited to a collector area of 500.0 square metres (5,381.96 square feet).

## **6.29 Sporting Mountain Overlay**

- 6.29.1 In addition to all other regulations of this By-law, the area within the Sporting Mountain Overlay, as shown of Schedule 'C', shall be subject to the provisions of this Section.
- 6.29.2 Notwithstanding the requirements of this By-law, heavy industrial uses shall be prohibited within the Sporting Mountain Overlay.
- 6.29.3 Notwithstanding the requirements of this By-law, any proposal that includes a light industrial use within the Sporting Mountain Overlay shall:
- (a) not be located within 100.0 metres (328.08 feet) of the high watermark of the Bras d'Or Lakes; and
  - (b) not have a building height greater than 9.15 metres (30 feet).

## **6.30 Use of Former Community Facilities**

- 6.30.1 The reuse of former community facilities, existing on [adoption date], including, but not limited to, schools, community halls, places of worship, and other similar community facilities, shall be considered to assume a use not otherwise permitted in the applicable land use zone in which the community facility is located, by Development Agreement, subject to Policy 4-40 of the Municipal Planning Strategy.

### **6.31 Utilities**

- 6.31.1 Unless otherwise stated, any public utility that is essential for the actual provision of a service, not including energy generation systems, wind turbines, and large-scale solar collector systems, shall be permitted in any zone and shall be exempt from zone standards. These utilities include, but are not limited to, telephone switching centres, electrical substations, sewage treatment facilities, and water supply facilities.
- 6.31.2 For greater clarity, uses not directly related to the provision of utility service shall not be included in the exemptions of this Section, and shall only be permitted in accordance with zone requirements. Such uses include, but are not limited to, administrative offices and maintenance depots.

### **6.32 Visibility at Intersections**

- 6.32.1 Notwithstanding anything else in this By-law, on a corner lot, no building, structure, fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation shall be erected or permitted to grow to a height greater than 0.6 metres (1.96 feet) above grade within the corner vision triangle.

### **6.33 Watercourse Buffer**

- 6.33.1 All development, with the exception of the following, shall be prohibited within 15.24 metres (50.0 feet) of the ordinary high watermark of any watercourse:
- (a) Boat houses, fishing gear sheds, docks, wharves, piers and slipways.
  - (b) Marine industrial uses.
  - (c) Boardwalks, walkways and trails with a maximum width of 3.0 metres (9.84 feet).
  - (d) Pumphouses.
  - (e) Scientific research structures.
  - (f) Public streets and infrastructure.
  - (g) Development in the Source Water Protection (WP) Zone.
  - (h) Development in the Fishing Zone (RF) Zone.

## **6.34 Wind Turbines**

6.34.1 All wind turbine development shall be developed in accordance with the provisions of the Wind Resource Overlay, as shown on Schedule 'B', and the requirements of this Section, and any other applicable provision of this Land Use By-law.

### **General Development Overlay Zone**

6.34.2 Within the General Development Overlay Zone of the Wind Resource Overlay:

- (a) utility scale wind turbines shall be prohibited; and
- (b) domestic scale wind turbines shall be permitted and subject to the provisions of Subsection 6.34.3.

6.34.3 No person shall erect a domestic scale wind turbine in the General Development Overlay Zone except in accordance with the following requirements:

- (a) The maximum height of the turbine shall be 60.0 metres (196.85 feet).
- (b) The minimum setback from all adjacent lot boundaries shall be the greater of:
  - i. one (1) times the height of the turbine; or
  - ii. at such a distance where the mean value of sound pressure level from a wind turbine does not exceed 40 decibels at the lot line.
- (c) There shall be no signs, advertisements, or objects attached to or added to the turbine.
- (d) Turbines greater than 6.0 metres (19.7 feet) in height shall not be mounted on or attached to any other structure.
- (e) All supporting structures shall be located a minimum of 3.0 metres (9.84 feet) from all lot lines.
- (f) All supporting structures, including guy wires, shall be clearly visible to a height of a minimum of 2.0 metres (6.6 feet) above the ground.
- (g) A maximum of one (1) domestic scale wind turbine shall be permitted per lot.

6.34.4 Mini wind turbines shall be exempt from the provisions of Subclause 6.34.3 (b) ii. and Clause 6.34.3 (g) within the General Development Overlay Zone.

6.34.5 Clause 6.34.3 (g) within the General Development Overlay Zone shall be waived where the subject lot is greater than 60,000 square metres (645,834.63 square feet) in area, provided that the minimum separation distance between turbines equals the height of the tallest turbine.

- 6.34.6 Within the General Development Overlay Zone, minimum setback requirements from all adjacent lot boundaries established in Subsection 6.43.3 shall be waived where:
- (a) such adjacent property owner agrees to grant an easement binding on the current and future land owners; or
  - (b) such adjacent property is used for a utility scale wind turbine development.

### **Wind Development Overlay Zone**

- 6.34.7 Within the Wind Development Overlay Zone of the Wind Resource Overlay:
- (a) Utility scale wind turbines shall be permitted and subject to the provisions of Subsection 6.34.8.
  - (b) Domestic scale wind turbines shall be permitted and subject to the provisions of Subsection 6.34.3.
- 6.34.8 No person shall erect a utility scale wind turbine in the Wind Development Overlay Zone of the Wind Resource Overlay in accordance with the following requirements:
- (a) The minimum setback from all residences, except residences located on the same lot as the wind turbine, shall be 600.0 metres (1,968.5 feet). There shall be no setback requirement from residences located on the same lot.
  - (b) The minimum setback for wind turbine developments with a nameplate capacity greater than two (2) megawatts or turbines requiring an Environmental Assessment, as stipulated in the *Nova Scotia Environment Act*, from all residences, except residences located on the same lot as the wind turbine, shall be 1000.0 metres (3,280.84 feet). There is no setback requirement from residences located on the same lot.
  - (c) There shall be no setback requirements for new residences constructed subsequent to a utility scale wind turbine development.
  - (d) Minimum setback from all lot lines shall be one (1) times the height of the turbine.
  - (e) Minimum setbacks from all watercourses and public highways shall be 60.0 metres (196.85 feet) or two (2) times the height of the turbine, whichever amount is greater.
  - (f) The minimum separation distance between turbines shall be equal to the height of the tallest turbine.

- (g) The mean value of sound pressure level from a wind turbine shall not exceed 40 decibels or above the existing background noise, whichever is greater, at the nearest residence.
  - (h) There shall be no signs, advertisements or objects attached to or added to the turbine(s).
- 6.34.9 Notwithstanding the setback requirement from a residence contained in Clause 6.34.8 (a) and Clause 6.34.8 (b), where a residence is constructed within the setback distance of utility scale wind turbine development erected after the effective date of this By-law, the wind turbine development may expand. The setback requirement for any expansion shall be equal to or greater than the setback between the initial wind turbine development and the residence.
- 6.34.10 The setback requirements from lot lines contained in Clause 6.34.8 (d) shall be waived where wind turbine development occurs on land where the adjacent property is subject to a lease for that purpose for a term of 19 years or greater. The setback requirement shall apply to any property which is not leased for wind turbine development.
- 6.34.11 The owner of a utility wind turbine shall remove a utility wind turbine from the lot following one (1) year of inactivity. All supporting structures on the lot shall be removed within 60 days of the date of notification by the Municipality and the surface site restored to a reasonable natural state within 18 months. A new application shall be submitted and approved before a new utility wind turbine is installed or a utility wind turbine is restarted after the expiration of the one (1) year period.

## 7 Parking

### 7.1 Application of Parking Requirements

7.1.1 The requirements of this Part shall apply to the:

- (a) General Centre (GC) Zone,
- (b) Hamlet Core (HC) Zone,
- (c) Hamlet Residential (HR) Zone,
- (d) Main Street (MS) Zone, and
- (e) Residential Centre (R) Zone.

7.1.2 The requirements of this Part shall not apply to any land use that was in existence on the effective date of this By-law.

7.1.3 Where a change in use would require parking that could not be accommodated on the lot without the demolition, in whole or in part, of a main building existing on [adoption date] the Development Officer may consider a reduction in the number of parking spaces via the variance process as outlined in Section 4.9.

### 7.2 Minimum Number of Automobile Parking Spaces

7.2.1 Where a lot contains more than one (1) use, the number of required parking spaces shall be the sum of the number of parking spaces required for each use.

7.2.2 Where the number of automobile parking spaces required includes a fraction or fractions of whole spaces, the number of spaces for all uses shall be totaled before any rounding, and then the total shall be rounded to the nearest whole number. Half spaces shall be rounded down.

7.2.3 Required automobile parking spaces shall be:

- (a) a minimum of 2.5 metres (8.20 feet) wide by 5.5 metres (18.04 feet) long for 90-degree spaces;
- (b) a minimum of 3.6 metres (11.81 feet) wide by 5.7 metres (18.70 feet) long for angled spaces; and
- (c) except for dwellings with fewer than four (4) units, shall be capable of being accessed without travelling through another parking space.

7.2.4 Parking shall be provided and maintained in conformity with Table 7-1. If a use is not listed in Table 7-1, no parking minimums shall apply.

Use	Parking Spaces Required
Accommodation	1 space per suite or rental
Art Gallery / Studio	1 space
Animal Care	3 spaces
Automobile Body or Repair Shop	2 spaces per service bay
Banks and Financial Institutions	1 space per 50 m <sup>2</sup> (538.19 ft <sup>2</sup> ) GFA
Bed and Breakfast	1 space per sleeping unit
Boarding House	1 space per sleeping unit
Business or Professional Office	1 space per 50 m <sup>2</sup> (538.19 ft <sup>2</sup> ) GFA
Commercial Recreation - Indoor	1 space per 50 m <sup>2</sup> (538.19 ft <sup>2</sup> ) GFA
Convenience Store	3 spaces
Funeral Home	1 space per 25 m <sup>2</sup> (269.10 ft <sup>2</sup> ) GFA, not including area dedicated to crematoria
Personal Service Shop	1 space per 50 m <sup>2</sup> (538.19 ft <sup>2</sup> ) GFA
Post Office	4 spaces
Private Club	1 space per 50 m <sup>2</sup> (538.19 ft <sup>2</sup> ) GFA
Restaurant - Eat-in	1 space per 225 m <sup>2</sup> (269.10 ft <sup>2</sup> ) GFA
Restaurant - Drive-through	1 space per 45 m <sup>2</sup> (484.37 ft <sup>2</sup> ) GFA
Restaurant - Take out	3 spaces
Retail Store	1 space per 30 m <sup>2</sup> (322.91 ft <sup>2</sup> ) GFA
School - Commercial	1 space per 50 m <sup>2</sup> (538.19 ft <sup>2</sup> ) GFA
Service and Repair Shop	3 spaces

“GFA” = Gross floor area

### **7.3 Location of Automobile Parking**

- 7.3.1 Parking shall not be located in the front yard in the Main Street (MS) Zone.
- 7.3.2 No more than three (3) parking spaces shall be located in the front yard of any dwelling.

### **7.4 Parking Exemption**

- 7.4.1 Notwithstanding Section 7.2, all minimum automobile parking space requirements shall be waived in the Main Street (MS) Zone.

### **7.5 Automobile Parking Area Standards**

- 7.5.1 Where parking facilities for more than four (4) automobiles are required or provided, the facilities shall meet the following requirements:
  - (a) The parking area shall be maintained with a stable surface that is treated to prevent dust and loose particles.
  - (b) The lights used for illumination of the parking lot or parking station shall be so arranged as to divert the light away from streets, adjacent lots and buildings.
  - (c) A structure, not more than 4.6 metres (15.09 feet) in height and not more than 5.0 square metres (53.81 square feet) in area may be erected in the parking area for the use of attendants.
  - (d) The parking area shall be within 100.0 metres (square feet) of the location it is intended to serve, and shall be situated in the same zone.
  - (e) When the parking area is of a permanent hard surface, each parking space shall be clearly marked and maintained as such.



