

Tatamagouche Village Land Use Bylaw

Colchester

VILLAGE OF TATAMAGOUCHE

LAND USE BY-LAW

Certification

I, Gary MacIsaac, of Truro, in the County of Colchester and the Province of Nova Scotia, Municipal Clerk of the Municipality of the County of Colchester, do hereby certify that the within and attached Land Use By-Law is a true and correct copy of that Land Use By-Law as passed by the Municipal Council of the Municipality of the County of Colchester at a special meeting duly called for that purpose and held on October 9, 2001 in accordance with the provisions of the Municipal Government Act of Nova Scotia.

Gary MacIsaac
Municipal Clerk

Date: October 10, 2001

Text Amendments

- #1 Village Residential (VR-1) uses in Institutional zone
April, 2004
- #2 Public and Private Utilities in every zone
April, 2004
- #3 Amendments to Parts 4, 5 & 7, 5 + unit apartment buildings by
Development Agreement, December, 2022
- #4 Amendment to Part 7, Section 7.1, adding Commercial Day Care Centres as a
permitted use, February 2024

Map Amendments

- #1 Schedule #3, Tatamagouche Zoning Map, VR-1 to VC-1
April, 2012, 317 Main Street
- #2 Schedule #3, Tatamagouche Zoning Map, VR-1 to VC-1
January, 2016, 450 Main Street
- #3 Schedule #3, Tatamagouche Zoning Map, I to VR-1
May, 2018, 115 Main Street

**TATAMAGOUCHE VILLAGE
LAND USE BY-LAW**

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PART 1: TITLE, PURPOSE & SCOPE

- 1.1 This By-law shall be known and may be cited as the Tatamagouche Village Land Use By-law of the Municipality of the County of Colchester and shall apply to all lands within the boundaries of the incorporated Village as displayed on Zoning Map, Schedule 3.
- 1.2 The purpose of this By-law is to carry out the purpose and intent of the Municipal Planning Strategy for the Village of Tatamagouche in accordance with the provisions of the Municipal Government Act of Nova Scotia by regulating the use of land and the location, size, spacing, character and use of buildings and structures within Tatamagouche Village.
- 1.3 This By-law does not exempt any person from complying with the requirements of other bylaws or regulations in force within the Municipality of Colchester and from obtaining any license, permission, permit, authority or approval required thereunder.

PART 2: ADMINISTRATION

2.1 Enforcement

- 1 This Bylaw shall be administered by the Development Officer appointed by the Council of the Municipality of the County of Colchester.
- 2 In the absence or incapacity of the Development Officer, the acting Development Officer shall act within the Development Officer's stead.

2.2 Development Permit

- 1 Unless otherwise stated in this By-law, no person shall undertake, cause or permit to be undertaken, a development in the area to which this Land Use By-law applies without first obtaining a Development Permit from the Development Officer.
- 2 The Development Officer shall only issue Development Permits in conformance with this By-law except in the case of non-conforming uses and structures and minor variances.
- 3 The Development Officer shall issue development permits for non-conforming uses and structures and minor variances in conformance with the Municipal Government Act of Nova Scotia.

2.3 Application for a Development Permit

- 1 Unless deemed unnecessary by the Development Officer, every application for a Development Permit shall be accompanied by a sketch or plan(s), drawn to an appropriate scale and showing:
 - i) the true shape and dimensions of the lot to be used, and upon which it is proposed to erect any building or structure;
 - ii) the location, height and dimensions of the proposed structure, or work to be undertaken; iii) the location of existing buildings or structures on the lot and the general location of buildings on adjacent lots;
 - iv) the proposed location and dimensions of any parking areas/spaces, loading spaces, driveways, and landscaped areas;

- v) any other information the Development Officer deems necessary to determine whether or not the proposed development conforms with the requirements of this By-law.
- 2 Where the Development Officer is unable to determine whether the proposed development conforms with the intent of this By-law, the Development Officer may require that the plans submitted under Subsection 2.3.1 be based upon an actual survey certified and stamped by a Nova Scotia Land Surveyor.

2.4 Signature of Applicant

The application for a Development Permit shall be signed by the registered owner(s) of the lot or by the owner's agent, duly authorized in writing to act for the owner.

2.5 Notice of Agreement or Amendment to Property Owners

- 1 All property owners within a 30 metre (98.6 feet) radius of the subject property shall be notified of an application for development agreement or By-law amendment.
- 2 Any notice under Subsection 2.5.1 shall contain the following:
 - i) synopsis of the proposed development agreement; ii) date, time, and place for the public hearing on the development agreement;
- 3 Notification of affected property owners set out in Subsection 2.5.1 shall be in addition to the advertisements for the public hearing.

2.6 Deviations

No developer shall deviate, or allow deviations to be made, from the description of a proposed development contained on a development permit, unless the developer has obtained a new or amended development permit from the Development Officer.

2.7 Decision in Writing

Any decision of the Development Officer to refuse the issuance of development permit shall be given by written notice served by ordinary mail.

2.8 Lapse of Permit

Every development permit issued under this Land Use By-law shall automatically lapse and become null and void, if the development to which it relates has not commenced within one year of the issuance of a development permit.

2.9 Violations

In the event of any contravention of the provisions of this Land Use By-law, the Municipality of the County of Colchester may take action as outlined in Sections 264 to 266 of the MGA.

PART 3: INTERPRETATION

3.1 Zones

For the purposes of this By-law, Tatamagouche is divided into the following zones, the boundaries of which are shown on the attached Zoning Map, Schedule 3. Such zones may be referred to by the corresponding symbols shown opposite them.

Zone	Symbol	Zone	Symbol
Village Residential	VR-1	Village Commercial-Main Street	VC-2
Village Commercial-General	VC-1	Institutional	I

3.2 Symbols

The symbols used on the Zoning Map refer to the corresponding zones established by this By-law.

3.3 Interpretation of Zoning Boundaries

- 1 The extent and boundaries of zones shown on the Zoning Map and the provisions of this By-law shall apply to all zones.
- 2 Boundaries between zones shall be determined as follows:
 - i) where a zone boundary is shown as following a street, the boundary shall be the centre line of the street unless otherwise indicated;
 - ii) where a zone boundary is indicated as approximately following lot lines, the boundary shall follow the lot lines;
 - iii) where none of the above apply, and where appropriate, the zone boundary shall be scaled from the official Zoning Map.

3.4 Interpretation of Certain Words

In this By-law, words used in the present tense include future, words in the singular number include the plural, words in the plural include the singular number, and the word "used" includes "arranged", "designed" or "intended to be used", and the word "shall" is mandatory and not permissive. All other words and phrases carry their customary meaning except for those defined under Part 10, Definitions of this By-law.

3.5 Permitted Uses

- 1 In this By-law, any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.
- 2 Where a permitted use within any zone is defined in Part 10, Definitions, the uses permitted within that zone include any similar uses which satisfy such definition except where a definition specifically excludes any similar uses.

3.6 Schedules

All Schedules, appendices, and figures attached hereto or included herein form part of this By-law.

PART 4: GENERAL PROVISIONS FOR ALL ZONES

4.1 Frontage on a Street

No development permit shall be issued unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected, abuts and fronts upon a street.

