Municipality of Colchester

LAND USE BYLAW

Chapter 40

Colchester



First Reading:
2025.02.27

Second Reading:
2025.03.27

Effective Date:
2025.06.12

With Amendments to:
Land Use By-law Amendments
2026.10

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1 Title, Purpose, Authority, and Applicability

1.1 TITLE

1.1.1 This Bylaw shall be known as, and may be cited as, the Municipality of the County of Colchester Land Use Bylaw.

1.2 PURPOSE

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

- **(a)** divides the Municipality of the County Colchester 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 the office of one or more Development Officers;
- **(e)** establishes a method of making decisions on applications for development permits, including the issuing of development permits; and
- **(f)** establishes a method for making decisions on applications for site plan approval.

1.3 AUTHORITY

1.3.1 This Bylaw shall be applied in a manner consistent with the Municipality of the County of Colchester's Municipal Planning Strategy and the *Municipal Government Act* ("Act"), as amended from time to time.

1.4 APPLICABILITY

1.4.1 This Bylaw shall apply to all lands within the Municipality.

2 Interpretation

2.1 CERTAIN WORDS

2.1.1 In this Bylaw:

(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 present tense include future tense;

(d) words used in the plural include the singular, and words used in the singular include the plural; and

(e) gendered words shall be interpreted to mean any gender.

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

2.2 CONFLICT

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

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

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

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

2.2.5 In the case of conflict within the regulations of this Bylaw, the more restrictive regulation shall take priority, unless otherwise specified.

2.3 DEFINITIONS

2.3.1 For the purposes of this Bylaw, words shall have the meaning or meanings assigned to them in **Part 35** – Definitions. Where a word is not defined in **Part 35,** the word shall have the meaning or meanings assigned by accepted Canadian English dictionaries.

2.4 UNITS OF MEASUREMENT

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

2.5 SYMBOLS

2.5.1 The symbols used on the Zoning Map(s) refer to the corresponding zones established by this Bylaw.

2.6 INTERPRETATION OF ZONE BOUNDARIES

2.6.1 The extent and boundaries of zones shown on the Zoning Maps and the provisions of this Bylaw shall apply to all zones.

2.6.2 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 as it existed on the effective date of this Bylaw shall be the boundary unless otherwise indicated;

(c) where a zone boundary is indicated as following a railway or utility right-of-way, the centerline of the right-of-way as it existed on the effective date of this Bylaw 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 as they existed on the effective date of this Bylaw;

(e) where the zone boundary is indicated as following a physical feature, such as, but not limited to, topographic elevations or agricultural soil classification, the Development Officer may interpret the boundary to align with a site-specific delineation completed by a qualified professional;

(f) where the zone boundary is shown as approximately following a flood risk line, the boundary shall correspond with the 1:100 year and 1:20 year flood risk lines depicted on mapping prepared under the 1988 Canada – Nova Scotia Flood Damage Reduction Program or the Municipal Flood Line Mapping Program, as applicable;

(g) where the zone boundary is indicated as following the shoreline of a watercourse, the ordinary high water mark shall be the boundary; and

(h) where none of the above provisions apply, the Development Officer shall scale the zone boundary from the zoning map.

2.7 PERMITTED USES

2.7.1 In this Bylaw, any use not listed as a permitted use in a zone is prohibited in that zone unless otherwise indicated.

2.7.2 Where a permitted use within any zone is defined in **Part 35**, Definitions, the uses permitted within that zone include any similar uses which satisfy such definition except where a definition specifically excludes any similar uses.

2.8 SEVERABILITY

2.8.1 If any provision of this Bylaw 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 Bylaw.

3 Administration

3.1 ADMINISTRATION OF LAND USE BYLAW

3.1.1 Council shall appoint one (1) or more Development Officer(s) for the Municipality.

3.1.2 In the absence or incapacity of the Development Officer, the Acting Development Officer shall act within the Development Officer's stead.

3.1.3 The Development Officer shall be responsible for the administration of this Bylaw.

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 Bylaw.

3.2.2 Consistent with **Section 267** of the *Municipal Government Act*, the Development Officer shall not enter any place actually being used as a dwelling without the consent of the occupier unless the entry is made in daylight hours and written notice of the entry has been given to the occupier at least twenty-four hours in advance of the entry.

3.3 ENFORCEMENT AND PENALTY

3.3.1 In the event of any contravention of the provisions of this Bylaw, the Municipality may act as provided for in **Section 264, 265,** and **266** of the *Municipal Government Act.*

3.4 COMPLIANCE WITH OTHER LEGISLATION

3.4.1 Nothing in this Bylaw shall exempt any person from complying with the requirements of any other Bylaw in force within the Municipality, or from obtaining any license, permission, permit, authority, or approval required by any other bylaw 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 Bylaw conflict with those of any other bylaw 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 Bylaw shall prevent the restoration of any building or structure to a safe condition when so required by a municipal order issued against a property, except in the case of non-conforming uses where provisions of **Sections 238** to **241** of the *Municipal Government Act* shall prevail.

3.6 EFFECTIVE DATE

3.6.1 Upon adoption by the Council of the Municipality of the County of Colchester and approval by the Minister of Municipal Affairs, this Bylaw shall take effect on the date a notice is published in compliance with the Act, informing the public that the Land Use Bylaw is in effect.

3.7 EXISTING STRUCTURES, USES, LOTS, AND STREETS

3.7.1 A structure or use of land shall be deemed to exist on the effective date of this Bylaw 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 twelve (12) months after the date of the latest issuance of the required permits.

3.7.2 For the purposes of this Bylaw, a lot shall be deemed to exist on the date the final plan of subdivision is endorsed by the Development Officer.

3.7.3 For the purposes of this Bylaw, a lot that is exempt from subdivision approval shall be deemed to exist on the date it is registered.

3.7.4 For the purposes of this Bylaw, a street or private road is deemed to exist on the effective date of this Bylaw if it:

- **(a)** it has lawfully been constructed;
- **(b)** it is lawfully under construction;
- **(c)** it is shown on a tentative plan of subdivision approved by the Development Officer, except this shall not apply unless the construction is commenced within twenty-four (24) months after the date the approval is granted; or
- **(d)** it is shown on a preliminary plan of subdivision approved by the Development Officer, except that this shall not apply unless a tentative plan of subdivision is approved for the street or private road within twenty-four (24) months after the date the preliminary subdivision is approved.

3.8 REPEAL

3.8.1 The following Bylaws are repealed as of the effective date of this Bylaw:

(a) Central Colchester Land Use Bylaw, adopted by the Municipality of the County of Colchester Council on June 20, 2002, as amended.

(b) Central Colchester Land Use Bylaw Zoning Maps, adopted by the Municipality of the County of Colchester Council on June 20, 2002, as amended.

(c) Tatamagouche Village Land Use Bylaw, adopted by the Municipality of the County of Colchester Council on October 9, 2001, as amended.

3.9 FEES

3.9.1 All permit fees, licenses, and other charges referred to in this Bylaw will be determined by policy.

4 Development Permitting

4.1 DEVELOPMENT PERMIT

4.1.1 Unless otherwise stated in this Bylaw, no person shall undertake a development within the Municipality 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 Bylaw 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 non-conforming use or structure, in which case a development permit shall be issued in conformance with the Act.

4.1.3 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.

4.2 DEVELOPMENT PERMIT VALIDITY

4.2.1 A development permit issued under this Land Use Bylaw or issued under any previous Land Use Bylaw shall expire if the development to which it relates has not commenced within:

- **(a)** eighteen (18) months of the issuance of the development permit for wind turbine development; or
- **(b)** substantial completion of a wind turbine development has not occurred within five (5) years of the date the development permit was issued, unless it is demonstrated additional time is needed; or
- **(c)** twelve (12) months of the issuance of the development permit for all other developments.

4.2.2 A development permit for a temporary wind test tower facility shall expire after twenty-four (24) months of issuance, whether or not development of the wind test tower facility has commenced, unless renewed through the provisions of **Subsection 4.2.3**.

4.2.3 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 twelve (12) additional months if:

- **(a)** the applicant applies no less than thirty (30) days prior to the expiry date of the development permit;
- **(b)** the development permit has not been renewed previously; and
- **(c)** the Development Officer is satisfied the development permit is consistent with the current Land Use Bylaw and any proposed amendments to the Land Use Bylaw for which Council has provided public notification regarding their intent to adopt.

4.2.4 The Development Officer may revoke a development permit where:

(a) information provided on the application is found to be inaccurate;

(b) the permit was issued in error;

(c) the development fails to conform with the performance standards of this Bylaw; or

(d) for wind turbines, the entire wind turbine development has ceased operation for a period of at least one (1) year, unless the owner or operator thereof has reasonably demonstrated, or at the judgment of the Development Officer, that additional time is needed to repair or rebuild part or all of the Wind Power Project if the repair is delayed as a result of circumstances beyond the owner or operator's control.

4.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

4.3.1 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) Signs smaller than 0.2 square metres (2.1 square feet) in sign area, where the applicable type of sign is permitted.

(c) Temporary buildings or structures erected for a period not exceeding 60 days.

(d) Temporary construction buildings and structures meeting the requirements of **Section 6.25**.

(e) Special occasion uses meeting the requirements of **Section 6.22**.

(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) Livestock housing structures not exceeding a combined gross floor area of 2.0 square metres and located in the rear yard, and for:

i. not more than four (4) combined meat rabbits, ducks, or female chickens in the R-1, R-2, R-2C, R-3, R-4, C-1, MS, and C-4 zones; or

ii. not more than ten combined (10) meat rabbits, ducks, or female chickens in all other zones.

iii. livestock to be contained on owner's property.

(i) Accessory electric vehicle charging stations.

(j) Farm, fish, and forest stalls meeting the requirements of **Section 6.10**.

(k) Agriculture and forestry uses that do not require a building or structure.

(l) Personal offices or studios meeting the requirements of **Section 7.7**.

(m) The commercial teaching of one (1) student at a time, meeting the requirements of **Section 7.3**.

(n) Signs permitted in all zones, as listed in **Section 10.3**.

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

4.4 NO EXEMPTION FROM REQUIREMENTS

4.4.1 Every development shall be subject to the requirements of this Bylaw whether or not a development permit is required.

4.4.2 APPLICATION REQUIREMENTS

4.4.3 Every application for a development permit shall be made in writing on an approved form and shall include:

- **(a)** the signature of the registered landowner or their duly authorized agent;
- **(b)** application fees in conformance with the fee schedule adopted by resolution of Council;
- **(c)** a statement of the proposed use of the land;
- **(d)** a statement of the estimated commencement and completion date of development;
- **(e)** a lot plan, as detailed in **Section 4.5**; and
- **(f)** any other information required by this Land Use Bylaw.

4.4.4 In addition to **Subsection 4.4.3**, applications for commercial, industrial, or residential development with a total combined building footprint of 930 square metres (10,000 square feet) or greater shall include a stormwater management plan prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia. Such plans shall include design calculations that confirm the development, at a minimum, meets the following criteria:

- **(a)** retains on-site stormwater runoff generated from the first 10 mm depth of a rainfall event; and
- **(b)** balances stormwater runoff generated after the first 10 mm of a rainfall event to ensure matching of the pre- and post-development stormwater runoff conditions.
- **(c)** The Development Officer may, in their sole discretion, require any other development to meet the minimum stormwater management standards of **Subsection 4.4.4 (a) & (b)**.

4.4.5 In addition to **Subsection 4.4.3**, applications for large scale wind turbines and small scale wind turbines shall be co-signed by the wind turbine operator and the landowner, or their duly authorized agents and shall include:

(a) the results of a wind turbine noise modeling study or an equivalent study deemed satisfactory to the Development Officer, which demonstrates the wind power project's ambient degradation noise standard;

(b) if applicable, a copy of an Environmental Assessment and notice of the issuance of any federal and/or provincial approvals, along with any changes, comments or conditions imposed by federal and/or provincial regulatory authorities;

(c) a certified copy of the complete manufacturer's specifications for all proposed wind turbines;

(d) a copy of the applicant's decommissioning plan, which must identify the following:

i. any above ground components of the wind power project to be removed from the site along with any site remediation, excluding roads, required to return the site to a natural state;

ii. confirmation that decommissioning will commence within twelve (12) months after operation of the wind turbine development has ceased; and

iii. confirmation that decommissioning will be completed within twelve (12) months after decommissioning has commenced.

(e) written acknowledgment from the landowner(s) of the parcel(s) of land which form part of the proposed wind power project that the Municipality shall not be liable for any costs, fees, or expenses of any kind which may be incurred by the landowner in relation to the decommissioning of the wind power project in the event that the decommissioning plan is not completed to the landowner's satisfaction or in accordance with any agreement that may have been entered into between the landowner and the applicant;

(f) if applicable, confirmation that the applicant has given notice to, and has received approval from, any federal or provincial regulatory authorities including but not limited to the Department of National Defense, Natural Resources Canada, Transportation Canada, NAV Canada and any other applicable department or agency with respect to any potential radio, telecommunications, radar and seismoacoustic interference that may result from the proposed wind power project. Copies of all such approvals must be obtained and provided to the Development Officer before an application will be considered complete;

(g) any other information that may be requested by the Development Officer to ensure compliance with the requirements of this Bylaw, including any other information that the Development Officer deems necessary as a result of any community meetings; and

(h) demonstration that the performance standards of the engagement program have been met in compliance with **Section 8.5**, including:

- **i.** a copy of the letter mailed to land owners;
- **ii.** a list of all PIDs and the applicable land owners to whom the letter was mailed;
- **iii.** copies of the newspaper ads; and
- **iv.** notes from the community meeting, including an accurate and detailed record of all questions asked and answers given.

4.5 LOT PLAN REQUIREMENTS

4.5.1 Every application for a development permit shall be accompanied by a lot plan of the proposed development, drawn to an appropriate scale and showing:

(a) the true shape and dimensions of all lots to be used;

(b) the proposed location, height, and dimensions of the building, structure, or work for which the permit is applied, including measurements of the lot frontage, front, side and rear yards;

(c) the approximate location of rights-of-way and easements 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 approximate 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 Bylaw.



Figure 1. Example Lot Plan

4.5.2 In addition to the requirements of **Subsection 4.5.1**, the lot plan for a large scale wind turbine or small scale wind turbine shall:

(a) be prepared by an engineer or surveyor licensed to practice in Nova Scotia; and

(b) show:

i. the location of adjacent structures and land parcels and identifying all dwellings, structures and public roads within two (2) kilometres of any proposed wind turbine;

ii. compliance with the required minimum setbacks and separation distances, where applicable, for the entire wind power project; and

iii. tables which provide the distance, in metres, from each wind turbine to external property lines, public roads, and dwellings (both seasonal and permanent).

4.5.3 Notwithstanding **Subsection 4.5.1**, a lot plan shall not be required for changes in the use of a building that do not alter the exterior of the building, change the parking requirements, or change landscaping and buffering requirements, unless specifically requested by the Development Officer.

4.6 ADDITIONAL PLAN INFORMATION

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

(a) the precise location of rights-of-way, easements, and watercourses;

(b) the location of every building erected upon any abutting lot;

(c) the location of existing and proposed walkways;

(d) the type and location of existing and proposed outdoor lighting;

(e) the type, location, and height of any existing and/or proposed retaining walls, fences, hedges, trees, shrubs, or ground cover, as well as any retained natural vegetation;

(f) the location and type of any amenity area or facilities provided for users of the development; and/or,

(g) existing and proposed service connections or on-site services.

4.7 ADDITIONAL STUDIES AND PLANS

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

- **(a)** site survey and/or location certificate prepared and stamped by a Nova Scotia Land Surveyor;
- **(b)** topography and soil conditions of the subject site;
- **(c)** watercourse and/or wetland delineation study;
- **(d)** stormwater management plan meeting the minimum criteria of **Subsection 4.4.4**;
- **(e)** floor plans and elevation drawings of any proposed structures;
- **(f)** geotechnical study;
- **(g)** site grading plan;
- **(h)** traffic impact assessment or study;
- **(i)** groundwater supply study; and/or
- **(j)** any other information deemed necessary by the Development Officer.

4.8 VARIANCES

4.8.1 Notwithstanding anything in this Bylaw, 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)** the location and number of parking spaces and loading spaces required;
- **(f)** the ground area of a structure;
- **(g)** the height of a structure;
- **(h)** the floor area occupied by a home occupation; and/or
- **(i)** the 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 Bylaw;
- **(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 Bylaw.

4.8.3 For greater clarity, any variance to the requirements of the Flood Overlays, outlined in **Part 33**, are contrary to the intent of this Land Use Bylaw and shall not be granted.

4.9 SITE PLAN APPROVAL

4.9.1 This Bylaw states the types of land uses that are subject to site plan approval through the permitted use tables and/or lists for each zone.

4.9.2 The approval and appeal procedures for site plan approval shall follow the requirements of the *Municipal Government Act*.

4.9.3 Notwithstanding anything else in this Bylaw, the Development Officer shall not approve a site plan that causes a deviation from the requirements of the Flood Overlays, as outlined in **Part 33**.

4.9.4 All other applicable criteria of this Land Use Bylaw 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 setbacks;
- **(b)** lot coverage; and,
- **(c)** minimum parking requirements.

4.9.5 In addition to the requirements of **Section 4.4.2** applications for site plan approval shall include written rationale and any necessary supporting illustrations addressing each of the applicable criteria outlined in **Part 34**.

4.9.6 In addition to the requirements of **Section 4.4.2** the lot plan included in an application for site plan approval shall include:

- **(a)** property contours and elevations;
- **(b)** existing topographical features on the lot and adjacent properties, including but not limited to trees and shrubs, slopes, rock outcroppings, ground cover, etc.;
- **(c)** proposed landscape details including but not limited to, the type, placement and size of new trees and shrubs;
- **(d)** the location and size of gardens;
- **(e)** types of ground cover;
- **(f)** height and type of screening materials;
- **(g)** location and type of existing trees and other features to be retained;
- **(h)** location of snow storage;
- **(i)** location of waste management;
- **(j)** design of site grading and storm water management systems, prepared by a Professional Engineer or Landscape Architect licensed to practice in Nova Scotia; and
- **(k)** text indicating the nature of site maintenance and upkeep.

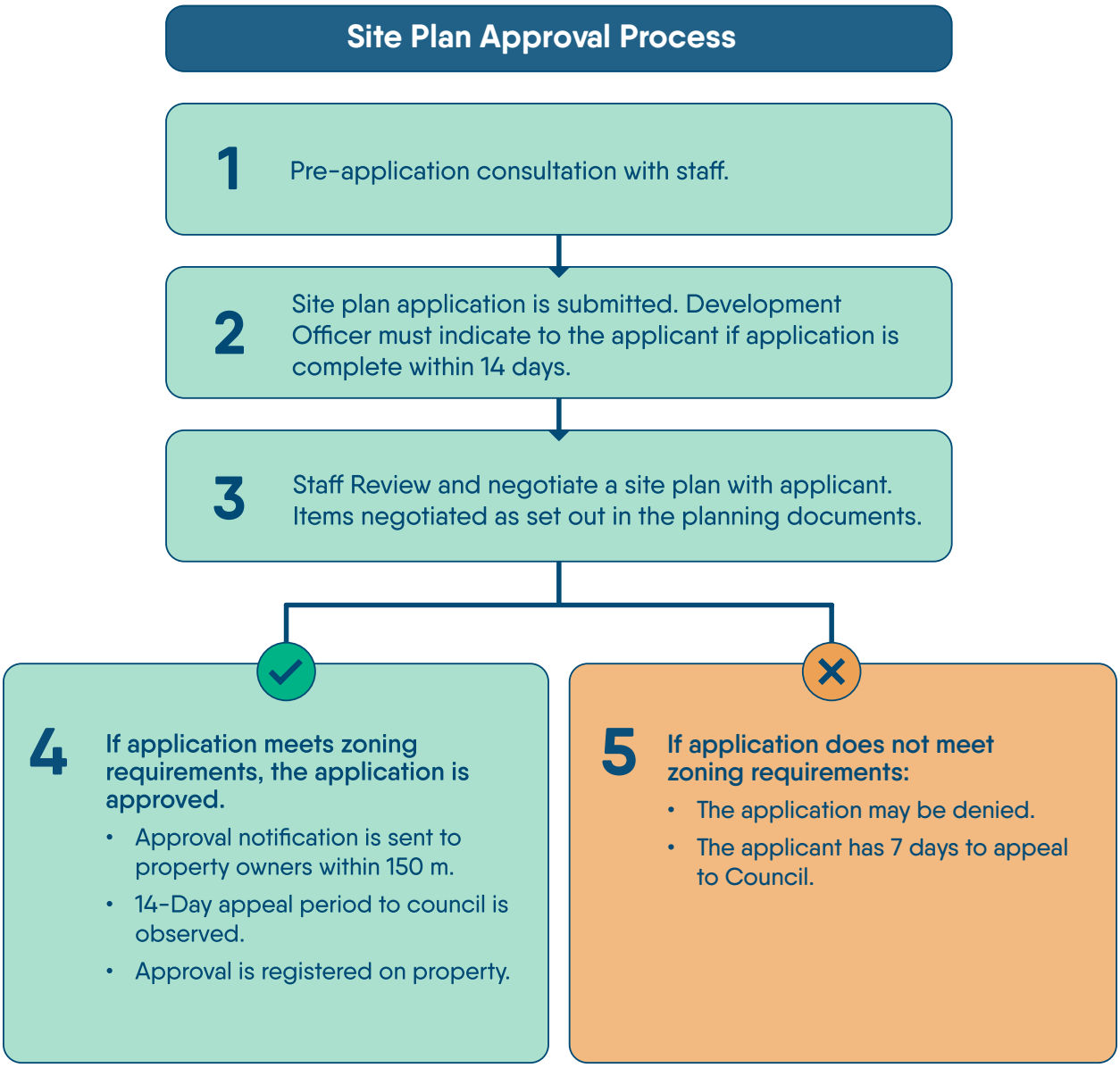


Figure 2. Site Plan Approval Process

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 Bylaw are met:

(a) Interior building reconfigurations, or additions of up to a gross floor area of 25.0 square metres (269 square feet).

