



# **Municipality of the County of Inverness**

## Land Use Bylaw

September 11, 2025

Municipality of the County of Inverness

Land Use By-law

2025

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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 Land Use By-law for the Municipality of the County of Inverness (“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, and for that purpose the By-law, among other things:
- (a) divides the Municipality 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 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.

## **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 Conflicts**

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 case of conflict between the colour coding of the main Zoning Map for the entire County and individual inset maps for smaller geographic areas, the main map for the entire County shall prevail.

2.2.4 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.

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

2.2.6 In the case of a conflict between two requirements of this by-law, the higher or more stringent standard 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 33 - Definitions. Where a word is not defined in Part 33 or the Act, 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 precedence.

## **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 centreline 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;
- (f) where the zone boundary is indicated as following a geographic feature, such as a mountain ridge or wetland, the edge of the geographic feature shall be the boundary; and
- (g) 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 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 Inverness 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 Existing Structures and Uses**

- 3.7.1 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 of the County of Inverness 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) Two years for development in industrial zones.
  - (b) One 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 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 Zone or the Agriculture Potential 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 and 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 6.29.
  - (j) Personal offices or studios meeting the requirements of Section 6.12.
  - (k) The teaching of one student at a time, meeting the requirements of Section 6.12.
  - (l) Any accessory 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 Part 9.
- 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 Development Officer prior to undertaking any development.
- 4.2.3 Municipal infrastructure projects developed by the Municipality and to be owned and operated by the Municipality do not require a development permit.

### **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(s) 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; and
  - (d) any other information required by this Land Use By-law.
- 4.4.2 In addition to 4.4.1, development involving new structures or expansion of existing structures shall include a lot plan, as detailed in Section 4.5;
- 4.4.3 In addition to 4.4.1 and 4.4.2, applications for commercial or industrial development with a footprint of 1,000 square metres (10,763.9 square feet) or greater shall include a stormwater management plan prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia.

## **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 based on provincial property lines, a land survey, or a location certificate;
  - (b) the proposed location, height and dimensions of the building, structure, or work for which the permit is applied;
  - (c) information on the presence of any easements and their approximate location within the subject property;
  - (d) the location of every building or structure already erected on or partly erected on such lot;
  - (e) the proposed location and dimensions of parking spaces, loading spaces, driveways, solid waste storage areas, and landscaping areas where applicable;
  - (f) the location of all watercourses on the property; and
  - (g) 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 plan submitted under Section 4.5 additionally shows:
- (a) the location of every building erected upon any abutting lot;
  - (b) the location of existing and proposed walkways;
  - (c) the type and location of existing and proposed outdoor lighting;
  - (d) 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;
  - (e) the location and type of any amenity area or facilities provided for users of the development; and/or,
  - (f) 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 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 statement, assessment, or study;
  - (i) groundwater supply study;
  - (j) municipal servicing study; and/or,
  - (k) any other information deemed necessary by the Development Officer.

## 4.8 Variances

- 4.8.1 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 yards;
  - (c) lot frontage;
  - (d) lot area;
  - (e) location and number of parking spaces and loading spaces required;
  - (f) ground area of a structure;
  - (g) height of a structure;
  - (h) floor area occupied by a home-based business; and/or
  - (i) height and area of a sign.
- 4.8.2 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.

## 4.9 Site Plan Approval

- 4.9.1 This By-law states the types of land uses that are subject to Site Plan Approval through permitted use tables and/or lists for each zone.
- 4.9.2 The approval and appeal procedures for Site Plan Approval shall follow the requirements of the *Municipal Government Act*.
- 4.9.3 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.

4.9.4 In addition to the requirements of Sections 4.5, 4.6, and 4.7, 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 – to the satisfaction of the Development Officer – outlined in Part 32.
- (b) The application shall be accompanied by a fee, in the amount prescribed by Council, for advertising and notification costs.

#### **4.10 Site Plan Approval Exemptions**

4.10.1 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.
- (b) Additions up to 25.0 square metres (269.1 square feet) of gross floor area.
- (c) Installation, replacement, or repair of building features and building repairs or additions that neither change the footprint of the building nor increase parking requirements.
- (d) 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.
- (e) 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.
- (f) Temporary uses.

#### **4.11 Site Plan Approval Review**

4.11.1 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 32.

## **4.12 Site Plan Approval Notification**

4.12.1 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 (R) Zone, the Light Industrial Centre (LI) Zone, and the Institutional (I) 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 any other 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:

<b>Zone Name</b>	<b>Zone Symbol</b>
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
Watershed Protection Zone	WP-2
Floodway Zone	FW
Floodway Fringe Indicator Zone	FW-2

## **5.2 Zoning Maps**

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

## **5.3 Zones Not on the Zoning Maps**

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

### **6.2 Accessory Agricultural Uses**

- 6.2.1 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. Please note that larger livestock structures are possible as an “agricultural uses” land use in zones that permit that use.
- 6.2.2 Where an accessory agricultural use includes the keeping of livestock, the *Fences and Detention of Stray Livestock Act* requires fencing adequate to prevent the escape of livestock.
- 6.2.3 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 shall be located on the same lot as the main use.
- 6.3.2 The combined footprint for all accessory structures shall not exceed 40 percent of the lot area.
- 6.3.3 Notwithstanding the minimum rear setback for accessory buildings, boat houses, docks, wharves, or piers may be built across the lot line when said lot line corresponds to the water’s edge.
- 6.3.4 Notwithstanding lot standards for accessory buildings, 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 does not increase its non-conformity.
- 6.3.5 Notwithstanding the minimum rear and side setback for accessory buildings, 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, 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 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 follow 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 storey in height, terraces (uncovered)	Any	To lot line
Barrier free access structures	Any	To lot line
Carports	Any	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, or approved by the Development Officer 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 existing undersized lot under this by-law.
- 6.9.2 Any lot legally created after the effective date of this By-law through a provision of the Act that specifically exempts lots from compliance with municipal minimum lot area or minimum lot frontage requirements or through Sections 17, 18, 19 and 20 of the Subdivision By-law of the Municipality of the County of Inverness shall be considered an existing undersized lot.

## **6.10 Flag Lots**

- 6.10.1 Where development is permitted on a flag lot, zone standards for minimum lot area shall be satisfied within the main portion of the flag lot and the lot area contained within the prolongation shall not count towards satisfying that requirement.

## **6.11 Frontage on a Road**

- 6.11.1 In the Agriculture Potential Zone, lot frontage shall only be counted towards meeting the minimum requirement of the Zone if the lot fronts on an existing private road, an existing public road, or a private road with bona fide access for up to six lots.
- 6.11.2 In the Watershed Protection Zone, lot frontage shall only be counted towards meeting the minimum requirement of the Zone if the lot fronts on an existing private road or an existing public road.
- 6.11.3 In the following Zones, lot frontage shall only be counted towards meeting the minimum requirement of the Zone if the lot fronts on a private road or an existing public road:
- (a) Commercial Recreation Zone
  - (b) Conservation Zone
  - (c) Fishing Zone
  - (d) Highway Commercial Zone
  - (e) Institutional Zone

- (f) Lakeshore Zone
- (g) Parks and Open Space Zone
- (h) Rural Commercial Zone
- (i) Rural General Zone
- (j) Rural Industrial Zone
- (k) Source Water Protection Zone

6.11.4 In the following Zones, lot frontage shall only be counted towards meeting the minimum requirement of the Zone if the lot fronts on a public road or private road:

- (a) General Centre Zone
- (b) Main Street Zone
- (c) Residential Centre Zone
- (d) Light Industrial Centre Zone

6.11.5 In any zone of this By-law, a lot may be exempt from lot frontage requirements if it was legally created based on Sections 17,18,19 or 20 of the Subdivision By-law of the Municipality of the County of Inverness and such lot may be used for a purpose permitted in the zone and a building may be erected on such lot.