## **8 Signage**

### **8.1 Signage Provisions for All Zones**

- 8.1.1 All signs and all parts thereof, including copy, framework, supports, background, and anchors shall be kept in a good state of repair and working order.
- 8.1.2 Any sign that no longer advertises a bona fide business conducted or a product sold are deemed to be obsolete and shall be removed once the use has been discontinued for a period exceeding 60 days. In the case of seasonal businesses, the use shall be considered discontinued on December 31<sup>st</sup> of a calendar year if the use was not operated in that calendar year.
- 8.1.3 Where this Part is inconsistent with the regulations made or administered by the Province of Nova Scotia respecting advertising signs on or near public highways, the more restrictive regulations shall apply.

## **8.2 Signs Prohibited in All Zones**

- 8.2.1 Notwithstanding any other provision of this By-law, the following signs shall not be permitted in any zone:
- (a) Signs or sign structures that constitutes a hazard to public health or safety;
  - (b) Signs that obstruct free ingress to or egress from a fire escape door, window, or other required exit way;
  - (c) Signs that obstruct access to any fire hydrant or firefighting hose connection;
  - (d) Signs which have any visible moving part or mechanical movement of any description;
  - (e) Flashing or animated signs;
  - (f) Signs not erected by a public authority which make use of words such as “STOP”, “LOOK”, “ONE WAY”, “DANGER”, “YIELD”, or other similar words, phrases, symbols, lights, or characters displayed in such a manner as to interfere with, mislead, or confuse traffic along a public road;
  - (g) Signs on public property or within a public right-of-way, unless erected by a government body or unless written permission to do so has been obtained from the governmental body;
  - (h) Signs painted on, attached to, or supported by a tree, stone, cliff, or other natural object;
  - (i) Signs that, by reason of size, location, content, colouring or manner of illumination, obstruct the vision of automobile drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads; and
  - (j) Signs located on the roof of any structure.

## **8.3 Signs Permitted in all Zones**

- 8.3.1 Notwithstanding any other provisions of this By-law, the following signs are permitted in all zones without the requirement for a development permit:
- (a) “No Trespassing” signs or other such signs regulating the use of a property, and of not more than 0.2 square metres (2.15 square feet) in sign area.
  - (b) Signs erected by a governmental body, or under the direction of such a body, and bearing no commercial advertising, such as traffic signs, safety signs, signs identifying public schools, public election lists, signs giving legal notice, planning application signs, and public identification and information signs.
  - (c) Election signs.
  - (d) Memorial signs or tablets and signs denoting the date of erection of a structure.
  - (e) A maximum of two (2) real estate signs on a property, each one not exceeding 0.5 square metres (5.38 square feet) in sign area, which advertise the sale, rental, or lease of the premise.
  - (f) Signs identifying the name and occupation of the resident, and of not more than 0.2 square metres (2.15 square feet) in sign area.
  - (g) Signs bearing the name or civic number of a building, and of not more than 0.2 square metres (2.15 square feet) in sign area.
  - (h) Signs mounted on the interior surface of sporting facilities such as, but not limited to, signs mounted on baseball diamond fences.
  - (i) Signs regulating or denoting on-premise traffic, or parking or other signs denoting the direction or function of various parts of a building or premise, provided that such signs are less than 0.5 square metres (5.38 square feet) in sign area.
  - (j) The flag, pennant, or insignia of any nation, province, or state or of any religious, charitable, or fraternal organization.
  - (k) Interpretive panels describing the history, science, or cultural relevance of a location.
  - (l) A sign incidental to the construction of a residential, commercial, or industrial building, which is located on the same lot as the structure under construction. Such sign shall have a sign area of no more than 6.0 square metres (64.58 square feet) and shall be removed within sixty days following the completion of construction.

- (m) Temporary signs associated with a specific event, which does not exceed 1.5 square metres (16.14 square feet) in sign area. Such signs shall not be placed more than 14 calendar days before an event and shall be removed within seven (7) of the event's conclusion.
- (n) Signs erected in compliance with any Municipality of the County of Richmond signage program and holding a valid permit as may be required by any by-law or Council policy applicable to any such program.

## **8.4 Signage Provisions for the Serviced Areas and Hamlet Areas**

8.4.1 The signage provisions of this Section shall apply to those lands located within the following zones:

- (a) General Centre (GC) Zone
- (b) Hamlet Core (HC) Zone
- (c) Hamlet Residential (HR) Zone
- (d) Main Street (MS) Zone
- (e) Residential Centre (R) Zone

8.4.2 No person shall erect or relocate any signs, except those permitted under Section 8.3, without first obtaining a development permit from the Development Officer, and no development permit shall be issued to erect a sign unless all the sign provisions of this By-law are satisfied.

8.4.3 A development permit shall not be required for:

- (a) a changeable copy sign with a valid development permit, where the changeable portion of the sign is altered so long as the sign or sign structure is not modified in any other way; or
- (b) the repainting, cleaning, or repairing of a sign or sign structure, for which has a valid development permit, so long as the sign or sign structure is not modified in any other way.

8.4.4 In addition to the provisions of Section 4.4 of this By-law, the following information shall be provided by the applicant for a development permit for a sign:

- (a) the name and address of the owner of the sign;
- (b) the name and address of owner or person in possession of the premises where the sign is to be located;
- (c) clear and legible drawings showing the exact location of the sign that is the subject of the permit and all other existing signs on the same premises; and
- (d) drawings showing the dimensions, supports, sizes, materials of sign, and the method of attachment and the character of structural members to which attachments are to be made.

8.4.5 Permitted signage shall be outlined in Table 8-1. All requirements are maximums:

Table 8-1					
	Main Street Zone	General Centre Zone	Residential Centre Zone	Hamlet Residential Zone	Hamlet Core Zone
Ground Sign	Not Permitted	6 m (19.68 ft) tall / 4 m <sup>2</sup> (43.05 ft <sup>2</sup> ) sign area	Not Permitted	Not Permitted	6 m (19.68 ft) tall / 4 m <sup>2</sup> (43.05 ft <sup>2</sup> ) sign area
Wall Sign	10% of wall	20% of wall	5% of wall	5% of wall	15% of wall
Projecting Sign	1 m (3.28 feet) projection / 1 m <sup>2</sup> (10.76 ft <sup>2</sup> ) sign area	1.5 m (4.92 feet) projection / 2 m <sup>2</sup> (21.52 ft <sup>2</sup> ) sign area	1 m (3.28 feet) projection / 1 m <sup>2</sup> (10.76 ft <sup>2</sup> ) sign area	1 m (3.28 feet) projection / 1 m <sup>2</sup> (10.76 ft <sup>2</sup> ) sign area	1.5 m (4.92 feet) projection / 2 m <sup>2</sup> (21.52 ft <sup>2</sup> ) sign area
Mobile Sign	Not permitted	One per property	Not permitted	Not permitted	One per property
Sandwich Board Signs	One per business	One per business	One per business	One per business	One per business
Roof Signs	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
Third Party Signs	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

## 8.5 Illumination

8.5.1 Signs may be internally-illuminated or illuminated through the use of shielded downlighting but such illumination shall not flash.

## 9 Main Street (MS) Zone

### 9.1 Permitted Uses

9.1.1 The following uses shall be permitted in the Main Street (MS) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Adult Entertainment
- (c) Animal Care
- (d) Banks and Financial Institutions
- (e) Bed and Breakfast Uses
- (f) Boarding (Rooming) Houses
- (g) Commercial Recreation – Indoor
- (h) Community Centre
- (i) Craft Food and Beverage Production
- (j) Cultural Facilities
- (k) Daycare Centre
- (l) Dwellings – up to 12 units per lot
- (m) Electric Vehicle Charging – Commercial
- (n) Farmers’ Market
- (o) Funeral Home
- (p) Government Uses
- (q) Interpretive Centre
- (r) Licenced Liquor Establishment
- (s) Marina
- (t) Medical Clinic
- (u) Nursing Home
- (v) Office
- (w) Parking Structures and Surface Parking Lots
- (x) Parks and Playgrounds
- (y) Personal Service Shop
- (z) Place of Worship
- (aa) Private Club

- (bb) Public Recreation
- (cc) Public Transportation
- (dd) Recycling Depot
- (ee) Residential Care Facility
- (ff) Restaurant – Eat-in
- (gg) Restaurant – Take-out
- (hh) Retail Store
- (ii) School – Academic
- (jj) School – Commercial
- (kk) School – Post-secondary
- (ll) Small Options Home
- (mm) Trails and Conservation
- (nn) Water Access
- (oo) Workshops

## **9.2 Permitted Uses with Conditions**

9.2.1 The following uses shall be permitted in the Main Street (MS) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business – Level I – Section 6.13
- (c) Home-based Business – Level II – Section 6.13
- (d) Light Industrial – Section 9.8
- (e) Short-term Rental – Section 6.27

### 9.3 Permitted Uses by Site Plan Approval

9.3.1 The following uses shall be permitted in the Main Street (MS) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Dwellings – over 12 units per lot

### 9.4 Permitted Uses by Development Agreement

9.4.1 The following uses shall be considered in the Main Street (MS) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

### 9.5 Main Street (MS) Zone Development Standards

9.5.1 In the Main Street (MS) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	200 m <sup>2</sup>	2152.80 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	6 m	19.69 ft
Minimum Front/Flankage Setback	1.5 m	4.92 ft
Maximum Front/Flankage Setback	4 m	13.12 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	1 m	3.28 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	21.2 m	69.55 ft
• Accessory Building	8 m	26.25 ft

9.5.2 Where an easement in the front or flankage yard prevents construction within the maximum setback, the maximum setback shall apply to the edge of the easement instead.

9.5.3 The maximum front setback shall only apply to one (1) main building per lot.

9.5.4 The party wall of attached, side-by-side dwellings or commercial uses may be centred on mutual side lot lines and shall be exempt from the minimum side setback requirements.

9.5.5 The exemption of Subsection 9.5.4 may be applied to up to six (6) dwellings or three (3) commercial or mixed-use buildings which are attached to each other.



## **9.6 Development Standards in the Main Street (MS) Zone**

9.6.1 Main buildings developed or enlarged within the Main Street (MS) Zone shall comply with the requirements of this Section.

### **Building Composition**

9.6.2 A minimum of 50 percent of the lot width, as measured along a line parallel to the front and flankage lot lines at the minimum front and flankage setback requirement, shall be occupied by a building.

9.6.3 The minimum building height shall be 6.0 metres (19.68 feet).

9.6.4 The minimum ground floor height shall be 3.5 metres (11.48 feet).

9.6.5 Above a height of 8.0 metres (26.24 feet):

(a) buildings shall have a setback of a minimum 2.5 metres (8.20 feet) away from the front and flankage lot line; or

(b) all floor area above that elevation shall be developed within the attic of a sloped roof.

9.6.6 If the building exceeds 12.0 metres (39.37 feet) in width, the facades shall be broken into sections no larger than 12.0 metres (39.37 feet) in width using architectural elements such as projections, recesses, awnings, colour, texture, pilasters, and columns, to break up the continuous massing of the front and flankage elevations.

9.6.7 Utilities such as vents, mechanical rooms/equipment, and elevator penthouses shall be integrated with the architectural treatment of the roof, be located so as to be inconspicuous from any sidewalk or public right of way, or be screened with materials and finishes compatible with the buildings design.

### **Wall Openings**

9.6.8 Doors to commercial uses shall be partially or fully glazed.

9.6.9 In the first storey, blank walls without any articulation or windows may not exceed a horizontal length of 5.0 metres (16.40 feet).

9.6.10 At least 50 percent of the area of a building's ground floor front elevation shall be glazed.

9.6.11 All new developments shall provide a clearly defined pedestrian entrance. The main pedestrian entrance shall be visually distinct from other openings in the street wall.