4.2 Non-Conforming Uses and Structures

Non-conforming uses are subject to the provisions of Sections 238 to 242 of the MGA.

4.3 Existing Undersized Lots

- 1 A lot, existing on the effective date of this By-law, having less than the minimum frontage or area required by this By-law, may be used for a purpose permitted in the zone in which the lot is located and structures may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.
- 2 Where, in accordance with Policy 20, lot boundaries are being modified, a development permit may be issued as if the lots were existing undersized lots under 4.3.1 above.

4.4 Change of Use on Undersized Lots

The use of a building, existing on a lot, on the effective date of this By-law may be changed, to a use permitted on the lot where the lot frontage or area required is less than the requirements of this By-law, provided that all other requirements of this By-law are satisfied.

4.5 Existing Buildings

A building erected on or before the effective date of this By-law on a lot having less than the minimum frontage, area, or yard required by this By-law may be enlarged, reconstructed, repaired or renovated provided that:

- 1 the enlargement, reconstruction, repair or renovation does not further reduce the yard that does not conform to this By-law; and
- 2 all other applicable provisions of this By-law are complied with.

4.6 Structure to be Moved

No structure or building shall be moved within or into the area covered by this By-law without first obtaining a development permit from the Development Officer.

4.7 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of non-conforming use the provision of Section 239-242 of the Municipal Government Act of Nova Scotia shall prevail.

4.8 Permitted Encroachments in Yards

Unless otherwise provided for under this By-law, every part of any required yard shall be open and unobstructed by any structure, except minor architectural features such as eaves, cornices, bay windows, or canopies.

4.9 Temporary Uses Permitted

1 Construction Accessories

Nothing in this By-law shall prevent the use of land or the use or erection of temporary buildings, structures or signage incidental to construction, such as but not limited to, a construction camp, tool shed, or scaffold, and including a sales or rental office incidental to construction and no development permit for such temporary uses buildings or structures shall be required, provided that a development permit for the main structure under construction has been issued. Such temporary use shall be terminated no more than sixty (60) days after the completion of the construction of the main structure.

2 Special Occasions

Nothing in this By-law shall prevent the use of land or the erection of temporary buildings, structures or signs for special occasions and holidays and no development permit shall be required for such temporary uses, provided that such use of buildings or structures remains in place for no more than ten (10) days following the termination of the special occasion or holiday.

4.10 Habitation of Vehicles

No truck, bus, coach or travel trailer or structure of any kind, other than a manufactured dwelling or dwelling unit erected and used in accordance with this and all other By-laws of the Municipality shall be used for human habitation.

4.11 Building to be Erected on a Lot

No person shall erect or use any building unless such building is erected upon a lot.

4.12 One Main Building on a Lot

No person shall erect more than one (1) main building on a lot, except in a, Commercial or Institutional zone.

4.13 Multiple Use

Where any land or building is used for more than one purpose, the provisions of this By-law relating to each use shall be complied with.

4.14 Multiple Main Structures

Where, in accordance with Policy 21, lots are being created for main structures legally existing on the effective date of this By-law, the lot frontage and lot area requirements contained elsewhere in the Bylaw shall be waived for each lot containing a main building provided:

- 1 each lot has a minimum street frontage 4 metres (13.1 ft.);
- 2 no internal lot dimension is less than 4 metres (13.1 ft.);
- 3 each lot shall have a minimum area of 400 square metres (4306 sq.ft.);
- 4 a development permit may be issued as if the lots were existing, undersized lots under Section 4.3.

4.15 Environmental Conditions

1 Drainageways

Pursuant to Policy 48, the attached Schedule 4, Constraints and Opportunities Map identifies watercourses or drainageways key to local drainage networks. Regardless of the zone classification of land abutting the Drainageways, a minimum setback of 3 metres (9.8 ft.) from the edge of the watercourse shall apply to all structures and the placing of fill not required for infrastructure works, such as roads.

2 Areas of Excessive Slope

Pursuant to Policy 49, the attached Schedule 4, Constraints and Opportunities Map identifies areas along the French River where slopes exceed 15% and construction of main structures will be prohibited.

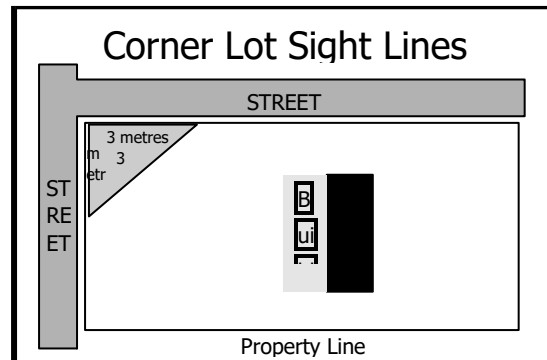
4.16 Accessory Structures, Buildings, & Uses

- 1 Accessory buildings shall be permitted in any zone but shall not:
 - i) be used for human habitation except where a dwelling is a permitted accessory use; ii) be located within the front yard of a lot;
 - iii) be located within 5 metres (16.4 ft.) of a flanking side street line; iv) be permitted on a separate lot from a main building unless otherwise indicated in a particular zone.
 - 2 In a Residential or Commercial zone, accessory buildings shall not:
 - i) exceed 55 square metres in total where the lot is less than 600 square metres or exceed 10% of the lot area otherwise; and ii) exceed 45% of the available side and rear yard, in any case.
 - 3 An accessory building or structure used to stable animals shall not:
 - i) be located within 15 metres (49.2 ft.) of a lot line;
 - ii) have an area or facility used for the storage of animal waste located within 15 metres (49.2 ft.) of a lot line.
-
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- 4 An accessory structure shall not be located within a required yard established for a main structure with the following exception. Accessory buildings and fences, exceeding 2m (6.6 ft.) in height, may be located within a required side or rear yard provided the building or fence is set back at least 1 metre (3.3 ft.) from a side or rear lot line and no door, window or other perforation is constructed in the side of the building encroaching the required yard.
- 5 Where this By-law provides that any land may be used or a building or structure may be erected or used for a purpose, the purpose shall include any accessory use.

4.17 Corner Lot Sight Lines

On a corner lot where yards are required, no fence, sign, hedge, shrub, bush or tree or any other structure, vehicle or vegetation shall be erected, placed or permitted to grow to a height greater than 0.6 metres (2 ft.) above grade of the centre line of the streets that abut the lot within the triangular area included within the street lines, for a distance of 3 metres (11 ft.) from their point of intersection.



4.18 Screening

Where, under this By-law, visual screening is required to be provided, the minimum height shall be 1.5 metres (4.9 ft.). Where a vegetative screen is proposed, such shall be planted at a sufficient rate to create an opaque screen and a 1.5 metre (4.9 ft.) high temporary fence shall be built to provide screening until the vegetation is of sufficient height and density.