(b) Installation, replacement, or repair of building features, and building repairs or additions that neither change the footprint of the building nor increase parking requirements.

(c) Accessory structures with a footprint of less than 25.0 square metres (269 square feet) on a property which is not subject to a previously approved site plan, or where accessory structures are not indicated on a previously approved site plan.

(d) Changes to signage on a property which is not subject to a previously approved site plan, or where signage was not indicated on a previously approved site plan.

(e) Temporary uses.

4.11 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 Bylaw and the applicable criteria in **Part 34**.

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 150.0 metres (492.1 feet) of the property subject to the site plan approval.

4.13 SITE PLAN APPROVAL – LOCATION CERTIFICATE REQUIRED

4.13.1 A location certificate prepared by a Nova Scotia Land Surveyor shall be submitted at the foundation stage to confirm that building setbacks have been adhered to as depicted on the Site Plan.

5 Zones and Zoning Maps

5.1 ZONES

5.1.1 For the purposes of this Bylaw, 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

Table 5-1: Zone Name and Symbol

Zone Name	Zone Symbol
Single Dwelling Unit Zone	**R-1**
Double Dwelling Unit Zone	**R-2**
Double Unit Conversion Zone	**R-2C**
Residential Medium Density Zone	**R-3**
Residential High Density Zone	**R-4**
General Commercial Zone	**C-1**
Highway Commercial Zone	**C-2**
Main Street Zone	**MS**
Local Commercial Zone	**C-4**
Industrial Zone	**M**
Airport Zone	**AIR**
Institutional Zone	**I**
Parks and Open Space Zone	**P-1**
Commercial Recreation Zone	**P-2**
Rural General Zone	**RG**
Rural Residential Zone	**RR**
Agricultural Potential Zone	**AP**
Rural Industrial Zone	**RM**
Shoreline Zone	**SL**
Comprehensive Development District Zone	**CDD**
Mi'kmaw Lands Zone	**ML**
Flow Way Zone	**E-1**
Flood Way Zone	**E-2**

5.1.2 In addition to **5.1.1**, this Bylaw contains the following overlay zones, shown on the attached Schedule 'B' and 'E', which implement additional requirements beyond those created by the underlying zoning:

Table 5-2: Overlay Name and Symbol

Overlay Name	Overlay Symbol
Flood Way Modification Overlay	**E-3**
Flood Way Fringe Overlay	**E-4**
Village Heritage Area Overlay	**VHA**

5.2 ZONING MAPS

5.2.1 **Schedule 'A'** attached hereto may be cited as the "Zoning Maps".

5.2.2 **Schedule 'B'** attached hereto may be cited as the "Overlay Maps".

6 General Provisions

6.1 APPLICATION OF GENERAL PROVISIONS

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

6.2 ACCESSORY BUILDINGS

6.2.1 Accessory buildings shall be permitted in any zone but shall not:

- **(a)** be used for human habitation except where a dwelling is a permitted accessory use;
- **(b)** be located within the front yard of a lot;
- **(c)** be permitted on a separate lot from a main building; unless otherwise indicated in a particular zone;
- **(d)** be originally constructed as a mobile home, a mini home, a construction trailer, a trailer from a semi-trailer truck, or a shipping container, and placed in the following zones:
  - **i.** Single Dwelling Unit Zone
  - **ii.** Double Dwelling Unit Zone
  - **iii.** Double Unit Conversion Zone
  - **iv.** Residential Medium Density Zone
  - **v.** Residential High Density Zone

6.2.2 In a Residential or Commercial Zone, accessory buildings shall not:

- **(a)** exceed 55.0 square metres (592.0 square feet) in total where the lot is less than 600.0 square metres (6,458 square feet) or exceed 10% of the lot area otherwise; and
- **(b)** exceed 45% of the available side and rear yard, in any case.

6.2.3 An accessory building or structure used to stable animals shall:

- **(a)** not be located within 15.0 metres (49.2 feet) of a lot line;
- **(b)** not have an area or facility used for the storage of animal waste located within 15.0 metres (49.2 feet) of a lot line.

6.2.4 For the purposed of this Bylaw, detached outdoor heating systems such as wood furnaces, shall be considered an accessory structure and shall not be permitted within a Growth Centre, as identified on Schedule 'C'.

6.3 ACCESSORY USES

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

6.4 BUILDING HEIGHT EXCEPTION

6.4.1 Notwithstanding building height requirements in this Bylaw, maximum height requirements shall not apply to church spires; solar panels; observation towers; silos; gondolas; water tanks; elevator enclosures; flag poles; television or radio antennae; ventilators; skylights; chimneys; clock towers; guard rails; telecommunication towers; appurtenances to industrial buildings, such as hoppers, gasifiers, and condensers; and other similar structures.

6.5 BUILDING TO BE ERECTED ON A LOT

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

6.6 BUILDING TO BE MOVED

6.6.1 Moving a building onto a lot is considered development and subject to all provisions of this Bylaw, including the requirement to first obtain a development permit from the Development Officer

6.7 CONFORMITY WITH EXISTING SETBACKS

6.7.1 In residential zones, the Development Officer shall approve a front setback less than the minimum front setback required in a zone if:

(a) the proposed setback is not less than the smallest front setback of any main building within 60.0 metres (196.8 feet) on the same street and within the same zone as the proposed building; and

(b) the proposed setback is not less than 2.0 metres (6.6 feet).

6.8 ENCROACHMENT PERMITTED IN MINIMUM SETBACKS

6.8.1 Every part of any minimum setback required by this Bylaw shall be open and unobstructed by any structure from the ground to the sky.

6.8.2 Notwithstanding zone requirements, the following structures may project into or be located in a required minimum setback in accordance with the distances set out in **Table 6-1** below:

Table 6-1: Permitted Encroachments

Structure	Required Setback in which Projection is Permitted	Permitted Encroachment Distance
Balconies, decks, patios, steps, verandas, porches (open) not exceeding one storey in height, verandas (uncovered)	Any	2.0 m (6.5 ft), but shall not be permitted within 1.0 m (3.3 ft) of a lot line
Structures ensuring barrier-free access	Any	To lot line
Exterior Insulation retrofitted to an existing dwelling	Any	0.3 m (0.98 ft)
Fire escapes and exterior staircases	Rear and Side	1.5 m (4.9 ft)
Residential garages and carports attached to the main dwelling in sewer serviced areas only	Side	To within 1.0 m (3.3 ft) of side lot line
Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, or similar architectural features	Any	0.6 m (1.9 ft)
Window bays	Any	1.0 m (3.3 ft)

6.9 EXISTING UNDERSIZED LOTS

6.9.1 Any lot legally in existence on or before June 12th, 2025, 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 Bylaw are satisfied; and
- **(b)** increased in area and/or frontage as a result of an approved plan of subdivision and still be considered an undersized lot under this Bylaw.

6.9.2 Any lot legally created after the effective date of this Bylaw through a provision of the Act or Subdivision Bylaw that specifically exempts subdivisions from compliance with municipal Land Use Bylaw minimum lot area or minimum lot frontage requirements shall be considered an existing undersized lot under this Land Use Bylaw.

6.10 FARM, FISH, AND FORESTRY STALLS

6.10.1 Nothing in this Bylaw 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 (107.6 square feet) on a lot;
- **(b)** associated structures shall meet zone requirements for minimum side and rear setbacks, but shall not be required to meet minimum front setbacks; and
- **(c)** no development permit shall be required.

6.11 FLAG LOTS

6.11.1 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.

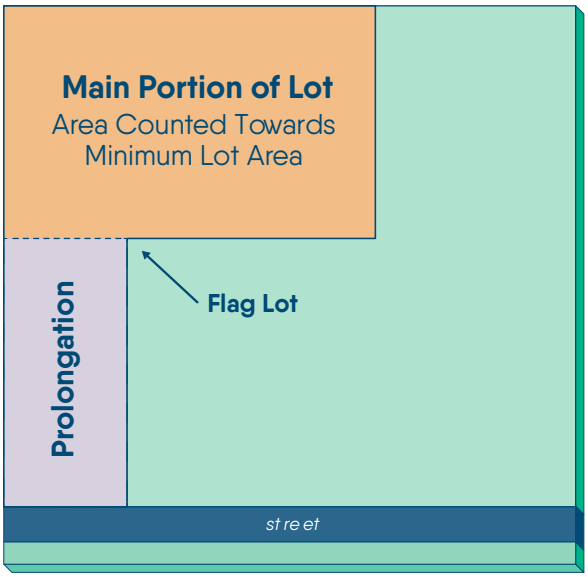


Figure 3. Flag Lot Minimum Lot Area

6.12 FRONTAGE ON A STREET

6.12.1 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 or private road or upon unlisted, unmaintained abandoned public roads.

6.12.2 Notwithstanding **Subsection 6.12.1** and anything else in this Bylaw, the Subdivision Bylaw does not permit the subdivision of lots fronting on a private road in Subdivision Area 1, or upon unlisted, unmaintained abandoned public roads, and no development permit shall be issued on existing lots fronting on a private road in Subdivision Area 1 or upon unlisted, unmaintained abandoned public roads, except for the following uses (subject to zone permitted uses):

- **(a)** Accessory Dwelling Unit
- **(b)** Dwellings - Up to 2 dwelling units on a lot
- **(c)** Parks and Open Space
- **(d)** Residential Facilities - Up to 6 bedrooms
- **(e)** Walkways and Trails

6.12.3 Notwithstanding **Subsection 6.12.1**, abattoirs, aggregate-related industries, agriculture-related industries, fishing-related uses, and forestry-related uses shall be permitted to front on a right-of-way. Any structures associated with the uses permitted under this Subsection and to be established on an approved lot created after the effective date of this Bylaw shall be temporary, portable, and incidental to such uses.

6.12.4 Notwithstanding **Subsection 6.12.1**, commercial solar panels, wind turbines, temporary wind test towers, telecommunications towers, and cemeteries shall be permitted to front on a right-of-way.

6.13 ILLUMINATION

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

6.14 ISLAND DEVELOPMENTS

6.14.1 Notwithstanding minimum lot frontage requirements, the Development Officer may grant a development permit for development on an island that does not contain a public street or private road, provided:

- **(a)** the lot has a minimum of 6.0 metres (19.7 feet) of water frontage on the body of water that creates the island; and
- **(b)** all other requirements of this Bylaw and the Subdivision Bylaw are satisfied.

6.15 LOT AREA INCLUDING FLOOD PLAINS

6.15.1 A development permit may be issued in a zone where part of the minimum lot area, frontage, or required lot line setbacks is met by land within a Flood Overlay, provided all other requirements of the two zones are met.

6.16 MULTIPLE MAIN BUILDINGS

6.16.1 Unless otherwise prohibited in this Bylaw, any number of main buildings may locate on the same lot, subject to applicable zone requirements.

6.17 MULTIPLE LAND USES ON PROPERTY

6.17.1 In any zone, where any land or building is used for more than one (1) main uses, all the provisions of this Bylaw 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.

6.18 NON-CONFORMING STRUCTURES

6.18.1 Except where otherwise provided for by this Section, non-conforming structures shall be subject to the provisions for non-conforming structures of the *Municipal Government Act*.

6.18.2 Notwithstanding lot area, lot frontage, and minimum setback requirements of this Bylaw, the use of a non-conforming structure may be changed to any other use permitted in that zone, provided all other requirements of this Bylaw are met.

6.18.3 Non-conforming structures may be replaced, reconstructed, enlarged, renovated, and/or repaired, provided:

(a) any such construction does not further infringe on the Bylaw requirements(s) that created the non-conformity; and

(b) all other requirements of this Bylaw are met.

6.19 NON-CONFORMING USES

6.19.1 Non-conforming uses shall be subject to the provisions for non-conforming uses of the *Municipal Government Act*.

6.20 SCREENING

6.20.1 Where, under this Bylaw, visual screening is required to be provided and maintained, the minimum height shall be 2.0 metres (6.6 feet). Where a vegetative screen is proposed, such shall be planted at a sufficient rate to create an opaque surface and a 2.0 metres (6.6 feet) high temporary wood fence shall be built to provide screening until vegetation is of sufficient height and density.

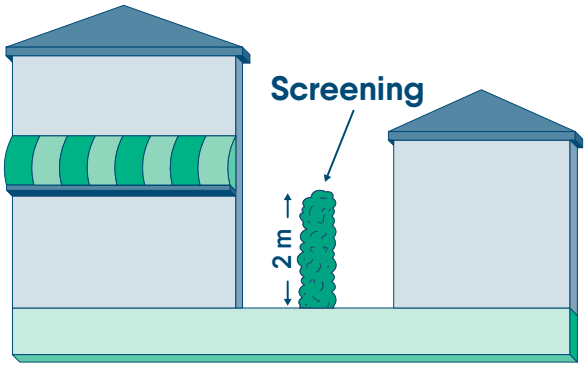


Figure 4. 2 m Screening

6.21 SIDE SETBACK REQUIREMENT - EXCEPTION

6.21.1 Notwithstanding anything else in the Bylaw, where buildings on adjacent lots share a common wall, the applicable minimum side setback requirements shall be waived.

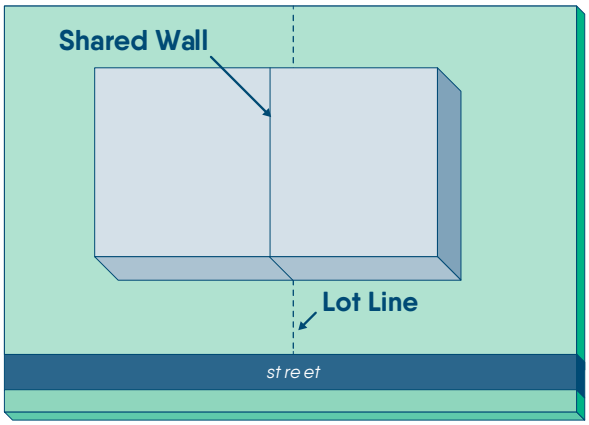


Figure 5. Minimum Side Setback Exception

6.22 SPECIAL OCCASION USES PERMITTED

6.22.1 Nothing in this Bylaw shall prevent the use of land, or the erection of temporary buildings or structures for special occasions and holidays provided that no such use, building or structure remains in place for more than ten (10) consecutive days following the termination of the special occasion or holiday.

6.22.2 Maximum number of special occasions is capped at four (4) per calendar year.

6.23 SUBDIVISION FOR EXISTING DWELLINGS SERVICED BY PUBLIC SEWER

6.23.1 Where a lot serviced by public sewer contains more than one dwelling legally existing prior to November 18, 1994, the lot may be subdivided to locate the dwellings on separate lots and the lot frontage and lot area requirements contained elsewhere in the Bylaw shall be waived for each lot containing a main dwelling provided:

- **(a)** each lot has a minimum street frontage of 4.0 metres (13.2 feet); and
- **(b)** no internal lot dimension is less than 4.0 metres (13.2 feet); and
- **(c)** each lot shall have a minimum area of 400.0 square metres (4,305.6 square feet).

6.23.2 A development permit may be issued for lots created under **Subsection 6.23.1** as if the lots were existing, undersized lots under **Section 6.9**.

6.24 SWIMMING POOLS

6.24.1 In-ground swimming pools having a depth exceeding 0.46 metres (1.5 feet) and above ground swimming pools having a depth exceeding 1.0 metres (3.2 feet) which are located in a Residential or Commercial Zone shall:

(a) be enclosed by a fence having a minimum height of 1.5 metres (5.0 feet) measured at grade;

(b) have self-latching gates;

(c) be set back from property lines the greater of the zone requirements for accessory buildings or 2.0 metres (6.6 feet); and

(d) not be located within the front or flanking yard.

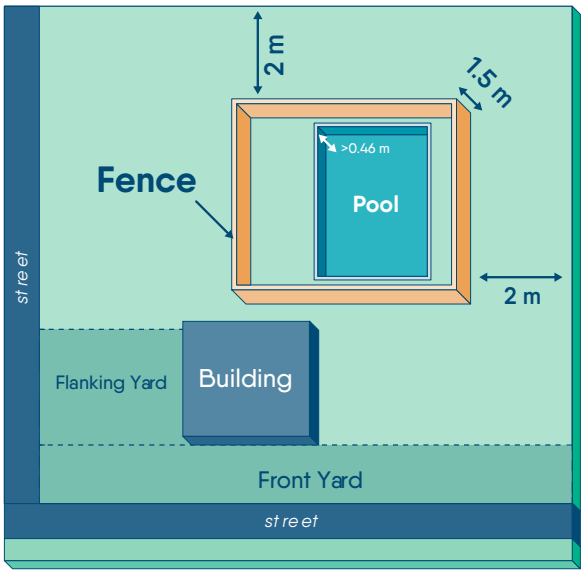


Figure 6. Swimming Pool Requirements

6.25 TEMPORARY USES PERMITTED

6.25.1 Nothing in this Bylaw shall prevent, and no development permit is required for, the temporary use of a building, structure or portable equipment incidental to a main construction project, such as but not limited to a construction camp, tool shed, or scaffold, and including a sales or rental office incidental to construction, provided that a development permit has been issued for the main construction project and the temporary use is discontinued and removed within sixty (60) days following the completion of the main construction project. This provision shall not apply to temporary wind test tower facilities.

6.26 INTER-JURISDICTION DEVELOPMENT AGREEMENTS

6.26.1 Pursuant to Policies 2 and 3 of the *Truro – Colchester Inter-municipal Planning Strategy on Inter-jurisdictional Properties,* and notwithstanding the provisions of this Bylaw, Council may consider, subject to a joint public hearing with the Town of Truro, a commercial / light industrial development on a property that is located in both the Town of Truro and the Municipality of Colchester as depicted on the Future Land Use Map associated with the above Strategy.

6.27 USE OF FORMER COMMUNITY FACILITIES

6.27.1 The reuse of former community facilities, existing on March 27, 2025, including, but not limited to, schools, community halls, places of worship, and other similar community facilities, and meeting the following requirements shall be permitted to convert to a dwelling use, subject to the applicable site plan approval criteria in **Part 34**:

- **(a)** the community facility is located in a zone that otherwise permits dwellings; and
- **(b)** the proposed number of dwelling units does not exceed three times the number of dwelling units that would be permitted in the applicable zone and on that specific lot.
- **(c)** conversion of the building to a maximum of 2 residential units with no increase in existing floor area, will not require Site Plan Approval.

6.27.2 The reuse of former community facilities, existing on March 27, 2025,, including, but not limited to, schools, community halls, places of worship, and other similar community facilities, shall be considered to assume a use not otherwise permitted by **Subsection 6.27.1** or in the applicable land use zone in which the community facility is located, by development agreement, subject to **Policy 5-70** of the Municipal Planning Strategy.

6.28 VISIBILITY AT INTERSECTIONS

6.28.1 On a corner lot in any zone, no structure, vegetation, or outdoor storage or display shall be erected, established, or permitted to grow to a height greater than 0.61 metres (2.0 feet) within the corner lot sight triangle.

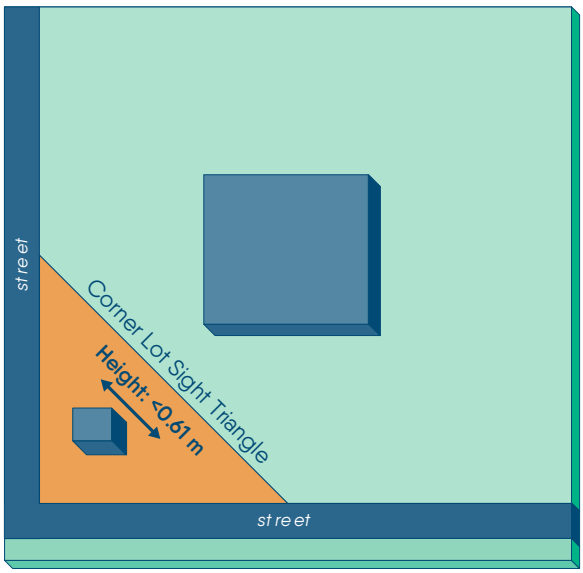


Figure 7. Corner Lot Sight Triangle

6.29 WELLS

6.29.1 No well shall be installed within 30.0 metres of active cropland or an intensive livestock operation. This requirement shall not apply to wells installed by the owner of the cropland or livestock operation.

6.29.2 Notwithstanding **Subsection 6.29.1**, the Development Officer may reduce or waive the separation distance for a well with the written consent of the owner of the active cropland or intensive livestock operation.

6.30 WATERCOURSE & SHORELINE BUFFERS

6.30.1 All development, with the exception of the following, shall be prohibited within 15.0 horizontal metres (49.2 feet) of the ordinary high watermark of any watercourse and 30.0 metres (98.4 feet) of the top of bank on the marine shoreline as determined by a qualified professional:

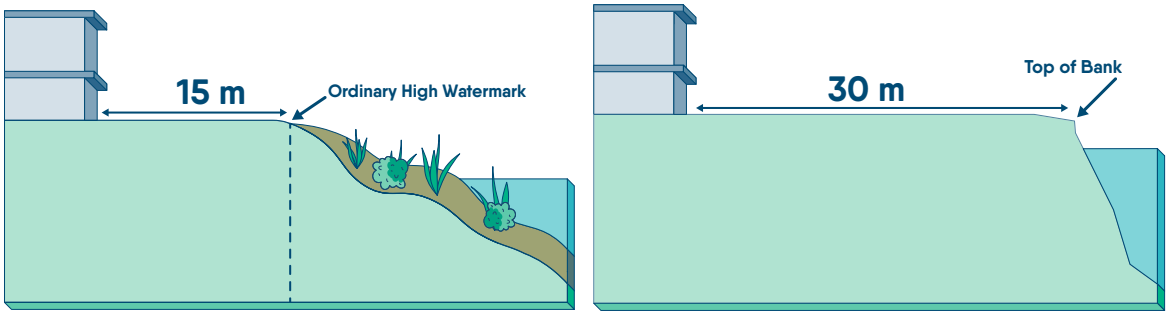


Figure 8. Development Buffer from Watercourses and Marine Shoreline

- **(a)** Shoreline stabilization works.
- **(b)** Boat houses, fishing gear sheds, docks, wharves, piers, and slipways.
- **(c)** Fishing uses.
- **(d)** Safety fences that do not exceed a height of 2.0 metres (6.5 feet).
- **(e)** Boardwalks, walkways, and trails with a maximum width of 3.0 metres (9.8 feet).
- **(f)** Parks & Open Space uses.
- **(g)** Pumphouses.
- **(h)** Scientific research structures.
- **(i)** Conservation uses.
- **(j)** Public streets and infrastructure.
- **(k)** Development within the Debert Industrial Park.