- 9.6.12 All main entrances shall be ornamented by one of the following:
- (a) awnings;
  - (b) emphasized door lintels;
  - (c) cantilevered roof;
  - (d) pilasters on the sides of the entrance; or
  - (e) none of the above if the entire ground floor is visually separated from upper floors by projecting string courses or cladding.
- 9.6.13 On corner lots, the building shall have entrances on the corner within a bevel or on both lot frontages.
- 9.6.14 Vehicular entrances to buildings shall be set back by at least 2.0 metres (6.56 feet) from the facade.

### **Site design**

- 9.6.15 Pedestrian priority areas shall be clearly defined that allow for a comfortable and safe pedestrian movement. This may be achieved through the use of landscaping, surface materials, or other design features.
- 9.6.16 Large areas of uninterrupted parking shall be avoided. The parking lots shall not have more than 20 stalls in any direction without an interruption by landscaping of at least 2.0 metres (6.56 feet) width.

## **9.7 Manufactured Dwellings**

- 9.7.1 Within the Main Street (MS) Zone, manufactured dwellings shall not be permitted.

## **9.8 Light Industrial Uses in the Main Street (MS) Zone**

- 9.8.1 Within the Main Street (MS) Zone, light industrial uses may be permitted up to 1,000 square metres (10,763.9 square feet) in gross floor area.

# 10 General Centre (GC) Zone

## 10.1 Permitted Uses

10.1.1 The following uses shall be permitted in the General Centre (GC) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Animal Care
- (c) Banks and Financial Institutions
- (d) Bed and Breakfast Uses
- (e) Boarding (Rooming) Houses
- (f) Building Supply and Equipment Depots
- (g) Cemeteries
- (h) Commercial Recreation – Indoor
- (i) Commercial Recreation – Outdoor
- (j) Community Centre
- (k) Craft Food and Beverage Production
- (l) Cultural Facilities
- (m) Daycare Centre
- (n) Dwellings – up to 6 units per lot
- (o) Electric Vehicle Charging – Commercial
- (p) Emergency Services
- (q) Farmers’ Market
- (r) Funeral Home
- (s) Government Uses
- (t) Hospital
- (u) Interpretive Centre
- (v) Licenced Liquor Establishment
- (w) Marina
- (x) Marine Recreation Providers
- (y) Medical Clinics
- (z) Nursing Home

- (aa) Office
- (bb) Parking Structures and Surface Parking Lots
- (cc) Parks and Playgrounds
- (dd) Personal Service Shop
- (ee) Place of Worship
- (ff) Private Club
- (gg) Public Recreation
- (hh) Public Transportation
- (ii) Recycling Depot
- (jj) Residential Care Facility
- (kk) Restaurant – East-in
- (ll) Restaurant – Take-out
- (mm) Retail Store
- (nn) School – Academic
- (oo) School – Commercial
- (pp) School – Post-secondary
- (qq) Small Options Home
- (rr) Trails and Conservation
- (ss) Water Access
- (tt) Wholesale
- (uu) Workshop

## **10.2 Permitted Uses with Conditions**

10.2.1 The following uses shall be permitted in the General Centre (GC) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business – Level I – Section 6.13
- (c) Home-based Business – Level II – Section 6.13
- (d) Light Industrial – Section 10.6
- (e) Short-term Rental – Section 6.27

### 10.3 Permitted Uses by Site Plan Approval

10.3.1 The following uses shall be permitted in the General Centre (GC) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Dwellings – 7 to 12 units per lot
- (b) Automobile Body Shop
- (c) Automobile Service Station
- (d) Automobile Washing
- (e) Automobile Repair
- (f) Automobile Sales
- (g) Restaurants – Drive-through

### 10.4 Permitted Uses by Development Agreement

10.4.1 The following uses shall be considered in the General Centre (GC) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Dwellings – over 12 units per lot – MPS Policy 3-53
- (b) Energy Generation Systems – MPS Policy 4-50

### 10.5 General Centre (GC) Zone Development Standards

10.5.1 In the General Centre (GC) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	350 m <sup>2</sup>	3767.40 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	6 m	19.69 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	2 m	6.56 ft
• Accessory Building	1 m	3.28 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

### 10.6 Light Industrial Uses in the Main Street (MS) Zone

10.6.1 Within the General Centre (GC) Zone, light industrial uses may be permitted up to 1,000 square metres (10,763.9 square feet) in gross floor area.

# 11 Residential Centre (R) Zone

## 11.1 Permitted Uses

11.1.1 The following uses shall be permitted in the Residential Centre (R) Zone subject to the requirements of this By-law:

- (a) Bed and Breakfast – up to 5 units
- (b) Boarding (Rooming) Houses
- (c) Cemeteries
- (d) Community Centre
- (e) Dwellings – up to 3 dwelling units per lot
- (f) Government Uses
- (g) Medical Clinic
- (h) Nursing Home
- (i) Parks and Playgrounds
- (j) Places of Worship
- (k) Private Club
- (l) Public Recreation
- (m) Residential Care Facility
- (n) Restaurant – Eat-in
- (o) Restaurant – Take-out
- (p) School – Academic
- (q) Small Options Home
- (r) Trails and Conservation
- (s) Water Access

## 11.2 Permitted Uses with Conditions

11.2.1 The following uses shall be permitted in the Residential Centre (R) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business Level I – Section 6.13
- (c) Short-term Rental – Section 6.27

### 11.3 Permitted Uses by Site Plan Approval

11.3.1 The following uses shall be permitted in the Residential Centre (R) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Dwellings – 4 to 6 dwelling units per lot

### 11.4 Permitted Uses by Development Agreement

11.4.1 The following uses shall be considered in the Residential Centre (R) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50
- (b) Bed and Breakfast – 6 units or more – MPS Policy 3-57
- (c) Dwellings – over 6 units per lot – MPS Policy 3-57

### 11.5 Residential Centre (R) Zone Development Standards

11.5.1 In the Residential Centre (R) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	350 m <sup>2</sup>	3767.40 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	10 m	32.81 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	2 m	6.56 ft
• Accessory Building	1 m	3.28 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	8 m	26.25 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

## 12 Light Industrial Centre (MI) Zone

### 12.1 Permitted Uses

12.1.1 The following uses shall be permitted in the Light Industrial Centre (MI) Zone subject to the requirements of this By-law:

- (a) Aggregate Related Industries
- (b) Agricultural Uses
- (c) Animal Care
- (d) Automobile Body Shop
- (e) Automobile Repair
- (f) Automobile Sales
- (g) Automobile Service Station
- (h) Automobile Washing
- (i) Banks and Financial Institutions
- (j) Building Supply and Equipment Depots
- (k) Commercial Recreation – Indoor
- (l) Commercial Recreation – Outdoor
- (m) Craft Food and Beverage Production
- (n) Electric Vehicle Charging – Commercial
- (o) Emergency Services
- (p) Farmers’ Market
- (q) Forestry Related Uses
- (r) Funeral Home
- (s) Government Uses
- (t) Hospital
- (u) Licenced Liquor Establishment
- (v) Light Industrial
- (w) Marina
- (x) Marine Industrial Uses
- (y) Marine Recreation Providers
- (z) Medical Clinic



- (aa) Office
- (bb) Parking Structures and Surface Parking Lots
- (cc) Parks and Playgrounds
- (dd) Personal Service Shops
- (ee) Private Clubs
- (ff) Public Recreation
- (gg) Public Transportation
- (hh) Recycling Depot
- (ii) Restaurant – Eat-in
- (jj) Restaurant – Take-out
- (kk) Retail Store
- (ll) School – Commercial
- (mm) Trails and Conservation
- (nn) Transportation and Logistics
- (oo) Warehousing
- (pp) Water Access
- (qq) Wholesale
- (rr) Workshop

## **12.2 Permitted Uses with Conditions**

12.2.1 The following uses shall be permitted in the Light Industrial Centre (MI) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Home-based Business Level I – Section 6.13
- (b) Home-based Business Level II – Section 6.13
- (c) Kennel – Section 6.17
- (d) Self-storage facilities – Section 6.24

## **12.3 Permitted Uses by Site Plan Approval**

12.3.1 The following uses shall be permitted in the Light Industrial Centre (MI) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Restaurant – Drive-through

## 12.4 Permitted Uses by Development Agreement

12.4.1 The following uses shall be considered in the Light Industrial Centre (MI) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

## 12.5 Light Industrial Centre (MI) Zone Development Standards

12.5.1 In the Light Industrial Centre (MI) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	1800 m <sup>2</sup>	19375.20 ft <sup>2</sup>
• Unserviced Lot	-	-
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	8 m	26.25 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	8 m	26.25 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

12.5.2 Notwithstanding the development standards in Subsection 12.5.1, where a light industrial use in the Light Industrial Centre (MI) Zone abuts a lot containing a residential use or a residential land use zone and, in the opinion of the Development Officer, has the potential to create nuisances for neighbouring uses, the Development Officer may increase rear and side yard setbacks to 15.24 metres (50 feet).

## 13 Hamlet Residential (HR) Zone

### 13.1 Permitted Uses

13.1.1 The following uses shall be permitted in the Hamlet Residential (HR) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Bed and Breakfast – up to 5 units
- (c) Boarding (Rooming) Houses
- (d) Cemeteries
- (e) Community Centre
- (f) Dwellings – up to 3 units per lot
- (g) Forestry Related Uses
- (h) Government Uses
- (i) Medical Clinic
- (j) Nursing Home
- (k) Parks and Playgrounds
- (l) Place of Worship
- (m) Private Club
- (n) Public Recreation
- (o) Residential Care Facility
- (p) School – Academic
- (q) Small Options Home
- (r) Trails and Conservation
- (s) Water Access

## **13.2 Permitted Uses with Conditions**

13.2.1 The following uses shall be permitted in the Hamlet Residential (HR) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business Level I – Section 6.13
- (c) Home-based Business Level II – Section 6.13
- (d) Short-term Rental – Section 6.27
- (e) Solar Collector Systems – Large-scale – Section 6.28

## **13.3 Permitted Uses by Site Plan Approval**

13.3.1 The following uses shall be permitted in the Hamlet Residential (HR) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Dwellings – 4 to 6 dwelling units per lot

## **13.4 Permitted Uses by Development Agreement**

13.4.1 The following uses shall be considered in the Hamlet Residential (HR) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Bed and Breakfast – 6 or more units – MPS Policy 3-33
- (b) Dwellings – over 6 units per lot – MPS Policy 3-33
- (c) Energy Generation Systems – MPS Policy 4-50

### 13.5 Hamlet Residential (HR) Zone Development Standards

13.5.1 In the Hamlet Residential (HR) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	10 m	32.81 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	3 m	9.84 ft
• Accessory Building	3 m	9.84 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	3 m	9.84 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

# 14 Hamlet Core (HC) Zone

## 14.1 Permitted Uses

14.1.1 The following uses shall be permitted in the Hamlet Core (HC) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Adult Entertainment
- (c) Agricultural Uses
- (d) Animal Care
- (e) Automobile Body Shop
- (f) Automobile Repair
- (g) Automobile Service Station
- (h) Automobile Washing
- (i) Banks and Financial Institutions
- (j) Bed and Breakfast Uses
- (k) Boarding (Rooming) Houses
- (l) Building Supply and Equipment Depot
- (m) Cemeteries
- (n) Commercial Recreation – Indoor
- (o) Commercial Recreation – Outdoor
- (p) Community Centre
- (q) Craft Food and Beverage Production
- (r) Cultural Facilities
- (s) Daycare Centre
- (t) Dwellings – up to 6 units per lot
- (u) Electric Vehicle Charging – Commercial
- (v) Emergency Services
- (w) Farmers’ Market
- (x) Forestry Related Uses
- (y) Funeral Home
- (z) Government Uses