## 6.12 Home-based Businesses

6.12.1 Level I home-based businesses shall meet the following requirements:

(a) Permitted Uses in any Zone	<ul style="list-style-type: none"> <li>(i) Accommodations - 1 or 2 rental units</li> <li>(ii) Animal care</li> <li>(iii) Art Gallery / Studio</li> <li>(iv) Business or Professional Office</li> <li>(v) Commercial School - 6 or fewer students</li> <li>(vi) Craft Product Workshop</li> <li>(vii) Daycare Centre</li> <li>(viii) Medical Clinic</li> <li>(ix) Personal Service Shop</li> <li>(x) Service and Repair Shop, excluding Small Engine Repair.</li> </ul>
(b) Maximum number of on-site, non-resident employees in an MS, GC, R, HR or HC Zone	<p>Where the use is on a lot below 4100 square metres (1.0 acres) of lot area, or within 100 metres (328.08 feet) of a property line:</p> <ul style="list-style-type: none"> <li>(i) Two (2)</li> </ul> <p>Otherwise:</p> <ul style="list-style-type: none"> <li>(ii) no limitation</li> </ul>
(c) Maximum Floor Area of Home-based business in an MS, GC, R, HR or HC Zone	<p>Where the use is on a lot below 4100 square metres (1.0 acres) of lot area, or within 100 metres (328.08 feet) of a property line:</p> <ul style="list-style-type: none"> <li>(i) The equivalent of 25 percent of the gross floor area of the dwelling unit to which it is accessory, or 50 square metres (538.19 square feet), whichever is less.</li> </ul> <p>Otherwise:</p> <ul style="list-style-type: none"> <li>(ii) no limitation</li> </ul>
(d) Outdoor Storage and Display in any Zone	<ul style="list-style-type: none"> <li>(i) Outdoor storage and display shall not be permitted.</li> </ul>
(e) Retail Sales in any Zone	<ul style="list-style-type: none"> <li>(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 the business.</li> </ul>
(f) Permitted Signage in any Zone	<ul style="list-style-type: none"> <li>(i) One (1) non-illuminated wall sign not exceeding 1.0 square metres (10.76 square feet) in sign area.</li> </ul>

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

<p>(a) Permitted Uses in any Zone</p>	<ul style="list-style-type: none"> <li>(i) Accommodations - up to 5 rental units</li> <li>(ii) Animal care</li> <li>(iii) Art Gallery / Studio</li> <li>(iv) Automobile Repair Shop - 3 or fewer automobiles at a time</li> <li>(v) Business or Professional Office</li> <li>(vi) Commercial School - 10 or fewer students</li> <li>(vii) Craft Product Workshop</li> <li>(viii) Daycare Centre</li> <li>(ix) Forestry Use</li> <li>(x) Medical Clinic</li> <li>(xi) Personal Service Shop</li> <li>(xii) Service and Repair Shop</li> <li>(xiii) Take-out Restaurant</li> </ul>
<p>(b) Maximum number of on-site, non-resident employees in an MS, GC, R, HR or HC Zone</p>	<p>Where the use is on a lot below 4100 square metres (1.0 acres) of lot area, or within 100 metres (328.08 feet) of a property line:</p> <ul style="list-style-type: none"> <li>(i) Three (3)</li> </ul> <p>Otherwise:</p> <ul style="list-style-type: none"> <li>(ii) no limitation</li> </ul>
<p>(c) Maximum Floor Area of Home-based business in an MS, GC, R, HR or HC Zone</p>	<p>Where the use is on a lot below 4100 square metres (1.0 acres) of lot area, or within 100 metres (328.08 feet) of a property line:</p> <ul style="list-style-type: none"> <li>(i) 150 square metres (1,614.59 square feet), but when located within a dwelling unit, the home-based business shall not occupy more than 40 percent of the gross floor area of the dwelling unit.</li> </ul> <p>Otherwise:</p> <ul style="list-style-type: none"> <li>(ii) no limitation</li> </ul>
<p>(d) Outdoor Storage and Display in any Zone</p>	<ul style="list-style-type: none"> <li>(i) The total area of outdoor storage and outdoor display (combined) shall not exceed the maximum permitted floor area of the home-based business.</li> <li>(ii) Outdoor storage and outdoor display shall not be permitted in the front or flankage yard or in minimum require side and rear setbacks.</li> </ul>

(e) Retail Sales in any Zone	(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 the business
(f) Permitted Signage in any Zone	(i) One (1) non-illuminated wall sign not exceeding 1.0 square metres (10.76 square feet) in sign area.

### **6.13 Home Offices**

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.

### **6.14 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 Instruction of One Student at a Time**

6.15.1 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 for the instruction of one student at a time.

### **6.16 Habitation of Vehicles**

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

6.16.2 Where a lot contains one or more lawfully erected building(s) connected to municipal wastewater collection or a lawfully installed septic disposal system, up to three recreational vehicles may be located and used on the same lot as an accessory use to the main building(s).

### **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 Marine Industrial Uses**

- 6.18.1 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.

## **6.19 Monument and Cairn Lots**

- 6.19.1 Notwithstanding the lot area requirements of this By-law, the Development Officer may approve a lot on a plan of subdivision which:
- (a) does not contain an on-site sewage disposal system or any part thereof; and,
  - (b) has a maximum area of 465 square metres (5005.3 square feet).

## **6.20 Multiple Main Buildings**

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

## **6.21 Multiple Land Uses on Property**

- 6.21.1 In any zone, where any land or building is used for more than one 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.

## **6.24 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 facing 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 Solar Collector Systems**

6.27.1 Accessory solar collector systems:

- (a) shall be permitted as an accessory use in all zones and may be mounted as free-standing structures or on buildings;
- (b) when mounted on buildings may exceed the maximum building height in the zone by up to 2.0 metres; and
- (c) when mounted as free-standing structures shall:
  - i. not exceed a height of 2.0 metres;
  - ii. not be located in any front or flankage yard; and
  - iii. not exceed a combined panel surface of 10 percent of the lot area.

## **6.28 Utilities**

- 6.28.1 Unless otherwise stated, any public utility that is essential for the actual provision of a service, not including energy generation systems, wind turbines, and commercial 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.
- 6.28.2 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 utility maintenance depots.

## **6.29 Vending Stalls for Farm, Fish, and Forestry**

- 6.29.1 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 no development permit shall be required.

## **6.30 Visibility at Intersections**

- 6.30.1 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.

## **6.31 Watercourse Buffer**

6.31.1 All development shall be prohibited within 30 metres (98.43 feet) of the ordinary high watermark of any watercourse, except for the following developments, which are exempt from this prohibition:

- (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.

## **7 Wind Turbines**

### **7.1 Wind Turbine Development**

- 7.1.1 Wind turbine development shall be subject to the Inverness County Municipal Planning Strategy and Land Use By-law Concerning the Regulation of Wind Turbines.

## **8 Parking**

### **8.1 Application of Parking Requirements**

8.1.1 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) Light Industrial Centre Zone;
- (e) Main Street (MS) Zone; and
- (f) Residential Centre (R) Zone.

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

8.1.3 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 an existing main building, the Development Officer may vary the number of parking spaces that cannot be accommodated on the lot using the variance provisions of Section 4.8.

### **8.2 Minimum Number of Automobile Parking Spaces**

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

8.2.2 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.

8.2.3 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 units, shall be capable of being accessed without travelling through another parking space.