6.30.2 Notwithstanding **Subsection 6.30.1**, existing buildings located within a watercourse or shoreline buffer may be reconstructed, renovated, repaired, moved, or replaced provided that the work does not increase the building's footprint within the buffer or reduce the depth of the shoreline buffer and all other applicable requirements of this Bylaw are met.

6.30.3 Notwithstanding **Subsection 6.30.1**, where the size and configuration of a lot created prior to the effective date of this Bylaw is such that no main building could be located on the lot the Development Officer may reduce the zone standards for minimum setbacks to the extent necessary to accommodate a main building not exceeding a footprint of 100 square metres (1,076 square feet), provided:

(a) the watercourse or shoreline buffer has already been reduced to the maximum amount possible through the use of **Section 6.31**; and

(b) all other requirements of this Bylaw are met.

6.31 WATERCOURSE & SHORELINE BUFFER REDUCTION

6.31.1 Notwithstanding **Subsection 6.30.1** the Development Officer may issue a permit for a reduced watercourse or shoreline buffer subject to a detailed study, including a site plan, prepared by a qualified professional at the applicant's cost that clearly demonstrates:

(a) the proposed development is a minimum of 1.0 metres (3.3 feet) in elevation above the ordinary high water mark and meets the minimum coastal elevation if applicable, as set out in **Section 6.32**;

(b) the proposed development is set back a minimum of 15.0 metres (49.2 feet) from the top of bank for shoreline development, or 7.5 metres (24.6 feet) from the ordinary high water mark of inland watercourses, as applicable;

(c) the reduction of the buffer area does not increase the hazard posed by shoreline erosion; and

(d) the land being developed is not subject to seasonal flooding.

6.32 COASTAL ELEVATION

6.32.1 No building shall be constructed with the floor level of any habitable area located below the following elevations, relative to the Canadian Geodetic Vertical Datum of 2013 (CGVD2013), on lands identified as such on Schedule 'D', the Coastal Elevation Map:

(a) 2.6 metres (8.6 feet) on the Northumberland Coast

(b) 7.1 metres (23.3 feet) on the Minas Basin

6.33 SOURCE WATER AREA PROTECTION

6.33.1 Notwithstanding the uses permitted by the underlying zoning, the following uses shall be prohibited within source water areas as identified on the Zoning Map:

- **(a)** Aggregate-related industries
- **(b)** Cemeteries
- **(c)** Heavy equipment sales and service
- **(d)** Heavy industrial uses
- **(e)** Solid waste disposal
- **(f)** Warehousing and light industrial uses involving the bulk storage of chlorinated organic compounds, petroleum solvents, or petroleum fuels, excluding propane

6.34 ACCESSORY STRUCTURES - FENCES EXCEEDING 2M (6.6 FT.) IN HEIGHT

6.34.1 Fences exceeding 2.0 metres (6.6 ft.) in height may be located within a required side or rear yard provided the fence is set back at least 1.0 metre (3.3 ft.) from a side or rear lot line.

7 Use Specific/Conditional Use Requirements

7.1 ACCESSORY DWELLINGS

7.1.1 Where permitted, accessory dwellings shall be subject to the following requirements:

(a) only one accessory dwelling shall be permitted on a lot;

(b) the accessory dwelling shall not count towards the number of dwellings permitted on the lot;

(c) the gross floor area of the accessory dwelling shall not exceed 100.0 square metres (1,076 square feet) or 50% of the gross floor area of the primary dwelling, whichever is larger;

(d) if the accessory dwelling is combined with another accessory use, such as a detached garage, only floor area dedicated to the exclusive use of the accessory dwelling shall be counted for the purposes of **clause (c)**; and

(e) if the accessory dwelling is located in a separate building from the main dwelling:

i. the accessory dwelling shall be subject to the height requirements for accessory buildings in the applicable zone and all other zone requirements for main buildings;

ii. the accessory dwelling shall be separated from the main dwelling by a minimum of 3.0 metres (9.9 feet);

iii. the accessory dwelling shall be located in the rear or side yard, except for the Shoreline Zone, where they can be in the front yard;

iv. if located in the side yard in the Double Unit Conversion (R-2C) Zone, shall be consistent with the main dwelling in terms of roof lines and massing; and

v. notwithstanding **Subsection 6.2.2**, lot coverage for all buildings and structures shall not exceed 40%.

7.2 ACCESSORY SOLAR PANEL SYSTEMS

7.2.1 Accessory solar panel 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 (6.5 feet); and

(c) when mounted as free-standing structures shall:

i. not exceed the permitted height for accessory buildings in the applicable zone;

ii. not be located in any minimum front or flankage setback for accessory buildings; and

iii. not exceed a combined panel area of 100.0 square metres (1,076 square feet).

7.3 COMMERCIAL INSTRUCTION OF ONE STUDENT AT A TIME

7.3.1 Nothing in this Bylaw 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 commercial instruction of one (1) student at a time.

7.4 ELECTRIC VEHICLE CHARGING – ACCESSORY

7.4.1 Electric vehicle charging stations shall be permitted as an accessory use in all zones and a development permit shall not be required.

7.5 EXISTING LAND LEASE COMMUNITIES

7.5.1 Land lease communities that legally existed on the effective date of this Bylaw shall be considered permitted uses; however, they shall not be permitted to expand beyond the boundaries of the use as it existed on the effective date of this Bylaw except in compliance with the requirements of the applicable zone.

7.5.2 For greater clarity, new land lease communities and expansions to existing land lease communities shall be considered dwelling uses and shall be regulated based on the number of dwelling units on a lot.

7.5.3 Notwithstanding **Subsection 6.2.2** buildings accessory to the dwellings in existing land lease communities shall meet the following requirements:

- **(a)** No more than two (2) detached accessory buildings or structures shall be permitted accessory to each dwelling and each shall not have a floor area exceeding 20 square metres (215 square feet).
- **(b)** Attached garages or carports shall not have a gross floor area exceeding 40 square metres (430 square feet).
- **(c)** No accessory building or structure shall have a total height greater than 5.0 metres (16.4 feet).
- **(d)** Detached accessory buildings and structures shall not be located closer to any park street or public street or road than the dwelling.
- **(e)** Detached accessory buildings shall not be located within:
  - **i.** 1.0 metres (3.3 feet) of any other accessory building on the lease space; and,
  - **ii.** 2.5 metres (8.2 feet) of any dwelling; and,
  - **iii.** 1.0 metres (3.3 feet) of a property line.

7.5.4 For greater clarity, buildings accessory to the land lease development itself, such as maintenance sheds, shall be subject to the requirements for accessory buildings in the applicable land use zone.

7.6 FISHERY STORAGE

7.6.1 Notwithstanding the provisions of this Bylaw, the storage of equipment associated with the fishing industry use shall be permitted as an accessory use in the Rural General and Agriculture Potential Zones.

7.7 HOME OFFICES

7.7.1 Nothing in this Bylaw 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.

7.8 HOME OCCUPATION

7.8.1 Home occupations shall be permitted as an accessory use to dwellings, subject to the standards of **Table 7-1**.

Table 7-1: Home Occupation Standards

	R-1, R-2, R-2C, R-3, R-4 Zones	All Other Zones
(a) Permitted uses	**i.** business & professional offices **ii.** daycare centre – up to 6 dependents **iii.** education – up to 6 students **iv.** personal services **v.** animal care – grooming only	**vi.** animal care **vii.** building contractor **viii.** business & professional offices **ix.** business services **x.** craft food & beverage production **xi.** daycare centre – up to 12 dependents **xii.** education – up to 12 students **xiii.** medical clinics **xiv.** personal services **xv.** repair shops **xvi.** workshops
(b) Maximum number of on-site, non-resident employees	**i.** 2	**ii.** 3
(c) Maximum floor area	**i.** 25 percent of the gross floor area of the dwelling unit or 50 square metres (538 square feet), whichever is less.	**ii.** 200 square metres (2,152 square feet) if in an accessory building; or **iii.** if within the dwelling, not more than 40 percent of the gross floor area of the dwelling.

(d) Outdoor storage and display	**i.** None	**ii.** the total area of outdoor storage and outdoor display (combined) shall not exceed the maximum permitted floor area of the home occupation. **iii.** outdoor storage and outdoor display shall not be permitted in the front or flankage yard or in the minimum required side and rear setbacks. **iv.** visual screening meeting the requirements of **Section 6.20** shall be provided and maintained.
(e) Retail sales	Retail sales shall be limited to the sale of products made, assembled, refined, or repaired on the premises; and the sale of goods or materials associated with and secondary to the main business, such as the sale of shampoo by a hairdresser.	

7.9 INTENSIVE LIVESTOCK OPERATIONS

7.9.1 The development of new intensive livestock operations shall meet the following separation distances:

(a) 100 metres (328.1 feet) from existing off-farm dwellings;

(b) 200 metres (656.2 feet) from existing public buildings;

7.9.2 For greater clarity, the provisions of **Subsection 7.9.1** shall not apply to intensive livestock operations existing as of the effective date of this Bylaw, or to intensive livestock operations that are developed in compliance with **Subsection 7.9.1** and later experience encroachment of the uses in **Subsection 7.9.1** into the identified separations distances.

7.10 KENNELS

7.10.1 A kennel, where permitted, shall meet the following requirements:

(a) any proposed outdoor animal enclosure shall be located a minimum of 150 metres (493 feet) from off-site dwellings existing on the date of the of application for a development permit for the kennel; and

(b) any proposed building or outdoor animal enclosure shall be located a minimum of 15.0 metres (49.3 feet) from any property line.

7.10.2 The perimeter of an outdoor animal enclosure shall be screened with an opaque material such as a solid board fence to a minimum height of 2.0 metres (6.6 feet).

7.10.3 Notwithstanding **clause (a)**, an outdoor animal enclosure may be located a minimum of 100 metres (328.1 feet) from a dwelling unit existing on the effective date of this Bylaw provided a minimum 2.5 metre (8.2 feet) wide acoustical buffer is provided and maintained around the infringing side(s) of an outdoor animal enclosure at a distance of 3.0 metres (9.8 feet) and not more than 5.0 metres (16.4 feet) from the fence. Such an acoustical buffer shall comprise the following:

(a) coniferous trees having a minimum height of 2.0 metres (6.6 feet) and planted at a rate not exceeding 1.5 metres (4.9 feet) on center in a staggered arrangement for the entire depth and area; or

(b) an earthen berm having a minimum height of 2.0 metres (6.6 feet); or

(c) notwithstanding the required distances above, a synthetic acoustical treatment attached to the fence and designed for such purposes which is installed in accordance with the manufacturer's specifications.

7.10.4 Buildings devoted to the kennel facility shall be constructed in accordance with the Municipality's *Building Bylaw* and have a minimum insulating value of R-12 for walls and R-20 for ceilings.

7.11 PLACES OF WORSHIP & EDUCATION USES

7.11.1 Where this Bylaw permits places of worship or education uses with conditions the following requirements shall be met:

(a) No open storage or outdoor display shall be permitted in a required setback abutting a residential zone.

(b) Outdoor storage and accessory uses shall be screened, in accordance with **Section 6.20**.

(c) Screening shall be sited between the use to be screened and the lot line.

(d) In addition to the signage requirements of **Part 10**, the following provisions apply to signs located in a yard abutting a residential zone:

i. All signs located in the abutting yard shall be non-illuminated.

ii. All signs shall be set back at least 3.0 metres (9.8 feet) from the abutting property line.

iii. The maximum sign area shall be 1.5 square metres (16.1 square feet).

7.12 SCRAP/SALVAGE YARDS

7.12.1 Scrap yards, where permitted, shall meet the following requirements:

(a) The scrap yard use shall be enclosed entirely with an opaque fence or earthen berm a minimum of 2.0 metres (6.6 feet) in height.

(b) No open storage shall be permitted on the exterior of the fenced or bermed compound.

(c) No open storage shall be permitted within 61.0 metres (200 feet) of an existing well or watercourse.

7.13 UTILITIES

7.13.1 Unless otherwise stated, any public utility that is essential for the actual provision of a service, not including energy generation systems, wind turbines, and large-scale solar panel systems, shall be permitted in any zone and shall be exempt from zone standards. These utilities include, but are not limited to, a sewer collection system, a sewage treatment facility, a water supply and distribution facility, a transportation facility, telephone switching centres, electrical substations, and a natural gas transmission and distribution facility.

7.13.2 For greater clarity, uses not directly related to the provision of utility service shall not be included in the exemptions of this Section, and shall only be permitted in accordance with zone requirements. Such uses include, but are not limited to, administrative offices and maintenance depots.

7.13.3 Further to **Subsection 7.13.1**, antenna projects subject to federal approval shall comply with the Municipality's *Antenna Siting Procedure Policy*.

8 Wind Turbines and Temporary Wind Test Towers

8.1 APPLICABILITY

8.1.1 Notwithstanding zone standards and permitted uses, all large scale wind turbines and all small scale wind turbines shall be permitted subject to the requirements of this Part and the application requirements of **Section 4.4.2**.

8.1.2 This Part shall not apply to micro scale wind turbines.

8.2 OFFENCE AND PENALTY

8.2.1 It shall be an offence to:

- **(a)** contravene any provision of this Part;
- **(b)** contravene any condition in a Site Plan Approval issued or renewed pursuant to this Part;
- **(c)** fail to comply with any representations contained within an application upon which a Site Plan Approval was issued or renewed pursuant to this Part;
- **(d)** interfere with the efforts of the Development Officer in enforcing this Part; or
- **(e)** fail to carry out the obligations of the decommissioning plan.

8.2.2 Any individual or organization who commits an offence pursuant to **Subsection 8.2.1** of this Part shall be punishable on summary conviction as follows:

- **(a)** for a first offence, by a fine of not less than $1,000 and not more than $5,000 and to imprisonment of not more than two (2) months in default of payment thereof;
- **(b)** for a second offence, by a fine of not less than $2,000 and not more than $10,000 and to imprisonment of not more than two (2) months in default of payment thereof; and
- **(c)** for a third and subsequent offence, by a fine of not less than $5,000 and not more than $20,000 and to imprisonment of not more than two (2) months in default of payment thereof.

8.3 LOCATION CONDITIONS

8.3.1 A wind power project shall meet the following conditions:

(a) The minimum setback for a large scale wind turbine from external property lines and public roads is one (1) times the wind turbine height. This minimum setback shall not apply where the adjoining property is part of the wind power project, in which case there shall be provided to the Development Officer a letter of agreement from the adjoining property owner if different than the applicant.

(b) The minimum setback for the location of a small scale wind turbine from an external property line is two (2) times the wind turbine height. This minimum setback shall not apply where the adjoining property is part of the wind power project, in which case there shall be provided to the Development Officer written permission from the adjoining property owner, if different than the applicant, in a form approved by the Development Officer from time to time.

(c) The minimum separation distance for the location of a large scale wind turbine from an existing dwelling on a neighbouring property is the greater of the distance necessary to satisfy the noise standards of **clause (d)** or four (4) times the height of the wind turbine.

(d) Large scale wind turbines shall not have an ambient degradation noise standard greater than 40 dB(A) as measured at existing dwellings.

8.4 WIND TURBINE DESIGN

8.4.1 Wind turbines shall have a non-reflective matte finish in an unobtrusive colour.

8.4.2 Wind turbines shall meet the following signage requirements:

(a) The wind turbine shall not contain any commercial advertising.

(b) The nacelle of a wind turbine may display the name or logo of the manufacturer of the wind turbine or the name or the logo of the owner or operator of the wind turbine.

(c) Site signs shall be limited to those that identify the wind power project, those that locate access points, and those that provide safety and educational information.

8.4.3 Wind turbines shall not have artificial lighting, except for lighting that is required by Transport Canada or other Provincial or Federal regulatory authorities.

8.4.4 Wind turbine power projects shall be protected from unauthorized access by:

(a) security fences that prevent access to the base of each wind turbine and with a minimum height of 1.8 metres (5.9 feet) and a lockable gate;

(b) having any ladder or permanent tower access located no closer to the ground than 3.7 metres (12.2 feet); or

(c) for monopole designs with internal access only, a lockable door.

8.4.5 The minimum ground clearance for a rotor blade shall be 7.5 metres (24.6 feet).

8.4.6 Outdoor storage shall be considered an accessory use to a wind power project, and any such outdoor storage occurring after the completion of installation or construction of the wind power project shall be screened from the view from adjacent dwellings and public highways.

8.5 WIND TURBINE ENGAGEMENT PROGRAM PERFORMANCE STANDARDS

8.5.1 Prior to application for a development permit for a wind power project, the applicant shall conduct a public engagement program.

8.5.2 The public engagement program required by **Subsection 8.5.1** shall consist of a minimum of:

(a) a public meeting that:

i. is held in the community where the proposed wind power project is to be installed;

ii. includes a presentation and question-and-answer period by the applicant on the proposed wind power project; and

iii. includes the site plan that will be submitted to the Municipality; and

(b) written notice to the Municipal Clerk and Development Officer, and all land owners who own land within two (2) kilometres of the boundaries of the proposed wind power project, which notices shall:

i. be sent by way of regular mail to the registered address of the land owner(s);

ii. be post dated at least three (3) weeks prior to the date of the public meeting required by clause (a); and

iii. include the date, time, and location of the public meeting required by clause (a); and

(c) notice of the community meeting held pursuant to **clause (a)** to be advertised in the local daily newspaper at least two (2) times, the first notice to be published at least fourteen (14) days before the date of the meeting and the second notice being at least seven (7) days before the date of the meeting.

8.5.3 Council may establish a Community Monitoring Committee in accordance with Council Policy on Terms of Reference for a Citizen Monitoring Committee.

8.6 WIND TURBINE CONSTRUCTION PERFORMANCE STANDARDS

8.6.1 Once determined, the applicant shall submit to the Development Officer drawings which demonstrate that the foundations to support a wind turbine will satisfy both manufacturer's specifications for the wind turbine as well as industry standards for foundations for the wind turbine, to be prepared by an engineer who is licensed to practice in the Province of Nova Scotia.

8.6.2 Within two (2) months of the installation of a wind turbine or the completion of a phase in a multi-phased wind power project, the applicant shall submit a location certificate prepared by a surveyor who is licensed to practice in Nova Scotia or a drawing prepared by an engineer who is licensed to practice in Nova Scotia which confirms that the location of installed wind turbine(s), or preparation for the installation of wind turbine(s), is in compliance with the minimum setbacks and separation distances as required by this Part.

8.7 TEMPORARY WIND TEST TOWER FACILITIES

8.7.1 Notwithstanding zone standards for permitted uses, lot size, frontage, height, and setbacks, temporary wind test tower facilities shall be permitted and shall require a development permit.

8.7.2 Temporary wind test tower facilities shall be dismantled at the expiry of the development permit.

8.7.3 For the purposes of clarity, a failure to dismantle a temporary wind test tower facility by the time the development permit has expired shall be an offence under this Bylaw.

8.8 TEMPORARY WIND TEST TOWER FACILITIES PERFORMANCE STANDARDS

8.8.1 Prior to the installation of any temporary wind test tower facilities, the applicant shall provide written notice to all landowners who own land within two (2) kilometres of the location on which temporary wind test tower facilities are intended to be installed, by way of regular mail to the registered address of the land owner, no later than three (3) weeks prior to the commencement of construction. Such written notice shall identify:

(a) what temporary wind test tower facilities are to be installed;

(b) where the temporary wind test tower facilities will be located;

(c) when the temporary wind test tower facilities will be installed and when the temporary wind test tower facilities will be active;

(d) the purpose of the temporary wind test tower facilities, including but not limited to the purpose of completing testing in contemplation of a future wind power project and a general description of such future wind power project.

8.8.2 A copy of the written notice prescribed by **Subsection 8.8.1** shall also be submitted to the Municipal Clerk and Development Officer for circulation to Councillors no later than three (3) weeks prior to the commencement of construction.

8.9 DECOMMISSIONING

8.9.1 Prior to the issuance of a development permit for a wind power project, the applicant shall provide a decommissioning bond in an amount of not less than 125% of the estimated present-day cost to decommission the wind power project, less the estimated present day scrap value of the wind power project, as estimated by an engineer licensed to practice in Nova Scotia or by another qualified person deemed appropriate by the Development Officer.

8.9.2 At the end of the operational life of a wind power project or part thereof, occurring either at the choice of the owner and/or operator or at the discretion of the Development Officer or for any other reason contemplated in this Bylaw, and upon a finding by the Development Officer that the decommission plan has not been carried out in a way satisfactory to the Development Officer, the Development Officer may:

(a) give notice to the owner and/or operator advising them of any steps necessary to complete the decommission plan and directing the owner and/or operator to take such steps to complete decommissioning of the wind power project within a reasonable period of time and at the owner and/or operator's expense;

(b) if the owner and/or operator does not abide by the direction of the Development Officer within a reasonable period of time after notice is given pursuant to **clause (a)**, carry out any steps the Development Officer had deemed necessary to complete decommission of the wind power project on behalf of the owner and/or operator.

8.9.3 The Municipality shall be entitled to call upon the decommissioning bond provided pursuant to **Subsection 8.9.1** to cover the costs of decommissioning in accordance with the decommissioning plan.