4.19 Uses Permitted by Development Agreement

Notwithstanding anything else in this By-law:

- 1 Council may, by resolution and as authorized by Section 225 of the MGA approve any development which would not otherwise be permitted by this By-law pursuant to the following policies of the Municipal Planning Strategy:
 - Policy 6 -Tourism accommodation and higher density residential in the Waterfront Opportunities Area;
 - Policy 29 - New Mobile Home Parks;
 - Policy 31 - Publicly owned seniors' apartments over 4 units;
 - Policy 32.1 - Apartment buildings with 5 or more units;
 - Policy 47.1 - Apartment buildings with 5 or more units
- 2 Approval by Council under 4.19.1 shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into a development agreement with Council containing such terms and conditions as the policies of Council may direct.

4.20 Swimming Pools

Where a swimming pool is an accessory structure it shall:

- 1 be enclosed by a fence having a minimum height of 1.5 metres (4.9 ft.) measured at grade;

- 2 be setback a minimum of 2 metres (6.6 ft.) from any property line; and
- 3 not be located within any required yard that abuts a street right-of-way.

4.21 Public and Private Utilities

Unless otherwise provided for under this Bylaw, a facility that is essential for the delivery of a municipal service or public utility, such as, a sewer collection system and treatment facility, a water supply and distribution facility, a transportation facility and electrical power, telecommunication, cable television, and natural gas transmission and distribution facility shall be permitted in any zone.

PART 5: RESIDENTIAL ZONE

5.1 Residential Zone Permitted Uses

The following uses shall be permitted in each Village Residential (VR-1) Zone:

Dwelling Type

-
- | | |
|---|---|
| - Single Detached Dwelling | - Home Based Business* |
| - Converted Dwelling | - Day Care Centres (<i>as Home Based Business</i>)* |
| - Duplex | - Accessory Structures |
| - Semi-Detached Dwelling | - Manufactured Dwellings* |
| - Townhouse (3 - 4 units) | - New Mobile Home Parks* |
| - Apartment Building (3 - 4 units) | - New Institutional uses* |
| - Boarding Houses & Guest Homes | - Contiguous Expansion of Commercial* |
| - Publically Owned Seniors Apartment Building (>4 units)* | - Non-Intensive Agricultural Uses |
| | - Public Open Space |
| | - Apartment buildings (5 or more units) * |
-

* Special Conditions apply;



5.2 Lot Size and Setback Standards

The following minimum requirements apply to all uses in the Village Residential (VR-1) Zone unless specifically stated otherwise in section 5.3.

	Dwelling Type			
	Single & Double Units	Rowhouse/ Townhouse (3-4 Units)	Apartment Building (3-4 Units)	Converted Dwelling (3-4 Units)
Min. Area	600 sq. m (6458 sq. ft.)	660 sq.m (basic) + 150 sq.m for each unit over 2	660 sq.m (basic) + 100 sq.m for each unit over 2	600 sq. m (6458 sq. ft.)
Min Frontage	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)
Min. Front Yd	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)
Min Rear Yd	8 m (26.2 ft.)	8 m (26.2 ft.)	8 m (26.2 ft.)	8 m (26.2 ft.)
Min Flanking Yd.	5 m (16.4 ft.)	5 m (16.4 ft.)	5 m (16.4 ft.)	5 m (16.4 ft.)
Min. Side Yd	2 m (6.6 ft.)	3 m (9.8 ft.)	3 m (9.8 ft.)	3 m (9.8 ft.)
Max. Height	N/A	12 m (39.4 ft.)	12 m (39.4 ft.)	N/A

5.3 Special Requirements of the Village Residential (VR-1) Zone

5.3.1 Exceptions to Lot Size Requirements

A) Semi-detached Structures

Notwithstanding the requirements of Section 5.2, a lot containing a semi-detached structure may be subdivided into two lots along the common fire wall with a minimum lot frontage of 10 metres (32.8 ft.), and minimum lot area of 300 sq. metres (3229 sq. ft.).

B) Reduced Lot Frontage

- i) Notwithstanding the lot area, frontage, and yard requirements of Section 5.2 above, where a lot is to be created with a reduced frontage in accordance with Policy 20, the following minimum requirements apply:

Minimum Area	700 sq. m. (7535 sq. ft.)
Minimum Frontage	20 m (65.6 ft.)
Minimum Street Frontage	4 m (13.1 ft.)
Min.Yards (Side, Front, Rear)	4 m (13.1 ft.)

- ii) Minimum frontage for lots with reduced street frontage shall be met at a distance not greater than 35 metres (114.8 ft.) from the street on which the lot fronts.

- iii) Notwithstanding the permitted uses in Section 5.1 only single dwellings and duplexes shall be permitted on lots with reduced frontage.

C) Reduced Side Yard

Where a main structure contains an attached garage or an attached carport, the required adjoining side yard shall be 1 metre (3.3 ft.) except in a flanking side yard.

D) Reduced Rear Yard

Notwithstanding the rear yard requirement above, the minimum rear yard for corner lots shall be 4 metres (13.1 ft.).

E) Lots Serviced By On-Site Sewage Disposal

Where a lot is to be serviced by an on-site sewage disposal system, the minimum lot area, frontage, and required yards based are as follows.

Minimum Area*	1800 sq. m. (19,375 sq. ft.)
Minimum Frontage	30 m (98.4 ft.)

*Note: Where an onsite sewage disposal exists or is required, the Nova Scotia Department of Environment's minimum lot size requirements shall apply in excess of the minimum requirement.

5.3.2 Conformity With Existing Setbacks

- 1 Where existing buildings do not comply with the minimum front yard setback requirements of the Residential Zone, a new building may be erected with a setback equal to the “established building line” as defined in Part 10.
- 2 **Minimum Setback for Lots With Frontage on Main and Church Streets**
 - i) Residential lots with frontage on both Main and Church Streets shall conform with the ‘established building line’ for both streets.
 - ii) Minimum setback for a garage from Church Street will be 3 metres (9.8 ft).
 - iii) Driveway access will not be permitted from Main Street.

5.3.3 Converted Dwellings

Existing dwellings may be converted into a maximum of 2 units in the Village Heritage Area as defined on Schedule #4 Constraints & Opportunities map and 4 units in the remaining Residential VR-1 Zone.

5.3.4 Guest Homes & Boarding Houses

Homes converted for the purposes of Guest Homes & Boarding Houses will be limited to four (4) guest rooms and will meet the signage and parking conditions set in Parts 8 & 9 respectively. Parking will be provided in the side and rear yard of the lot.

5.3.5 Home Based Business

In addition to all other requirements, the following provisions shall apply to Home Based Businesses in the Residential Zone:

- 1 Home occupations shall occupy no more than 50% of the dwelling floor area of a dwelling unit, or 25% of the sum of the dwelling floor area plus the gross floor area of an accessory structure involved in the home occupation.
- 2 No open storage or outdoor display of goods is permitted.
- 3 Signage shall be subject to the requirements of Part 8.



5.3.6 Manufactured Homes

- A) Existing lots containing a manufactured home as listed in Appendix 1, may continue as a permitted use subject to the VR-1 Zone requirements.
- B) Manufactured homes will be permitted by development permit in new residential subdivisions created after the approval date of this plan.
- C) Manufactured homes, permitted under this Section, shall be permitted subject to the following yard requirements:

Min. Front Yard	6 m (19.7 ft.)
Min. Rear Yard	3 m (9.8 ft.)
Min. Flanking Side Yd.	5 m (16.4 ft.)
Min. Side Yards	3 m (9.8 ft.)