8.2.4 Parking shall be provided and maintained in conformity with the following table. If a use is not listed in this table, no parking minimums shall apply:

<b>Table 7-1 Use</b>	<b>Parking Spaces Required</b>
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
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
Dwellings up to 4 units per lot	1.5 spaces per dwelling unit
Dwelling over 4 units per lot	1 space per dwelling unit
Funeral Home	1 space per 25 m <sup>2</sup> (269.10 ft <sup>2</sup> ) GFA, not including area dedicated to crematoria
Light Industrial Uses	1 space per 100 m <sup>2</sup> (1076.39 ft <sup>2</sup> ) GFA
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 25 m <sup>2</sup> (269.10 ft <sup>2</sup> ) GFA
Restaurant - Drive-through	1 space per 50 m <sup>2</sup> (538.19 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
All other commercial uses	1 space per 50 m <sup>2</sup> (538.19 ft <sup>2</sup> ) GFA

### **8.3 Location of Automobile Parking**

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

### **8.4 Parking Exemption on Main Streets**

- 8.4.1 Notwithstanding Section 8.2, all minimum automobile parking space requirements shall be waived in the Main Street (MS) Zone.

### **8.5 Automobile Parking Area Standards**

- 8.5.1 Where parking facilities for more than four (4) automobiles are required or voluntarily 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 or for the placement of payment machines.
  - (d) The parking area shall be within 100.0 metres (328.08 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.

## **9 Signage**

### **9.1 Signage Provisions for All Zones**

- 9.1.1 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.
- 9.1.2 Any sign that no longer advertises a bona fide business conducted or a product sold is deemed to be obsolete and shall be removed once the use has been discontinued for a period of 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.
- 9.1.3 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.

### **9.2 Signs Prohibited in All Zones**

- 9.2.1 Notwithstanding any other provision of this By-law, the following signs shall not be permitted in any zone:
  - (a) Signs or sign structures that constitute 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 that 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;
- (j) Signs located on the roof of any structure.

### **9.3 Signs Permitted in all Zones**

9.3.1 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 Inverness signage program and holding a valid permit as may be required by any by-law or Council policy applicable to any such program.

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

9.4.1 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; and
- (e) Residential Centre (R) Zone.

9.4.2 No person shall erect or relocate any signs, except those permitted under Section 9.3, 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.

9.4.3 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.

9.4.4 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.

9.4.5 Permitted signage shall be outlined in the following table. All requirements are maximums:

	Main Street Zone	General Centre Zone	Residential Centre Zone	Hamlet Residential Zone	Hamlet Core Zone
Ground Sign	6 m (19.68 ft) tall / 4 m <sup>2</sup> (43.05 ft <sup>2</sup> ) sign area	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

## 9.5 Illumination

9.5.1 Backlit signage or lightbox signs shall be prohibited in the Main Street (MS) Zone.

9.5.2 In all other Zones, signs may be internally-illuminated or illuminated through the use of shielded downlighting but such illumination shall not flash.

## 10 Main Street (MS) Zone

### 10.1 Permitted Uses

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

- (a) Dwelling – up to 12 dwelling units per lot
- (b) Accommodations
- (c) Animal Care
- (d) Banks and Financial Institutions
- (e) Boarding (Rooming) House – up to 6 sleeping units per lot
- (f) Commercial Recreation – Indoor
- (g) Community Centre
- (h) Craft Food and Beverage Production
- (i) Cultural Facilities
- (j) Daycare Centre
- (k) Drinking Establishment
- (l) Electric Vehicle Charging – Commercial
- (m) Farmers' Market
- (n) Funeral Home
- (o) Government Uses
- (p) Interpretive Centre
- (q) Marina
- (r) Medical Clinic
- (s) Nursing Home
- (t) Office
- (u) Parks and Playgrounds
- (v) Personal Service Shop
- (w) Place of Worship
- (x) Private Club
- (y) Public Recreation
- (z) Public Transportation
- (aa) Residential Care Facility
- (bb) Restaurant – Eat-in

- (cc) Restaurant – Take-out
- (dd) Retail Store
- (ee) School – Academic
- (ff) School – Commercial
- (gg) School – Post-secondary
- (hh) Service and Repair Shop
- (ii) Small Options Home
- (jj) Trails and Conservation
- (kk) Water Access
- (ll) Workshop

## **10.2 Permitted Uses with Conditions**

10.2.1 The following main 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 6.12
- (c) Home-based Business – Level II – Section 6.12

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

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

- (a) Dwelling – over 12 dwelling units per lot

## **10.4 Permitted Uses by Development Agreement**

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

- (a) Any land use permitted by this zone but not in compliance with the design standards of Section 10.6

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

10.5.1 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	12.7 m	41.67 ft
• Accessory Building	8 m	26.25 ft

- 10.5.2 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.
- 10.5.3 The maximum front setback shall only apply to one (1) main building per lot, i.e. the main building closest to the street line.
- 10.5.4 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. This exemption may be applied to up to six dwelling or three commercial or mixed-use buildings which are attached to each other.

## **10.6 Design Standards in the Main Street (MS) Zone**

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

### **Building Composition**

- 10.6.2 A minimum of 50 percent of the lot width, along a line parallel to the street line and at a distance of the maximum front and flankage setback, shall be occupied by a building.
- 10.6.3 The minimum building height shall be 6.0 metres (19.68 feet).
- 10.6.4 The minimum floor-to-floor height of the ground floor shall be 3.5 metres (11.48 feet).
- 10.6.5 Above a height of 8.0 metres (26.24 feet):
- (a) buildings shall have a stepback 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.
- 10.6.6 Flat roofs are prohibited, and roofs shall have a minimum slope of 4:12
- 10.6.7 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.
- 10.6.8 Utilities such as vents, mechanical rooms/equipment, and elevator penthouses should be integrated with the architectural treatment of the roof, be located so as to be inconspicuous from any sidewalk, or be screened with materials and finishes compatible with the buildings design.

### **Wall Openings**

- 10.6.9 Doors to commercial uses shall be partially or fully glazed.
- 10.6.10 In the first storey, blank walls without any articulation or windows may not exceed a horizontal length of 5.0 metres (16.40 feet).
- 10.6.11 At least 50 percent of the surface area of building's ground floor wall facing the street line shall be glazed.
- 10.6.12 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.
- 10.6.13 All main entrances should be ornamented by one of the following:
- (a) awnings;

- (b) emphasized door lintels;
- (c) a portico or otherwise 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 a difference in cladding.

10.6.14 On corner lots, the building shall have entrances on the corner within a bevel or within both walls facing a street line.

10.6.15 Vehicular entrances to buildings within a wall facing a street line shall be set back by at least 2.0 metres (6.56 feet) from the facade.

### **Site design**

10.6.16 Pedestrian priority areas shall be clearly defined and allow for a comfortable and safe pedestrian movement. This may be achieved through the use of landscaping, surface materials, or other design features.

10.6.17 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.

### **Accessory buildings**

10.6.18 In addition to the provisions of Section 6.3, accessory buildings shall not be located in the front or flanking yard.