8.9.4 In the event the decommissioning bond does not cover the cost of decommissioning the owner and/or operator shall be responsible for the remaining costs and shall be immediately payable upon demand by the Development Officer. Any costs not recovered shall form a lien against the property in accordance with s.507 of the *Municipal Government Act*, 1998 S.N.S. c. 18, as amended.

9 Parking

9.1 APPLICATION OF PARKING REQUIREMENTS

9.1.1 For every building or structure to be erected or enlarged, or for which an application for a development permit involving a change in use is made, off-street automobile parking located within the same lot as the use and having unobstructed access to a public street shall be provided and maintained in accordance with the following requirements:

(a) Automobile parking shall be provided and maintained in conformity with **Table 9-1,** below. If a use is not listed in the table below, no parking minimums shall apply.

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

(c) 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 up.

9.1.2 Notwithstanding **Subsection 9.1.1**, automobile parking shall not be required in the Main Street (MS) Zone.

Table 9-1: Required Automobile Parking Space

Use	Number of Parking Spaces
Accommodations	1.0 spaces per guest room
All other Commercial Uses	1.0 space per 18.5 m^2 (199 $ft^{2)}$ GFA
Animal Care	3.0 spaces
Boarding House	0.5 spaces per sleeping unit
Dwellings – 1 or 2 dwelling units on a lot	1.0 spaces per dwelling unit
Dwellings – 3+ dwelling units on a lot	1.25 spaces per dwelling unit
Education – Commercial	1.0 spaces per 50 m^2 (538 ft^2) GFA
Mobile Home	1.0 spaces
Banks & Financial, Business & Professional, Business Services	1.0 spaces per 50 m^2 (538 ft^2) GFA
Commercial Recreation – Indoor	1.0 spaces per 50 m^2 (538 ft^2) GFA
Craft Food & Beverage Production	5.0 spaces
Drinking Establishments	1.0 spaces per 20 m^2 (215 ft^2) GFA

Day Care - as a Home Occupation	1.0 spaces
Day Care - as a Main Use	1.0 spaces per 100 m² (1,076 ft²) GFA
Funeral Homes	1.0 spaces per 15 m² (161.4 ft²) GFA excluding area dedicated to crematoria
Industrial Uses	1.0 spaces per 93 m² (1,001 ft²) GFA or 1.0 space per employee on the largest shift, whichever is more appropriate to the operational needs of the proposed development. For clarity, the Development Officer may waive this requirement or permit a reduction in spaces.
Institutional	
Hospitals and Homes for Special Care	1.0 parking space for every 3 beds
Churches, Halls, and Other Places of Assembly Where There are Fixed Seats	1.0 parking space for every 5 seats or 3 m of bench space. Where there are no fixed seats, 1 space for each 10 m^2 of gross floor area
Auditorium, Arena, Stadium, or Other Indoor Recreation Facility Where There are Fixed seats	1.0 space for every 5 seats or 3 m of bench space; where there are no fixed seats: 1.0 space for every 19 m^2
Day care	1.0 space for every 45m^2 of gross floor area.
Elementary School	1.5 for each teaching classroom.
All other schools	4.0 parking spaces for each teaching classroom
Personal Service Shops	1.0 spaces per 50 m² (538 ft²) GFA
Private Clubs & Organizations	1.0 spaces per 30 m² (322.9 ft²) GFA
Repair Shops	3.0 spaces
Restaurants – Drive-thru, Eat-in	1.0 spaces per 20 m² (215 ft²) GFA
Restaurants – Take-out	4.0 spaces
Retail Stores	1.0 spaces per 30 m² (322.9 ft²) GFA
Self-storage	1.0 spaces per 20 storage units, with a minimum of 4.0 spaces
Wholesale Sales	5.0 spaces

“GFA” = Gross Floor Area

9.2 MINIMUM DIMENSIONS FOR PARKING SPACES

9.2.1 Required automobile parking spaces shall be:

(a) a minimum of 2.75 metres (9.0 feet) wide by 6.0 metres (19.7 feet) long for 90-degree spaces;

(b) a minimum of 3.6 metres (11.8 feet) wide by 5.7 metres (18.7 feet) long for angled spaces; and

(c) except for dwellings with fewer than three (3) dwelling units, capable of being accessed without travelling through another parking space.

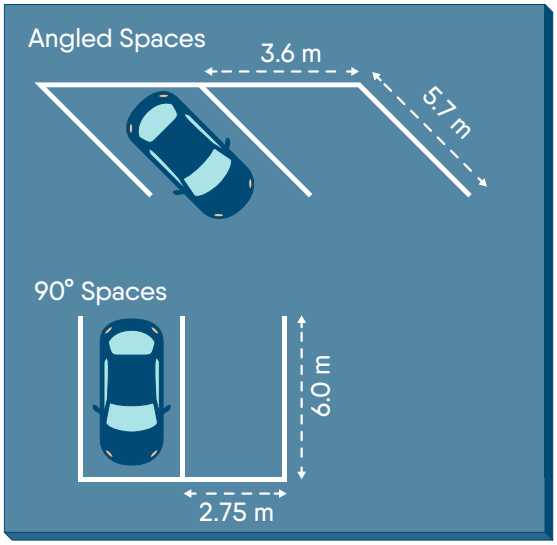


Figure 9. Automobile Parking Space Dimensions

9.3 AUTOMOBILE PARKING AREA REQUIREMENTS

9.3.1 Where parking facilities for more than (4) automobiles are required or provided pursuant to the parking requirements set out in **Section 9.1**, the facilities shall meet the following requirements:

(a) The parking area shall be maintained with a stable surface that is treated to prevent the raising of dust and / or loose particles.

(b) When the parking area is of a permanent hard surface, each parking space shall be clearly marked and maintained as such.

(c) Approaches or driveways to any parking area shall be defined by a curb of concrete or rolled asphalt.

(d) Drive aisles may be located in a required front, side, or flanking setback.

(e) Drive aisles shall be a minimum of 3.7 metres (12.2 feet) wide for one-way traffic and 6.0 metres (19.7 feet) wide for two-way traffic.

(f) The parking area, where permitted in a required front yard, shall be set back a minimum of 2.0 metres (6.6 feet) from the front lot line and such areas shall be appropriately landscaped. Corner lots will require this landscaped buffer along both frontages.

(g) The location of approaches or driveways shall not be closer than 15.0 metres from the limits of the right-of-way at a street intersection.

(h) There shall not be more than three (3) driveways or ramps from any lot to any one street.

(i) The width of any driveway or ramp leading to a parking area shall not be less than 3.5 metres (11.5 feet) and not more than 9.0 metres (29.5 feet) measured at the street line.

(j) Where there is more than one driveway or ramp from any lot to any one street then such driveways or ramps shall be separated by at least the maximum width of the driveway or ramp permitted under this Section.

(k) Lights used for illumination of the parking area shall include a full cut-off top shield to direct lighting below the horizontal and shall be so arranged as to divert the light away from streets, adjacent lots, and buildings.

(l) No gasoline pumps or other service station equipment shall be located or maintained on the parking lot.

(m) All parking areas shall be graded to prevent surface runoff from direct access to a neighbouring property.

9.4 PARKING IN RESIDENTIAL ZONES

9.4.1 In addition to the requirements of **Section 9.3** above the following parking requirements shall apply to the **R-1, R-2, R-2C, R-3, and R-4 Zones**:

(a) A central parking area for more than two dwelling units on a lot shall not be located in the front yard or within any minimum setback. For greater clarity, drive aisles are exempt.

(b) Parking areas for boarding houses shall be provided in the side or rear yard of the lot. For greater clarity, drive aisles are exempt.

(c) Except for home occupations, where a non-residential use is permitted in a residential zone only 20% of the parking spaces shall be permitted in the front yard and all parking spaces shall be a minimum of 5.0 metres (16.4 feet) from all property lines.

(d) Parking areas with six (6) or more parking spaces shall be screened from adjacent residential uses with screening meeting the requirements of **Section 6.20**.

(e) In addition to **clause (d)**, above, parking areas with ten (10) or more spaces shall be planted with at least one tree per four spaces, between the parking area and a residential lot line. Trees shall be no smaller than 5 cm (0.6 in) caliper in trunk diameter at 1.5 metres (4.9 feet) from grade.

9.4.2 In any residential zone, no person shall park or store more than one commercial vehicle, registered as a Class 3 or greater by the Nova Scotia Registry of Motor Vehicles, on a lot.

9.4.3 In any residential zone, the parking on a lot of the trailer portion of a tractor trailer shall not be permitted.

9.4.4 In any residential zone, no commercial motor vehicles with running refrigeration systems shall be permitted to be parked or stored on a lot overnight.

9.5 PARKING IN THE INSTITUTIONAL ZONE

9.5.1 In addition to the requirements of **Section 9.3**, above, the following parking requirements shall apply to the **Institutional Zone**:

(a) Parking shall not be located in the front yard or any required setback. Drive aisles may be located in required front and side setbacks.

(b) Notwithstanding **clause (a)**, up to 20% of the required parking may be provided in the front yard.

(c) Parking areas with ten (10) or more spaces shall be planted with at least one tree per four spaces, between the parking area and a residential lot line. Trees shall be no smaller than 5 cm (0.6 in) caliper in trunk diameter at 1.5 metres (4.9 feet) from grade.

9.6 PARKING IN COMMERCIAL ZONES

9.6.1 In addition to the requirements of **Section 9.3**, above, the following parking requirements shall apply to the **C-1, C-2, MS, and C-4 Zones**:

(a) Communal parking areas that interconnect two or more lots shall be permitted provided:

i. an agreement outlining the parking arrangements has been ratified by the affected property owners; and

ii. each lot meets the commercial stop sight distance requirements of the Municipality or the Nova Scotia Department of Transportation & Public Works.

(b) Parking and loading spaces may be provided within the required side or rear setback, except where the commercial use abuts a residential zone.

(c) Parking areas and service station driveways may be located in the front yard of a lot provided that such is separated from the front lot line by a minimum of 2.0 metres (6.6 feet) of landscaping. Corner lots will require this landscaped buffer along both frontages.

9.7 PARKING IN THE PARKS AND OPEN SPACE ZONE

9.7.1 In addition to the requirements of **Section 9.3**, above, the following parking requirements shall apply to the **Parks and Open Space Zone**:

(a) Parking areas may be located in any required yard but shall be located a minimum of 5.0 metres (16.4 feet) from any property line.

(b) Parking lots containing six (6) or more spaces shall be screened from adjacent residential uses in accordance with **Section 6.20** of this Bylaw.

9.8 PARKING FOR INDUSTRIAL USES

9.8.1 In addition to the requirements of **Section 9.3**, above, the following parking requirements shall apply to the **Industrial and Rural Industrial Zones**, and to industrial uses in other zones:

(a) Notwithstanding **clauses (g), (h), and (i)** the width of any driveway or ramp leading to a parking area shall not be less than 3.5 metres (11.5 feet) measured at the street line for a one-way driveway or ramp and not more than 14.0 metres (45.9 feet) measured as aforesaid for a two way driveway or ramp.

(b) The total width of all driveways or ramps shall not exceed 30 percent of the total width of the front lot line measured at the lot line through which the driveways or ramps lead.

9.9 BICYCLE PARKING

9.9.1 Within the following zones, the minimum number of automobile parking spaces required for a use, as outlined in **Section 9.1**, may be reduced by one (1) for every four (4) bicycle parking spaces provided that meets the standards of **Section 9.10**:

(a) Residential Medium Density (R-3) Zone

(b) Residential High Density (R-4) Zone

(c) General Commercial (C-1) Zone

9.9.2 The maximum reduction of automobile parking spaces provided by **Subsection 9.9.1** shall be limited to 6 spaces or 10% of the required automobile parking spaces, whichever is greater.

9.10 DRIVEWAY ENTRANCE SIZES

9.10.1 In all zones except for 9.8, the following requirements shall apply: 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.

9.11 BICYCLE PARKING STANDARDS

9.11.1 Each bicycle parking space provided for the purposes of **Section 9.9** shall:

- **(a)** be located between the main building and the front lot line unless, in the opinion of the Development Officer, this location is impossible due to the main building being located on or near the front lot line;
- **(b)** be accessible to the public;
- **(c)** have a minimum width of 0.6 metres (2.0 feet) and a minimum length of 2.0 metres (6.6 feet);
- **(d)** be free of obstruction to a height of 2.0 metres (6.6 feet);
- **(e)** be surfaced with asphalt, concrete, or interlocking paving stones;
- **(f)** not obstruct vehicular or pedestrian circulation;
- **(g)** be accessed be an access lane with a minimum unobstructed width of 1.2 metres (3.9 feet); and
- **(h)** include an "inverted U" or "post-and-ring" bicycle rack that:
  - **i.** is located on one side of the bicycle parking space and oriented parallel to the length of the parking space;
  - **ii.** is permanently mounted into or onto the surface with the midline of the rack at the midline of the length of the bicycle parking space; and
  - **iii.** is made of metal.

9.11.2 For greater clarity, one bicycle rack may be used to fulfill the rack requirements for two adjacent bicycle parking spaces by placing it on the shared border of the two spaces.

9.12 LOADING SPACE REQUIREMENTS

9.12.1 In commercial, industrial, and institutional zones, one off-street loading space shall be provided for every 1,000 square metres (10,764 square feet) of net floor area or fraction thereof.

9.12.2 Each loading space provided for the purposes of **Subsection 9.11.1** shall be a minimum of 3.0 metres (9.8 feet) by 12.0 metres (39.4 feet) with a minimum height clearance of 4.5 metres (14.8 feet).

9.12.3 Notwithstanding **Subsection 9.11.1**, above, the provision of a loading space shall be optional where the net floor area is less than 100 square metres (1,076 square feet).

9.12.4 Where commercial or industrial uses abut residential zones, parking and loading space shall not be located within the abutting required setback.

10 Signage

10.1 DEVELOPMENT PERMIT REQUIRED

10.1.1 Except for signs listed in **Section 10.3,** no person shall erect any sign without first obtaining a Development Permit.

10.2 GENERAL SIGNAGE PROVISIONS

10.2.1 Where this section is inconsistent with the regulations respecting advertising signs on or near public highways made or administered by the Province of Nova Scotia Department of Public Works, the more restrictive regulations shall apply.

10.2.2 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.

10.2.3 Any signs 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 exceeding 60 days. In the case of seasonal businesses, the use shall be considered discontinued on December 31st of a calendar year if the use was not operated in that calendar year.

10.2.4 In addition to the provisions of **Section 4.4.2** of this Bylaw, 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.

10.3 SIGNS FOR WHICH NO DEVELOPMENT PERMIT IS REQUIRED

10.3.1 Notwithstanding **Section 10.1** but subject to **Section 10.4,** the following signs are permitted in all zones, without requiring a development permit:

(a) Signs identifying the name and address of a resident, and of not more than 0.2 square metres (2.1 square feet) in sign area.

(b) "No trespassing" signs or other such signs regulating the use of a property, and of not more than 0.5 square metres (5.3 square feet) in sign area.

(c) Real estate signs not exceeding 0.5 square metres (5.3 square feet) in sign area in a residential zone and 1.5 square metres (16.1 square feet) in other zones, which advertise the sale, rental or lease of the premises.

(d) Signs regulating or denoting on-premises traffic, or parking or other signs denoting the direction or function of various parts of a building or premises provided that such signs are less than 1.2 square metres (12.9 square feet) in area in industrial zones and 0.5 square metres (5.3 square feet) in area in other zones.

(e) Signs erected by a government body, or under the direction or authority of such a body, and bearing no commercial advertising, such as traffic signs, railroad crossing signs, safety signs, signs identifying public schools, public election lists, directional signs, destination points, or local attractions.

(f) Memorial signs or tablets and signs denoting the historical significance and date of erection of a structure.

(g) The flag, pennant, or insignia of any government, or of any charitable, religious, or fraternal organization.

(h) A sign having an area of not more than 6.0 square metres (64.5 square feet) incidental to construction and located on the same site as the building under construction. Such signs shall not remain in place for more than sixty (60) days following completion of construction.

(i) A sign or monument that denotes the name of a subdivision or development provided the sign or monument is located on the parent parcel of land being developed and provided such signage does not exceed 3.0 square metres (32.3 square feet) in sign area or exceed a height of 3.0 metres (9.8 feet) from the established grade to the highest part of the sign.

(j) Signs painted on a window.

(k) Election signs.

(l) Alteration of the changeable portion of a changeable copy sign that has a valid development permit, so long as the sign or sign structure is not modified in any way.

(m) Signs meeting the requirements of any uniform directional signage program instituted by the Municipality.

(n) Replacement of individual tenant placards on an off-site business directional or multi-tenant sign that has a valid development permit, so long as the sign structure is not modified in any way.

10.4 SIGNS PROHIBITED IN ALL ZONES

10.4.1 Notwithstanding any other provision of this Bylaw, the following signs shall not be permitted in any zone:

(a) Signs which constitute a hazard to public safety or health.

(b) Signs which by reason of size, location, content, colouring, motion, or intensity or manner of illumination, obstruct or detract from the vision of drivers or obstruct the effectiveness of any traffic sign or traffic control device on public streets.

(c) Signs which obstruct the use of a fire escape door, windows, or other required exit.

(d) Signs which make use of such words as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or any other similar words, phrases, or symbols so as to interfere with or confuse drivers on a public street.

(e) Signs not related to any business or use located on the lot or premises, except signs permitted by **Section 10.15**.

(f) Signs, including election signs, located on a public lot or a public right-of-way unless erected by a governmental body, or unless specially permitted by Council.

(g) Signs on utility poles.

(h) Signs painted upon, attached to, or supported by a tree, stone, cliff, or other natural object.

(i) Portable signs.

10.5 TEMPORARY SIGNS

10.5.1 Notwithstanding **clause 10.4.1(i)**, a temporary sign permit may be issued subject to the following terms and conditions:

(a) That such permits shall be issued for a period of 30 days, then may not be renewed again for a period of ninety (90) clear days for each lot application.

(b) That such signs meet the requirements of **Subsections 10.12, 10.13, and 10.14**, as applicable, but may occupy a parking space where no alternative exists.

(c) That such signs have no flashing lights.

(d) That only one such sign be permitted for each property at any given time.

(e) That such signs are not permitted in any residential zone.

10.6 SIGNS IN RESIDENTIAL ZONES

10.6.1 No sign in a residential zone shall be erected or used for commercial advertising except where:

(a) the sign is permitted by **Section 10.3** above; or

(b) the sign is on the same lot as a home occupation business which it advertises, and:

i. the sign does not exceed 1.0 square metres (10.7 square feet) in area and ground signs do not exceed 1.0 metres (3.2 feet) in height; and

ii. the sign is set back a minimum of 5.0 metres (16.4 feet) from any property line.

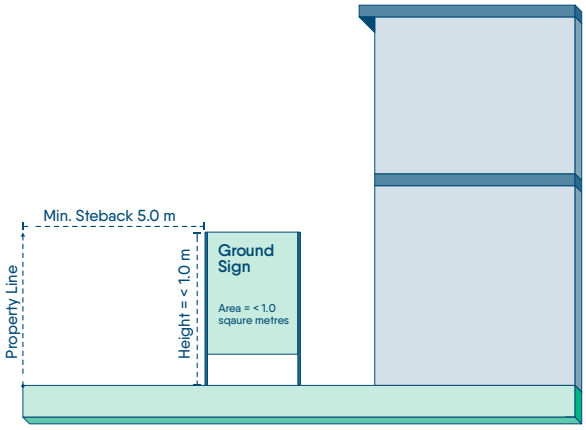


Figure 10. Ground Sign in Residential Zones Requirements

10.6.2 Notwithstanding **Subsection 10.6.1** above, a non-illuminated sign may be erected to advertise a recreational facility in a residential zone but shall not exceed an area of 3.0 square metres (32.3 square feet) or a height of 3.0 metres (9.8 feet).

10.7 COMMERCIAL ADVERTISING SIGNS IN GROWTH CENTRES

10.7.1 Except for as provide for by **Section 10.15**, within Growth Centres, as identified on Schedule 'C', no sign shall be erected or used for commercial advertising except where the sign is located on the same lot as the establishment which it advertises; or on the same lot as the dealer for the product which it advertises.

10.8 NUMBER OF SIGNS

10.8.1 For the purpose of determining number of signs, 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.

10.8.2 Not more than one (1) ground sign may be erected on any lot.

10.8.3 Not more than one (1) roof sign may be erected on any lot.

10.8.4 Subject to the size requirements of this Part, where a building is designed to be occupied by one or more businesses, each business space shall be considered as a separate premise and permitted to erect;

(a) not more than one (1) projecting wall sign for each business premise;

(b) any number of fixed wall signs for each business premise.

10.9 FIXED WALL SIGNS

10.9.1 No fixed wall sign shall:

(a) Cover more than 10% of the wall on which the sign is affixed with proportional allocation for each business premises in case of multiple occupancy buildings;

(b) extend above the top of the wall upon which it is placed; or

(c) extend beyond the extremities of the wall upon which it is attached.

10.10 PROJECTING WALL SIGNS

10.10.1 No projecting wall sign shall:

(a) exceed 2.0 square metres (21.5 square feet) in sign area on each side;

(b) project over a public a public street or highway beyond the curb line or highway shoulder;

(c) project above the eaves, parapet, or roof line of a building;

(d) be erected below a height of 3.0 metres (9.8 feet) above grade; or

(e) be permitted to swing freely on its supports without the installation of a suitable catch, chain or other control device.