- (aa) Hospital
- (bb) Interpretive Centre
- (cc) Licenced Liquor Establishment
- (dd) Marina
- (ee) Marine Industrial Uses
- (ff) Marine Recreation Providers
- (gg) Medical Clinics
- (hh) Nursing Home
- (ii) Office
- (jj) Parking Structures and Surface Parking Lots
- (kk) Parks and Playgrounds
- (ll) Personal Service Shops
- (mm) Place of Worship
- (nn) Private Club
- (oo) Public Recreation
- (pp) Public Transportation
- (qq) Recycling Depot
- (rr) Residential Care Facility
- (ss) Restaurant – Eat-in
- (tt) Restaurant – Take-out
- (uu) Retail Store
- (vv) School – Academic
- (ww) School – Commercial
- (xx) School – Post-secondary
- (yy) Small Options Home
- (zz) Trails and Conservation
- (aaa) Transportation and Logistics
- (bbb) Warehousing
- (ccc) Water Access
- (ddd) Wholesale
- (eee) Workshop

## **14.2 Permitted Uses with Conditions**

14.2.1 The following uses shall be permitted in the Hamlet Core (HC) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business – Level I – Section 6.13
- (c) Home-based Business – Level II – Section 6.13
- (d) Kennel – Section 6.17
- (e) Light Industrial – Section 14.6
- (f) Self-Storage Facilities – Section 6.24
- (g) Short-term Rental – Section 6.27
- (h) Solar Collector Systems – Large-scale – Section 6.28

## **14.3 Permitted Uses by Site Plan Approval**

14.3.1 The following uses shall be permitted in the Hamlet Core (HC) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Automobile Sales
- (b) Dwellings – over 6 units per lot
- (c) Restaurants – Drive-through

## **14.4 Permitted Uses by Development Agreement**

14.4.1 The following uses shall be considered in the Hamlet Core (HC) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50



## 14.5 Hamlet Core (HC) Zone Development Standards

14.5.1 In the Hamlet Core (HC) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	10 m	32.81 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	3 m	9.84 ft
• Accessory Building	3 m	9.84 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	3 m	9.84 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

## 14.6 Light Industrial Uses in the Hamlet Core (HC) Zone

14.6.1 Within the Hamlet Core (HC) Zone, light industrial uses may be permitted up to 1,000 square metres (10,763.9 square feet) in gross floor area.

## 15 Rural General (RG) Zone

### 15.1 Permitted Uses

15.1.1 The following uses shall be permitted in Rural General (RG) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Animal Care
- (c) Automobile Body Shop
- (d) Automobile Repair
- (e) Automobile Washing
- (f) Bed and Breakfast Uses – up to 5 units
- (g) Boarding (Rooming) Houses
- (h) Building Supply and Equipment Depots
- (i) Cemeteries
- (j) Commercial Recreation – Outdoor
- (k) Community Centre
- (l) Craft Food and Beverage Production
- (m) Cultural Facilities
- (n) Daycare Centre
- (o) Dwellings – up to 3 units per lot
- (p) Electric Vehicle Charging – Commercial
- (q) Emergency Services
- (r) Farmers’ Market
- (s) Forestry Related Uses
- (t) Funeral Home
- (u) Government Uses
- (v) Interpretive Centre
- (w) Marina
- (x) Medical Clinic
- (y) Nursing Home
- (z) Parking Structures and Surface Parking Lots

- (aa) Parks and Playgrounds
- (bb) Personal Service Shop
- (cc) Place of Worship
- (dd) Private Club
- (ee) Public Recreation
- (ff) Public Transportation
- (gg) Residential Care Facility
- (hh) Restaurant – Eat-in
- (ii) Restaurant – Take-out
- (jj) School – Academic
- (kk) Small Options Home
- (ll) Solar Collector Systems – Large-scale
- (mm) Trails and Conservation
- (nn) Water Access
- (oo) Workshop

## **15.2 Permitted Uses with Conditions**

15.2.1 The following uses shall be permitted in the Rural General (RG) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business – Level I – Section 6.13
- (c) Home-based Business – Level II – Section 6.13
- (d) Kennel – Section 6.17
- (e) Retail Stores – Section 15.5
- (f) Short-term Rental – Section 6.27

### 15.3 Permitted Uses by Development Agreement

15.3.1 The following uses shall be considered in the Rural General (RG) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50
- (b) Bed and Breakfast Uses – 6 or more units – MPS Policy 3-9
- (c) Dwellings – over 3 units per lot – MPS Policy 3-9

### 15.4 Rural General (RG) Zone Development Standards

15.4.1 In the Rural General (RG) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

### 15.5 Retail Stores Uses in the Rural General (RG) Zone

15.5.1 Within the Rural General (RG) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area

# 16 Rural Commercial (RC) Zone

## 16.1 Permitted Uses

16.1.1 The following uses shall be permitted in Rural Commercial (RC) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Adult Entertainment
- (c) Agricultural Uses
- (d) Animal Care
- (e) Automobile Body Shop
- (f) Automobile Repair
- (g) Automobile Sales
- (h) Automobile Service Station
- (i) Automobile Washing
- (j) Banks and Financial Institutions
- (k) Bed and Breakfast Uses
- (l) Boarding (Rooming) Houses
- (m) Building Supply and Equipment Depot
- (n) Cemeteries
- (o) Commercial Recreation – Indoor
- (p) Commercial Recreation – Outdoor
- (q) Community Centre
- (r) Craft Food and Beverage Production
- (s) Cultural Facilities
- (t) Daycare Centre
- (u) Dwellings – up to 3 units per lot
- (v) Electric Vehicle Charging – Commercial
- (w) Emergency Services
- (x) Farmers’ Market
- (y) Forestry Related Uses
- (z) Funeral Home

- (aa) Government Uses
- (bb) Interpretive Centres
- (cc) Licenced Liquor Establishment
- (dd) Marina
- (ee) Medical Clinic
- (ff) Nursing Home
- (gg) Office
- (hh) Parking Structures and Surface Parking Lots
- (ii) Parks and Playgrounds
- (jj) Personal Service Shop
- (kk) Place of Worship
- (ll) Private Clubs
- (mm) Public Recreation
- (nn) Public Transportation
- (oo) Recycling Depot
- (pp) Residential Care Facility
- (qq) Restaurant – Eat-in
- (rr) Restaurant – Take-out
- (ss) Retail Store
- (tt) School – Academic
- (uu) School – Commercial
- (vv) Small Options Home
- (ww) Solar Collector Systems – Large-scale
- (xx) Trails and Conservation
- (yy) Transportation and Logistics
- (zz) Warehousing
- (aaa) Water Access
- (bbb) Wholesale
- (ccc) Workshop

## **16.2 Permitted Uses with Conditions**

16.2.1 The following uses shall be permitted in the Rural Commercial (RC) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business – Level I – Section 6.13
- (c) Home-based Business – Level II – Section 6.13
- (d) Kennel – Section 6.17
- (e) Light Industrial – Section 16.6
- (f) Self-Storage Facilities – Section 6.24
- (g) Short-term Rental – Section 6.27

## **16.3 Permitted Uses by Site Plan Approval**

16.3.1 The following uses shall be permitted in the Rural Commercial (RC) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Restaurant – Drive-through

## **16.4 Permitted Uses by Development Agreement**

16.4.1 The following uses shall be considered in the Rural Commercial (RC) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

## 16.5 Rural Commercial (RC) Zone Development Standards

16.5.1 In the Rural Commercial (RC) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

## 16.6 Light Industrial Uses in the Rural Commercial (RC) Zone

16.6.1 Within the Rural Commercial (RC) Zone, light industrial may be permitted up to 500.0 square metres (5,381.96 square feet) in gross floor area.



# 17 Rural Industrial (RM) Zone

## 17.1 Permitted Uses

17.1.1 The following uses shall be permitted in Rural Industrial (RM) Zone subject to the requirements of this By-law:

- (a) Aggregate Related Industries
- (b) Agricultural Uses
- (c) Automobile Body Shop
- (d) Automobile Repair
- (e) Automobile Sales
- (f) Automobile Service Station
- (g) Automobile Washing
- (h) Building Supply and Equipment Depots
- (i) Craft Food and Beverage Production
- (j) Electric Vehicle Charging – Commercial
- (k) Emergency Services
- (l) Farmers’ Market
- (m) Forestry Related Uses
- (n) Funeral Home
- (o) Government Uses
- (p) Light Industrial Uses
- (q) Marine Industrial Uses
- (r) Office
- (s) Parking Structures and Surface Parking Lots
- (t) Parks and Playgrounds
- (u) Place of Worship
- (v) Public Recreation
- (w) Public Transportation
- (x) Recycling Depot
- (y) School – Commercial
- (z) Solar Collector Systems – Large-scale

- (aa) Trails and Conservation
- (bb) Transportation and Logistics
- (cc) Warehousing
- (dd) Water Access
- (ee) Wholesale
- (ff) Workshop

## **17.2 Permitted Uses with Conditions**

17.2.1 The following uses shall be permitted in the Rural Industrial (RM) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Kennel – Section 6.17
- (b) Self-Storage Facilities – Section 6.24

## **17.3 Permitted Uses by Site Plan Approval**

17.3.1 The following uses shall be permitted in the Rural Industrial (RM) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Scrap Yards

## **17.4 Permitted Uses by Development Agreement**

17.4.1 The following uses shall be considered in the Rural Industrial (RM) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Solid Waste– MPS Policy 4-33
- (b) Energy Generation Systems – MPS Policy 4-50
- (c) Heavy Industrial – MPS Policy 3-17

## 17.5 Rural Industrial (RM) Zone Development Standards

17.5.1 In the Rural Industrial (RM) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	3,700 m <sup>2</sup>	39826.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	8 m	26.25 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

# 18 Agriculture Potential (AP) Zone

## 18.1 Permitted Uses

18.1.1 The following uses shall be permitted in Agriculture Potential (AP) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Animal Care
- (c) Bed and Breakfast Uses – up to 5 units
- (d) Boarding (Rooming) Houses
- (e) Community Centre
- (f) Craft Food and Beverage Production
- (g) Dwellings – up to 3 units per lot
- (h) Farmers’ Market
- (i) Forestry Related Uses
- (j) Government Uses
- (k) Medical Clinic
- (l) Parks and Playgrounds
- (m) Places of Worship
- (n) Public Recreation
- (o) Restaurant – Eat-in
- (p) Restaurant – Take-out
- (q) Small Options Home
- (r) Trails and Conservation
- (s) Water Access
- (t) Workshop

## 18.2 Permitted Uses with Conditions

18.2.1 The following uses shall be permitted in the Agriculture Potential (AP) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Home-based Business – Level I – Section 6.13
- (c) Home-based Business – Level II – Section 6.13
- (d) Kennel – Section 6.17
- (e) Retail Stores – Section 18.5
- (f) Short-term Rental – Section 6.27

## 18.3 Permitted Uses by Development Agreement

18.3.1 The following uses shall be considered in the Agriculture Potential (AP) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Dwellings – 4 to 12 units per lot – MPS Policy 3-22
- (b) Energy Generation Systems – MPS Policy 4-50

## 18.4 Agriculture Potential (AP) Zone Development Standards

18.4.1 In the Agriculture Potential (AP) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	3,700 m <sup>2</sup>	39826.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	8 m	26.25 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	8 m	26.25 ft
• Accessory Building	4 m	13.12 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

## 18.5 Retail Stores Uses in the Agriculture Potential (AP) Zone

18.5.1 Within the Agriculture Potential (AP) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area

# 19 Lakeshore (RL) Zone

## 19.1 Permitted Uses

- 19.1.1 The following uses shall be permitted in Lakeshore (RL) Zone subject to the requirements of this By-law:
  - (a) Agricultural Uses
  - (b) Bed and Breakfast Uses – up to 5 units
  - (c) Cemeteries
  - (d) Community Centre
  - (e) Dwellings – up to 3 units per lot
  - (f) Government Uses
  - (g) Interpretive Centre
  - (h) Marina
  - (i) Marine Recreation Providers
  - (j) Parks and Playgrounds
  - (k) Place of Worship
  - (l) Public Recreation
  - (m) Small Options Home
  - (n) Trails and Conservation
  - (o) Water Access