5.3.7 New Institutional Uses

Pursuant to Policy 46 of the Municipal Planning Strategy, new institutional uses are permitted uses in the Village Residential (VR-1) Zone and shall be subject to the requirements of Part 7 Institutional Zone of this By-law.

5.3.7 Rowhouse/Townhouse

Notwithstanding the lot area, frontage, and yard requirements of Section 5.2 above, a lot containing a townhouse structure may be subdivided along common walls provided the following minimum requirements can be met:

	End Lots	Internal Lots
Minimum Area	300 sq. m (3229 sq. ft.)	180 sq. m (1937.5 sq. ft.)
Minimum Frontage	11 m (36 ft.)	6 m (19.7 ft.)
Min. Side Yard	3 m (9.8 ft.) one side/0 other side	0

5.3.8 Contiguous Extension of Commercial in the Residential Zone

Pursuant to Policy 35, contiguous expansion of commercial will be allowed by development permit, on lots zoned residential, subject to the following criteria:

1. The lot shall be designated Commercial on the Future Land Use Map;
2. The lot shall abut an existing commercial lot;
3. Issuance of a development permit shall be subject to the provisions of the Commercial zone which the lot abuts.

5.3.9 Architectural Requirements

The following criteria will apply to public facade of new construction and renovation within the Village Heritage Area.

- 1 An application to construct a new residential building or renovation shall be accompanied by a scale drawing of the building and a site plan showing proposed setbacks.
- 2 Building Location: Setback for infill construction shall conform with the 'established building line' as defined in Part 10, Definitions.
- 3 Proportion:
 - i) Length (along the street) to height ratio shall not exceed 2:1;ii) Roof lines should reflect traditional proportions with a pitch not less than 6:12.
- 4 Directional Emphasis: The public facade should emphasize vertical elements and balance.
 - i) Windows visible from a public street should have a height to width ratio greater than $1\frac{3}{4} : 1$; ii) Wider openings can be achieved by utilizing windows that give the appearance of multiple sashes that reflect the vertical orientation.
- 5 Visual Balance:
 - i) Facade designs should reflect balance common in traditional homes;
 - ii) Visual balance may be achieved most directly by the use of symmetry (where design elements are equally balanced about a central point, such as windows equally spaced on either side of a central door);
 - iii) Asymmetrical designs can also achieve balance of individual components within the facade as illustrated.

5.3.10 Apartments with 5 units or more

Pursuant to Policies 32.1 and 47.1 of the Municipal Planning Strategy, apartment buildings containing 5 or more units will be considered by development agreement only.



PART 6: COMMERCIAL ZONES

6.1 Permitted Uses For Commercial Zones

The following uses shall be permitted in each Commercial Zone:

VC-1 Village Commercial - General VC-2 Village Commercial - Main Street

Commercial Uses	Zones		Commercial Uses	Zones	
	VC-1	VC-2		VC-1	VC-2
Animal Hospital/ Vet Clinic	X	X	Outdoor Commercial Displays	X	
Auto. Sales, Repair & Service Stations	X		Parking Lots	X	X
Banks & Financial Institutions	X	X	Parks & Open Space	X	X
Business & Professional Offices	X	X	Private & Service Clubs & Fraternal Orgs.	X	X
Commercial Schools	X	X	Printing Establishments	X	X
Craft Shops & Studios	X	X	Rental Outlets	X	X
Daycare Centres "residential & commercial"	X	X	Restaurants, Lounges & Beverage Rooms	X	X
Drive-in Restaurants	X		Retail Lumber & Building Supplies	X	
Drycleaning & Laundromats	X	X	Retail Stores	X	X
Farm Machinery/ Heavy Equip. Sales & Service	X		Service & Personal Service Shops	X	X
Funeral Homes	X	X	Service Industries, Recycling Depots	X	
Garden & Nursery Sales	X	X	Shopping Centres	X	
Hotels & Motels	X	X	Trailer & Recreational Vehicle Sales & Service	X	
Medical Clinics	X	X	Warehousing / Wholesale	X	X
Manufactured Home Sales & Display	X		Existing Residential Uses	X	X
Open Storage	X		Commercial & Residential Uses Within a Structure	X	X

6.2 Special Provisions for Village Commercial - General (VC-1) Zone

1 The following minimum requirements apply to all permitted uses in the Village Commercial General (VC-1) Zone:

Minimum Area	600 sq. m. (6458 sq. ft.)	Yard abutting residential zone
Minimum Frontage	20 m (65.6 ft.)	n/a
Minimum Front Yd.	10 m (32.8 ft.)	n/a
Minimum Rear Yd.	2 m (6.6 ft.)	6m (19.7)
Minimum Flanking Yd.	5 m (16.4 ft.)	n/a
Minimum Side Yards	3 m (9.8 ft.) one side / 1 m (3.3 ft.) opposite side	3m (9.8ft)
Maximum Height	10.5 m (34.4 ft)	n/a

2 Public Facade

To compliment Village character, the public facade of new commercial buildings shall not be finished in vertical steel siding and shall have a pitched roof. Additions to existing buildings are encouraged to comply, but can be constructed to match the existing structure.

3 Parking

A parking area may be located in the front yard of a lot provided it is setback a minimum of 3 metres (9.8 ft.) from the front lot line.

4 Screening

- i) In all Commercial zones, the following uses shall be screened along the required yard from adjacent Residential designations in accordance with Section 4.18:
 - Outdoor commercial displays and storage;
 - Parking and loading areas;
 - Areas for garbage collection and storage;
 - Accessory commercial uses.
- ii) Screening shall be sited between the use to be screened and the property line.

5 Outdoor Commercial Display

Outdoor commercial displays shall be located a minimum of 2 metres (6.6 ft.) from the front lot line.

6 Outdoor Storage

Outdoor storage shall be limited to side and rear yards and shall be located no closer to the front property line than the main building.

7 Landscaping Requirements

A landscaped area shall be provided along the public street a minimum of 3 metres (9.8 ft.) From the edge of the road or sidewalk. The area shall be landscaped with grass, shrubs, trees or other materials to provide an attractive streetscape for the business without hindering exposure.

6.3 Special Provisions for Village Commercial - Main Street (VC-2) Zone

- 1 The following minimum requirements apply to all uses permitted in the Village Commercial Main Street (VC-2) Zone:

Minimum Area	600 sq. m (6458 sq. ft.)
Minimum Frontage	20 m (65.6 ft.)
Minimum Front Yard Maximum Front Yard	0 m (0 ft.) 3 m (9.8 ft.)
Minimum Rear Yard	6 m (19.7 ft.)
Minimum Side Yard	0 m (0 ft.)
Min. Flanking Yd	3 m (10 ft.)

2 Kennels

Kennels shall not be permitted as an accessory use to an animal hospital / vet clinic in the Commercial VC-1 or VC-2 zone.

3 Architectural Requirements

Pursuant to Policy 2, the following criteria will apply to public facade of new commercial construction and renovation within the Village Heritage Area of the VC-2 zone.