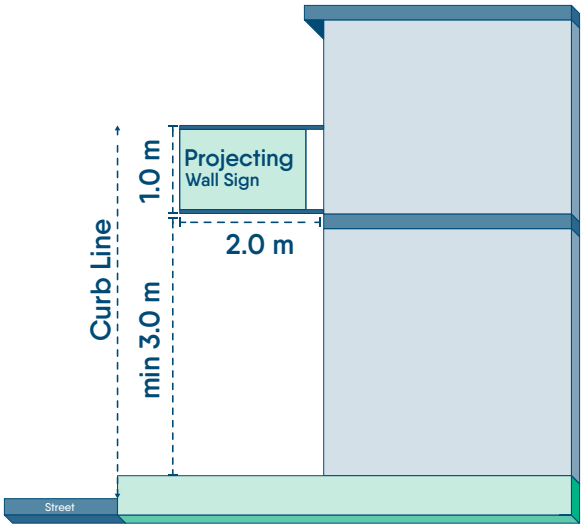


Figure 11. Projecting Wall Sign Requirements

10.10.2 Notwithstanding **clause 10.10.1(d)**, projecting wall signs of less than 0.3 square metres (3.2 square feet) in sign area on each side may be erected no less than 2.5 metres (8.2 feet) above grade.

10.10.3 Notwithstanding **clause 10.10.1(d)** and **Subsection 10.10.2**, the minimum height requirements shall not apply to projecting wall signs which project entirely over private property and present no hazard to public safety.

10.11 ROOF SIGNS

10.11.1 Roof signs shall be permitted provided:

(a) the sign does not exceed a height of 1.0 metres (3.3 feet);

(b) the sign does not extend beyond the roof line of a structure where the roof is pitched;

(c) the maximum area of the sign does not exceed 10% of the facing wall of the building in which it is oriented;

(d) for the purposes of this Section, the area of a roof sign shall be deducted from the area permitted for a facial wall sign on the surface in which the roof sign is oriented.

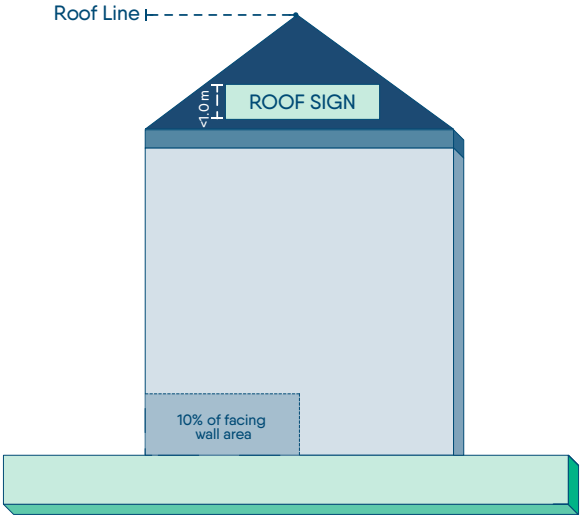


Figure 12. Roof Sign Requirements

10.12 GROUND SIGNS – GENERAL

10.12.1 Ground signs shall meet the following requirements:

(a) no ground sign shall exceed a height of 9.0 metres (29.5 feet) from grade to the highest part of the sign or an area of 9.0 square metres (96.9 square feet) on each side;

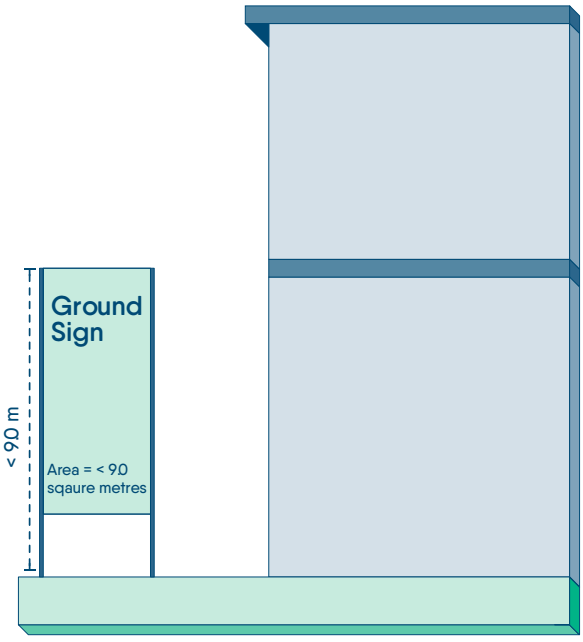


Figure 13. Ground Sign Requirements

(b) the required setback from property lines shall be calculated using the following formula:

$$\textit{Min. setback} = \frac{((\textit{sign area in } m^2) - 3.0\ m^2)}{1.33\ m}$$

(c) the maximum height of a ground sign from grade to the highest part of the sign shall be calculated using the following formula:

$$\textit{Max. height} = (0.67 * (\textit{minimum setback in } m)) + 6\ m$$

10.13 GROUND SIGNS – C-2 AND C-1 ZONES FRONTING ON ROBIE ST., DUNLOP AVE, OR MEADOW DR.

10.13.1 Notwithstanding **Section 10.12** any lot that has frontage and access to Robie Street, Dunlop Ave, or Meadow Drive and is zoned Highway Commercial (C-2) or General Commercial (C-1) may erect a ground sign subject to the following conditions:

(a) no ground sign shall exceed a height of 13.0 metres (42.7 feet) from grade to the highest part of the sign or an area of 13.0 square metres (139.9 square feet) on each side;

(b) the required setback from property lines shall be calculated using the following formula:

$$\textit{Min. setback} = \frac{((\textit{sign area in } m^2) - 9.0\ m^2)}{0.89\ m}$$

(c) the maximum height of a sign from grade to the highest part of the sign shall be calculated using the following formula:

$$\textit{Max. height} = (0.89 * (\textit{minimum setback in } m)) + 9\ m$$

10.14 GROUND SIGN – HIGHWAY COMMERCIAL (C-2) ZONE

10.14.1 Notwithstanding **Sections 10.12 and 10.13**, any lot that is zoned Highway Commercial (C-2) may erect a ground sign subject to the following conditions:

- **(a)** the sign may only advertise an automobile service station, an accommodations use, or a restaurant;
- **(b)** the sign face may be enlarged at a rate of 1.2 square metres (12.9 square feet) per every 0.3 metres (1.0 feet) of height provided the sign is higher than 13.0 metres (42.7 feet) but not more than 21.3 metres (69.9 feet) in height measured at the established grade;
- **(c)** the sign is located more than 10.0 metres (32.8 feet) from any property line;
- **(d)** the sign face may only be lit from a directional fixture located not more than 2.0 metres (6.6 feet) above the base of the structure; and
- **(e)** the sign is located a minimum of 100 metres (328.1 feet) of any lot zoned "Residential", "Institutional", or "General Commercial".

10.15 OFF-SITE BUSINESS IDENTIFIER / DIRECTIONAL SIGNS

10.15.1 Off-Site business identifier / directional signs shall be permitted in any commercial or industrial zone provided that:

- **(a)** the height of the structure is a minimum of 3.0 metres (9.8 feet) and a maximum of 5.0 metres (16.4 feet) above the grade of the shoulder of the public road;
- **(b)** the sign face does not exceed an area of 3.0 square metres (32.3 square feet);
- **(c)** no markings shall be permitted on the back of the sign;
- **(d)** signs shall not be backlit and may only be illuminated by a directional fixture attached to the sign structure in a manner that light does not spill beyond the sign face. The intensity of such lights shall not exceed 1 foot candle measured at the surface to be illuminated;
- **(e)** all such signs shall be located within a radius of 2.0 kilometres from the establishments to which the sign applies; and
- **(f)** the content of the sign shall be limited to:
  - **i.** the name of the development or subdivision;
  - **ii.** a directory of businesses located in the development with letters a maximum height of 10.16 centimetres;
  - **iii.** a business logo having a maximum size of 10.16 centimetres by 10.16 centimetres;
  - **iv.** directional arrows and/or distances.

10.15.2 Off-site business identifier / directional signs may only be established on a public right-of-way provided that:

(a) the Municipal Engineer, Traffic Authority, and/or the Department of Transportation and Public Works has approved the location, orientation, and content of the sign;

(b) the sign shall be located a minimum of 15.0 metres (49.2 feet) from the closest limits of an intersection right-of-way;

(c) the sign shall be located a minimum of 3.0 metres (9.8 feet) from the edge of a curb or gravel shoulder; and

(d) the sign shall not be erected in a manner that interferes with public safety, obstruct views, or creates nuisances to adjoining property owners.

PERFORMANCE STANDARDS

10.15.3 All off-site business identifier / directional signs shall be subject to the issuance of a Development Permit. In addition to the requirements above, the owner of the sign shall:

(a) perform regular maintenance and upkeep to the signage structure in a manner that it was originally constructed;

(b) not allow any attachments, modifications, or alterations to the sign structure, whether intended to be temporary or permanent, unless a development permit has been issued for such changes;

(c) maintain a landscaped area of not less than 5.0 metres (16.4 feet) from the outer extremities of the sign.

10.16 ILLUMINATION

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

10.17 SIGNAGE IN THE DEBERT BUSINESS PARK

10.17.1 In addition to all applicable requirements of this Part, signage in the Debert Business Park shall meet the following requirements:

(a) Signs shall complement the building's architecture and site layout.

(b) Signs shall be clear and visible from vehicular approaches.

(c) Signs shall be integrated with the building in a manner that minimizes visual clutter.

(d) Temporary or portable signs are not permitted.

11 Summary of Permitted Use Table

11.1 SUMMARY OF PERMITTED MAIN USES

11.1.1 A summary of the main uses permitted in the zone are indicated in **Tables 11-1** and **11-2** subject to the following scheme:

P	indicates that uses are permitted in the zone, subject to all applicable requirements of this Bylaw;
PC	indicates that uses are permitted in the zone, subject to all applicable requirements of this Bylaw, and to use specific requirements found either in **Part 7** of this Bylaw or in the specific Part for that zone;
S	indicates that uses are permitted in the Zone by Site Plan Approval, subject to the site plan approval criteria of **Part 4 and Part 34;**
DA	indicates that uses are permitted in the zone by Development Agreement, subject to MPS Policy indicated in the specific chapter for that zone;
E	indicates that instances of that use that existed on the effective date of this Bylaw are considered conforming uses and are permitted to expand, subject to all applicable requirements of this Bylaw and
-	indicates that uses are not permitted in that zone.

11.1.2 Where the provisions of **Tables 11-1** and **11-2** conflict with the list of uses outlined in a zone, the zone list shall prevail.

11.1.3 Please note, the Mi'kmaw Land (ML) Zone permits all uses so is not included in the summary of permitted use tables. Similarly, the Comprehensive Development District (CDD) Zone is a unique zone where development is undertaken via development agreement and therefore is not included in the summary of permitted use tables.

Table 11-1: Summary of Permitted Uses, Residential

Use	R1	R2	R2C	R3	R4	C1	C2	MS	C4	I	M	AIR	P1	P2	RG	RR	AP	RM	SL
Accessory Dwelling Unit	PC	PC	PC	PC	PC	-	-	-	PC	-	-	-	-	-	PC	PC	PC	-	PC
Boarding House: 3-4 Sleeping Units	-	S	-	P	P	PC	-	-	S	-	-	-	-	-	P	-	P	-	-
Boarding House: 5-8 Sleeping Units	-	-	-	S	P	PC	-	-	-	-	-	-	-	-	-	-	P	-	-
Boarding House: 9-16 Sleeping Units	-	-	-	-	P	PC	-	-	-	-	-	-	-	-	-	-	P	-	-
Boarding House: 17+ Sleeping Units	-	-	-	-	DA	PC	-	-	-	-	-	-	-	-	-	-	P	-	-
Cluster Development	DA	S DA	S DA	S DA	S DA	-	-	-	-	-	-	-	-	DA	S DA	S DA	S DA	-	S DA
Dwellings: 1 unit on a lot	P	P	P	P	P	PC	PC	PC	P	DA	-	-	-	DA	P	P	P	PC	P
Dwellings: 2 units on a lot	-	PC	PC	P	P	PC	E	PC	P	DA	-	-	-	DA	P	P	P	-	P
Dwellings: 3 units on a lot	-	S	-	P	P	PC	E	PC	S	DA	-	-	-	DA	P	-	E	-	E
Dwellings: 4 units on a lot	-	-	-	P	P	PC	E	PC	S	DA	-	-	-	DA	P	-	E	-	E
Dwellings: 5-8 units on a lot	-	-	-	S	P	PC	E	PC	-	DA	-	-	-	DA	PC	-	E	-	E
Dwellings: 9-16 units on a lot	-	-	-	DA	P	PC	E	PC	-	DA	-	-	-	DA	PC	-	E	-	E
Dwellings: 17+ units on a lot	-	-	-	DA	DA	DA	E	PC	-	DA	-	-	-	DA	PC	-	E	-	E
Mobile Home	-	PC	-	E	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P
Residential Facilities	P	P	P	P	P	PC	E	PC	P	P	-	-	-	DA	P	P	P	-	P
Residential Outbuilding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-

Table 11-2: Summary of Permitted Uses, Non-Residential

Use	R1	R2	R2C	R3	R4	C1	C2	MS	C4	I	M	AIR	P1	P2	RG	RR	AP	RM	SL
Abattoirs	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	P	-
Accommodations	-	-	-	-	-	P	P	P	-	-	-	-	-	P	P S	-	P S	-	P S
Aggregate-related Industries	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	-	PC	-
Agricultural Uses	E	E	E	E	E	E	E	E	E	E	E	E	E	E	P	E	P	P	-
Agriculture-related Industries	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	P	P	-
Agritourism	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	-
Animal Care	-	-	-	-	-	P	P	P	-	-	P	-	-	P	P	-	P	P	-
Animal Shelters	-	-	-	-	-	P	P	-	-	-	P	-	-	P	P	-	P	P	-
Automobile Sale, Repair, & Service Stations	-	-	-	-	-	P	P	-	-	-	P	-	-	-	P	-	-	P	-
Banks & Financial	-	-	-	-	-	P	P	P	-	-	-	-	-	-	P	-	P	-	-
Building Contractors	-	-	-	-	-	-	P	-	-	-	P	-	-	-	P	-	P	P	-
Business & Professional Offices	-	-	-	-	-	P	P	P	-	-	-	-	-	-	P	-	P	P	-
Business Services	-	-	-	-	-	P	P	P	-	-	P	-	-	-	P	-	P	P	-
Campgrounds	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	-	-	-	-
Cemeteries	-	-	-	-	-	-	-	-	-	P	-	-	P	-	P	-	-	-	-
Civic & Cultural Uses	-	-	-	-	-	P	P	P	-	P	-	P	-	P	P	-	P	-	-
Comercial Recreation: Indoor	-	-	-	-	-	P	P	P	-	-	-	-	-	P	P	-	-	-	-
Comercial Recreation: Outdoor	-	-	-	-	-	P	P	-	-	-	-	-	P	P	P	-	-	-	-
Community Hall	-	-	-	P	P	P	P	P	P	P	-	P	P	P	P	P	P	-	P
Conservation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Convenience Stores	-	-	-	-	-	P	P	P	P	-	-	-	-	P	P	-	P	-	-
Craft Food & Beverage Production	-	-	-	-	-	P	P	P	-	-	P	-	-	P	P	-	P	P	-
Daycare Centres	-	-	-	-	P	P	P	P	P	P	-	-	-	P	P	-	P	-	-
Display Courts	-	-	-	-	-	P	P	-	-	-	P	-	-	-	P	-	-	P	-
Drinking Establishments	-	-	-	-	-	P	P	P	-	-	-	-	-	P	P	-	P	-	-

Use	R1	R2	R2C	R3	R4	C1	C2	MS	C4	I	M	AIR	P1	P2	RG	RR	AP	RM	SL
Education: Commercial	-	-	-	-	-	P	P	P	-	P	P	P	-	-	P	-	P	P	-
Education: Post-secondary	-	-	-	-	-	P	P	-	-	P	P	-	-	-	P	-	P	P	-
Education: Academic	PC	PC	PC	PC	PC	P	P	-	PC	P	-	-	-	-	P	PC	P	-	-
Emergency Services	-	-	-	-	-	P	P	-	-	P	P	-	-	-	P	-	P	P	-
Energy Generation Systems	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA
Farmers' Markets	-	-	-	-	-	P	P	P	P	P	-	-	P	P	P	-	P	-	-
Fertilizer Blending Plan	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	-
Fishing-related Uses	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	P	P	-
Forestry-related Uses	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	P	P	-
Funeral Homes	-	-	-	-	-	P	P	P	-	P	P	-	-	-	P	-	P	P	-
Garden & Nursery Sales	-	-	-	-	-	P	P	-	-	-	-	-	-	-	P	-	P	P	-
Government Uses	-	-	-	-	-	P	P	P	-	P	P	P	-	-	P	-	P	P	-
Guest Homes	-	P	P	P	P	-	-	-	P	-	-	-	-	-	P	P	P	-	P
Heavy Equipment Sales & Service	-	-	-	-	-	P	P	-	-	-	P	-	-	-	P	-	P	P	-
Heavy Industrial Uses	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	-
Hospitals	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-
Livestock Operations: Intensive	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PC	-	PC	PC	-
Livestock Operations: Moderate	-	P	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-
Kennels	-	-	-	-	-	-	PC	-	-	-	PC	-	-	-	PC	-	PC	PC	-
Light Industrial Uses	-	-	-	-	-	-	P	-	-	-	P	P	-	-	P	-	-	P	-
Marinas and Boat Clubs	-	-	-	-	-	P	P	-	-	-	-	-	P	P	P	-	P	-	P
Medical Clinics	-	-	-	-	-	P	P	P	-	P	-	-	-	-	P	-	P	-	-
Parking Lots	-	-	-	-	-	P	P	P	-	-	P	P	-	P	P	-	-	P	-
Parks and Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Personal Service Shops	-	-	-	-	-	P	P	P	P	-	-	-	-	P	P	-	P	-	-
Place of Worship	-	PC	PC	PC	PC	P	P	P	PC	P	-	-	-	-	P	PC	P	-	-
Private Clubs & Organizations	-	-	-	-	-	P	P	P	-	P	-	P	-	P	P	-	P	-	P
Public Recreation	-	-	-	P	P	P	P	P	P	P	-	-	P	P	P	P	P	-	-

Use	R1	R2	R2C	R3	R4	C1	C2	MS	C4	I	M	AIR	P1	P2	RG	RR	AP	RM	SL
Racetracks	-	-	-	-	-	-	DA	-	-	-	-	-	-	DA	DA	-	DA	-	-
Recycling Depots	-	-	-	-	-	P	P	-	-	-	P	-	-	-	P	-	P	P	-
Repair Shops	-	-	-	-	-	P	P	-	-	-	P	-	-	-	P	-	P	P	-
Restaurant: Drive-thru	-	-	-	-	-	S	S	-	-	-	-	-	-	-	S	-	-	-	-
Restaurant: Take-out < 25 m² GFA	-	-	-	-	-	S	S	P	P	-	-	P	P	P	S	-	P	-	-
Restaurant: Take-out > 25 m² GFA	-	-	-	-	-	P	P	P	-	-	-	P	-	P	P	-	P	-	-
Restaurant: Eat In	-	-	-	-	-	P	P	P	-	-	-	P	-	P	P	-	P	-	-
Retail Lumber & Building Supplies	-	-	-	-	-	P	P	-	-	-	P	-	-	-	P	-	P	P	-
Retail Stores	-	-	-	-	-	P	P	P	-	-	PC	-	-	P	P	-	P	-	-
Scrap Yards	-	-	-	-	-	-	-	-	-	-	PC	-	-	-	-	-	-	PC	-
Self-storage	-	-	-	-	-	P	P	-	-	-	P	-	-	-	P	-	P	P	-
Service Industries	-	-	-	-	-	-	P	-	-	-	-	-	-	-	P	-	-	P	-
Shooting Ranges: Indoor	-	-	-	-	-	P	P	-	-	-	P	-	-	P	P	-	P	P	-
Shooting Ranges: Outdoor	-	-	-	-	-	-	DA	-	-	-	-	-	-	DA	DA	-	DA	DA	-
Solar Panels - Commercial	-	-	-	-	-	P	P	-	-	P	P	PC	-	P	P	-	P	P	-
Solid Waste Disposal	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	-
Taxi & Bus Stations	-	-	-	-	-	P	P	P	-	-	P	P	-	-	P	-	P	P	-
Walkways and Trails	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Warehousing	-	-	-	-	-	P	P	P	-	-	P	-	-	-	P	-	P	P	-
Water Access	P	P	P	P	P	P	P	P	-	-	P	P	P	P	P	P	P	P	P
Wholesale Sales	-	-	-	-	-	P	P	P	-	-	P	-	-	-	P	-	P	P	-
Workshops	-	-	-	-	-	P	P	P	-	-	P	-	-	-	P	-	P	P	P

12 Single Dwelling Unit (R-1) Zone

12.1 PERMITTED MAIN USES

12.1.1 The following main uses shall be permitted in the Single Dwelling Unit (R-1) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Conservation

(c) Dwellings – 1 Dwelling Unit on a lot

(d) Land Lease Community - Existing

(e) Parks and Open Space

(f) Walkways and Trails

(g) Water Access

(h) Residential Facilities - Up to 6 bedrooms

12.2 PERMITTED USES WITH CONDITIONS

12.2.1 The following main uses shall be permitted in the Residential Single Unit (R-1) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling Unit – Section 7.1

(b) Education – Academic – Section 7.10

12.3 PERMITTED USES BY SITE PLAN APPROVAL

12.3.1 The following main uses shall be permitted in the Residential Single Unit (R-1) Zone by Site Plan Approval subject to the requirements of this Bylaw:

None

12.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

12.4.1 The following uses shall be considered in the Residential Single Unit (R-1) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Cluster Development – **MPS Policy 5-17**

(b) Energy Generation Systems – **MPS Policy 5-78**

12.5 SINGLE DWELLING UNIT (R-1) ZONE DEVELOPMENT STANDARDS

12.5.1 In the Single Dwelling Unit (R-1) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 12-1: R-1 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	450 m^2 (4,844 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	20.0 m (65.6 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	6.0 m (19.7 ft)
Minimum Rear Setback	
i. Main Buildings on Corner Lots	4.0 m (13.1 ft)
ii. Main Buildings on Other Lots	8.0 m (26.2 ft)
iii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	2.0 m (6.6 ft)
ii. Accessory Buildings	1.4 m (4.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	10.6 m (34.8 ft)
ii. Accessory Buildings	7.6 m (24.9 ft)

13 Double Dwelling Unit (R-2) Zone

13.1 PERMITTED MAIN USES

13.1.1 The following main uses shall be permitted in the Double Dwelling Unit (R-2) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Conservation

(c) Dwellings – 1 dwelling unit on a lot

(d) Guest Homes

(e) Livestock Operation – Moderate

(f) Parks and Open Space

(g) Residential Facility - Up to 6 bedrooms

(h) Walkways and Trails

(i) Water Access

13.2 PERMITTED USES WITH CONDITIONS

13.2.1 The following main uses shall be permitted in the Double Dwelling Unit (R-2) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling Unit – **Section 7.1**

(b) Dwellings – 2 dwelling units on a lot – **Subsection 13.6.4**

(c) Education – Academic – **Section 7.11**

(d) Livestock Operation – Moderate – **Subsection 13.6.2**

(e) Mobile Homes – **Subsection 13.6.3**

(f) Places of Worship – **Section 7.11**

13.3 PERMITTED USES BY SITE PLAN APPROVAL

13.3.1 The following main uses shall be permitted in the Double Unit (R-2) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Boarding House – Up to 4 sleeping units

(b) Cluster Development – Up to 16 dwelling units

(c) Dwellings – 3 dwelling units on a lot

13.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

13.4.1 The following main uses shall be considered in the Double Unit (R-2) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Cluster Development – More than 16 dwelling units – **Policy 5-17**

(b) Energy Generation Systems – **Policy 5-78**

13.5 DOUBLE DWELLING UNIT ZONE (R-2) DEVELOPMENT STANDARDS

13.5.1 In the Double Dwelling Unit (R-2) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 13-1: R-2 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	450 m^2 (4,844 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	15.0 m (49.2 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	6.0 m (19.7 ft)
Minimum Rear Setback	
i. Main Buildings on Corner Lots	4.0 m (13.1 ft)
ii. Main Buildings on Other Lots	6.0 m (19.7 ft)
iii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	2.0 m (6.6 ft)
ii. Accessory Buildings	1.4 m (4.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	10.6 m (34.8 ft)
ii. Accessory Buildings	7.6 m (24.9 ft)

13.6 SPECIAL ZONE REQUIREMENTS

EXCEPTIONS TO LOT SIZE REQUIREMENTS FOR SERVICED LOTS:

13.6.1 Notwithstanding the requirements of **Section 13.5**, a serviced lot containing a semi-detached structure may be subdivided into two lots along the common fire wall with a minimum lot frontage of 7.5 metres, and minimum lot area of 225 square metres.