## 19.2 Permitted Uses with Conditions

- 19.2.1 The following uses shall be permitted in the Lakeshore (RL) Zone subject to the requirements of this By-law and any conditions noted:
  - (a) Accessory Agricultural Uses – Section 6.2
  - (b) Home-based Business – Level I – Section 6.13
  - (c) Home-based Business – Level II – Section 6.13
  - (d) Short-term Rental – Section 6.27

### 19.3 Permitted Uses by Development Agreement

19.3.1 The following uses shall be considered in the Lakeshore (RL) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

### 19.4 Lakeshore (RL) Zone Development Standards

19.4.1 In the Lakeshore (RL) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	4,700 m <sup>2</sup>	50590.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	4 m	13.12 ft
Minimum Side Setback		
• Main Building	5 m	16.40 ft
• Accessory Building	5 m	16.40 ft
Minimum Rear Setback		
• Main Building	15.24 m	50.00 ft
• Accessory Building	15.24 m	50.00 ft
Maximum Building Height		
• Main Building	12.2 m	40.03 ft
• Accessory Building	8 m	26.25 ft

## **20 Fishing (RF) Zone**

### **20.1 Permitted Uses**

20.1.1 The following uses shall be permitted in Fishing (RF) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Community Centre
- (c) Craft Food and Beverage Production
- (d) Cultural Facilities
- (e) Farmers' Market
- (f) Government Uses
- (g) Interpretive Centres
- (h) Light Industrial Uses
- (i) Marina
- (j) Marine Industrial Uses
- (k) Marine Recreation Providers
- (l) Parking Structures and Surface Parking Lots
- (m) Parks and Playgrounds
- (n) Place of Worship
- (o) Private Club
- (p) Public Recreation
- (q) Restaurant – Eat-in
- (r) Restaurant – Take-out
- (s) Trails and Conservation
- (t) Warehousing
- (u) Water Access
- (v) Workshop

### **20.2 Permitted Uses with Conditions**

20.2.1 The following uses shall be permitted in the Fishing (RF) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2



### 20.3 Permitted Uses by Development Agreement

20.3.1 The following uses shall be considered in the Fishing (RF) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

### 20.4 Fishing (RF) Zone Development Standards

20.4.1 In the Fishing (RF) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	0 m	0.00 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	12 m	39.37 ft
Maximum Building Height		
• Main Building	20 m	65.62 ft
• Accessory Building	8 m	26.25 ft

## **21 Parks and Open Space (PO) Zone**

### **21.1 Permitted Uses**

21.1.1 The following uses shall be permitted in Parks and Open Space (PO) Zone subject to the requirements of this By-law:

- (a) Cemeteries
- (b) Community Centre
- (c) Cultural Facilities
- (d) Farmers' Market
- (e) Government Uses
- (f) Interpretive Centres
- (g) Marine Recreation Providers
- (h) Parking Structures and Surface Parking Lots
- (i) Parks and Playgrounds
- (j) Public Recreation
- (k) Trails and Conservation
- (l) Water Access

### **21.2 Permitted Uses with Conditions**

21.2.1 The following uses shall be permitted in the Parks and Open Space (PO) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Restaurants – Take-out – Section 21.5

### **21.3 Permitted Uses by Development Agreement**

21.3.1 The following uses shall be considered in the Parks and Open Space (PO) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

## 21.4 Parks and Open Space (PO) Zone Development Standards

21.4.1 In the Parks and Open Space (PO) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	6 m	19.69 ft
Minimum Side Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

## 21.5 Special Requirements – Take-out Restaurants

21.5.1 Take-out restaurants in the Parks and Open Space (PO) Zone shall be limited to a gross floor area of 20.0 square metres (215.27 square feet).

## 22 Highway Commercial (HWY) Zone

### 22.1 Permitted Uses

22.1.1 The following uses shall be permitted in Highway Commercial (HWY) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Adult Entertainment
- (c) Automobile Body Shop
- (d) Automobile Repair
- (e) Automobile Sales
- (f) Automobile Service Station
- (g) Automobile Washing
- (h) Banks and Financial Institutions
- (i) Commercial Recreation – Indoor
- (j) Commercial Recreation – Outdoor
- (k) Community Centre
- (l) Cultural Facilities
- (m) Electric Vehicle Charging – Commercial
- (n) Emergency Services
- (o) Farmers' Market
- (p) Government Uses
- (q) Interpretive Centre
- (r) Light Industrial Uses
- (s) Medical Clinic
- (t) Parking Structures and Surface Parking Lots
- (u) Parks and Playgrounds
- (v) Place of Worship
- (w) Private Club
- (x) Public Recreation
- (y) Public Transportation
- (z) Restaurant – Drive-through

- (aa) Restaurant – Eat-in
- (bb) Restaurant – Take-out
- (cc) Retail Store
- (dd) Trails and Conservation
- (ee) Transportation and Logistics
- (ff) Warehousing
- (gg) Water Access
- (hh) Wholesale

**22.2 Permitted Uses with Conditions**

22.2.1 The following uses shall be permitted in the Highway Commercial (HWY) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Self-Storage Facilities – Section 6.24

**22.3 Permitted Uses by Development Agreement**

22.3.1 The following uses shall be considered in the Highway Commercial (HWY) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

**22.4 Highway Commercial (HWY) Zone Development Standards**

22.4.1 In the Highway Commercial (HWY) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	925 m <sup>2</sup>	9956.70 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

## 23 Commercial Recreation (CR) Zone

### 23.1 Permitted Uses

23.1.1 The following uses shall be permitted in Commercial Recreation (CR) Zone subject to the requirements of this By-law:

- (a) Accommodations
- (b) Adult Entertainment
- (c) Bed and Breakfast Uses
- (d) Commercial Recreation – Indoor
- (e) Commercial Recreation – Outdoor
- (f) Community Centre
- (g) Cultural Facilities
- (h) Daycare Centre
- (i) Dwellings – up to 6 units per lot
- (j) Farmers’ Market
- (k) Government Uses
- (l) Interpretive Centres
- (m) Licenced Liquor Establishment
- (n) Marina
- (o) Marine Recreation Providers
- (p) Parking Structures and Surface Parking Lots
- (q) Parks and Playgrounds
- (r) Private Club
- (s) Public Recreation
- (t) Public Transportation
- (u) Restaurant – Eat-in
- (v) Restaurant – Take-out
- (w) Retail Store
- (x) Small Options Home
- (y) Trails and Conservation
- (z) Water Access

- (aa) Workshop

## **23.2 Permitted Uses with Conditions**

23.2.1 The following uses shall be permitted in the Commercial Recreation (CR) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2
- (b) Short-term Rental – Section 6.27

## **23.3 Permitted Uses by Site Plan Approval**

23.3.1 The following uses shall be permitted in the Commercial Recreation (CR) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Campgrounds

## **23.4 Permitted Uses by Development Agreement**

23.4.1 The following uses shall be considered in the Commercial Recreation (CR) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50
- (b) Shooting Range – MPS Policy 3-82
- (c) Race Tracks – MPS Policy 3-82

## 23.5 Commercial Recreation (CR) Zone Development Standards

23.5.1 In the Commercial Recreation (CR) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft



## 24 Institutional (I) Zone

### 24.1 Permitted Uses

24.1.1 The following uses shall be permitted in Institutional (I) Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Cemeteries
- (c) Community Centre
- (d) Cultural Facilities
- (e) Daycare Centre
- (f) Dwellings – up to 3 units per lot
- (g) Emergency Services
- (h) Farmers’ Market
- (i) Funeral Home
- (j) Government Uses
- (k) Hospital
- (l) Interpretive Centres
- (m) Medical Clinic
- (n) Nursing Home
- (o) Office
- (p) Parking Structures and Surface Parking Lots
- (q) Parks and Playgrounds
- (r) Place of Worship
- (s) Private Clubs
- (t) Public Recreation
- (u) Public Transportation
- (v) Residential Care Facility
- (w) School – Academic
- (x) School – Commercial
- (y) School – Post-secondary
- (z) Small Options Home

- (aa) Solar Collector Systems – Large-scale
- (bb) Trails and Conservation
- (cc) Water Access

**24.2 Permitted Uses by Development Agreement**

24.2.1 The following uses shall be considered in the Institutional (I) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Dwellings – 4 to 12 units per lot – MPS Policy 3-86
- (b) Energy Generation Systems – MPS Policy 4-50

**24.3 Institutional (I) Zone Development Standards**

24.3.1 In the Institutional (I) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	925 m <sup>2</sup>	9956.70 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29062.80 ft <sup>2</sup>
Minimum Lot Frontage	15 m	49.21 ft
Minimum Front/Flankage Setback	3 m	9.84 ft
Minimum Side Setback		
• Main Building	3 m	9.84 ft
• Accessory Building	3 m	9.84 ft
Minimum Rear Setback		
• Main Building	6 m	19.69 ft
• Accessory Building	6 m	19.69 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

## 25 Source Water Protection (WP) Zone

### 25.1 Permitted Uses

25.1.1 The following uses shall be permitted in Source Water Protection (WP) Zone subject to the requirements of this By-law:

- (a) Government Uses
- (b) Parks and Playgrounds
- (c) Public Recreation
- (d) Trails and Conservation
- (e) Water Access

### 25.2 Permitted Uses by Development Agreement

25.2.1 The following uses shall be considered in the Source Water Protection (WP) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

### 25.3 Source Water Protection (WP) Zone Development Standards

25.3.1 In the Source Water Protection (WP) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	0 m <sup>2</sup>	0.00 ft <sup>2</sup>
• Unserviced Lot	0 m <sup>2</sup>	0.00 ft <sup>2</sup>
Minimum Lot Frontage	0 m	0.00 ft
Minimum Front/Flankage Setback	0 m	0.00 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Minimum Rear Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Maximum Building Height		
• Main Building	-	-
• Accessory Building	-	-

## 26 Conservation (C) Zone

### 26.1 Permitted Uses

26.1.1 The following uses shall be permitted in Conservation (C) Zone subject to the requirements of this By-law:

- (a) Interpretive Centres
- (b) Parks and Playgrounds
- (c) Public Recreation
- (d) Trails and Conservation
- (e) Water Access

### 26.2 Permitted Uses by Development Agreement

26.2.1 The following uses shall be considered in the Conservation (C) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- (a) Energy Generation Systems – MPS Policy 4-50

### 26.3 Conservation (C) Zone Development Standards

26.3.1 In the Conservation (C) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	0 m <sup>2</sup>	0.00 ft <sup>2</sup>
• Unserviced Lot	0 m <sup>2</sup>	0.00 ft <sup>2</sup>
Minimum Lot Frontage	0 m	0.00 ft
Minimum Front/Flankage Setback	0 m	0.00 ft
Minimum Side Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Minimum Rear Setback		
• Main Building	0 m	0.00 ft
• Accessory Building	0 m	0.00 ft
Maximum Building Height		
• Main Building	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

## 27 Comprehensive Development District (CDD) Zone

### 27.1 Permitted Uses by Development Agreement

27.1.1 Uses within the Comprehensive Development District shall be permitted by development agreement subject to Policy 3-63 in the Municipal Planning Strategy.

Minimum Front/Flankage Setback	Per DA	Per DA
Maximum Front/Flankage Setback	Per DA	Per DA
Minimum Side Setback		
<ul style="list-style-type: none"> <li>• Main Building</li> <li>• Accessory Building</li> </ul>	Per DA Per DA	Per DA Per DA
Minimum Rear Setback		
<ul style="list-style-type: none"> <li>• Main Building</li> <li>• Accessory Building</li> </ul>	Per DA Per DA	Per DA Per DA
Maximum Building Height		
<ul style="list-style-type: none"> <li>• Main Building</li> <li>• Accessory Building</li> </ul>	Per DA Per DA	Per DA Per DA

## 28 Site Plan Approval

### 28.1 Residential Site Plan Approval

28.1.1 Where a zone permits residential dwellings by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of this Section have been addressed.