# 11 General Centre (GC) Zone

## 11.1 Permitted Uses

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

- (a) Dwelling – up to 6 dwelling units per lot
- (b) Accommodations
- (c) Animal Care
- (d) Banks and Financial Institutions
- (e) Boarding (Rooming) House – up to 6 sleeping units per lot
- (f) Building Supply and Equipment Depot
- (g) Cemetery
- (h) Commercial Recreation – Indoor
- (i) Commercial Recreation – Outdoor
- (j) Community Centre
- (k) Craft Food and Beverage Production
- (l) Cultural Facilities
- (m) Daycare Centre
- (n) Drinking Establishment
- (o) Electric Vehicle Charging – Commercial
- (p) Emergency Services
- (q) Farmers' Market
- (r) Funeral Home
- (s) Government Uses
- (t) Hospital
- (u) Interpretive Centre
- (v) Marina
- (w) Marine Recreation Provider
- (x) Medical Clinic
- (y) Nursing Home
- (z) Office
- (aa) Parking Structures and Surface Parking Lots
- (bb) Parks and Playgrounds

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

## **11.2 Permitted Uses with Conditions**

11.2.1 The following main 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) Light Industrial – Section 11.6
- (c) Home-based Business – Level I – Section 6.12
- (d) Home-based Business – Level II – Section 6.12

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

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

- (a) Dwelling – 7 to 12 dwelling units per lot
- (b) Automobile Body Shop

- (c) Automobile Service Station
- (d) Automobile Washing
- (e) Automobile Repair
- (f) Automobile Sales
- (g) Boarding (Rooming) House – up to 12 sleeping units per lot
- (h) Restaurant – Drive-through

## 11.4 Permitted Uses by Development Agreement

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

- (a) Dwelling – over 12 units per lot
- (b) Boarding (Rooming) House – over 12 sleeping units per lot

## 11.5 General Centre (GC) Zone Development Standards

11.5.1 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

## 11.6 Light Industrial Uses in the General Centre (GC) Zone

11.6.1 Within the General Centre (GC) Zone, any use permitted in the Light Industrial Centre (MI) Zone may be permitted up to 120.0 square metres (1,291.69 square feet) of gross floor area.

# 12 Residential Centre (R) Zone

## 12.1 Permitted Uses

- 12.1.1 The following main uses shall be permitted in the Residential Centre (R) Zone subject to the requirements of this By-law:
- (a) Dwelling – up to 4 dwelling units per lot
  - (b) Boarding (Rooming) House – up to 4 sleeping units per lot
  - (c) Cemetery
  - (d) Community Centre
  - (e) Government Uses
  - (f) Medical Clinic
  - (g) Nursing Home
  - (h) Parks and Playgrounds
  - (i) Place of Worship
  - (j) Private Club
  - (k) Public Recreation
  - (l) Residential Care Facility
  - (m) School – Academic
  - (n) Small Options Home
  - (o) Trails and Conservation
  - (p) Water Access

## 12.2 Permitted Uses with Conditions

- 12.2.1 The following main 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 6.12

## 12.3 Permitted Uses by Site Plan Approval

- 12.3.1 The following main uses shall be permitted in the Residential Centre (R) Zone by Site Plan Approval subject to the requirements of this By-law:
- (a) Dwelling – 5 to 6 dwelling units per lot

## 12.4 Permitted Uses by Development Agreement

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

- (a) Dwelling – over 6 dwelling units per lot

## 12.5 Residential Centre (R) Zone Development Standards

12.5.1 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

## 13 Light Industrial Centre (MI) Zone

### 13.1 Permitted Uses

13.1.1 The following main 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 Depot
- (k) Commercial Recreation – Indoor
- (l) Commercial Recreation – Outdoor
- (m) Craft Food and Beverage Production
- (n) Drinking Establishment
- (o) Electric Vehicle Charging – Commercial
- (p) Emergency Services
- (q) Farmers' Market
- (r) Forestry Related Uses
- (s) Funeral Home
- (t) Government Uses
- (u) Hospital
- (v) Light Industrial
- (w) Marina
- (x) Marine Industrial Uses
- (y) Marine Recreation Provider
- (z) Medical Clinic
- (aa) Office
- (bb) Parking Structures and Surface Parking Lots

- (cc) Parks and Playgrounds
- (dd) Personal Service Shop
- (ee) Private Club
- (ff) Public Recreation
- (gg) Public Transportation
- (hh) Recycling Depot
- (ii) Restaurant – Eat-in
- (jj) Restaurant – Take-out
- (kk) Retail Store
- (ll) School – Commercial
- (mm) Service and Repair Shop
- (nn) Trails and Conservation
- (oo) Transportation and Logistics
- (pp) Warehousing
- (qq) Water Access
- (rr) Wholesale
- (ss) Workshop

### **13.2 Permitted Uses with Conditions**

13.2.1 The following main 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 – 6.12
- (b) Home-based Business Level II – 6.12
- (c) Kennel – Section 6.17
- (d) Self-storage Facilities – Section 6.24

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

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

- (a) Restaurants – Drive-through

### 13.4 Permitted Uses by Development Agreement

13.4.1 The following main 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) Helipads

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

13.5.1 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

13.5.2 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 the minimum rear and side yard setbacks to 15.24 metres (50 feet).

## **14 Hamlet Residential (HR) Zone**

### **14.1 Permitted Uses**

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

- (a) Dwelling – up to 4 dwelling units per lot
- (b) Agricultural Uses
- (c) Boarding (Rooming) House – up to 4 sleeping units per lot
- (d) Cemetery
- (e) Community Centre
- (f) Forestry Related Uses
- (g) Government Uses
- (h) Medical Clinic
- (i) Nursing Home
- (j) Parks and Playgrounds
- (k) Places of Worship
- (l) Private Club
- (m) Public Recreation
- (n) Residential Care Facility
- (o) School – Academic
- (p) Small Options home
- (q) Trails and Conservation
- (r) Water Access

### **14.2 Permitted Uses with Conditions**

14.2.1 The following main 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 6.12
- (c) Home-based Business Level II – Section 6.12
- (d) Solar Collector System – Commercial – Section 14.6

**14.3 Permitted Uses by Site Plan Approval**

- 14.3.1 The following main uses shall be permitted in the Hamlet Residential (HR) Zone by Site Plan Approval subject to the requirements of this By-law:
- (a) Dwelling – 5 to 6 dwelling units per lot
  - (b) Boarding (Rooming) House – 5 to 6 sleeping units per lot

**14.4 Permitted Uses by Development Agreement**

- 14.4.1 The following main uses shall be considered in the Hamlet Residential (HR) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:
- (a) Dwellings – over 6 dwelling units per lot
  - (b) Boarding (Rooming) Houses – over 6 sleeping units per lot

**14.5 Hamlet Residential (HR) Zone Development Standards**

14.5.1 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

**14.6 Solar Collectors in the Hamlet Residential (HR) Zone**

14.6.1 Commercial solar collector systems in the Hamlet Residential (HR) Zone shall be limited to a nameplate capacity of 1.0 megawatts per lot.

# 15 Hamlet Core (HC) Zone

## 15.1 Permitted Uses

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

- (a) Dwelling – up to 6 dwelling units per lot
- (b) Accommodations
- (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) Boarding (Rooming) Houses – up to 6 sleeping units per lot
- (k) Building Supply and Equipment Depot
- (l) Cemetery
- (m) Commercial Recreation – Indoor
- (n) Commercial Recreation – Outdoor
- (o) Community Centre
- (p) Craft Food and Beverage Production
- (q) Cultural Facilities
- (r) Daycare Centre
- (s) Drinking Establishment
- (t) Electric Vehicle Charging – Commercial
- (u) Emergency Services
- (v) Farmers' Market
- (w) Forestry Related Uses
- (x) Funeral Home
- (y) Government Uses
- (z) Hospital
- (aa) Interpretive Centre
- (bb) Marina

- (cc) Marine Industrial Uses
- (dd) Marine Recreation Provider
- (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 Club
- (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) School – Post-secondary
- (ww) Service and Repair Shop
- (xx) Small Options Home
- (yy) Trails and Conservation
- (zz) Transportation and Logistics
- (aaa) Warehousing
- (bbb) Water Access
- (ccc) Wholesale
- (ddd) Workshop

**15.2 Permitted Uses with Conditions**

- 15.2.1 The following main 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 6.12
  - (c) Home-based Business – Level II – Section 6.12
  - (d) Kennel – Section 6.17
  - (e) Light Industrial – Section 15.5
  - (f) Self-Storage Facility – Section 6.24
  - (g) Solar Collector System – Commercial – Section 15.6

**15.3 Permitted Uses by Site Plan Approval**

- 15.3.1 The following main uses shall be permitted in the Hamlet Core (HC) Zone by Site Plan Approval subject to the requirements of this By-law:
- (a) Dwellings – over 6 dwelling units per lot
  - (b) Automobile Sales
  - (c) Boarding (Rooming) Houses – 7 to 12 sleeping units per lot
  - (d) Restaurants – Drive-through

**15.4 Hamlet Core (HC) Zone Development Standards**

15.4.1 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

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

- 15.5.1 Within the Hamlet Core (HC) Zone, light industrial uses are permitted up to 500.0 square metres (5,381.95 square feet) of gross floor area.