- i) An application to construct a new building shall be accompanied by a scale drawing of the building and a site plan showing proposed setbacks
- ii) Building Orientation: Buildings are encouraged to be orientated with the short facade facing the street.
- iii) Building Location on Lot:
 - S Buildings are to be abut the front lot line and sidewalk to maintain the existing streetscape.
 - S A setback, no greater than 3 metres (9.8 ft) will be considered to promote a wider sidewalk and more activity such as outdoor seating, but not for automobile parking.
- iv) Proportion:
 - S Length (along the street) to height ratio shall not be less than 1:1
 - S Buildings that do not meet the 1:1 ratio shall arrange openings and use awnings and other decorative features to emphasis a 1:1 ratio.
 - S Gable end to street on gable roof;
 - S Maximum height of 1 storey - 20 feet, 1.5 to 2 storey - 29 feet
- v) Permeability of Facade:
 - S At least 60% of the ground floor facade, as measured horizontally, shall comprise of doors and windows.
 - S To maintain a sense of permeability along the streetscape, a section of ground floor facade without windows or doors should not exceed 1/4 of the buildings width.

PART 7: INSTITUTIONAL ZONE

7.1 Permitted Uses

No development permit shall be issued in an institutional zone except for one or more of the following uses:

-
- churches and cemeteries;
 - public open space;
 - government offices and facilities;
 - public schools;
 - Commercial day care facilities
 - accessory commercial day care facilities;
 - accessory commercial schools
 - any institutional use incorporated under the Societies Act of Nova Scotia or any private act of incorporation.
 - Village Residential (VR-1) uses
 - privately owned apartment buildings. Buildings containing 5 or more residential units are by development agreement. *
 - libraries and museums;
 - health care facilities;
 - accessory open storage
 - senior housing;
 - homes for special care;
 - emergency service;
 - arts centres & concert halls;

*Special Conditions Apply

7.2 Lot Requirements

The following minimum requirements shall apply to all permitted uses in the Institutional (I) Zone:

Minimum Area	660 sq. m. (7104 sq. ft.)	Abutting a Residential Lot
Minimum Frontage	22 m (72.2 ft.)	n/a
Minimum Front Yard	10 m (32.8 ft.)	n/a
Minimum Rear Yard	8 m (26.2 ft.)	8 m (26.2 ft)
Minimum Side Yard	3 m (9.8 ft.)	6 m (19.7 ft)
Minimum Flanking Yd.	5 m (16.4 ft.)	n/a

7.3 Abutting Yard Requirements

Screening

- i) Outdoor storage or accessory uses shall be screened from adjacent residential designations, in accordance with Section 4.18.
- ii) Screening shall be sited between the use to be screened and the lot line.

7.4 Apartments with 5 or more units

Pursuant to Policies 32.1 and 47.1 of the Municipal Planning Strategy, apartment buildings containing 5 or more units are considered only by development agreement.

PART 8: SIGNS

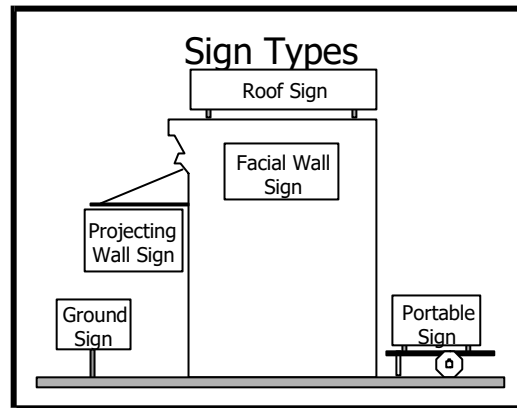
8.1 Development Permit Required

No person shall erect any sign without first obtaining a Development Permit.

8.2 Signs for Which No Development Permit is Required

Notwithstanding Section 8.1, the following signs are permitted in all zones, without any requirement for a Development Permit:

- 1 Signs identifying name and address of resident, and of not more than 0.2 sq. metres (2.2 sq. ft.) in sign area;
- 2 Small signs, not more than 0.5 sq. metres (5.4 sq. ft.) in sign area.
- 3 Real estate signs;
- 4 Sandwich board signs, not exceeding a standing height of 1.2 metres (3.5 ft.) or width of 0.6 metres (2 ft);
- 5 Signs erected by a government body, such as traffic signs, railroad crossing signs, safety signs, signs identifying public schools, public election lists, directional signs;
- 6 Memorial signs or tablets and signs denoting the historical significance and date of erection of a structure;
- 7 The flag, pennant, or insignia of any government, or of any charitable, religious or fraternal organization;
- 8 A construction site sign located on the project site. Such signs shall not remain in place for more than sixty (60) days following completion of construction;
- 9 A sign or monument that denotes the name of a subdivision or development.



8.3 Signs Prohibited in All Zones

All other provisions of this By-law notwithstanding, the following signs shall not be erected or used in any zone:

- 1 signs affixed to, applied to, or supported by the roof of any structure;
- 2 any sign, including those listed in subsection 8.2 above, which by reason of size, location, content, colouring, or manner of illumination constitutes a perceived; threat to public safety
- 3 signs not related to any business or use located on the lot or premises;
- 4 signs painted upon, attached to, or supported by a tree, stone, cliff, or other natural object. 5 portable signs excluding sandwich board signs;

8.4 Off-site Directional Signs

Notwithstanding section 8.3.4 above, one off-site directional sign will be permitted for businesses not fronting on Main Street. Off-site directional signs shall not exceed 0.5 sq metres (5.4 sq ft). An application for Development Permit will be accompanied by permission of the land owner or its agent in the case of public highways.

8.5 Maintenance of Signs

- 1 The owner, operator, or manager of the business, or facility for which any sign has been erected shall maintain it in a proper state of repair, so that it does not become unsightly, defective, or dangerous.

2 Signs in Disrepair

Any sign which is in a state of disrepair shall be repaired or removed by the owner or lessee on receiving written notice from the Development Officer.

3 Dangerous Signs

Any sign which, in the opinion of the Building Inspector or Development Officer, is a danger to surrounding property or persons may be repaired or removed without prior notice by the Municipality and the expenses involved in such action will be charged to the owner of the sign.

8.6 Size and Location of Signs

The following requirements shall apply to all signs in all zones unless otherwise specified elsewhere in this By-law.

Zone	Signage Requirements		
	Maximum Area	Height	Minimum Setback
VR-1			
Ground Sign	0.5 m (5.4 sq. ft.)	Max. - 1 m (3.3 ft.)	N/A
Projecting Wall Sign	0.5 m (5.4 sq. ft.)	N/A	N/A
Facia Sign	0.5 m 5.4 sq. ft.)	N/A	N/A
VC-1,			
Ground Sign (1 per lot)	3 sq. m (32.3 sq. ft.) per side	Max. - 6 m (19.7 ft)	3m (9.8 ft)
VC-1, VC-2			
Projecting Wall Sign	2 sq. m (21.5 sq. ft) on each side	Min. - 3 m (9.8 ft) Max - roofline of structure	Shall not project over a public street beyond the curb or shoulder
Facia Sign	10% of wall area	Shall not extend beyond extremities of the wall to which it is attached	N/A

8.7 Standards for the Commercial VC-1 Zone

1 Ground Signs

One ground sign will be permitted on a lot in the Commercial VC-1 Zone.