#### **Planting, Landscaping and Adverse Effect Mitigation**

28.1.2 Landscaping, fencing or similar visual barriers shall be provided around structures, parking, and open storage areas, including garbage collection, to minimize visual impacts and privacy intrusion on surrounding residential properties to a reasonable extent.

28.1.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.

28.1.4 Mature trees on the lot shall be preserved whenever possible.

28.1.5 Stormwater run-off from parking areas and other impervious surfaces shall be addressed.

28.1.6 Where large on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

28.1.7 Land levels within 15.0 horizontal metres (49.21 feet) of any watercourse or the ocean shall not be altered by the filling in of the land to a depth greater than 0.3 metres (0.98 feet) above the natural ground surface.

#### **Movement Through the Site**

28.1.8 Where a sidewalk, trail or similar walking paths are available nearby, the primary entrance(s) of all dwelling units shall be connected to such walking paths by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres (4.92 feet) in width and paved with asphalt, concrete, bricks, or interlocking pavers.

28.1.9 Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.

28.1.10 Vehicle access and egress to and from the property is clearly demarcated and designed with pedestrian safety in mind. The driveway(s) do not measure more than 3.0 metres (9.84 feet) in width for single-lane and 6.0 metres (19.68 feet) in width for double-lane driveways. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.

28.1.11 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access and avoid obvious points of conflict.

## **28.2 Automobile Shop and Drive-through Site Plan Approval**

28.2.1 Where a zone permits automobile service stations, automobile washing, automobile repair, automobile sales, or drive-through restaurants by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of this Section have been addressed.

### **Planting, Landscaping and Adverse Effect Mitigation**

28.2.2 Landscaping, fencing, or similar visual barriers shall be provided around vehicle queuing areas, sales windows, parking, open storage areas, and waste management facilities to minimize visual impacts and noise exposure on/for neighbouring properties.

28.2.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.

28.2.4 Stormwater run-off from parking areas and other impervious surfaces shall be addressed.

28.2.5 Where large on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

28.2.6 Land levels within 15.0 horizontal metres (49.21 feet) of any watercourse or the ocean shall not be altered by the filling in of the land to a depth greater than 0.3 metres (0.98 feet) above the natural ground surface.

28.2.7 Noise impacts on adjacent properties shall be reduced through the use and careful siting of physical noise buffers, including, but not limited to, berms and sound walls.

28.2.8 Outdoor storage shall not be permitted in the front and flakage yards.

### **Movement Through the Site**

28.2.9 Where a sidewalk, trail or similar walking paths are available nearby, the primary entrance to the business shall be connected to such walking paths by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres (4.92 feet) in width and paved with asphalt, concrete, bricks, or interlocking pavers.

28.2.10 Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.

28.2.11 Vehicle access and egress to and from the property is clearly demarcated and designed with pedestrian safety in mind. The driveway(s) do not measure more than 3.0 metres (9.84 feet) in width for single-lane and 6.0 metres (19.68 feet) in width for double-lane driveways. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.

28.2.12 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access, and avoid obvious points of conflict.

28.2.13 Required parking areas shall be located at the side or rear of any new building.

#### **Location of New Structures**

28.2.14 The main buildings shall have its primary facade and public entrance located facing the street.

28.2.15 New structures shall be located in a manner to be optimally separated from developments on adjacent lots to minimize negative impacts including lighting, fumes, or other nuisances deemed relevant by the Development Officer.

#### **Drive-through Specific Requirements**

28.2.16 When a drive-through service or drive-through restaurant abuts a property with existing dwellings, any intercoms, speakers, and service windows shall be located in a manner so as to minimize noise along with the use and careful siting of physical noise buffers, including, but not limited to, berms and sound walls.

28.2.17 Stacking lanes of drive-throughs shall not be located closer to the front lot line than the main building.

28.2.18 Entrances to drive-through stacking lanes shall be configured as to minimize conflict with vehicle access points from the street or on-site automobile parking.

28.2.19 Stacking lanes shall provide an adequate number of queuing spaces, determined by a qualified professional and confirmed by the Municipality's Traffic Authority, to accommodate peak demand for the proposed use.



## **28.3 Campground Site Plan Approval**

28.3.1 Where a zone permits campgrounds by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of this Section have been addressed.

### **Campground Layout**

- 28.3.2 Campgrounds shall not create undue hazards, traffic congestion, or pedestrian hazards.
- 28.3.3 Campgrounds shall be designed so noise impacts on adjacent properties and campsites within the campground are reduced through the use and careful siting of campsites, berms, fencing, and natural vegetation.
- 28.3.4 All building and non-building uses associated with a campground and RV park, including, but not limited to, campsites, playgrounds, parks, parking, solid waste, RV pumping stations, roadways, public gathering areas, washrooms, and outdoor storage, shall be setback a minimum of 15.0 metres (49.21 feet) from all lot lines.
- 28.3.5 The development shall have adequate emergency service access.
- 28.3.6 Garbage, recycling, and refuse collection shall be fully enclosed and concealed, and they shall be available to all users of the campground. Any containers used for garbage, recycling, and refuse collection shall be locking or include mechanisms that prevent access by wildlife.

### **Landscaping and Grading**

- 28.3.7 Where possible, vegetation on site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas and areas along the campground perimeter.
- 28.3.8 All areas disturbed by development shall be landscaped.
- 28.3.9 Measures including lot grading and stormwater management practices shall be integrated to adequately dispose, retain, and manage stormwater and surface water.
- 28.3.10 Land levels within 15.0 horizontal metres (49.21 feet) of any watercourse or the ocean shall not be altered by the filling in of the land to a depth greater than 0.3 metres (0.98 feet) above the natural ground surface.
- 28.3.11 Where large on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

### **Campsites Spaces**

28.3.12 Each campsite shall be clearly delineated on the site plan.

28.3.13 Fires are only permitted in fire pits, barbecues, wood burning stoves, or similar facilities marked on the plan.

28.3.14 Any wood burning devices shall be located to minimize fire hazard and smoke nuisance and shall be a minimum of 30.0 metres (98.42 feet) from all lot lines.

### **Movement through the Site**

28.3.15 Pedestrian walkways and trails within the camping site shall be clearly delineated on the plan.

28.3.16 Where a sidewalk, trail, or similar active transportation infrastructure are available nearby, the on-site paths and trails shall connect to the external walkways wherever possible.

28.3.17 Vehicle access and egress to and from the campground is clearly demarcated and designed with pedestrian safety in mind. Where more than one driveway on a public road is sought, the driveway accesses shall be approved by the government having authority over that road.

28.3.18 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access and avoid obvious points of conflict.

## **28.4 Scrap Yard Site Plan Approval**

- 28.4.1 Where a zone permits scrap yards by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of this Section have been addressed.
- 28.4.2 Landscaped buffers, fencing, or similar visual barriers shall be provided in all locations where without such barriers parked vehicles, technical parts, garbage, or other debris could be seen from adjacent areas.
- 28.4.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.
- 28.4.4 A detailed stormwater run-off plan shall demonstrate how contamination of neighbouring properties and the environment can be prevented.
- 28.4.5 No storage or deposit areas shall be located within 30.0 metres (98.42 feet) from any watercourse or the ocean.
- 28.4.6 Noise impacts on adjacent properties shall be reduced through the use and careful siting of physical noise buffers, including, but not limited to, berms and sound walls, and by maximizing the setback distance of any scrap metal presses and similar equipment from neighbouring properties.

## **28.5 Conversion of a Non-conforming Use**

- 28.5.1 Where a proposal includes the conversion of a non-conforming use to another non-conforming use by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters of this Section have been addressed.
- 28.5.2 The Development Officer shall be satisfied the new use, by its nature or by the conditions placed upon it, is equally or less impactful to the surrounding area in terms of noise, odour, traffic generation, and aesthetics than the use it replaces.
- 28.5.3 The site plan shall control the conversion in a manner that is compatible with the purpose and permitted uses in the zone. Controls may include, but are not limited to, enhanced buffering and screening; the positioning, bulk, and design of buildings and structures; mitigation measures for noise, dust, and other emissions; the location and design of parking areas; landscaping; lighting design; and controls on outdoor storage and display.

## 29 Definitions

### A

**Accessory Agricultural Use** means the use of land and structures for agricultural activities on a hobbyist scale accessory to a dwelling or community gardens.

**Accessory Building** means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use, but does not include a building attached in any way to the main building or a building located completely underground.

**Accessory Use** means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.

**Accommodation** means the use of a building, buildings on the same lot, or part thereof used to accommodate the travelling public for gain or profit by supplying them with overnight sleeping accommodation with or without meals, with or without on-site administration, and with or without private cooking facilities, and may include, but is not limited to, hotels, motels, hostels, and cottage or cabin rentals.

**Act** means, unless otherwise specified, the *Municipal Government Act* of the Province of Nova Scotia, as amended.

**Agricultural Use** means a use of land and buildings for farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture and animal husbandry and the necessary accessory uses for packing, storing or treating the produce and shall include the use of buildings and land for the preparation and production of food product meant for animals.

**Alter** means to change a structural component of a building, or to increase or decrease the volume of a building or structure.

**Animal Care** means the use of land, buildings, or structures for the care of animals and includes veterinary care, grooming, and day care but does not include the breeding of animals or overnight boarding.

**Automobile Body Shop** means the use of a building or premises primarily for the commercial repair of damage to the chassis and shell of an automobile, including major and minor collision damage, frame and panel straightening, repainting and refinishing and similar activity.

**Automobile Service Station** means the use of building or part thereof or a clearly defined space on a lot used for washing of motor vehicles and/or the retail sale of liquid or compressed gas automobile fuels and lubricating oils and may include the sale of automobile accessories and the minor servicing and minor repairing essential to the actual operation of motor vehicles but does not include an automobile repair shop, automobile sales, or automobile body shop.

**Automobile Repair** means the use of a building or part thereof for the repair and service of motor vehicles and may include muffler, brake, radiator, engine, tire, glass replacement, wheel alignment, and other specialized activities directly related to the repair or alteration of motor vehicles, but shall not include paint and body repairs, the manufacture or fabrication of motor vehicle parts for the purpose of sale, or the retailing of gasoline or other fuels.

## B

**Bed and Breakfast** means a building containing one dwelling unit in which there is a resident owner or resident manager who provides overnight accommodation to the travelling public and provides at least one meal (usually breakfast, but occasionally other meals as well) to overnight guests. The bed and breakfast use shall not include provision of meals to non-guests.

**Boarding (Rooming) House** means a dwelling in which the proprietor supplies either room or room and board for monetary gain, of more than two rooms exclusive of those of the lessee or owner thereof or family members and which is not open to the general public.

**Building** means any structure, whether temporary or permanent, used or built for the shelter, accommodation, or enclosure of persons, animals, materials, or equipment. Any tent, awning, bin, bunker, or platform vessel or vehicle used for any of the said purposes shall be deemed a building.

**Building Supply and Equipment Depot** means the use of buildings or land for the storage of materials and equipment in support of a building and construction-related trade such as, but not limited to, carpenters, electricians, masons, landscapers, and plumbers.

## C

**Campground** means a plot of ground upon which four or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education or vacation purposes.

**Camping Unit** means any tent, trailer, cabin, lean-to, recreation vehicle or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes.

**Cemetery** means the use of land for the burial of the dead and related purposes, such as a columbaria and mausoleums, and excludes a crematorium use, which is included in the definition of funeral home.

**Clinic** means a building or part of a building used for medical, dental, surgical or therapeutic treatment of human beings but does not include a public or private hospital.

**Community Centre** means any building or buildings, or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, or a non-profit organization.