## **15.6 Solar Collectors in the Hamlet Core (HC) Zone**

- 15.6.1 Commercial solar collector systems in the Hamlet Core (HC) Zone shall be limited to a nameplate capacity of 1.0 megawatts per lot.

## 16 Rural General (RG) Zone

### 16.1 Permitted Uses

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

- (a) Dwellings – up to 4 dwelling units per lot
- (b) Agricultural Uses
- (c) Animal Care
- (d) Automobile Body Shop
- (e) Automobile Repair
- (f) Automobile Washing
- (g) Boarding (Rooming) Houses – up to 12 sleeping units per lot
- (h) Building Supply and Equipment Depot
- (i) Cemetery
- (j) Commercial Recreation – Outdoor
- (k) Community Centre
- (l) Craft Food and Beverage Production
- (m) Cultural Facilities
- (n) Daycare Centre
- (o) Electric Vehicle Charging – Commercial
- (p) Emergency Services
- (q) Farmers' Market
- (r) Forestry Related Uses
- (s) Funeral Home
- (t) Government Uses
- (u) Interpretive Centre
- (v) Marina
- (w) Medical Clinic
- (x) Nursing Home
- (y) Parking Structures and Surface Parking Lots
- (z) Parks and Playgrounds
- (aa) Personal Service Shop
- (bb) Places of Worship

- (cc) Private Club
- (dd) Public Recreation
- (ee) Public Transportation
- (ff) Residential Care Facility
- (gg) Restaurant – Eat-in
- (hh) Restaurant – Take-out
- (ii) School – Academic
- (jj) Service and Repair Shop
- (kk) Small Options Home
- (ll) Solar Collector System – Commercial
- (mm) Renewable Energy Generation Systems
- (nn) Trails and Conservation
- (oo) Water Access
- (pp) Workshop

## **16.2 Permitted Uses with Conditions**

16.2.1 The following main 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 6.12
- (c) Home-based Business – Level II – Section 6.12
- (d) Kennel – Section 6.17
- (e) Retail Store – Section 16.4

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

16.3.1 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	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

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

16.4.1 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.

# 17 Rural Commercial (RC) Zone

## 17.1 Permitted Uses

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

- (a) Dwelling – up to 6 dwelling units per lot
- (b) Accommodations
- (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) Boarding (Rooming) Houses – up to 12 sleeping units per lot
- (l) Building Supply and Equipment Depot
- (m) Cemetery
- (n) Commercial Recreation – Indoor
- (o) Commercial Recreation – Outdoor
- (p) Community Centre
- (q) Craft Food and Beverage Production
- (r) Cultural Facilities
- (s) Daycare Centre
- (t) Drinking Establishment
- (u) Electric Vehicle Charging – Commercial
- (v) Emergency Services
- (w) Farmers' Market
- (x) Forestry Related Uses
- (y) Funeral Home
- (z) Government Uses
- (aa) Interpretive Centre
- (bb) Marina

- (cc) Medical Clinic
- (dd) Nursing Home
- (ee) Office
- (ff) Parking Structures and Surface Parking Lots
- (gg) Parks and Playgrounds
- (hh) Personal Service Shop
- (ii) Places of Worship
- (jj) Private Club
- (kk) Public Recreation
- (ll) Public Transportation
- (mm) Recycling Depot
- (nn) Renewable Energy Generation Systems
- (oo) Residential Care Facility
- (pp) Restaurant – Eat-in
- (qq) Restaurant – Take-out
- (rr) Retail Store
- (ss) School – Academic
- (tt) School – Commercial
- (uu) Service and Repair Shop
- (vv) Small Options Home
- (ww) Solar Collector System – Commercial
- (xx) Trails and Conservation
- (yy) Transportation and Logistics
- (zz) Warehousing
- (aaa) Water Access
- (bbb) Wholesale
- (ccc) Workshop

## **17.2 Permitted Uses with Conditions**

17.2.1 The following main 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 6.12
- (c) Home-based Business – Level II – Section 6.12
- (d) Kennel – Section 6.17
- (e) Light Industrial – Section 17.6
- (f) Self-Storage Facility – Section 6.24

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

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

- (a) Dwellings – over 6 dwelling units per lot
- (b) Boarding (Rooming) Houses – over 12 sleeping units per lot
- (c) Restaurants – Drive-through

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

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

- (a) Helipad

## 17.5 Rural Commercial (RC) Zone Development Standards

17.5.1 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	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

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

17.6.1 Within the Rural Commercial (RC) Zone, light industrial uses shall be permitted up to 500.0 square metres (5,381.95 square feet) of gross floor area.

# 18 Rural Industrial (RM) Zone

## 18.1 Permitted Uses

18.1.1 The following main 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 Depot
- (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) Renewable Energy Generation Systems
- (z) School – Commercial
- (aa) Service and Repair Shop
- (bb) Solar Collector System – Commercial

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

## **18.2 Permitted Uses with Conditions**

18.2.1 The following main 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 Facility – 6.24

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

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

- (a) Scrap Yard

## **18.4 Permitted Uses by Development Agreement**

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

- (a) Heavy Industrial (on lots 10,000 square metres in area or greater)
- (b) Helipad
- (c) Solid Waste Disposal Facility (on lots 10,000 square metres in area or greater)

## 18.5 Rural Industrial (RM) Zone Development Standards

18.5.1 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

# 19 Agriculture Potential (AP) Zone

## 19.1 Permitted Uses

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

- (a) Dwellings – up to 4 dwelling units per lot
- (b) Agricultural Uses
- (c) Animal Care
- (d) Boarding (Rooming) Houses – up to 12 sleeping units per lot
- (e) Community Centre
- (f) Craft Food and Beverage Production
- (g) Cultural Facilities
- (h) Daycare Centre
- (i) Emergency Services
- (j) Farmers' Market
- (k) Forestry Related Uses
- (l) Government Uses
- (m) Interpretive Centre
- (n) Medical Clinic
- (o) Parks and Playgrounds
- (p) Places of Worship
- (q) Public Recreation
- (r) Restaurant – Eat-in
- (s) Restaurant – Take-out
- (t) School – Academic
- (u) Service and Repair Shop
- (v) Small Options Home
- (w) Solar Collector System – Commercial
- (x) Trails and Conservation
- (y) Water Access
- (z) Workshop

**19.2 Permitted Uses with Conditions**

- 19.2.1 The following main uses shall be permitted in the Agriculture Potential (AP) Zone subject to the requirements of this By-law and any conditions noted:
- (a) Home-based Business – Level I – Section 6.12
  - (b) Home-based Business – Level II – Section 6.12
  - (c) Kennel – Section 6.17
  - (d) Retail Store – Section 19.5

**19.3 Permitted Uses by Development Agreement**

- 19.3.1 The following main uses shall be considered in the Agriculture Potential (AP) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:
- (a) Renewable Energy Generation Systems

**19.4 Agriculture Potential (AP) Zone Development Standards**

19.4.1 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	7,200 m <sup>2</sup>	77500.80 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