8.8 Standards for Signage in the Village Heritage Area of the VC-2 Zone

1 Facia signs

- i) Where a building has a facia board, the height of the sign shall not exceed the lesser of 0.6 metres (2 ft) or the height of the facia board, and shall not obstruct the architectural detail of the cornice.
- ii) Where a building has no facia board, a sign not exceeding 60 centimeters (24 inches) in height may be affixed to the building, provided there is sufficient space between the top of the first floor moldings or cornice and the bottom of the second floor window moldings.
- iii) The width of a sign may not extend beyond the lesser of the outside edges of the first floor windows and/or door, or 90% of the width of the building.

2 Ground Signs

Due to the higher density of this business area, its pedestrian orientation and general lack of front yard, Ground signs will not be permitted in the VC-2 Zone.

3 Construction materials

Except for awnings and murals, all exterior signs in the VC-2 zone shall be constructed of traditional materials such as wood and metal. Window signs may include window paint and neon.

4 Illumination

Signs may be illuminated by shielded lights positioned to shine directly on the sign and not “backlit”.

PART 9: PARKING & LOADING REQUIREMENTS

9.1 Parking Requirements

For every building or structure to be erected or enlarged, or for which application for a development permit involving a change of use is made, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in accordance with the requirements below. Parking in the Village Commercial- Main Street (VC-2) Zone is provided in the form of on street parking and communal off street parking lots provided by the Village Commission.

Residential	
A structure containing not more than 3 dwelling units	One (1) parking space for each dwelling unit
Senior Citizen Housing	One (1) parking space for each dwelling unit
Boarding & Guest Houses	One (1) parking space per two (2) guest rooms
All other dwellings	One and one half (1.5) parking spaces per dwelling unit
Commercial - VC-1 zone	
Hotels, Motels, Guest Houses, Cabins	One (1) parking space per suite or rental unit PLUS (1) one space per 18.5 sq. m (199 sq. ft.) of floor area devoted to public use (restaurants, lounges) exclusive of hallways and lobbies.
Restaurants, Lounges, Taverns, Night Clubs	One (1) parking space per 9 sq. m (97 sq. ft.) of floor area devoted to public use.
Bowling Alleys and Curling Rinks	Three (3) parking spaces per bowling lane and four (4) spaces per curling sheet. Additional spaces shall be provided in accordance with specific uses outlined in this By-law.
Shopping Centres	2.5 parking spaces per 93 sq. m (1001 sq. ft.) of net retail area
Offices	One (1) parking space per 28 sq. m (301 sq. ft.) of net floor area
All industrial uses	One (1) parking space per 50 sq. m (538 sq. ft.) of net floor area
All other commercial uses	One (1) parking space per 18.5 sq. m (199 sq. ft.) of net floor area
Commercial - VC-2 zone	
Parking is provided in the VC-2 area through a combination of on-street parking and communal off-street sites.	
Institutional	
Hospitals & Homes for Special Care	One (1) parking space per two beds or per 38 sq. m (409 sq. ft.) of net floor area, whichever is greater.
Churches, Church Halls, Auditoria, Theatres, Arenas, Stadia, Private Clubs, and other places of assembly	Where there are seats, one (1) parking space per five (5) seats or 3m (9.8 ft.) of bench space. Where there are no fixed seats, one (1) space per 9 sq. m (96.9 sq. ft.) of floor area devoted to public use.
Elementary & Junior High Schools	One and one half (1.5) parking spaces per teaching classroom
High Schools & Colleges	Four (4) parking spaces per teaching classroom

9.2 Parking Area Requirements

- 1 Where parking facilities for more than four (4) vehicles are required:
 - i) the parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles;
 - ii) the parking area shall be located on the same lot as the use it is intended to serve; iii) when the parking area is of permanent hard surfacing, each parking space should be clearly marked and maintained as such;
 - iv) the location of approaches or driveways shall not be closer than 15 metres (49.2 ft.) from the limits of the right-of-way at a street intersection;
 - v) lights used for illumination of the parking areas shall be so arranged as to divert the light away from streets, adjacent lots and buildings;
 - vi) no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;
 - vii) a parking space shall be 2.75 metres (9 ft.) by 6 metres (19.7 ft.);viii) all parking areas should be graded to prevent surface runoff from direct access to a neighbouring property.
 - ix) the parking area, where permitted in a required front yard, shall be setback a minimum of 1 metres (3.3 ft.) from the front lot line.
 - x) there shall not be more than two driveways or ramps from any lot to any one street.
 - xi) the width of any driveway or ramp leading to a parking area shall not be less than 3.5 metres (11.5 ft.) and not more than 9 metres (29.5 ft.) measured at the street line.
 - xii) where the use is mixed residential and commercial, only the commercial requirement needs to be met.

9.3 Loading Space Requirements

- 1 In commercial zones, one off-street, space shall be provided for every 1000 sq. metres (10,764 sq. ft.) of net floor area or fraction thereof. Loading space shall be optional where the net floor area is less than 100 sq. metres (1076 sq. ft.)
- 2 Each space shall be 3 metres (9.8 ft.) by 12 metres (39.4 ft.) with height clearance of 4.5 metres (14.8 ft.).
- 3 Loading space shall not be located within the required yard of an abutting Residential Designation.

9.4 Storing of Commercial Vehicles

In all Residential zones, no person shall park or store more than three commercial vehicles on a lot.

9.5 Parking Provisions Waived in VC-2 Zone

Communal parking is provided in the VC-2 Zone primarily, north of Main Street. Therefore the normal parking provisions for individual commercial development will be waived in this zone. Parking is not permitted in the front yard of a lot in the VC-2 zone.

PART 10: DEFINITIONS

ACCESSORY BUILDING means a subordinate building on the same lot as the main building devoted exclusively to an accessory use but does not include a building attached by means of any common wall to the main building.

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

AGRICULTURAL USE means the use of land and buildings for farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, storage or treating the produce.

AGRICULTURE, INTENSIVE means confined area used for holding animals for purposes of raising, feeding or production.

A minimum of ten (10) ungulates or fifty (50) smaller animals such as rabbits or fowl kept within a sheltered structure is within the meaning of an intensive agricultural use. Any keeping of fur production animals such as mink or fox will be considered intensive agriculture.

AGRICULTURAL, NON-INTENSIVE means an agricultural use with associated buildings and is intended to include the keeping of animals and/or the raising of crops, including greenhouses, but shall not include a feedlot, piggery.

ALTER means any change in the structural component of a building or structure or any increase in volume of any building or structure.

AUTOMOBILE SERVICE STATION means a commercial building or part of a building or a clearly defined space on a lot used for the retail sale lubricating oils and fuels and may include the sale of automobile accessories and the servicing of minor repairs which are essential to the actual operation of motor vehicles and includes an automobile washing establishment.