MODERATE LIVESTOCK OPERATIONS

13.6.2 Buildings accessory to a moderate livestock operation in the Double Dwelling Unit Zone (R-2) shall:

- **(a)** not provide housing for male chickens;
- **(b)** have a minimum side setback of 6.0 metres; and
- **(c)** shall otherwise be required to meet the zone standards for main buildings.

MOBILE HOMES

13.6.3 Mobile homes shall only be permitted in the Double Dwelling Unit (R-2) Zone on lots fronting on Guest Drive in Bible Hill.

TWO-UNIT DWELLINGS

13.6.4 The dwelling units on a lot with two dwelling units shall be confined to one main building.

14 Double Unit Conversion (R-2C) Zone

14.1 PERMITTED MAIN USES

14.1.1 The following main uses shall be permitted in the Double Unit Conversion (R-2C) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Conservation

(c) Dwellings – 1 dwelling unit on a lot

(d) Guest Homes

(e) Parks and Open Space

(f) Residential Facility - Up to 6 bedrooms

(g) Walkways and Trails

(h) Water Access

14.2 PERMITTED USES WITH CONDITIONS

14.2.1 The following main uses shall be permitted in the Double Unit Conversion (R-2C) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling Unit – **Section 7.1**

(b) Dwellings – 2 dwelling units on a lot – **Subsections 14.5.2 and 14.5.3**

(c) Education – Academic – **Section 7.11**

(d) Places of Worship – **Section 7.11**

14.3 PERMITTED USES BY SITE PLAN APPROVAL

14.3.1 The following main uses shall be permitted in the Double Unit Conversion (R-2C) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Cluster Development – Up to 16 dwelling units

14.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

14.4.1 The following uses shall be considered in the Double Unit Conversion (R-2C) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Cluster Development – More than 16 dwelling units – **Policy 5-17**

(b) Energy Generation Systems – **Policy 5-78**

14.5 DOUBLE UNIT CONVERSION (R-2C) ZONE DEVELOPMENT STANDARDS

14.5.1 In the Double Unit Conversion (R-2C) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 14-1: R-2C Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	450 m^2 (4,844 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	15.0 m (49.2 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	6.0 m (19.7 ft)
Minimum Rear Setback	
i. Main Buildings on Corner Lots	4.0 m (13.1 ft)
ii. Main Buildings on Other Lots	6.0 m (19.7 ft)
iii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	2.0 m (6.6 ft)
ii. Accessory Buildings	1.4 m (4.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	10.6 m (34.8 ft)
ii. Accessory Buildings	7.6 m (24.9 ft)

TWO-UNIT DWELLINGS

14.5.2 The development of two dwelling units on one lot shall only be permitted as a conversion of an existing one-unit dwelling.

14.5.3 Conversion of an existing one-unit dwelling shall not alter the following aspects of the building facades facing the front and flanking (where applicable) lot lines:

- **(a)** building massing;
- **(b)** roof line; and
- **(c)** size and number of windows and doors.

15 Residential Medium Density (R-3) Zone

15.1 PERMITTED MAIN USES

15.1.1 The following main uses shall be permitted in the Residential Medium Density (R-3) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Boarding Houses – 3 to 4 sleeping units

(c) Community Hall

(d) Conservation

(e) Dwellings – Up to 4 dwelling units on a lot

(f) Existing Mobile Homes identified on **Appendix 'C' - Existing Mobile Homes**

(g) Guest Homes

(h) Parks and Open Space

(i) Public Recreation

(j) Residential Facility - Up to 6 bedrooms

(k) Walkways and Trails

(l) Water Access

15.2 PERMITTED USES WITH CONDITIONS

15.2.1 The following main uses shall be permitted in the Residential Medium Density (R-3) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling Unit – **Section 7.1**

(b) Commercial Uses – **Subsection 15.7.5**

(c) Education – Academic – **Section 7.11**

(d) Places of Worship – **Section 7.11**

15.3 PERMITTED USES BY SITE PLAN APPROVAL

15.3.1 The following main uses shall be permitted in the Residential Medium Density (R-3) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Boarding Houses – 5 to 8 sleeping units

(b) Cluster Development – Up to 16 dwelling units

(c) Dwellings – 5 to 8 dwelling units on a lot

15.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

15.4.1 The following uses shall be considered in the Residential Medium Density (R-3) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- **(a)** Cluster Development –More than 16 dwelling units – **Policy 5-17**
- **(b)** Dwellings – More than 8 dwelling units on a lot – **Policy 4-49**
- **(c)** Energy Generation Systems – **Policy 5-78**

15.5 RESIDENTIAL MEDIUM DENSITY (R-3) ZONE DEVELOPMENT STANDARDS

15.5.1 In the Residential Medium Density (R-3) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 15-1: R-3 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	400 m^2 (4,306 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	12.0 m (39.4 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	6.0 m (19.7 ft)
Minimum Rear Setback	
i. Main Buildings on Corner Lots	4.0 m (13.1 ft)
ii. Main Buildings on Other Lots	6.0 m (19.7 ft)
iii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	2.0 m (6.6 ft)
ii. Accessory Buildings	1.4 m (4.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	12.2 m (40.0 ft)
ii. Accessory Buildings	7.6 m (24.9 ft)

15.6 SPECIAL ZONE REQUIREMENTS

EXCEPTIONS TO LOT SIZE REQUIREMENTS

15.6.1 Notwithstanding the requirements of **Subsection 15.5.1,** a serviced lot containing a semi-detached dwelling may be subdivided into two lots along the common firewall with a minimum lot frontage of 6.0 metres, and minimum lot area of 200 square metres.

15.6.2 Notwithstanding the lot area, frontage, and setback requirements of **Subsection 15.5.1** above, a serviced lot containing a row dwelling may be subdivided along common walls provided the following minimum requirements can be met:

Table 15-2: R-3 Special Zone Requirements

Standards	End Lots	Internal Lots
Minimum Area	225 m^2 (2,422 ft^2)	160 m^2 (1,723 ft^2)
Minimum Frontage	8.0 m (26.2 ft)	6.0 m (19.7 ft)
Minimum Side Setback	3.0 m (9.8ft) one side 0.0 m other side	0.0 m

15.7 ZONE REQUIREMENTS WITHIN THE GROWTH CENTRE OF TATAMAGOUCHE

15.7.1 The provisions of this Section shall apply only to lands zoned Residential Medium Density (R-3) within the Growth Centre of Tatamagouche, as identified on Schedule 'C'.

LOTS FRONTING ON BOTH MAIN AND CHURCH STREETS

15.7.2 Residential lots with frontage on both Main and Church Streets shall conform with the 'established building line' for both streets.

15.7.3 The minimum setback for a garage from Church Street shall be 3.0 metres (9.9 feet).

15.7.4 Driveway access for a lot with frontage on both Main and Church Street shall not be permitted from Main Street.

CONTIGUOUS EXPANSION OF COMMERCIAL AREAS

15.7.5 As provided for in Municipal Planning Strategy **Policy 4-52**, uses permitted within the Main Street (MS) Zone and General Commercial (C-1) Zone shall be permitted within the Residential Medium Density (R-3) Zone, provided:

- **(a)** the lot is designated Commercial on the Future Land Use Map of the Municipal Planning Strategy;
- **(b)** the lot abuts an existing lot zoned Main Street or General Commercial; and
- **(c)** issuance of a development permit shall be subject to the provisions of the Main Street Zone or General Commercial Zone that abuts the lot.

TATAMAGOUCHE VILLAGE HERITAGE AREA ARCHITECTURAL REQUIREMENTS

15.7.6 The following criteria shall apply to new construction and renovation within the Village Heritage Area, as identified on Schedule 'E'.

- **(a)** 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.
- **(b)** Notwithstanding **Section 15.5**, the front setback for infill construction shall conform with the 'established building line'.
- **(c)** The length (along the street) to height ratio of the building shall not exceed 2:1.
- **(d)** Roof lines should reflect traditional proportions and shall have a pitch of not less than 6:12 (rise to run).
- **(e)** Cladding materials on the front and flanking façades shall consist of:
  - **i.** brick;
  - **ii.** stone;
  - **iii.** wood shake shingles;
  - **iv.** horizontal wood clapboard with vertical wood corner boards;
  - **v.** ornamental wood detailing;
  - **vi.** wood board and batten; or
  - **vii.** a combination thereof.

(f) Directional Emphasis: The public façade should emphasize vertical elements and balance.

- **i.** windows visible from a public street should have a height to width ratio greater than 13/4: 1;
- **ii.** wider openings can be achieved by utilizing windows that give the appearance of multiple sashes that reflect the vertical orientation.

(g) Visual Balance:

- **i.** façade designs should reflect balance common in traditional homes;
- **ii.** visual balance may be achieved using symmetry (where design elements are equally balanced about a central point, such as windows equally spaced on either side of a central door).

16 Residential High Density (R-4) Zone

16.1 PERMITTED MAIN USES

16.1.1 The following main uses shall be permitted in the Residential High Density (R-4) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Boarding Houses – 3 to 16 sleeping units

(c) Community Hall

(d) Conservation

(e) Daycare Centres

(f) Dwellings – Up to 16 dwelling units on a lot

(g) Guest Homes

(h) Parks and Open Space

(i) Public Recreation

(j) Residential Facilities

(k) Walkways and Trails

(l) Water Access

16.2 PERMITTED USES WITH CONDITIONS

16.2.1 The following main uses shall be permitted in the Residential High Density (R-4) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling Unit – **Section 7.1**

(b) Education – Academic – **Section 7.11**

(c) Places of Worship – **Section 7.11**

16.3 PERMITTED USES BY SITE PLAN APPROVAL

16.3.1 The following main uses shall be permitted in the Residential High Density (R-4) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Cluster Development – Up to 16 dwelling units

16.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

16.4.1 The following uses shall be considered in the Residential High Density (R-4) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Boarding Houses – More than 16 sleeping units – **Policy 4-49**

(b) Cluster Development – More than 16 dwelling units – **Policy 5-17**

(c) Dwellings – More than 16 dwelling units on a lot – **Policy 4-49**

(d) Energy Generation Systems – **Policy 5-78**

16.5 RESIDENTIAL HIGH DENSITY (R-4) ZONE DEVELOPMENT STANDARDS

16.5.1 In the Residential High Density (R-4) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 16-1: R-4 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	400 m^2 (4,306 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	12.0 m (39.4 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	6.0 m (19.7 ft)
Minimum Rear Setback	
i. Main Buildings	8.0 m (26.2 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	3.0 m (9.8 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Flanking Setback	
i. Main Buildings	6.0 m (19.7 ft)
ii. Accessory Buildings	6.0 m (19.7 ft)
Maximum Building Height	
i. Main Buildings	NA
ii. Accessory Buildings	7.6 m (24.9 ft)

16.6 SPECIAL ZONE REQUIREMENTS

ABUTTING YARDS

16.6.1 Notwithstanding **Section 16.5** above, the minimum side setback and rear setback for a building located on a lot zoned R-4 abutting an R-1, R-2, or R-2C Zone shall be:

(a) 5.0 metres (16.4 feet) and 8.0 metres (26.2 feet) respectively for buildings less than or equal to 8.0 metres (26.2 feet) in height;

(b) 6.0 metres (19.7 feet) and 12.0 metres (39.4 feet) respectively for buildings exceeding 8.0 metres (26.2 feet) in height.

16.6.2 Where a lot zoned R-4 abuts an R-1, R-2, or R-2C Zone, open storage areas, exposed machinery, and outdoor areas used for the storage and collection of waste shall be screened from view of the abutting zone by screening meeting the requirements of **Section 6.20**.

REDUCED LOT REQUIREMENTS

16.6.3 Notwithstanding the requirements of **Subsection 16.5.1**, a serviced lot containing a semi-detached dwelling may be subdivided into two lots along the common fire wall with a minimum lot frontage of 6.0 metres (19.7 feet), and minimum lot area of 200 square metres (2,153 square feet).

16.6.4 Notwithstanding the lot area, frontage, and setback requirements of **Subsections 16.5.1 and 16.6.1** above, a serviced lot containing a row dwelling may be subdivided along common fire walls provided the following minimum requirements can be met:

Table 16-2: R-4 Special Zone Requirements

Standard	End Lots	Internal Lots
Minimum Area	225 m^2 (2,422 ft^2)	160 m^2 (1723 ft^2)
Minimum Frontage	8.0 m (26.2 ft)	6.0 m (19.7 ft)
Minimum Side Setback	3.0 m (9.8 ft) one side 0.0 m other side	0.0 m

17 General Commercial (C-1) Zone

17.1 PERMITTED MAIN USES

17.1.1 The following main uses shall be permitted in the General Commercial (C-1) Zone subject to the requirements of this Bylaw:

(a) Accommodations
(b) Agricultural Uses – Existing
(c) Animal Care
(d) Animal Shelters
(e) Automobile Sales, Repair, & Service Stations
(f) Banks & Financial
(g) Business & Professional Offices
(h) Business Services
(i) Civic & Cultural Uses
(j) Commercial Recreation
(k) Community Hall
(l) Conservation
(m) Convenience Stores
(n) Craft Food and Beverage Production
(o) Daycare Centres
(p) Display Courts
(q) Drinking Establishments
(r) Education
(s) Emergency Services
(t) Farmers' Markets
(u) Funeral Homes
(v) Garden & Nursery Sales
(w) Government Uses
(x) Heavy Equipment Sales & Service
(y) Marinas and Boat Clubs
(z) Medical Clinics
(aa) Parking Lots
(ab) Parks & Open Space
(ac) Personal Service Shops
(ad) Place of Worship
(ae) Private Clubs & Organizations
(af) Public Recreation
(ag) Recycling Depots
(ah) Repair Shops
(ai) Restaurants
(aj) Retail Lumber & Building Supplies
(ak) Retail Stores
(al) Self-storage
(am) Shooting Ranges – Indoor
(an) Solar Panel – Commercial
(ao) Taxi & Bus Stations
(ap) Walkways and Trails
(aq) Warehousing
(ar) Water Access
(as) Wholesale Sales
(at) Workshops

17.2 PERMITTED USES WITH CONDITIONS

17.2.1 The following main uses shall be permitted in the General Commercial (C-1) Zone subject to the requirements of this Bylaw and any conditions noted:

- **(a)** Boarding Houses – **Subsections 17.6.2 through 17.6.4**
- **(b)** Dwellings – **Subsections 17.6.2 through 17.6.4**
- **(c)** Residential Facilities - Up to 6 bedrooms **– Subsections 17.6.2 through 17.6.4**

17.3 PERMITTED USES BY SITE PLAN APPROVAL

17.3.1 The following main uses shall be permitted in the General Commercial (C-1) Zone by Site Plan Approval subject to the requirements of this Bylaw:

- **(a)** Medium Sized Commercial Structures

17.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

17.4.1 The following main uses shall be considered in the General Commercial (C-1) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- **(a)** Energy Generation Systems – **Policy 5-78**
- **(b)** Large Sized Commercial Structures – **Policy 4-58**
- **(c)** Shopping Centres – **Policy 4-58**

17.5 GENERAL COMMERCIAL (C-1) ZONE DEVELOPMENT STANDARDS

17.5.1 In the General Commercial (C-1) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 17-1: C-1 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	600 m^2 (6,439 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	20.0 m (65.6 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	8.0 m (26.2 ft)
Minimum Rear Setback	
i. Main Buildings in Tatamagouche	2.0 m (6.6 ft)
ii. Main Buildings Elsewhere	8.0 m (26.2 ft)
iii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	2.0 m (6.6 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	NA
ii. Accessory Buildings	7.6 m (24.9 ft)

17.6 GENERAL REQUIREMENTS IN THE GENERAL COMMERCIAL ZONE

ABUTTING YARDS

17.6.1 Where a General Commercial (C-1) Zone abuts a Single Dwelling Unit (R-1) Zone, Double Dwelling Unit (R-2) Zone, Double Unit Conversion (R-2C) Zone, or Residential Medium Density (R-3) Zone the following requirements shall apply to required abutting yards within the General Commercial Zone:

(a) The minimum requirements for the abutting side and rear setbacks shall be:

i. in compliance with **Subsection 17.5.1** for buildings less than 8.0 metres (26.2 feet) in height;

ii. 13.0 metres (42.7 feet) and 20.0 metres (65.6 feet) respectively for buildings exceeding 8.0 metres (26.2 feet) in height.

(b) No open storage or commercial outdoor display shall be permitted in a required yard abutting the residential zone.

(c) Further to the signage requirements of **Part 10**, all signs shall be set back a minimum of 5.0 metres (16.4 feet) from any property line abutting the residential zone.

(d) The following uses shall be screened along the yard abutting the residential zone in accordance with **Section 6.20**:

i. Outdoor commercial displays and storage

ii. Parking and loading areas

iii. Areas for garbage collection and storage

iv. Accessory commercial uses

BOARDING HOUSES AND DWELLINGS

17.6.2 Boarding houses, residential facilities – up to 6 bedrooms, and dwellings in the General Commercial Zone existing on the effective date of this Bylaw shall be considered permitted and shall not need to meet the requirements of **Subsections 17.6.3 or 17.6.4**.

17.6.3 Boarding houses, residential facilities – up to 6 bedrooms, and dwellings in the General Commercial Zone shall only be permitted on a lot containing commercial uses.

17.6.4 Boarding houses, residential facilities – up to 6 bedrooms, and dwellings located on the ground floor in the General Commercial Zone shall:

(a) not exceed a total of 50 percent of the ground floor area; and

(b) be located to the rear of the commercial use(s).

OUTDOOR COMMERCIAL DISPLAY

17.6.5 Outdoor commercial displays shall be located a minimum of 2.0 metres (6.6 feet) from the front lot line but shall not include automobile sales establishments.

OUTDOOR STORAGE

17.6.6 Outdoor storage shall be limited to side and rear yards and shall be located no d 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. Corner lots will require this landscaped buffer along both frontages.

LANDSCAPING REQUIREMENT

17.6.7 A landscaped area shall be provided along the public street a minimum of 3.0 metres (9.8 feet) 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.