**19.5 Retail Stores Uses in the Agriculture Potential (AP) Zone**

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

## **20 Lakeshore (RL) Zone**

### **20.1 Permitted Uses**

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

- (a) Dwellings – up to 4 dwelling units per lot
- (b) Agricultural Uses
- (c) Cemetery
- (d) Community Centre
- (e) Government Uses
- (f) Interpretive Centres
- (g) Marine Recreation Provider
- (h) Parks and Playgrounds
- (i) Places of Worship
- (j) Public Recreation
- (k) Small Options Home
- (l) Trails and Conservation
- (m) Water Access

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

20.2.1 The following main 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 6.12
- (c) Home-based Business – Level II – Section 6.12

### **20.3 Permitted Uses by Development Agreement**

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

- (a) Marina

## 20.4 Lakeshore (RL) Zone Development Standards

20.4.1 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	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

## 21 Fishing (RF) Zone

### 21.1 Permitted Uses

21.1.1 The following main 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 Centre
- (h) Light Industrial Uses
- (i) Marina
- (j) Marine Industrial Uses
- (k) Marine Recreation Provider
- (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) Service and Repair Shop
- (t) Solar Collector System – Commercial
- (u) Trails and Conservation
- (v) Warehousing
- (w) Water Access
- (x) Workshop

## 21.2 Permitted Uses with Conditions

21.2.1 The following main 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

## 21.3 Fishing (RF) Zone Development Standards

21.3.1 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	3,700 m <sup>2</sup>	39826.80 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	15.2 m	49.87 ft
• Accessory Building	8 m	26.25 ft

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

### **22.1 Permitted Uses**

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

- (a) Cemetery
- (b) Community Centre
- (c) Cultural Facilities
- (d) Farmers' Market
- (e) Government Uses
- (f) Interpretive Centre
- (g) Marine Recreation Provider
- (h) Parking Structures and Surface Parking Lots
- (i) Parks and Playgrounds
- (j) Public Recreation
- (k) Solar Collector System – Commercial
- (l) Trails and Conservation
- (m) Water Access

### **22.2 Permitted Uses with Conditions**

22.2.1 The following main 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) Restaurant – Take-out – Section 22.4

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

22.3.1 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

## 22.4 Special Requirements – Take-out Restaurants

22.4.1 Take-out restaurants in the Parks and Open Space (PO) Zone shall be limited to a gross floor area of 20 square metres.

## 23 Highway Commercial (HWY) Zone

### 23.1 Permitted Uses

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

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

- (cc) Service and Repair Shop
- (dd) Solar Collector System – Commercial
- (ee) Trails and Conservation
- (ff) Transportation and Logistics
- (gg) Warehousing
- (hh) Water Access
- (ii) Wholesale

### 23.2 Permitted Uses with Conditions

23.2.1 The following main 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 Facility – Section 6.24

### 23.3 Highway Commercial (HWY) Zone Development Standards

23.3.1 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

## 24 Commercial Recreation (CR) Zone

### 24.1 Permitted Uses

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

- (a) Dwellings – up to 6 dwelling units per lot
- (b) Accommodations
- (c) Boarding (Rooming) Houses – up to 12 sleeping units per lot
- (d) Commercial Recreation – Indoor
- (e) Commercial Recreation – Outdoor
- (f) Community Centre
- (g) Craft Food and Beverage Production
- (h) Cultural Facilities
- (i) Daycare Centre
- (j) Farmers' Market
- (k) Government Uses
- (l) Interpretive Centre
- (m) Drinking Establishment
- (n) Marina
- (o) Marine Recreation Provider
- (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) Solar Collector System - Commercial
- (z) Trails and Conservation
- (aa) Water Access
- (bb) Workshop

## **24.2 Permitted Uses with Conditions**

24.2.1 The following main 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

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

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

- (a) Campground (on lots 9,000 square metres in area or greater)

## **24.4 Permitted Uses by Development Agreement**

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

- (a) Dwelling – over 6 dwelling units per lot
- (b) Boarding (Rooming) Houses – over 12 sleeping units per lot
- (c) Helipad
- (d) Race Track (on lots 10,000 square metres in area or greater)
- (e) Shooting Range (on lots 10,000 square metres in area or greater)

## 24.5 Commercial Recreation (CR) Zone Development Standards

24.5.1 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

## **25 Institutional (I) Zone**

### **25.1 Permitted Uses**

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

- (a) Dwelling – up to 4 dwelling units per lot
- (b) Cemetery
- (c) Community Centre
- (d) Cultural Facilities
- (e) Daycare Centre
- (f) Emergency Services
- (g) Farmers' Market
- (h) Funeral Home
- (i) Government Uses
- (j) Hospital
- (k) Interpretive Centre
- (l) Medical Clinic
- (m) Nursing Home
- (n) Office
- (o) Parking Structures and Surface Parking Lots
- (p) Parks and Playgrounds
- (q) Place of Worship
- (r) Private Club
- (s) Public Recreation
- (t) Public Transportation
- (u) Residential Care Facility
- (v) School – Academic
- (w) School – Commercial
- (x) School – Post-secondary
- (y) Small Options Home
- (z) Trails and Conservation
- (aa) Water Access

## 25.2 Permitted Uses with Conditions

25.2.1 The following main uses shall be permitted in the Institutional (I) Zone subject to the requirements of this By-law and any conditions noted:

- (a) Accessory Agricultural Uses – Section 6.2

## 25.3 Permitted Uses by Development Agreement

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

- (a) Dwelling – over 4 dwelling units per lot

## 25.4 Institutional (I) Zone Development Standards

25.4.1 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

## 26 Source Water Protection (WP) Zone

### 26.1 Permitted Uses

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

- (a) Accommodations – up to 3 units per lot
- (b) Dwelling – up to 1 dwelling unit per lot
- (c) Forestry Uses – excluding buildings or structures
- (d) Government Uses
- (e) Parks and Playgrounds
- (f) Public Recreation – excluding buildings or structures
- (g) Trails and Conservation
- (h) Water Access

### 26.2 Permitted Uses by Site Plan Approval

26.2.1 The following main uses shall be permitted in the Source Water Protection (WP) Zone by Site Plan Approval subject to the requirements of this By-law:

- (a) Dwelling – 2 to 4 units per lot

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

26.3.1 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	350 m <sup>2</sup>	3,767.40 ft <sup>2</sup>
• Unserviced Lot	2,700 m <sup>2</sup>	29,062.80 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	26.25

## **27 Watershed Protection (WP-2) Zone**

### **27.1 Permitted Uses**

27.1.1 The following main uses shall be permitted in Watershed Protection (WP-2) Zone subject to the requirements of this By-law:

- (a) Dwellings – up to 4 dwelling units per lot
- (b) Agricultural Uses
- (c) Animal Care
- (d) Boarding (Rooming) House – up to 4 sleeping units per lot
- (e) Community Centre
- (f) Craft Food and Beverage Production
- (g) Farmers' Market
- (h) Forestry Related Uses
- (i) Government Uses
- (j) Medical Clinic
- (k) Parks and Playgrounds
- (l) Place of Worship
- (m) Public Recreation
- (n) Restaurant – Eat-in
- (o) Restaurant – Take-out
- (p) Small Options Home
- (q) Solar Collector System – Commercial
- (r) Trails and Conservation
- (s) Water Access
- (t) Workshop

## 27.2 Permitted Uses with Conditions

27.2.1 The following main uses shall be permitted in the Watershed Protection (WP-2) 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 6.12
- (c) Home-based Business – Level II – Section 6.12
- (d) Kennel – Section 6.17
- (e) Retail Store – Section 27.4

## 27.3 Watershed Protection (WP-2) Zone Development Standards

27.3.1 In the Watershed Protection (WP-2) Zone, no development permit shall be issued except in conformance with the following requirements:

Minimum Lot Area		
• Serviced Lot	-	-
• Unserviced Lot	7,200 m <sup>2</sup>	77500.80 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

## 27.4 Retail Stores Uses in the Watershed Protection (WP-2) Zone

27.4.1 Within the Watershed Protection (WP-2) Zone, retail stores may be permitted up to 250.0 square metres (2,690.98 square feet) in gross floor area.