AUTOMOBILE WASHING ESTABLISHMENT means a commercial building or use of land for the operation of automobile washing equipment, which is automatic or semi-automatic.

AUTOMOTIVE REPAIR OUTLET means a commercial use, buildings or place other than a private garage where vehicles are kept or stored for remuneration or repair, or a building or place used as a motor vehicle repair shop and includes muffler shops, transmission repair shops, and shops specializing in windshield replacement, radiator repairs, autobody work, and the sale and installation of automotive accessories.

BUFFER means a spatial separation or setback between a defined use and a property line.

BUILDING means a structure, whether permanent or temporary, which is roofed and used for the shelter or accommodation of persons, animals, materials, or equipment and includes and includes all additions, porches, decks attached thereto.

CHURCH means an institutional building dedicated to religious worship, and includes a church hall, church auditorium, Sunday School, and a day nursery operated by the Church.

CLINIC means a commercial building or part of a building used for the medical, dental, surgical, or therapeutical treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in his/her residence.

COMMERCIAL VEHICLE means which is or may be registered as a commercial vehicle by the Registrar of Motor Vehicles of the Province of Nova Scotia.

COMMUNITY CENTRE means any tract of land, or building(s), or any part of any building used for community activities and not for commercial purposes, the control of which is vested in a public authority, church or fraternal organization but shall not include a commercial recreational centre.

CONVERTED DWELLING means a building originally built and designed as a single dwelling unit which now contains two or more dwelling units.

COUNCIL means the Council of the Municipality of the County of Colchester and the Municipality means the Municipality of the County of Colchester.

CRAFT SHOP means a building or a portion of a building that is used for the retailing, wholesaling, or manufacture of arts and handicrafts.

DAY CARE CENTRE means:

"**Residential Day Care** means part of a dwelling and yard where the owner and occupier of the dwelling provides accommodation for financial remuneration, to 14 or fewer children, without providing overnight accommodation.



"Commercial Day Care" means a facility other than a Residential Day Care, located in a building or part of a building, where children are accommodated and cared for, for financial remuneration, without providing overnight accommodation.

A day care may also be known as a day nursery, nursery school, kindergarten, play school, or a preschool.

DESIGNATION means an area shown on the Future Land Use Map, Schedule 2 of the Municipal Planning Strategy.

DEVELOPMENT includes any erection, construction, alteration, replacement, or relocation of or any addition to any structure and any change or alteration in the use made of any land or structure(s).

DEVELOPMENT OFFICER means the person appointed by Council under the authority of the Planning Act to administer the provisions of the Land Use By-law.

DEVELOPMENT PERMIT means the permit issued by the Development Officer certifying that the proposed development complies with the provisions of the Land Use By-law.

DWELLING means a building or portion thereof, occupied or capable of being occupied as a home or residence by one or more persons, containing one or more dwelling units, and shall not include a motel or hotel.

Dwelling Types:

"Apartment" means a dwelling containing three or more dwelling units, other than a townhouse. **"Duplex"** means a separate building divided horizontally into two dwelling units.

"Manufactured Dwelling" means a non-motorized prefabricated detached dwelling built after 19--with a maximum width of six (6) metres and designed for transportation on its own chassis and wheels, to a site where it is to be occupied as a dwelling complete and ready for occupancy (except for minor and incidental unpacking), and where it may be located on wheels, jacks, piers, posts, blocks, or a permanent foundation, and which may be connected to utilities and sanitary services. This definition does not include sectional homes transported in two or more sections and assembled on site.

"Semi-Detached" means a building that is divided vertically into two dwelling units each with its own entrance.

"Single Unit" means a completely detached dwelling unit.

"Townhouse or Rowhouse" means a dwelling that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

DWELLING UNIT means one or more habitable rooms designed, occupied or intended for use by one or more individuals as an independent and separate housekeeping establishment, in which cooking sleeping and sanitary facilities are provided for the exclusive use of such individual(s).

ESTABLISHED BUILDING LINE of any lot means a line parallel to the street established by the main front walls of the average setback of all buildings on the same side of the street of the block within which block a building may be lawfully erected.

EXISTING means:

- i) in reference to a use or structure, that it existed on the effective date of this By-law;
- ii) in reference to a proposed use or structure, that a development and /or building permit had been issued prior to the effective date of this Bylaw, and that construction or use has commenced within the time limit prescribed for the permit.

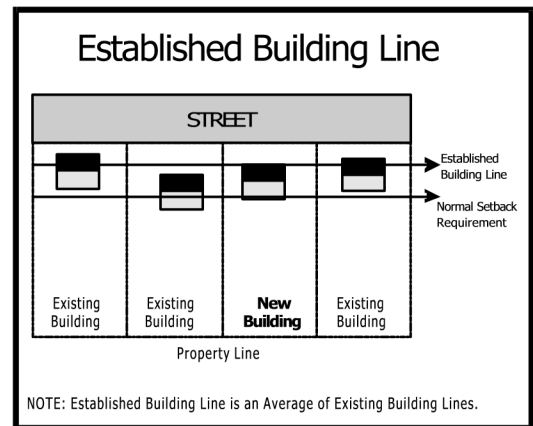
FEEDLOT means an enclosed area or structure used for feeding, breeding or holding of livestock or poultry for production purposes or for future sale.

FLOOR AREA, DWELLING means the total floor area contained within the outside walls of a building excluding any private garage, porch verandah, sunroom, unfinished attic, or basement or other room which is not habitable during all seasons of the year.

FLOOR AREA, NET means the total floor area within a building used for commercial, industrial or institutional purposes but excludes washrooms, furnace and utility rooms, and common walls between stores.

FORESTRY USES means forest harvesting, reforestation, tree nurseries and similar uses related to the forest industry including portable sawmills, lumber yards, christmas tree yards, and equipment storage and maintenance buildings and yards and other temporary uses supportive of land clearing.

GUESTHOUSE, BED & BREAKFAST means part of a dwelling where the resident owner or resident occupant provides accommodation, with or without meals, to the travelling public for financial remuneration and does not include facilities open to the general public such as meeting rooms, restaurants, or entertainment facilities.



HEIGHT means the vertical distance on a building between the established grade, and: the highest point of the roof surface, or the parapet, which ever is greater, of a flat roof; or the declivity of a mansard roof; or the mean level between eaves and ridge of a gabled, hip, gambrel or other type of pitched roof but shall not include any construction used as an ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, steeple, solar collector or satellite receiving dish.

HOME BASED BUSINESS means a business activity carried on wholly within a structure, upon which property is located the residence of the operator of the home occupation, and without limiting the generality of the foregoing; office uses, personal service shops, craft workshops, the repair of minor household appliances, catering establishments, small motor repair, residential day cares, and commercial schools with five or fewer students. Home based businesses do not include the sale, rental, or repair of automobiles, or recreational vehicles.

HOMES FOR SPECIAL CARE means a building where nursing care or room and board is provided to individuals incapacitated in some manner for medical reasons but does not include a hospital.

INDUSTRIAL USE means a use involving manufacturing, processing, and/or fabrication; outdoor bulk storage, and; scrap yards.