18 Highway Commercial (C-2) Zone

18.1 PERMITTED MAIN USES

18.1.1 The following main uses shall be permitted in the Highway Commercial (C-2) Zone subject to the requirements of this Bylaw:

(a) Accommodations
(b) Agricultural Uses – Existing
(c) Animal Care
(d) Animal Shelters
(e) Automobile Sales, Repair, & Service Stations
(f) Banks & Financial
(g) Building Contractors
(h) Business & Professional Offices
(i) Business Services
(j) Civic & Cultural Uses
(k) Commercial Recreation
(l) Community Hall
(m) Conservation
(n) Convenience Stores
(o) Craft Food & Beverage Production
(p) Daycare Centres
(q) Display Courts
(r) Drinking Establishments
(s) Dwellings – Existing
(t) Education
(u) Emergency Services
(v) Farmers' Markets
(w) Funeral Homes
(x) Garden & Nursery Sales
(y) Government Uses
(z) Heavy Equipment Sales and Service
(aa) Light Industrial Uses
(ab) Marinas and Boat Clubs
(ac) Medical Clinics
(ad) Parking Lots
(ae) Parks & Open Space
(af) Personal Service Shops
(ag) Place of Worship
(ah) Private Clubs & Organizations
(ai) Public Recreation
(aj) Recycling Depots
(ak) Repair Shops
(al) Restaurants
(am) Retail Lumber & Building Supplies
(an) Retail Stores
(ao) Self-storage
(ap) Service Industries
(aq) Shooting Ranges – Indoor
(ar) Solar Panels – Commercial
(as) Taxi & Bus Stations
(at) Walkways and Trails
(au) Warehousing
(av) Water Access
(aw) Wholesale Sales
(ax) Workshops
(ay) Residential Facilities – Existing

18.2 PERMITTED USES WITH CONDITIONS

18.2.1 The following main uses shall be permitted in the Highway Commercial (C-2) Zone subject to the requirements of this Bylaw and any conditions noted:

- **(a)** Dwellings – 1 dwelling unit on a lot – **Subsection 18.7.2**
- **(b)** Kennels – **Section 7.9**

18.3 USES CONSIDERED BY DEVELOPMENT AGREEMENT

18.3.1 The following uses shall be considered in the Highway Commercial (C-2) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- **(a)** Energy Generation Systems – **Policy 5-78**
- **(b)** Large Sized Commercial Structures – **Policy 4-66**
- **(c)** Racetracks – **Policy 5-65**
- **(d)** Shooting Ranges – Outdoor – **Policy 5-66**
- **(e)** Shopping Centres – **Policy 4-66**

18.4 HIGHWAY COMMERCIAL (C-2) ZONE DEVELOPMENT STANDARDS

18.4.1 In the Highway Commercial (C-2) Zone, no development permit shall be issued except in conformance an effective development agreement or with the following requirements:

Table 18-1: C-2 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	800 m^2 (8,611 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	30.0 m (98.4 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	10.0 m (32.8 ft)
Minimum Rear Setback	
i. Main Buildings	8.0 m (26.2 ft)
ii. Accessory Buildings	3.0 m (9.9 ft)
Minimum Side Setback	
i. Main Buildings	8.0 m (26.2 ft)
ii. Accessory Buildings	4.0 m (13.1 ft)
Minimum Flanking Setback	
i. Main Buildings	8.0 m (26.2 ft)
ii. Accessory Buildings	8.0 m (26.2 ft)
Maximum Building Height	20.0 m (65.6 ft)

18.5 GENERAL REQUIREMENTS

ABUTTING YARDS

18.5.1 Where a Highway Commercial (C-2) Zone abuts a Single Dwelling Unit (R-1) Zone, Double Dwelling Unit (R-2) Zone, Double Unit Conversion (R-2C) Zone, or Medium Density Residential (R-3) Zone, the following requirements shall apply to required abutting yards within the Highway Commercial Zone:

(a) The minimum requirements for the abutting side and rear setbacks shall be:

i. 5.0 metres (16.4 feet) and 8.0 metres (26.2 feet) respectively for buildings less than 8.0 metres (26.2 feet) in height;

ii. 13.0 metres (42.7 feet) and 20.0 metres (65.6 feet) respectively for buildings exceeding 8.0 metres (26.2 feet) in height.

(b) No open storage or commercial outdoor display shall be permitted in a required yard abutting the residential zone.

(c) Further to the signage requirements of **Part 10**, all signs shall be set back a minimum of 5.0 metres (16.4 feet) from any property line abutting the residential zone.

(d) The following uses shall be screened along the yard abutting the residential zone in accordance with **Section 6.20:**

i. Outdoor commercial displays and storage

ii. Parking and Loading areas

iii. Areas for garbage collection and storage

iv. Accessory commercial uses

OUTDOOR COMMERCIAL DISPLAY

18.5.2 Outdoor commercial displays shall be located a minimum of 4.5 metres (14.8 feet) from the front lot line but shall not include automobile sales establishments.

OUTDOOR STORAGE

18.5.3 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.

LANDSCAPING REQUIREMENTS

18.5.4 Development in the Highway Commercial Zone shall include a landscaped area in compliance with a detailed landscaping plan submitted at the time of application, and corresponding with the required front setback exclusive of driveway openings, parking areas, and permitted storage or display areas.

18.6 SPECIAL REQUIREMENTS HIGHWAY COMMERCIAL (C-2) ZONE

EXISTING INDUSTRIAL USES

18.6.1 An Industrial Use in the Highway Commercial Zone existing on the effective date of this Bylaw may continue to exist and may be enlarged or expanded subject to the Industrial Zone Requirements of this Bylaw.

DWELLING

18.6.2 A dwelling containing a single dwelling unit may be established in the Highway Commercial Zone provided it coexists with the main commercial or light industrial use operating on the property and does not exceed a floor area of 120 square metres (1,291 square feet).

SPECIAL REQUIREMENTS - DEBERT

18.6.3 Within Debert, open / bulk storage areas, exposed machinery, and outdoor areas used for the storage and collection of waste materials in the Highway Commercial shall be visually screened from roads and surrounding land uses using screening meeting the requirements of **Section 6.20**.

18.6.4 Fabric "coverall"-type structures shall not be permitted as a main building in the Highway Commercial Zone in Debert and shall only be permitted to be located within the side or rear yard.

18.6.5 Within the Debert Industrial Park signage shall meet the additional requirements of **Section 10.17.**

19 Main Street (MS) Zone

19.1 PERMITTED MAIN USES

19.1.1 The following main uses shall be permitted in the Main Street Commercial (MS) Zone subject to the requirements of this Bylaw:

(a) Accommodations
(b) Agricultural Uses – Existing
(c) Animal Care
(d) Banks & Financial
(e) Business & Professional Offices
(f) Business Services
(g) Civic & Cultural Uses
(h) Commercial Recreation – Indoor
(i) Community Hall
(j) Conservation
(k) Convenience Stores
(l) Craft Food and Beverage Production
(m) Daycare Centres
(n) Drinking Establishments
(o) Dwellings – Existing
(p) Education – Commercial
(q) Farmers' Markets
(r) Funeral Homes
(s) Government Uses
(t) Medical Clinics
(u) Parking Lots
(v) Parks & Open Space
(w) Personal Service Shops
(x) Place of Worship
(y) Private Clubs & Organizations
(z) Public Recreation
(aa) Restaurants – Eat-in or Take-out
(ab) Retail Stores
(ac) Taxi & Bus Stations
(ad) Walkways and Trails
(ae) Warehousing
(af) Water Access
(ag) Wholesale Sales
(ah) Workshops

19.2 PERMITTED USES WITH CONDITIONS

19.2.1 The following main uses shall be permitted in the Main Street Commercial (MS) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Dwellings – **Subsections 19.6.2 and 19.6.4**
(b) Residential Facilities – up to 6 bedrooms – **Subsections 19.6.2 and 19.6.4**

19.3 PERMITTED USES BY SITE PLAN APPROVAL

19.3.1 The following main uses shall be permitted in the Main Street Commercial (MS) Zone by Site Plan Approval subject to the requirements of this Bylaw

None

19.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

(a) Energy Generation Systems – **Policy 5-78**

19.5 MAIN STREET COMMERCIAL (MS) ZONE DEVELOPMENT STANDARDS

19.5.1 In the Main Street Commercial (MS) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 19-1: MS Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	200 m^2 (2,153 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	8.0 m (26.2 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	1.0 m (3.3 ft)
Minimum Rear Setback	
i. Main Buildings	6.0 m (19.7 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	0.0
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Flanking Setback	
i. Main Buildings	1.0 m (3.3 ft)
ii. Accessory Buildings	1.0 m (3.3 ft)
Maximum Building Height	
i. Main Buildings	12.5 m (41.0 ft)
ii. Accessory Buildings	7.6 m (24.9 ft)

19.6 REQUIREMENTS IN THE MAIN STREET COMMERCIAL ZONE

OUTDOOR STORAGE

19.6.1 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.

DWELLINGS

19.6.2 Dwellings and Residential Facilities – up to 6 bedrooms – **Policy 4-106** in the Main Street Commercial Zone existing on the effective date of this Bylaw shall be considered permitted and shall not need to meet the requirements of **Subsections 19.6.3 or 19.6.4.**

19.6.3 Dwellings and Residential Facilities – up to 6 bedrooms – **Policy 4-106** in the Main Street Commercial Zone shall only be permitted on a lot containing commercial uses.

19.6.4 Dwellings and Residential Facilities – up to 6 bedrooms – **Policy 4-106** located on the ground floor in the Main Street Commercial Zone shall:

- **(a)** not exceed a total of 50 percent of the ground floor area;
- **(b)** be located to the rear of the commercial use(s).

ARCHITECTURAL REQUIREMENTS

19.6.5 New buildings in the Main Street (MS) Zone shall meet the following requirements:

- **(a)** A minimum of 25%, but not more than 66%, of the ground floor front façade area shall consist of transparent glazing. For the purposes of this clause the ground floor front façade area shall be measured from average ground level adjacent to the front of the building to:
  - **i.** the eaves on a one-story building; or
  - **ii.** to a height of 3.0 metres on a multi-story building.
- **(b)** Cladding materials on the front and flanking façades shall consist of:
  - **i.** brick;
  - **ii.** stone;
  - **iii.** wood shake shingles;
  - **iv.** horizontal wood clapboard with vertical wood corner boards;
  - **v.** ornamental wood detailing;
  - **vi.** wood board and batten; or
  - **vii.** a combination thereof.

20 Local Commercial (C-4) Zone

20.1 PERMITTED MAIN USES

20.1.1 The following main uses shall be permitted in the Local Commercial (C-4) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Community Hall

(c) Conservation

(d) Convenience Stores

(e) Daycare Centres

(f) Dwellings – Up to 2 dwelling units on a lot

(g) Farmers' Markets

(h) Guest Homes

(i) Parks & Open Space

(j) Personal Service Shops

(k) Residential Facility - Up to 6 bedrooms

(l) Restaurant – Take-out – Max. 25 m^2 Gross Floor Area

(m) Public Recreation

(n) Walkways and Trails

(o) Water Access

20.2 PERMITTED USES WITH CONDITIONS

20.2.1 The following main uses shall be permitted in the Local Commercial (C-4) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling – **Section 7.1**

(b) Education – Academic – **Section 7.10**

(c) Place of Worship – **Section 7.10**

20.3 PERMITTED USES BY SITE PLAN APPROVAL

20.3.1 The following main uses shall be permitted in the Local Commercial (C-4) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Boarding House – 3 to 4 sleeping units

(b) Dwellings – 3 to 4 dwelling units on a lot

20.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

20.4.1 The following uses shall be considered in the Local Commercial (C-4) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Energy Generation Systems – **Policy 5-78**

20.5 LOCAL COMMERCIAL (C-4) ZONE DEVELOPMENT STANDARDS

20.5.1 In the Local Commercial (C-4) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 20-1: C-4 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	700 m^2 (7,535 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	20.0 m (65.6 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	10.0 (32.8 ft)
Minimum Rear Setback	
i. Main Buildings	8.0 m (26.2 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	8.0 m (26.2 ft)
ii. Accessory Buildings	6.1 m (20.0 ft)

20.6 GENERAL REQUIREMENTS

SCREENING

20.6.1 In the Local Commercial (C-4) Zone, the following uses shall be screened in accordance with **Section 6.20** along the required yard from all adjacent Single Dwelling Unit (R-1) Zones, Double Dwelling Unit (R-2) Zones, Double Unit Conversion (R-2C) Zones, or Medium Density Residential (R-3) Zones:

- **(a)** Outdoor commercial displays and storage
- **(b)** Parking and loading areas
- **(c)** Areas for garbage collection and storage
- **(d)** Accessory commercial uses

20.6.2 Screening shall be sited between the use to be screened and the property line.

OUTDOOR COMMERCIAL DISPLAY

20.6.3 Outdoor commercial displays shall be located a minimum of 4.5 metres (14.8 feet) from the front lot line.

OUTDOOR STORAGE

20.6.4 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.

LANDSCAPING REQUIREMENTS

20.6.5 In the Local Commercial Zone there shall be a landscaped area corresponding with the required front setback exclusive of driveway openings, parking areas, and permitted storage or display areas.

20.7 SPECIAL REQUIREMENTS LOCAL COMMERCIAL (C-4) ZONE

ROOF STYLE

20.7.1 All main structures in a commercial C-4 zone shall be constructed with a gable, gambrel, or hipped roof style.

SIGNS

20.7.2 Notwithstanding any other provision in this Bylaw, no ground sign in a Local Commercial (C-4) zone shall exceed a height of 6.0 metres (19.7 feet) or have an area exceeding 3.0 square metres (32.3 square feet).

21 Institutional (I) Zone

21.1 PERMITTED MAIN USES

21.1.1 The following main uses shall be permitted in the Institutional (I) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing
(b) Cemeteries
(c) Civic & Cultural Uses
(d) Community Halls
(e) Conservation
(f) Daycare Centres
(g) Education
(h) Emergency Services
(i) Farmers' Markets
(j) Funeral Homes
(k) Government Uses
(l) Hospitals
(m) Medical Clinics
(n) Nova Scotia Provincial Exhibition
(o) Nursing Homes
(p) Parks and Open Space
(q) Place of Worship
(r) Private Clubs & Organizations
(s) Public Recreation
(t) Residential Facilities
(u) Solar Panels – Commercial
(v) Walkways and Trails

21.2 PERMITTED USES WITH CONDITIONS

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

None

21.3 PERMITTED USES BY SITE PLAN APPROVAL

21.3.1 The following main uses shall be permitted in the Institutional (I) Zone by Site Plan Approval subject to the requirements of this Bylaw

None

21.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

(a) Dwellings related to Institutional Uses – **Policy 4-80**
(b) Energy Generation Systems – **Policy 5-78**

21.5 INSTITUTIONAL (I) ZONE DEVELOPMENT STANDARDS

21.5.1 In the Institutional (I) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 21-1: I Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Main Buildings	660 m^2 (7,104 ft^2)
ii. Accessory Buildings	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Main Buildings	22.0 m (72.2 ft)
ii. Accessory Buildings	37.0 m (121.4 ft)
Minimum Front Setback	10.0 m (32.8 ft)
Minimum Rear Setback	
i. Main Buildings	8.0 m (26.2 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	3.0 m (9.8 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	12.5 m (41.0 ft)
ii. Accessory Buildings	7.6 m (24.9 ft)

21.6 SPECIAL REQUIREMENTS INSTITUTIONAL (I) ZONE

STABLES

21.6.1 Permitted Institutional Zone uses that involve barns, stables and on-site manure storage shall comply with the provisions of **Subsection 6.2.3** of this Bylaw.

ABUTTING YARD REQUIREMENTS

21.6.2 Where an Institutional (I) Zone abuts a Single Dwelling Unit (R-1) Zone, Double Dwelling Unit (R-2) Zone, Double Unit Conversion (R-2C) Zone, or Residential Medium Density (R-3) Zone the following requirements shall apply to required abutting yards within the Institutional Zone:

(a) The minimum requirements for the abutting side and rear setbacks shall be 6.0 metres (19.7 feet).

(b) No open storage or commercial outdoor display shall be permitted in a required yard abutting the residential zone.

(c) Further to the signage requirements of **Part 10**, the following provisions apply to signs in any yard abutting the residential zone:

i. all signs located in the abutting yard shall be non-illuminated;

ii. all signs shall be set back at least 3.0 metres (9.8 feet) from the abutting property line; and

iii. the maximum sign area shall be 1.5 square metres (16.1 square feet).

21.6.3 Outdoor storage and accessory uses shall be screened along the yard abutting the residential zone in accordance with **Section 6.20**.

22 Industrial (M) Zone

22.1 PERMITTED MAIN USES

22.1.1 The following main uses shall be permitted in the Industrial (M) Zone subject to the requirements of this Bylaw:

(a) Abattoirs

(b) Aggregate-related Industries

(c) Agricultural Uses – Existing

(d) Agriculture-related Industries

(e) Animal Care

(f) Animal Shelters

(g) Automobile Sales, Repair, & Services Stations

(h) Building Contractors

(i) Business Services

(j) Conservation

(k) Craft Food & Beverage Production

(l) Display Courts

(m) Education – Commercial and Post-secondary

(n) Emergency Services

(o) Fertilizer Blending Plant

(p) Fishing-related Uses

(q) Forestry-related Uses

(r) Funeral Homes

(s) Government Uses

(t) Heavy Equipment Sales and Services

(u) Heavy Industrial Uses

(v) Light Industrial Uses

(w) Parking Lots

(x) Parks and Open Space

(y) Recycling Depots

(z) Repair Shops

(aa) Retail Lumber & Building Supplies

(ab) Self-storage

(ac) Shooting Ranges – Indoor

(ad) Solar Panels – Commercial

(ae) Solid Waste Disposal

(af) Taxi & Bus Stations

(ag) Walkways and Trails

(ah) Warehousing

(ai) Water Access

(aj) Wholesale Sales

(ak) Workshops

22.2 PERMITTED USES WITH CONDITIONS

22.2.1 The following main uses shall be permitted in the Industrial (M) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Kennels – **Section 7.9**

(b) Retail Stores – **Subsection 22.6.7**

(c) Scrap or Salvage Yards – **Section 7.12**

22.3 PERMITTED USES BY SITE PLAN APPROVAL

22.3.1 The following main uses shall be permitted in the Industrial (M) Zone by Site Plan Approval subject to the requirements of this Bylaw

None

22.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

(a) Energy Generation Systems – **Policy 5-78**

22.5 INDUSTRIAL (M) ZONE DEVELOPMENT STANDARDS

22.5.1 In the Industrial (M) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 22-1: M Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	2,500 m^2 (26,909 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	30.0 m (98.4 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	10.0 m (32.8 ft)
Minimum Rear Setback	
i. Main Buildings	10.0 m (32.8 ft)
ii. Accessory Buildings	6.0 m (19.7 ft)
Minimum Side Setback	
i. Main Buildings	6.0 m (19.7 ft)
ii. Accessory Buildings	4.0 m (13.1 ft)
Minimum Flanking Setback	
i. Main Buildings	6.0 m (19.7 ft)
ii. Accessory Buildings	6.0 m (19.7 ft)
Maximum Building Height	20.0 m (65.6 ft)

22.6 SPECIAL REQUIREMENTS IN THE INDUSTRIAL (M) ZONE

RESTRICTION ON PERMITTED USES

22.6.1 No development permit shall be issued in the Industrial (M) Zone where the use is considered obnoxious by reason of sound; odour; fumes or smoke; or other obnoxious emissions, whether carried by water or air.

ABUTTING YARDS

22.6.2 Notwithstanding the requirements of **Section 22.5**, where a lot in the Industrial Zone abuts a residential zone:

- **(a)** the minimum side setback shall be 10.0 metres (32.8 feet);
- **(b)** there shall be no parking or open storage in the minimum setback within any yard abutting the residential zone; and
- **(c)** screening meeting the requirements of **Section 6.20** shall be located the industrial use and the lot line abutting the residential zone.

OPEN / BULK STORAGE

22.6.3 Open storage or outdoor displays shall not be permitted within any required setback.

22.6.4 Open storage or display shall not exceed 50 percent of the available lot area.

22.6.5 Open / bulk storage areas, exposed machinery, and outdoor areas used for the storage and collection of waste materials in the Industrial Zone shall be visually screened from roads and surrounding land uses using screening meeting the requirements of **Section 6.20**.

SETBACKS ADJACENT TO A RAILWAY

22.6.6 In the Industrial Zone, the minimum setbacks requirements of **Subsection 22.5.1** shall not be applicable to any setback which directly abuts a railway right-of-way.

RETAIL SALES

22.6.7 Retail sales in the Industrial Zone shall be related to a product made or stored by the main use of the property.

SPECIAL REQUIREMENTS - DEBERT

22.6.8 Development in the Industrial Zone in Debert shall include a landscaped area in compliance with a detailed landscaping plan submitted at the time of application, and corresponding with the required front setback exclusive of driveway openings, parking areas, and permitted storage or display areas.

22.6.9 Fabric "coverall"-type structures shall not be permitted as a main building in the Industrial Zone in Debert and shall only be permitted to be located within the side or rear yard.

22.6.10 Within the Debert Industrial Park signage shall meet the additional requirements of **Section 10.17.**

23 Airport (AIR) Zone

23.1 PERMITTED MAIN USES

23.1.1 The following main uses shall be permitted in the Airport (AIR) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing
(b) Civic & Cultural Uses
(c) Community Hall
(d) Conservation
(e) Education – Commercial
(f) Government Uses
(g) Light Industrial Uses
(h) Parking Lots
(i) Parks and Open Spaces
(j) Private Clubs & Organizations
(k) Restaurant – Eat-in
(l) Restaurant – Take-out
(m) Walkways and Trails
(n) Water Access

23.2 PERMITTED USES WITH CONDITIONS

23.2.1 The following main uses shall be permitted in the Airport (AIR) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Solar Panels – Commercial - subject to a solar glare assessment study

23.3 PERMITTED USES BY SITE PLAN APPROVAL

23.3.1 The following main uses shall be permitted in the Airport (AIR) Zone by Site Plan Approval subject to the requirements of this Bylaw:

None

23.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

(a) Energy Generation Systems – **Policy 5-78**

23.5 AIRPORT (AIR) ZONE DEVELOPMENT STANDARDS

23.5.1 In the Airport (AIR) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 23-1: AIR Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	N/A
Minimum Lot Frontage	N/A
Minimum Front Setback	10.0 m (32.8 ft)
Minimum Rear Setback	10.0 m (32.8 ft)
Minimum Side Setback	10.0 m (32.8 ft)
Minimum Flanking Setback	10.0 m (32.8 ft)
Maximum Building Height*	6.3 m (21.0 ft)

*buildings may be considered above this maximum height with approval by the Colchester Approach Maintenance Coordinator

24 Parks and Open Space (P-1) Zone

24.1 PERMITTED MAIN USES

24.1.1 The following main uses shall be permitted in the Parks and Open Space (P-1) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Cemeteries

(c) Commercial Recreation – Outdoor

(d) Community Hall

(e) Conservation

(f) Farmers' Markets

(g) Marinas and Boat Clubs

(h) Parks and Open Spaces

(i) Public Recreation

(j) Restaurant – Take-out – Max. 25 m^2 Gross Floor Area

(k) Walkways and Trails

(l) Water Access

24.2 PERMITTED USES WITH CONDITIONS

24.2.1 The following main uses shall be permitted in the Parks and Open Space (P-1) Zone subject to the requirements of this Bylaw and any conditions noted:

None

24.3 PERMITTED USES BY SITE PLAN APPROVAL

24.3.1 The following main uses shall be permitted in the Parks and Open Space (P-1) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Campgrounds

24.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

24.4.1 The following uses shall be considered in the Parks and Open Space (P-1) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Energy Generation Systems – **Policy 5-78**

24.5 PARKS AND OPEN SPACE (P-1) ZONE DEVELOPMENT STANDARDS

24.5.1 In the Parks and Open Space (P-1) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 24-1: Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	N/A
Minimum Lot Frontage	10.0 m (32.8 ft)
Minimum Front Setback	10.0 m (32.8 ft)
Minimum Rear Setback **i.** Main Buildings **ii.** Accessory Buildings	 10.0 m (32.8 ft) 2.0 m (6.6 ft)
Minimum Side Setback **i.** Main Buildings **ii.** Accessory Buildings	 10.0 m (32.8 ft) 2.0 m (6.6 ft)
Minimum Flanking Setback **i.** Main Buildings **ii.** Accessory Buildings	 6.0 m (19.7 ft) 6.0 m (19.7 ft)
Maximum Building Height	12.6 m (41.3 ft)

24.6 SPECIAL REQUIREMENTS PARKS AND OPEN SPACE (P-1) ZONE

STABLES AND MANURE STORAGE

24.6.1 Permitted recreational uses that involve barns, stables and on-site manure storage shall comply with the provisions of **Subsection 6.2.3** of this Bylaw.