## 28 Conservation (C) Zone

### 28.1 Permitted Uses

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

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

### 28.2 Conservation (C) Zone Development Standards

28.2.1 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

## 29 Comprehensive Development District (CDD) Zone

### 29.1 Permitted Uses

29.1.1 The following main uses shall be permitted in Comprehensive Development District Zone subject to the requirements of this By-law:

- (a) Dwelling – Existing

### 29.2 Permitted Uses by Development Agreement

29.2.1 Uses within the Comprehensive Development District Zone shall be permitted only by Development Agreement subject to the applicable policies in the Municipal Planning Strategy.

Minimum Front/Flankage Setback	Per DA	Per DA
Maximum Front/Flankage Setback	Per DA	Per DA
Minimum Side Setback		
• Main Building	Per DA	Per DA
• Accessory Building	Per DA	Per DA
Minimum Rear Setback		
• Main Building	Per DA	Per DA
• Accessory Building	Per DA	Per DA
Maximum Building Height		
• Main Building	Per DA	Per DA
• Accessory Building	Per DA	Per DA

## **30 Floodway (FW) Zone**

### **30.1 Permitted Uses**

30.1.1 The following main uses shall be permitted in Comprehensive Development District Zone subject to the requirements of this By-law:

- (a) Agricultural Uses
- (b) Farmers' Market
- (c) Forestry Related Uses
- (d) Government Uses
- (e) Parks
- (f) Trails and Conservation
- (g) Water Access

### **30.2 Permanent Structures**

30.2.1 No permanent structures shall be permitted in the Floodway (FW) Zone except for infrastructure owned and operated by any level of government.

### **30.3 No Disturbance to Bank of Watercourse**

30.3.1 Where development occurs, no alteration of land levels (filling or excavation) shall occur within 30 m of the Ordinary High Water Mark of a watercourse, except where required for Government Use related structures.

### **30.4 No Off-Site Fill**

30.4.1 Filling off any soil that did not originate from the Floodway (FW) Zone on the same lot is prohibited.

## **31 Floodway Fringe (FW-2) Indicator Zone**

### **31.1 Application**

31.1.1 The Floodway Fringe (FW-2) Indicator Zone applies in conjunction with the regular Zone of a property. It is shown as a transparent outline on Schedule 'A' (Zoning Map) of this by-law, and applies in addition to the rules of the Zone visible underneath. Development within the Floodway Fringe Indicator Zone must satisfy all its requirements and additionally all those requirements of the applicable Zone in which it is located.

### **31.2 Permitted Uses**

31.2.1 Permitted uses in the FW-2 Zone shall include all uses permitted in the underlying zone, except for the following uses to be prohibited:

- (a) Emergency Services
- (b) Hospital
- (c) Nursing Home
- (d) Residential Care Facility
- (e) Small Options Home

### **31.3 Floodproofing**

31.3.1 All new main buildings in the Floodway Fringe Zone, except for Government Uses, must be floodproofed as per the requirements of this Subsection.

31.3.2 No development permit shall be issued for any main building or an addition thereto unless the following requirements are met:

- (a) Basements shall not be permitted;
- (b) Minimum height of the finished floor elevation shall be equal to 0.1 m above the established 1:100 year flood elevation indicated on Schedule 'B'(Inland and Coastal Climate Change Flood Extents).
- (c) There shall not be any filling in of land in areas displayed as Floodway Fringe with the exception of fill placed to aid in floodproofing - which fill shall extend 5 feet from the structure and therefrom slope back to original grade so as to minimize loss of flood storage capacity;
- (d) Fill material used shall not consist of waste products or refuse; and

- (e) After the footing stage of construction, the property owner shall provide the Development Officer with a location certificate prepared by a Professional Surveyor showing the slab elevation.

## **32 Site Plan Approval**

### **32.1 Introduction to Approval Criteria**

- 32.1.1 This Part contains criteria to be considered when approving development through the site planning process, in addition to all other requirements of this By-law.
- 32.1.2 Site plans approvals under this document are intended to be applied in a flexible manner through a negotiated process between the Applicant and the Development Officer.
- 32.1.3 Development shall reasonably meet all site planning criteria of the following sections, as they apply to certain types of development.
- 32.1.4 The Development Officer may vary or waive the requirement for compliance with certain criteria if they are deemed irrelevant for the quality of the resulting development in the particular context of the application for site plan approval.

### **32.2 Residential Site Plan Approval**

- 32.2.1 Where a zone permits dwellings or boarding houses by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law are complied with and the matters of this Section have been addressed in consistency with Section 32.1.

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

- 32.2.2 Landscaping, fencing or similar visual barriers shall be provided around structures, parking, open storage areas, and waste management facilities to minimize visual impacts and privacy intrusion on surrounding residential properties to a reasonable extent.
- 32.2.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.
- 32.2.4 Mature trees on the lot shall be preserved whenever possible.
- 32.2.5 Stormwater run-off from parking areas and other impervious surfaces shall be addressed.
- 32.2.6 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

## **Movement Through the Site**

- 32.2.7 Where a sidewalk, trail or similar walking paths are available abutting the subject site, 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.
- 32.2.8 Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.
- 32.2.9 Vehicle access and egress to and from the property shall be clearly demarcated and designed with pedestrian safety in mind. The driveway(s) shall 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.
- 32.2.10 Vehicle circulation on-site shall be designed to support efficient movement, enable emergency service access, and avoid obvious points of conflict.

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

- 32.3.1 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 are complied with and the matters of this Section have been addressed in consistency with Section 32.1.

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

- 32.3.2 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 impacts on neighbouring properties.
- 32.3.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.
- 32.3.4 Stormwater run-off from parking areas and other impervious surfaces shall be addressed.
- 32.3.5 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.
- 32.3.6 Impacts on adjacent properties shall be reduced through the use and careful siting of physical buffers, including, but not limited to, vegetation, berms, walls, and fences.
- 32.3.7 Outdoor storage shall not be permitted in the front and flankage yards.

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

- 32.3.8 Where a sidewalk, trail or similar walking paths are available abutting the subject site, 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.
- 32.3.9 Other pedestrian walkways shall be clearly delineated on the property and allow for efficient movement throughout the site.
- 32.3.10 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.

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

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

### **Location of New Structures**

32.3.13 The main buildings shall have a primary facade and a public entrance facing the street.

32.3.14 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**

32.3.15 When a drive-through service or drive-through restaurant abuts a property with existing dwellings, any intercoms, speakers, and service windows shall be placed in a location which minimizes impacts on neighbouring residences.

32.3.16 Stacking lanes of drive-throughs shall not be located between the front lot line and the main building.

32.3.17 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.

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

## **32.4 Campground Site Plan Approval**

- 32.4.1 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 are complied with and the matters of this Section have been addressed in consistency with Section 32.1.

### **Campground Property Layout**

- 32.4.2 The lot area dedicated to a campground shall comprise a minimum of 9,000 square metres (2.2 acres).
- 32.4.3 Campgrounds shall be designed to avoid undue hazards for traffic circulation or pedestrian hazards.
- 32.4.4 Campgrounds shall be designed so impacts on adjacent properties are reduced through the use and careful siting of campsites, berms, fencing, and natural vegetation.
- 32.4.5 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 set back a minimum of 25.0 metres (82 feet) from all lot lines.
- 32.4.6 The development shall have adequate emergency service access.
- 32.4.7 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**

- 32.4.8 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 buffers along the campground perimeter.
- 32.4.9 All areas disturbed by development shall be landscaped.
- 32.4.10 Stormwater management practices shall be integrated in the site concept to adequately dispose, retain, and manage stormwater and surface water.
- 32.4.11 Where on-site septic systems are employed, potential run-off on neighbouring properties shall be addressed.