**Commercial Recreation, Indoor** means any land use that offers active or passive recreation for monetary gain for the operator of the site and includes but is not limited to cinemas, spectator venues, game rooms, escape rooms, bowling alleys, and indoor paintball fields.

**Commercial Recreation, Outdoor** means any land use that offers active or passive recreation for monetary gain for the operator of the site and includes but is not limited to ski hills, golf courses, gondolas, equestrian centres, and archery ranges, but shall not include shooting ranges and race tracks.

**Corner Vision Triangle** means that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection, the distance required by this By-law along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting lines and the straight line joining the points the required distance along the street lines shall be known as the 'corner vision triangle'.

**Craft Food and Beverage Production** means the use of a building or part thereof for the production of:

- (a) specialized food products intended for retail sale;
- (b) not more than 150,000 hectolitres of beer, wine, mead, premixed cocktails, kombucha, or non-alcoholic beverages in a year;
- (c) or not more than 75,000 litres of distilled spirits in a year; and may include public tasting and retail sales of the product but does not include a restaurant or licensed liquor establishment unless those uses are permitted as a main use in the applicable use zone.

**Council** means the Council of the Municipality of the County of Richmond.

**Cultural Facilities** means the use of land, buildings, or part thereof, for the promotion of art, culture, and learning and without limiting the generality of the foregoing includes public art galleries, libraries, museums, performance arts theatres, visual arts centres, and other similar uses.

## D

**Day Care Centre** means the use of a building or part thereof for the care of people without overnight accommodation, but does not include a school.

**Development** shall include the erection, construction, alteration, replacement or relocation of or addition to, any structure and any change or alteration in the use made of land or structures.

**Development Agreement** means an agreement between a land owner and the municipality as enabled and regulated by the *Municipal Government Act*.

**Development Officer** means the officer of the Municipality of the County of Richmond with the duty of administering the provisions of the Land Use By-law as appointed by Council.

**Domestic Wind Turbine** means a device for converting wind power to electricity, which has a nameplate capacity of not more than 100 Kilowatts (kW) and which is intended primarily to reduce on-site consumption of utility power.

**Dwelling** means a building occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, but shall not include a hotel, a motel, or a travel trailer.

**Dwelling Unit** means one or more habitable rooms intended for use by one household or more individuals as an independent and separate housekeeping establishment. A dwelling unit shall include both kitchen and sanitary facilities provided for the exclusive use of the individual or individuals within that unit, and shall also include a private entrance from outside the building or from a common hallway or stairway inside the building.

## E

**Electric Vehicle Charging, Commercial** means infrastructure that supplies energy for the charging of electric vehicles, such as plug-in electric and hybrid vehicles, for remuneration. For greater clarity, electric vehicle charging provided for free as a service to customers of a main use of land, such as accommodations or a retail shop, is not considered “commercial”.

**Emergency Services** means the use of a building or land for the protection of public health, safety, and property and shall include, but is not limited to, fire stations, ambulance



depots, police stations, and search-and-rescue facilities, but does not include a correctional facility.

**Erect** means to build, construct, reconstruct, alter or relocate and without limiting the generality if the forgoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

**Existing** means a structure or use in operation or existence on the specified date or, if no date is specified, on the first effective date of this By-law.

## F

**Farmers' Market** means the use of land, buildings, structures, or part thereof by five or more vendors where the greater part of the goods for sale are products of the farm, the forest, or the sea, whether in their natural form or processed by the vendor, and the remainder of the goods are craft products produced by the vendors or their immediate families.

**Footprint** means the total ground floor area of a building enclosed within the exterior faces of the exterior walls, and for the purpose of this definition the walls forming a courtyard shall be deemed to be exterior walls.

**Forestry Related Use** means the use of land or buildings for the production of timber or pulp and uses associated with the forestry industry, including saw mills, maple sugaring operations, Christmas tree upicks, tree nurseries, shingle mills, forestry vehicle and equipment storage, maintenance buildings and yards, and wholesale outlets for wood and wood products.

**Funeral Home** means the use of a building or part thereof for the preparation, temporary display, and/or funeral ceremony of deceased persons or domestic pets and may include a crematorium.

# G

**Grade** means

- (a) when used in reference to a building or structure, the average elevation of the finished surface of the ground where it meets the exterior of foundation of the building or structure, exclusive of any artificial embankment or entrenchment; or
- (b) when used in reference to a street, road, or highway, the elevation of the street, road, or highway established by the Municipality or other designated authority.

**Gross Floor Area** means the sum of the floor areas of a building above and below grade, measured between the exterior faces of the exterior walls of the building at each floor level, and for the purpose of this definition, the walls forming a courtyard shall be deemed to be exterior walls.

# H

**Heavy Industry** means a use which is obnoxious, presents an environmental threat or which receives or treats hazardous product or a use engaged in the basic processing and manufacturing of materials of products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions, and without limiting the generality of this definition includes the processing of car batteries and automobile tires and for the purpose of this definition, environmental threat, hazardous product and obnoxious use are defined as follows:

- (a) Environmental threat means any industrial use which imperils the quality of water (either ground water or surface water) flowing off Sporting Mountain. This includes the industrial storage, treatment, manufacturing or temporary containment of substances which pose a threat to the purity of Sporting Mountain water and/or threaten existing natural, or man-made, channels both at and below the surface.
- (b) Hazardous product means any material, product or substance which is contaminated by an organic or inorganic material to include, but not limited to, petroleum product and its derivatives, chlorine products or compounds, solvents, industrial by-products, chemical additives or human or animal waste.
- (c) Obnoxious use for a heavy industrial use means an industrial use which, from its nature or operation, creates a nuisance or is liable to become a nuisance, or is offensive or is liable to become offensive by reason of the emission of gas, objectionable odour, fumes, dust, oil, or by the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other materials and shall include operations which produce wastes which are not intended to be treated by an approved on-site sewage disposal system or which involve the handling of hazardous materials or which receive or treat contaminated product.

**Height** means the vertical distance on a building or structure between the established grade and:

- (a) the highest point of the roof surface or the parapet, whichever is greater, of a flat roof;
- (b) the deck line of a mansard roof;
- (c) the mean level between the eaves and ridges of gabled, hip, gambrel, or other type of pitched roof;
- (d) excluding any construction used as ornament or for the mechanical operation of the building or structures, a mechanical penthouse, chimney, tower, cupola, or steeple.

**Height of Wind Turbine** means to the distance from the bottom of the turbine to the height of a rotor blade in vertical position.

**Height of Rotor** means to the diameter of the swept area of the rotor blades.

**Home-based Business** means a business activity that is accessory to a dwelling and involves the provision or sale of goods and/or services to the public and where the dwelling is the principal residence of the business operator.

**Hospital** means an institution for the treatment of persons afflicted with or suffering from sickness, disease or injury and may or may not include a medical clinic.

## I

**Interpretive Centre** means the use of a building or structure or part thereof to communicate to the public the historical, scientific, or cultural information about a location and/or to provide tourism and wayfinding information to the public.

## J

## K

**Kennel** means the use of land, a building, or part thereof for a commercial establishment where dogs and other domestic animals, excluding livestock, are bred, raised and sold, and/or boarded.

**Kilowatt (kW)** is a measure of power for electrical current (1 kW= 1000 watts). A Megawatt (MW) equals 1000 Kilowatts

# L

**Landscaping** means any combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, paving, grading, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property or to provide a screen or barrier to mitigate any objectionable aspects that may detrimentally affect adjacent land.

**Licensed Liquor Establishment** means the use of land, a building, or part thereof for a cabaret, lounge, beverage room, and/or bar eligible to be licensed under the *Nova Scotia Liquor Control Act* or successor legislation.

**Light Industrial** means the use of a building for machining, manufacturing, assembly, and/or processing and such use shall be wholly contained within the building and shall not include explosives, petrochemical, coke, or paint plants; rendering or poultry plants; tanneries; abattoirs; refineries; or industrial cleaners.

**Loading Space** means a vacant area of land provided and maintained upon the same lot or lots upon which the principle use is located and which area:

- (a) able for the temporary parking of at least one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles;
- (b) is not upon or partly upon any street or highway.

**Lot** means any parcel of land described in a deed or as shown in a registered plan of subdivision.

**Corner lot** means a lot situated at the intersection of and abutting on two or more streets. The shorter lot line shall be deemed the front lot line of the said lot.

**Through lot** means a lot, which is not a corner lot, with frontage on more than one street.

**Flag Lot** means a lot characterized by the main body of the lot generally to the rear of another lot and with lot frontage provided by a prolongation or “pole” with a width less than the minimum lot frontage permitted in the applicable lot zone and that extends from the main body of the lot to a public or private road.

**Lot Area** means the total horizontal area within the lot lines of a lot.

**Lot Depth** means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel the lot depth shall be the length of a line joining the midpoints of the front and rear lot lines.

**Lot Frontage** means the length of the straight line between the two points where the side lot lines intersect the front lot line along any public street or private road. Where the front lot line is not straight or where it meets one or more side lot lines at an angle of less than 80 degrees or more than 100 degrees,

- (a) establish a line joining the midpoint of the front lot line with the midpoint of the rear lot line or, in the case of a triangular lot, with the apex of the triangle formed by the side lot lines;
- (b) establish the point on the line established in (a) that is the distance of the minimum front setback required in the applicable zone from the street; and
- (c) measure the distance between the side lot lines along the line perpendicular to the line established in (a) at the point established in (b).

**Lot Line** means a boundary line of a lot.

**Flankage lot line** means any lot line on a corner lot which abuts the street but is not the front lot line or rear lot line.

**Front lot line** means the line dividing the lot from the street; in the case of a corner lot the shorter boundary line abutting the street shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed the flankage lot line and where such lot lines are of equal length the front lot line shall be either of the lot lines. In the case of a through lot, any boundary dividing the lot from a street may be deemed to be the front lot line.

**Rear lot line** means the lot line furthest from or opposite to the front lot line.

**Side lot line** means a lot line other than a front, rear, or flankage lot line.

## M

**Main Building** means the building in which the principal purpose for which the building lot is used.

**Main Wall** means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof.

**Manufactured Dwelling** means a dwelling that is designed and constructed in compliance with CSA Z240 MH series standards and exempt from the National Building Code to the extent covered by these standards.

**Manufacturing** means the production, compounding, processing, packaging, crafting, bottling, packing or assembling of raw or semi-processed or fully-processed goods or materials, and shall include a recycling operation completely contained within a building.

**Marina** means a facility where boats may be docked or moored and where fuel and other marine supplies are sold to the boating public

**Marine Industrial** means the use of land, buildings, or part thereof for activities related to shipbuilding and repair, the commercial fishery, and the provisioning of ships and shall include, but is not limited to, boatyards, fish processing, shipbuilding and repair, ship chandlery, and the storage of commercial fishing gear.

**Marine Recreation Provider** means the use of land, buildings, or structures for a commercial business that, due to its nature of the use, relies on the sea or ocean as an integral part of its operation, including but not limited to boat tours, canoe and kayak rentals, and jet ski rentals, but does not include uses related to the commercial fishing industry.

**Medical Clinic** means the use of a building or part thereof where medical or therapeutic diagnosis and/or treatment services are provided to the general public, but does not include a public or private hospital.

**Mini Wind Turbine** means a device for converting wind power to electricity which has a nameplate capacity of less than one (1) Kilowatt (1,000 watts) and which is intended to reduce on-site consumption of utility power.

**Motel** means a building or buildings or part thereof on the same site used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation, with or without means. Each unit has an independent entrance from the outside of the building.

**Municipality** means the Municipality of the County of Richmond.

## N

**Nameplate Capacity** means the manufacturer's maximum rated output of the electrical generator found in the nacelle of the wind turbine. This equals the electricity produced when the wind velocity is such as where the conversion efficiency is at its greatest.

**Nursing Home** means an extended or immediate care facility licensed under the *Homes for Special Care Act*, or successor legislation, to provide full time skilled nursing care to individuals who, by reason of age, chronic illness or infirmity, are unable to care for themselves.