INSTITUTION means any building or part of a building used by an incorporated body or government for promoting a particular purpose or for providing a service, such as hospitals, schools, nursing homes, homes for special care, group homes, community centres, and private clubs.

KENNEL means a building or structure where animals, birds, or livestock used as domestic household pets are kept or boarded commercially.

LANDSCAPING means a combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stone work, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

LOADING SPACE means an off-street space or berth on the same lot with a building or contiguous with a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which is connected to a public street by an appropriate access.

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

LOT TYPES:

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

"Interior Lot" means a lot situated between two lots and having access to one street.

"Through Lot" means a lot bound on two opposite sides by streets or highways provided, however, that if any lot qualifies as being both a Corner Lot and a Through Lot as herein defined, such lot shall be deemed to be a Corner Lot for the purposes of this By-law.

LOT AREA means the total horizontal area within the lot lines of a lot.

LOT FRONTAGE means the horizontal distance between the side lot lines, measured perpendicularly to a line joining the midpoints of the front and rear lot lines, and at a point equal in distance from the front lot line to the required front yard, or any distance specified in the By-law.

LOT LINE means the boundary of a lot line and for greater certainty:

"Flanking Lot Line" means the lot line which abuts a street on a corner lot other than the front lot line.

"Front Lot Line" means the line dividing the lot from the street; in the case of a corner lot, the shorter boundary line abutting the street shall be deemed to be the front lot line and where such lot lines are of equal length, the front lot line shall be either of the two lines. In the case of a Through Lot, each boundary dividing the lot from the street shall be deemed to be the front lot line.

"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.

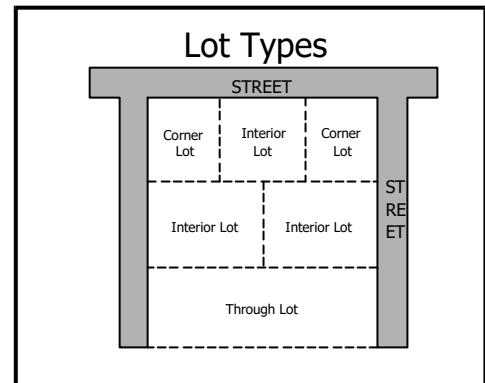
"Rear Lot Line" means the line furthest from or opposite the front lot line.

"Side Lot Line" means a lot line other than the front or rear lot line.

MAIN BUILDING means the building in which the principal purpose for the lot is carried on.

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 of roof.

MOBILE HOME PARK means a lot or lots used for the renting of spaces for manufactured dwellings in conformance with the Mobile Home Park By-law of the Municipality of the County of Colchester.



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 or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

OUTDOOR COMMERCIAL DISPLAY means a display of goods on a lot for the purposes of encouraging the purchase of the display items, or items similar to the display items.

OPEN STORAGE means an accessory commercial use where items such as merchandise, goods, inventory materials or equipment which items are not intended for immediate sale and which are stored by being located on a lot exterior to a commercial building.

PERSONAL SERVICE SHOP means a building or part thereof in which barbering, hairdressing, tailoring, or similar shop that does not generate a high volume of customer traffic.

RECYCLING, 'ENVIRO' DEPOT means a location that enables residents to drop off recyclables for which a deposit is normally charged, for transport to a larger facility for additional processing. All activity is to be contained within a structure, and shall not include salvage yards, or processing.

RECREATIONAL USES means the use of land for parks, playgrounds, tennis courts, lawn bowling greens, outdoor ice skating rinks, athletic fields, outdoor swimming pools, golf courses, and similar uses, together with necessary accessory buildings and structures, but does not include commercial recreation centres or a track for the racing of animals or any form of motorized vehicles.

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 value.

SCHOOL, COMMERCIAL means a school where instruction is given to five or more students for the purposes of remuneration and shall include dancing schools, music schools, driving schools, trade schools, and any other school conducted for remuneration. For the purposes of this By-law, a commercial school does not include daycare centres.

SERVICE INDUSTRIES means a specialized trade shop such as garages including engine and body repair shops, plumbing shops, sheet metal shops, and similar uses.

SERVICE SHOP means a building or part thereof used for the sale or repair of household articles and shall include radio, television, and appliance repair shops but shall not include industrial or manufacturing or automotive repair outlets.

SETBACK means the "required yard" or the distance between the street line and the nearest main wall of any building or structure and extending the full width or length of the lot.

SHOPPING CENTRE OR MALL means a commercial use of land and structures designed, developed and managed as an interrelated group of commercial uses totalling 930 square metres (10,011 sq. ft.) or more of retail floor space including common areas, related office and warehouse space but excluding parking areas.

STREET OR ROAD means the whole and entire right-of-way of every highway, road, or road allowance vested in the Province of Nova Scotia, or the Municipality.

STREET LINE means the boundary line of a street.

STRUCTURE means anything that is erected, built, or constructed of 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 2 metres (6.6 ft.) in height. Any tent, awning, bin, bunk or platform used for any purpose shall be deemed a temporary building.

UNGULATES means any hooved animals, including the ruminants, swine, horses, or any other split or single hooved animals.

YARD means an open, uncovered, area of land on a lot measured inward and horizontally from the front to the rear lot line.

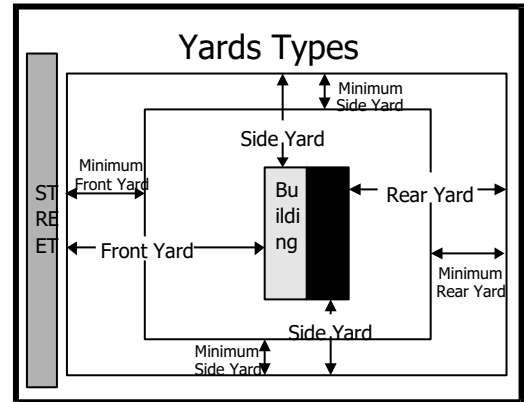
YARD, FLANKING means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flanking lot line and the nearest main wall of any main building or structure.

YARD, FRONT means a yard extending the full width of a lot between the front lot line and the nearest wall of any main building or structure on the lot; and a 'minimum' front yard means the minimum depth allowed by by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any main building or structure on the lot;

YARD, REAR 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; and a 'minimum' rear yard means the minimum depth allowed by this Bylaw of a rear yard on a lot between the rear lot line and the nearest wall of any main building or structure on the lot;

YARD, SIDE 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 main building or structure on the lot; and a 'minimum' side yard means the minimum width allowed by this By-law of a side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot;

ZONE means an area of land identified on a zoning map being Schedule 3 of this By-law.



APPENDIX #1

Existing Manufactured Homes on Individual Lots in Tatamagouche

Address	PID#	Name
25 Lake Road	20319661	Blair Park Holdings
62 Lake Road	20088126	V. Wilson
82 Lake Road	20088142	L. Carruthers
90 Lake Road	20088175	G. McKay
122 Lake Road	20333084	H. Banman
134 Lake Road	20088233	H. Tattrie
137 Lake Road	20088282	D. Tucker
145 Lake Road	20088282	D. Tucker
147 Lake Road	20088282	D. Tucker
93 Main Street	20086542	G. McKay