## **Campsites Spaces**

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

32.4.13 Any fireplaces and wood burning devices shall be located a minimum of 30.0 metres (98.42 feet) from all lot lines.

## **Movement through the Site**

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

32.4.15 Where a sidewalk, trail or similar active transportation infrastructure abut the subject site, the on-site paths and trails shall connect to the external walkways wherever possible.

32.4.16 Vehicle access and egress to and from the campground shall be 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.

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

## **32.5 Scrap Yard Site Plan Approval**

- 32.5.1 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 are complied with and the matters of this Section have been addressed in consistency with Section 32.1.
- 32.5.2 Landscaped buffers, fencing, or similar visual barriers shall be provided in all locations where parked vehicles, technical parts, garbage, or other debris could be otherwise seen from adjacent lots or streets.
- 32.5.3 Where possible, vegetation on-site shall be retained and incorporated into the site landscaping, particularly for the protection of environmentally sensitive or significant areas.
- 32.5.4 A detailed stormwater management plan, prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia shall be included within the site plan.
- 32.5.5 No storage or deposit areas shall be located within 30.0 metres (98.42 feet) from the ordinary high water mark of any watercourse or the ocean.
- 32.5.6 Impacts on adjacent properties shall be reduced through the use and careful siting of physical buffers, including, but not limited to, berms and walls, and by maximizing the setback distance of any scrap metal presses and similar equipment from neighbouring properties.

## 33 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 main building and located on the same lot.

**Accommodation** means the provision of a building, buildings, or part thereof to the travelling public, for payment or compensation, for a period of 28 days or less, and may include, but is not limited to, tourist facilities such as hotels; motels; hostels; and entire home, individual room, cottage, cabin, geodesic dome, or yurt 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, viticulture and animal husbandry and the necessary accessory uses for packing, storing or treating agricultural crops or produce; fertilizer production from organic matter; on-farm brewing, on-farm wine-making, on-farm cheese making, and similar uses; the sale of farm produce to the general public; and tourism activities related to on-site agricultural activities, such as u-picks, guided tours or hay rides; 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** see Home-based Business.

**Boarding (Rooming) House** means a dwelling in which the proprietor rents out two or more separate boarding house sleeping units within a dwelling unit but does not include rooms advertised to the travelling public.

**Boarding House Sleeping Unit** means a habitable room or rooms that are part of a boarding house and contain sleeping quarters for the use of tenants which are rented individually, but do not contain a private washroom and kitchen within the unit.

**Bona Fide Access** means a private road which is created using bona fide access provisions of the Subdivision By-law, and while it is neither designed nor constructed, is intended to be used as the actual access to lots being created.

**Building** means any structure, whether temporary or permanent, used or built for the shelter, accommodation, or enclosure of persons, animals, materials, or equipment, but does not include frames for sheltering crops.

**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 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.

**Central Sewer System** means a system of piping and plant for the collection, transportation, and treatment of sewage from multiple lots, of such design and installation as to satisfy the requirements of all agencies concerned both Provincial and municipal.

**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, concert and performance halls, 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 a distance of 2.0 metres 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 drinking 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 Inverness.

**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** means 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 Inverness with the duty of administering the provisions of the Land Use By-law as appointed by Council.

**Drinking Establishment** means premises that serve alcoholic beverages with or without food.

**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 recreational vehicle.

**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 be located inside a dwelling and 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. A Dwelling Unit shall include a small options home.

# E

**Effective Date** means the day when upon adoption by the Council of the Municipality of the County of Inverness and approval by the Minister of Municipal Affairs, this By-law took effect by means of a notice that was published in a newspaper. For greater clarity, it means the first and initial date of coming into force and excludes any dates of later amendments to the document.

**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, use or road lawfully in operation, in existence or under construction on the specified date or, if no date is specified, on the effective date of this By-law. Existing means also a structure, use or road which has lawfully received all required permits for its construction or uses and such permits are not older than twelve (12) months.

# 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

**Government Uses** means a municipal, provincial or federal government office, courthouse, registry office, health clinic, welfare center, employment office, post office, buildings required for other government service delivery including municipal servicing or a building of any government agency or crown corporation.

**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 Industrial** means the use of land or buildings for manufacturing, assembly, and/or processing and which use may be located in whole or in part to the exterior of the building and which use, by the nature of its operation may cause land use conflicts. This definition shall not include marine industrial uses but shall include, but is not limited to, explosives, petrochemical, coke, or paint plants; rendering or poultry plants; tanneries; abattoirs; refineries; or industrial cleaners.

**Helipad** means a landing surface designed for take-offs and landings of helicopter aircrafts that can be located on the ground or affixed to a structure. Helipads can usually be considered as an accessory use where the main use on a lot is either a hospital or a federally regulated airport.

**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.

**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.

## **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.

**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 that meets the minimum lot frontage requirements of the zone in which it is located but contains a prolongation or "pole" that extends from the lot frontage to the main body of the lot and has a width less than the minimum lot frontage permitted in the applicable zone.

**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 shortest boundary line abutting the street shall be deemed the front lot line and the longer boundary line(s) abutting the street shall be deemed the flankage lot line(s) and where such lot lines are of equal length the front lot line shall be any of the lot lines abutting a street. 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.

**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.

**Municipality** means the Municipality of the County of Inverness.

# N

**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.

**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.

**Private Road** means a private street or road as defined in the Subdivision By-law of the Municipality of the County of Inverness.

**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 Road** means a public street or road as defined in the Subdivision By-law of the Municipality of the County of Inverness.

**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.

**Renewable Energy Generation System** means any device or group of devices that converts an energy from natural sources such as ocean waves or tides, rivers, geothermal, or biomass to electrical energy, but does not include energy generation from fossil fuels or nuclear power and does not include wind turbines or solar panels, which are covered under separate definitions.

**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.

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

**Serviced Lot** means a lot that is serviced by a central sewer system.

**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.

**Mobile Sign** means any sign not permanently affixed to the ground or to a building, including any sign attached to or displayed on a vehicle or trailer that is used for the expressed purpose of advertising a business establishment, product, service, or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian traffic.

**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.

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

**Roof Sign** means any sign erected upon, against, or directly above a roof or roof eave, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eave.

**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.

**Third Party Sign** means a sign that advertises a business that is not situated on the same lot on which the sign is placed.

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

**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 public road or private road.

**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.

# 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

**Unserviced Lot** means a lot that is not serviced by a central sewer system.

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

# 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 personal, 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.

**Water Frontage** means the length of a lot line abutting a water body, measured along the Ordinary High Water Mark of as defined in the Nova Scotia Land Surveyors Regulations.

**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.

**Wind Turbine** means a device for converting wind power to electricity.

**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.

## **34 Schedules**

34.1.1 Schedules form an official part of this By-law.

34.1.2 Appendices are for information purposes and may be changed by resolution of Council without formally amending this By-law.

### **Schedule 'A' – Zoning Map**

### **Schedule 'B' – Margaree River Flood Line Mapping - Final (Inland and Coastal Climate Change Flood Extents)**

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## Appendix 'A' – Enabling Planning Application Policy Overview

### Development Agreements

Use	Zone	MPS Policy
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Private Solid Waste Disposal Sites	Rural Industrial	4-34
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### Land Use By-law Amendments

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To Lakeshore	Rural	3-30
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