## O

**Obnoxious Use** means a use which, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

Open Space means uses related primarily to the outdoor enjoyment of lands, including recreational uses, accessory buildings to a beach including change rooms and washrooms, boardwalks and nature interpretation stands, canteens, conservation projects, information stands, marina facilities and picnic areas and facilities.

**Ordinary High Watermark** means:

- (a) For non-tidal waters, the limit or edge of the bed of a body of water where the land has been covered by water so long as to wrest it from vegetation or as to mark a distinct character upon the vegetation where it extends into the water or upon the soil itself; and
- (b) For tidal waters, the mark on the seashore reached by the average of the mean high tides of the sea between the spring and neap tides in each quarter of a lunar revolution during the year excluding only extraordinary catastrophes or overflows.

**Outdoor Display** means an area of land where goods are displayed and which are available for sale to the general public from a retail outlet located on the same lot.

**Outdoor Storage** means the storage of any item located outside of a building not primarily for the encouragement of sale of the item or of similar items at that location, but primarily for storage purposes.

## P

**Person** means an individual, association, firm, partnership, corporation, incorporated company, organization, trustee, or agent, and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.

**Personal Service Shop** means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and without limiting the generality of the foregoing may include such establishments as barber shops, beauty parlours, automatic laundry shops, hairdressing shops, shoe repair and shoe shining shops, and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale.

**Place of Worship** means a place dedicated to religious worship and may include, but is not limited to, halls or auditoriums for religious gathering, accessory office space for



administrators, day nurseries operated for patrons, and classroom space for religious instruction.

**Planning Area** means the Richmond County Planning Area.

**Private Club** means the use of a building or part thereof for a meeting place for members of an organization and may include a lodge, a legion, a fraternity or sorority house, and a labour union hall.

**Professional Office** means a building or structure where business may be transacted, a service performed or consultation given but shall not include the manufacturing of any product or the retailing or selling of goods.

**Public and Private Utilities** means a closely regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety and welfare.

**Public Recreation** means the use of land, buildings, or parts thereof for tennis courts, lawn bowling greens, skating rinks, skateboard parks, athletic fields, band shells, pavilions, outdoor swimming pools, recreational boat launches, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but not including indoor commercial recreation or outdoor commercial recreation or a track for the racing of animals, or any form of motorized vehicles.

**Public Transportation** means the use of land, buildings, or part thereof for the transportation of passengers and related activities and includes bus stations, taxi stands, and railway stations but does not include airports.

## Q

**Qualified Person** means an individual who has undergone proper educational training and gained experience and expertise to become certified or recognized as able to practice in a particular profession in the province of Nova Scotia and, if required by applicable legislation, is a member in good standing in the professional body representing and/or regulating the profession in Nova Scotia.

## R

**Race Track** means the use of land for the purpose of racing motorcycles, all terrain vehicles, automobiles, or similar motorized vehicles, and animals, including, but not limited to, horses or dogs, over a constructed track or course or where the continuous use of land creates a track or course.

**Recreational Vehicle (“RV”)** means a vehicle intended as temporary accommodation for travel, vacation, or recreational use. Such vehicles may include, but are not limited to, a

motor home, fold-down camping trailer, truck camper, holiday trailer, or fifth wheel travel trailer, but does not include any vehicle that meets the definition of a derelict vehicle under the *Municipal Government Act*.

**Recycling Depot** means premises on which recoverable materials, such as paper, glass and metals are separated prior to shipment, but does not include any processing of the material and does not include a scrap yard.

**Rental Establishment** means a business that has equipment or goods for rent.

**Residential Care Facility** means the use of a building or part thereof as a family home, group care facility, or similar facility for the non-medical care of more than six persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, but does not include a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

**Residence** means a structure used for human habitation, whether for seasonal or permanent occupancy and is assessed for taxation purposes.

**Restaurant** means a building or part thereof where food and/or drink intended for immediate consumption is prepared and served to the public.

**Restaurant, Drive-through** means a restaurant or part thereof where the intent is to provide food and/or drink to customers while they remain in their motor vehicles.

**Restaurant, Eat-in** means a restaurant or part thereof where food and/or drink may be consumed within the building or on an attached, formalized outdoor space.

**Restaurant, Take-out** means a restaurant or part thereof that does not provide facilities for consumption of food or drink on the premises, or only provides informal outdoor eating facilities such as picnic tables.

**Retail Store** means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail.

## S

**School, Academic** means the use of a building or part thereof as an educational establishment, whether public or private, intended for the academic instruction of students up to the completion of Grade 12, and may include elementary schools, junior high schools, high schools, and consolidated schools, but does not include daycares as the main use.

**School, Commercial** means the use of a building or part thereof as an educational establishment, whether public or private, intended for instruction in extracurricular activities and/or vocational skills and shall include, but is not limited to, dance schools, music schools, sports schools, driving schools, culinary institutes, hair schools, computer schools, and other similar schools, but does not include post-secondary schools.

**School, Post-secondary** means the use of a building or part thereof as a degree- or diploma-granting public educational establishment intended for the academic instruction of students after the completion of Grade 12.

**Scrap Yard** means the use of land for keeping or storing used bodies or parts of automobiles or any other type of used equipment, vehicles, machinery, or materials of any kind, regardless of whether such use occupies all or a part of the lot or lots upon which it is located, or whether it is a use operated for commercial or other purposes, or whether the use is subject to salvage yard licensing requirements of the Province of Nova Scotia.

**Self-storage Facility** means the use of a building, collection of buildings, or part thereof for individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies.

**Senior Citizens' Housing** means multifamily housing designed for older people. This type of housing can also refer to an adult retirement community, assisted living facility, congregate residences or continuing care retirement facility.

**Service Shop** means a building or part thereof used for the repair of household articles and shall include radio, television, and appliance repair shops but shall not include industrial or manufacturing or motor vehicle repair shops.

**Setback** means the distance between a street line, watercourse or natural feature and the nearest main wall of any building or structure and extending the full width or length of the lot.

**Setback, Flankage** means the horizontal distance measured from the flankage lot line and the nearest main wall of any building or structure on the lot.

**Setback, Front** means the horizontal distance extending the full lot width, between the front lot line and the nearest main wall of any building or structure on the lot.

**Setback, Rear** means the horizontal distance extending across the full lot width, between the rear lot line and the nearest wall of any main building or structure on the lot.

**Setback, Side** means the horizontal distance between the front setback and rear setback, and between the side lot line and the nearest wall of any main structure on the lot.

**Shipping Container** means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal freight containers (sea containers) and the body of transport trailers or straight truck boxes, but does not include a motor vehicle

**Shooting Range** means the use of land or buildings for sport shooting including, but not limited to, sport shooting that involves the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder or other similar items.

**Shoreline** means the ordinary high watermark of a coastal or other body of water.

**Sign** means a structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to justify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, work, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction, or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall include signs that are affixed to the inside of windows and glass doors and is intended to be seen from roadways or parking lots. No other indoor sign shall be deemed a sign within this By-law.

**Ground Sign** means a sign supported by one or more uprights, poles or braces placed in or upon the ground.

**Illuminated Sign** means a sign that provides artificial light directly, or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focused, upon or chiefly directed at the surface of the sign.

**Projecting Wall Sign** means a sign which projects from and is supported by a wall of a building.

**Wall Sign** means a sign that is attached to and supported by wall of a building.

**Number of Signs** means a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship or elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

**Sign Area** means the area of the smallest triangle, rectangle, or circle or semi-circle that can wholly enclose the surface area of the sign. All visible faces of a multi-faced sign shall be counted separately and then totaled in calculating sign area. Three dimensional signs shall be treated as dual-faced signs, such that the total area shall

be twice the area of the smallest triangle, rectangle, or circle or semi-circle, which can totally circumscribe the sign in the plan of its largest dimension.

**Short-term Rental** means the use of a dwelling unit where guest sleeping facilities are contained within one building on a lot, intended to provide accommodation to the traveling public, and where the facilities on the lot are only rented to one party at a time. The short-term rental may include the provision of private cooking facilities but shall not include facilities that are open to the general public such as meeting rooms, restaurants, or entertainment facilities.

**Small Options Home** means the use of a building or part thereof for a family home, group care facility, or similar facility for the non-medical care for not more than six persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, but does not include a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

**Storey** means the portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 metres (6 feet) above grade and provided also that any portion of a storey exceeding 4.3 metres (14 feet) in height shall be deemed an additional storey for each 4.3 metres (14 feet) or fraction thereof of such excess.

**Street** means a road, accepted and maintained by the Department of Transportation as a public thoroughfare.

**Street Line** means the boundary line of a street.

**Structure** means anything that is erected, built or constructed or parts joined together or any such erection fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls, and signs and also fences exceeding 1.8 metres (6 feet) in height.

**Solar Collector System** means a structure or array of structures, and ancillary equipment, designed to collect solar radiation and convert it to useable forms of energy. Without restricting the generality of this definition, solar collector system may include evacuated tubes, flat plate collectors, concentrating mirrors, and building-integrated photovoltaic materials but does not include windows or greenhouses.

**Solar Collector System, Accessory** means a solar collector system designed and sized with a primary purpose to offset or meet the energy needs of other uses on the site. While such systems may generate, on an annual basis, a small monetary profit through programs such as net metering, such profits shall be secondary and incidental to the purpose of offsetting on-site energy needs.

**Solar Collector System, Commercial** means a solar collector system designed and sized with a primary purpose to provide electricity or other forms of energy to the grid or other off-site uses.

**Supporting Structure** of a wind turbine includes all structures accessory to the turbine itself, including guy wires.

## T

**Transportation and Logistics** means the use of a building, structure, land, or part thereof used for the purpose of transporting any kind of item or thing by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, but does not include the transport of people.

## U

**Use** means the purpose for which any land, building, or structure is utilized.

**Utility Wind Turbine** means a device for converting wind power to electricity, which has a nameplate capacity of more than 100 Kilowatts (kW) and generates power primarily for sale to a third party and which may be developed either as a stand alone machine or be grouped with others in a wind farm.

## V

**Variance** means a relaxation or reduction of the Land Use By-law requirements for a specific site, as stipulated in the *Municipal Government Act*.

## W

**Warehousing** means the use of a building or part thereof for the storage of commercial or industrial wares or goods, excluding retail stores and self-storage facilities.

**Water Access** means the use of land or structures to provide watercraft access to marine or fresh water bodies and shall include, but is not limited to, wharves, docks, slipways, ramps, quays, and marine railroads.

**Watercourse** means the bed and shore of every river, stream, lake, ocean, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch or other natural body of water, and the water therein, including ground water, within the jurisdiction of the Province, whether it contains water or not.

**Wind Farm** means a grouping of more than one interconnected wind turbine on one lot or abutting lots used for the purpose of converting wind power to produce electricity. These typically require a central computerized monitoring system that monitors the operation of the turbines.

**Wetland** means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**Workshop** means the use of a building or part thereof for the creation of products assembled or made by hand or by small custom production processes including (but not limited to) potters, pewterers, goldsmiths, silversmiths, jewellers, toymakers, leather workers, upholsterers, woodworkers, furniture makers, musical instrument makers, clothing designers, clothesmakers, shoemakers, antique refinishers, glass workers, stained glass workers and sailmakers. This definition shall also include “maker spaces”.

**X**

**Y**

**Yard** means the uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines to the building shall be used.

**Flankage Yard** means a yard extending across the full width of a lot between the flankage lot line and the nearest wall of any building or structure on the lot.

**Front Yard** means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.

**Rear Yard** means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot.

**Side Yard** means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot.

# **Z**

**Zone** means a designated area of land shown on Schedule 'A' of this By-law.



## **30 Schedules**

**Schedule 'A' – Zoning Map**

**Schedule 'B' – Wind Resource Overlay**

**Schedule 'C' – Sporting Mountain Overlay**