25 Commercial Recreation (P-2) Zone

25.1 PERMITTED MAIN USES

25.1.1 The following main uses shall be permitted in the Commercial Recreation (P-2) Zone subject to the requirements of this Bylaw:

(a) Accommodations
(b) Agricultural Uses – Existing
(c) Agritourism
(d) Animal Care
(e) Animal Shelters
(f) Civic & Cultural Uses
(g) Commercial Recreation
(h) Community Hall
(i) Conservation
(j) Convenience Stores
(k) Craft Food & Beverage Production
(l) Daycare Centres
(m) Drinking Establishments
(n) Farmers' Markets
(o) Livestock Operation – Moderate
(p) Marinas and Boat Clubs
(q) Parking Lots
(r) Parks and Open Space
(s) Personal Service Shops
(t) Private Clubs & Organizations
(u) Public Recreation
(v) Racetracks – Existing
(w) Recreational Cabin
(x) Restaurants – Eat-in
(y) Restaurants – Take-out
(z) Retail Stores
(aa) Shooting Ranges – Indoor
(ab) Solar Panels – Commercial
(ac) Walkways and Trails
(ad) Water Access

25.2 PERMITTED USES WITH CONDITIONS

25.2.1 The following main uses shall be permitted in the Commercial Recreation (P-2) Zone subject to the requirements of this Bylaw and any conditions noted:

None

25.3 PERMITTED USES BY SITE PLAN APPROVAL

25.3.1 The following main uses shall be permitted in the Commercial Recreation (P-2) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Campgrounds

25.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

25.4.1 The following uses shall be considered in the Commercial Recreation (P-2) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- **(a)** Cluster Development – **Policy 5-17**
- **(b)** Dwellings – **Policy 4-106**
- **(c)** Energy Generation Systems – **Policy 5-78**
- **(d)** Racetracks – **Policy 5-65**
- **(e)** Shooting Ranges – Outdoor – **Policy 5-66**
- **(f)** Residential Facilities – up to 6 bedrooms – **Policy 4-106**

25.5 COMMERCIAL RECREATION (P-2) ZONE DEVELOPMENT STANDARDS

25.5.1 In the Commercial Recreation (P-2) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 25-1: P-2 Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	37.0 m (121.4 ft)
Minimum Front Setback	12.0 m (39.4 ft)
Minimum Rear Setback **i.** Main Buildings **ii.** Accessory Buildings	 12.0 m (39.4 ft) 2.0 m (6.6 ft)
Minimum Side Setback **i.** Main Buildings **ii.** Accessory Buildings	 6.0 m (19.7 ft) 2.0 m (6.6 ft)
Minimum Flanking Setback **i.** Main Buildings **ii.** Accessory Buildings	 12.0 m (39.4 ft) 12.0 m (39.4 ft)
Maximum Building Height	12.0 m (39.4 ft)

26 Rural General (RG) Zone

26.1 PERMITTED MAIN USES

26.1.1 The following main uses shall be permitted in Rural General (RG) Zone subject to the requirements of this Bylaw:

(a) Accommodations - 4 units

(b) Aggregate-related Industries - Existing

(c) Agricultural Uses

(d) Agriculture-related Industries

(e) Agritourism

(f) Animal Care

(g) Animal Shelters

(h) Automobile Sales, Repair, & Service Stations

(i) Banks & Financial

(j) Building Contractors

(k) Business & Professional Offices

(l) Business Services

(m) Boarding House

(n) Cemeteries

(o) Civic & Cultural Uses

(p) Commercial Recreation

(q) Community Hall

(r) Conservation

(s) Convenience Stores

(t) Craft Food & Beverage Production

(u) Daycare Centres

(v) Display Courts

(w) Drinking Establishments

(x) Dwellings – Up to 4 dwelling units on a lot

(y) Education

(z) Emergency Services

(aa) Farmers' Markets

(ab) Fishing-related Uses

(ac) Forestry-related Uses

(ad) Funeral Homes

(ae) Garden & Nursery Sales

(af) Government Uses

(ag) Guest Homes

(ah) Heavy Equipment Sales & Service

(ai) Heavy Industrial Uses – Existing

(aj) Light Industrial Uses

(ak) Livestock Operation – Moderate

(al) Marinas and Boat Clubs

(am) Medical Clinics

(an) Mobile Homes

(ao) Parking Lots

(ap) Parks & Open Space

(aq) Place of Worship

(ar) Private Clubs & Organizations

(as) Public Recreation

(at) Recreational Cabin

(au) Recycling Depots

(av) Repair Shops

(aw) Residential Facility - Up to 6 bedrooms

(ax) Residential Outbuildings

(ay) Restaurants – Eat-in and Take-out

(az) Retail Lumber & Building Supplies

(ba) Retail Stores

(bb) Self-storage

(bc) Service Industries

(bd) Shooting Ranges – Indoor

(be) Solar Panels – Commercial

(bf) Taxi & Bus Stations

(bg) Walkways and Trails

(bh) Warehousing

(bi) Water Access

(bj) Wholesale Sales

(bk) Workshops

26.2 PERMITTED USES WITH CONDITIONS

26.2.1 The following main uses shall be permitted in the Rural General (RG) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling Unit – **Section 7.1**

(b) Dwellings – More than 4 dwelling units on a lot - **Section 26.6.6**

(c) Intensive Livestock Operations – **Section 7.9**

(d) Kennels – **Section 7.10**

26.3 PERMITTED USES BY SITE PLAN APPROVAL

26.3.1 The following main uses shall be permitted in the Rural General (RG) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Cluster Development – Up to 16 dwelling units

(b) Accommodations – More than 4 units

26.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

(a) Cluster Development – More than 16 dwelling units – **Policy 5-17**

(b) Energy Generation Systems – **Policy 5-78**

(c) Racetracks – **Policy 5-65**

(d) Shooting Ranges – Outdoor – **Policy 5-66**

26.5 RURAL GENERAL (RG) ZONE DEVELOPMENT STANDARDS

26.5.1 In the Rural General (RG) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 26-1: RG Zone Development Standards

Standard	All Other Permitted Uses	Intensive Livestock Operations
Minimum Lot Area		
i. Serviced Lot	600 m^2 (6058 ft^2)	4,050 m^2 (43,594 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)	4,050 m^2 (43,594 ft^2)
Minimum Frontage		
i. Serviced Lot	12.0 m (39.4 ft)	37.0 m (121.4 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)	37.0 m (121.4 ft)
Minimum Front Setback		
i. Serviced Lot	12.0 m (39.4 ft)	45.0 m (147.6 ft)
ii. Unserviced Lot	12.0 m (39.4 ft)	45.0 m (147.6 ft)
Minimum Rear Setback		
i. Serviced: Main Buildings	8.0 m (26.2 ft)	30.0 m (98.4 ft)
ii. Serviced: Accessory Buildings	2.0 m (6.6 ft)	30.0 m (98.4 ft)
iii. Unserviced: Main Buildings	12 m (39.4 ft)	30.0 m (98.4 ft)
iv. Unserviced: Accessory Buildings	2.0 m (6.6 ft)	30.0 m (98.4 ft)
Minimum Side Setback		
i. Serviced: Main Buildings	3.0 m (9.8 ft)	15.0 m (49.2 ft)
ii. Serviced: Accessory Buildings	2.0 m (6.6 ft)	15.0 m (49.2 ft)
iii. Unserviced: Main Buildings	6.0 m (19.7 ft)	15.0 m (49.2 ft)
iv. Unserviced: Accessory Buildings	2.0 m (6.6 ft)	15.0 m (49.2 ft)

Minimum Flanking Setback		
i. Serviced: Main Buildings	5.0 m (16.4 ft)	30.0 m (98.4 ft)
ii. Serviced: Accessory Buildings	5.0 m (16.4 ft)	30.0 m (98.4 ft)
iii. Unserviced: Main Building	8.0 m (23.3 ft)	30.0 m (98.4 ft)
iv. Unserviced: Accessory Buildings	5.0 m (16.4 ft)	30.0 m (98.4 ft)
Maximum Building Height	12.0 m (39.4 ft)	20.0 m (65.6 ft)

26.6 SPECIAL REQUIREMENTS FOR THE RURAL GENERAL (RG) ZONE

OPEN STORAGE:

26.6.1 Open Storage, exposed machinery, and areas used for collection of waste materials shall not be located within a required setback.

FRONTAGE ON A RIGHT OF WAY

26.6.2 Notwithstanding **Section 6.12** and the minimum lot frontage requirements of this Zone, a lot in the Rural General Zone existing on **February 27, 2025**, and shown on an approved plan of subdivision that is accessed by a private right-of-way may be developed for any purpose outlined in **Section 26.1** above, except a dwelling use.

ACCESSORY BUILDINGS:

26.6.3 The size requirements of **Subsection 6.2.2** shall apply to accessory buildings in the Rural General (RG) Zone. For the purposes of this Section, agricultural buildings and structures shall not be considered accessory buildings.

NON-CONFORMING STRUCTURES AND USES:

26.6.4 Notwithstanding **Section 6.18 and Section 6.19**, a non-conforming, non-residential use or structure in the Rural General (RG) zone may be expanded and/or enlarged provided that:

- **(a)** the expansion and/or enlargement of the non-conforming use does not exceed ten percent (10%) of the structure or area occupied by the use;
- **(b)** the expansion and/or enlargement of the non-conforming structure does not exceed twenty percent (20%) of the distance or area that is non-conforming;
- **(c)** in the case of a non-conforming structure, no expansion and/or extension shall be closer than 5.0 metres (16.4 feet) to any property line abutting a public road or highway; and
- **(d)** the non-conforming use or structure lawfully existed prior to November 18, 1994.

EXISTING INDUSTRIAL USES:

26.6.5 An industrial use in the Rural General (RG) Zone existing on the effective date of this Bylaw may continue to exist and may be expanded or enlarged provided the following conditions are met:

- **(a)** any expansion or enlargement of the industrial use is situated entirely on the lot as it existed on the effective date of this Bylaw; and
- **(b)** the expansion or enlargement meets the requirements of **Part 29** of this Bylaw.

DWELLINGS – MORE THAN FOUR DWELLING UNITS ON A LOT

26.6.6 The development of more than four (4) dwelling units on a lot in the Rural General (RG) Zone shall be subject to the following conditions:

- **(a)** the total minimum lot size shall be 2,700 square metres plus an additional 2,700 square metres for each dwelling unit above the first four; and
- **(b)** each dwelling shall contain a maximum for four (4) dwelling unit; and.
- **(c)** Refer to **Section 4.44** for Stormwater Management requirements.

EXCEPTIONS TO LOT SIZE REQUIREMENTS:

26.6.7 Notwithstanding the lot area, frontage, and setback requirements of **Section 26.5** above, a lot in a Rural General Zonethat is not serviced by public sewer may be subdivided with reduced road frontage provided the provisions of Section 12 of the County of Colchester Subdivision Bylaw are complied with.

26.6.8 All required setbacks for lots created in accordance with **Subsection 26.6.7** shall be 8.0 metres (26.2 feet).

27 Rural Residential (RR) Zone

27.1 PERMITTED MAIN USES

27.1.1 The following main uses shall be permitted in the Rural Residential (RR) Zone subject to the requirements of this Bylaw:

(a) Agricultural Uses – Existing

(b) Community Hall

(c) Conservation

(d) Dwellings – 2 dwellings unit on a lot

(e) Guest Homes

(f) Livestock Operation – Moderate

(g) Mobile Home

(h) Parks and Open Space

(i) Public Recreation

(j) Residential Facility - Up to 6 bedrooms

(k) Walkways and Trails

(l) Water Access

27.2 PERMITTED USES WITH CONDITIONS

27.2.1 The following main uses shall be permitted in the Rural Residential (RR) Zone subject to the requirements of this Bylaw and any conditions noted:

(a) Accessory Dwelling Unit – **Section 7.1**

(b) Education – Academic – **Section 7.10**

(c) Places of Worship – **Section 7.10**

27.3 PERMITTED USES BY SITE PLAN APPROVAL

27.3.1 The following main uses shall be permitted in the Rural Residential (RR) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Cluster Development – Up to 16 dwelling units

27.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

(a) Cluster Development – More than 16 dwelling units – **Policy 5-17**

(b) Energy Generation Systems – **Policy 5-78**

27.5 RURAL RESIDENTIAL (RR) ZONE DEVELOPMENT STANDARDS

27.5.1 In the Rural Residential (RR) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 27-1: RR Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	37.0 m (121.4 ft)
Minimum Front Setback	12.0 m (39.4 ft)
Minimum Rear Setback	
i. Main Building on Corner Lots	6.0 m (19.7 ft)
ii. Main Buildings on other Lots	12.0 m (39.4 ft)
iii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	6.0 m (19.7 ft)
ii. Accessory Buildings	1.4 m (4.6 ft)
Minimum Flanking Setback	
i. Main Buildings	8.0 m (26.3 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	10.6 m (34.8 ft)
ii. Accessory Buildings	7.6 m (24.9 ft)

28 Agriculture Potential (AP) Zone

28.1 PERMITTED USES

28.1.1 The following main uses shall be permitted in Agriculture Potential (AP) Zone, subject to the requirements of this Bylaw:

(a) Abattoirs

(b) Accommodations - 4 units

(c) Agricultural Uses

(d) Agriculture-related Industries

(e) Agritourism

(f) Animal Care

(g) Animal Shelter

(h) Banks & Financial

(i) Boarding House

(j) Building Contractors

(k) Business & Professional Offices

(l) Business Services

(m) Civic and Cultural Uses

(n) Community Hall

(o) Conservation Uses

(p) Convenience Stores

(q) Craft Food and Beverage Production

(r) Daycare Centres

(s) Drinking Establishments

(t) Dwellings – More than 2 dwelling units on a lot – Existing

(u) Dwellings – Up to 2 dwelling units on a lot

(v) Education

(w) Livestock Operation – Moderate

(x) Emergency Services

(y) Farmers' Markets

(z) Fishing-related Uses

(aa) Forestry-related Uses

(ab) Funeral Homes

(ac) Garden and Nursery Sales

(ad) Government Uses

(ae) Guest Homes

(af) Heavy Equipment Sales and Service

(ag) Marinas and Boat Clubs

(ah) Medical Clinics

(ai) Mobile Homes

(aj) Parks & Open Space

(ak) Personal Service Shops

(al) Place of Worship

(am) Private Clubs and Organizations

(an) Public Recreation

(ao) Recreational Cabin

(ap) Recycling Depots

(aq) Repair Shops

(ar) Residential Facility - Up to 6 bedrooms

(as) Residential Outbuildings

(at) Restaurant – Eat-in or Take-out

(au) Retail Lumber and Building Supplies

(av) Retail Stores

(aw) Self-storage

(ax) Shooting Ranges – Indoor

(ay) Solar Panels – Commercial

(az) Taxi and Bus Stations

(ba) Walkways & Trails

(bb) Warehousing

(bc) Water Access

(bd) Wholesale Sales

(be) Workshops

28.2 PERMITTED USES WITH CONDITIONS

28.2.1 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) Accessory Dwelling Unit – **Section 7.1**

(b) Intensive Livestock Operation – **Section 7.9**

(c) Kennel – **Section 7.10**

28.3 PERMITTED USES BY SITE PLAN APPROVAL

28.3.1 The following main uses shall be permitted in the Agriculture Potential (AP) Zone by Site Plan Approval subject to the requirements of this Bylaw:

(a) Cluster Development – Up to 16 dwelling units

(b) Accommodations – More than 4 units

28.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

(a) Cluster Development – More than 16 dwelling units – **Policy 5-17**

(b) Energy Generation Systems – **Policy 5-78**

(c) Racetracks – **Policy 5-65**

(d) Shooting Ranges – Outdoor – **Policy 5-66**

28.5 AGRICULTURE POTENTIAL (AP) ZONE DEVELOPMENT STANDARDS

28.5.1 In the Agriculture Potential (AP) Zone, no development permit shall be issued except in conformance an effective development agreement or with the following requirements:

Table 28-1: AP Zone Development Standards

Standard	All Other Permitted Uses	Intensive Livestock Operations
Minimum Lot Area	2,700 m^2 (29,062 ft^2)	4,050 m^2 (43,593 ft^2)
Minimum Lot Frontage	37.0 m (121.4 ft)	37.0 m (121.4 ft)
Minimum Front Setback	12.0 m (39.4 ft)	45.0 m (147.7 ft)
Minimum Rear Setback		
i. Main Buildings	12.0 m (39.4 ft)	30.0 m (98.5 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)	30.0 m (98.5 ft)
Minimum Side Setback		
i. Main Buildings	6.0 m (19.7 ft)	15.0 m (49.3 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)	15.0 m (49.3 ft)
Minimum Flanking Setback		
i. Main Buildings	8.0 m (26.3 ft)	30.0 m (98.5 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)	30.0 m (98.5 ft)
Maximum Building Height	12.0 m (39.4 ft)	20.0 m (65.6 ft)

28.6 SPECIAL REQUIREMENTS IN THE AGRICULTURE POTENTIAL ZONE

REMOVAL OF TOPSOIL IN THE AGRICULTURE POTENTIAL (AP) ZONE

28.6.1 The removal of topsoil shall be prohibited in the Agriculture Potential Zone (AP) except for removal that is incidental to a permitted use and excavation associated with the construction of buildings and infrastructure or for operations which by their very nature involve the removal of topsoil such as sod farming and peat harvesting.

FRONTAGE

28.6.2 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, shown on an approved subdivision plan prior to the date of this by-law, or a public road. or a new private road providing or intended to provide access for up to a maximum of three lots.

28.6.3 Notwithstanding **Section 6.12** and the minimum lot frontage requirements of this Zone, a lot in the Agriculture Potential Zone existing on **February 27, 2025,** and shown on an approved plan of subdivision that is accessed by a private right of way may be developed for any purpose outlined in **Section 28.1** above, except a dwelling use.

EXCEPTIONS TO LOT SIZE REQUIREMENTS:

28.6.4 Notwithstanding the lot area, frontage, and setback requirements of **Section 28.5** above, a lot in a Agriculture Potential Zone that is not serviced by public sewer may be subdivided with reduced road frontage provided the provisions of **Section 12** of the County of Colchester Subdivision Bylaw are complied with.

28.6.5 All required setbacks for lots created in accordance with **Subsection 26.6.4** shall be 8.0 metres (26.2 feet).

29 Rural Industrial (RM) Zone

29.1 PERMITTED MAIN USES

29.1.1 The following main uses shall be permitted in Rural Industrial (RM) Zone subject to the requirements of this Bylaw:

(a) Abattoirs

(b) Agricultural Uses

(c) Agriculture-related Industries

(d) Agritourism

(e) Animal Care

(f) Animal Shelters

(g) Automobile Sale, Repair, and & Service Stations

(h) Building Contractors

(i) Bulk Storage of Petroleum, Chemicals and Fuel Oils, Liquid Gases

(j) Business Services

(k) Business & Professional Offices

(l) Conservation

(m) Craft Food & Beverage Production

(n) Display Courts

(o) Education – Commercial or Post-secondary

(p) Emergency Services

(q) Fishing-related Uses

(r) Forestry-related Uses

(s) Funeral Homes

(t) Garden & Nursery Sales

(u) Government Uses

(v) Fertilizer Blending Plant

(w) Heavy Equipment Sales & Service

(x) Heavy Industrial Uses

(y) Light Industrial Uses

(z) Livestock Operation – Moderate

(aa) Parking Lots

(ab) Parks & Open Space

(ac) Recycling Depots

(ad) Repair Shops

(ae) Retail Lumber & Building Supplies

(af) Self-storage

(ag) Service Industries

(ah) Solar Panels – Commercial

(ai) Solid Waste Disposal

(aj) Taxi & Bus Stations

(ak) Walkways and Trails

(al) Warehousing

(am) Water Access

(an) Wholesale Sales

(ao) Workshops

RESTRICTION ON PERMITTED USES

29.1.2 No Development Permit shall be issued where the use is considered obnoxious by reason of sound, fumes, or smoke, or other obnoxious emissions, whether by water or air.

29.2 PERMITTED USES WITH CONDITIONS

29.2.1 The following main uses shall be permitted in the Rural Industrial (RM) Zone subject to the requirements of this Bylaw and any conditions noted:

- **(a)** Aggregate-related Industries – **Subsection 29.6.5**
- **(b)** Intensive Livestock Operations – **Section 7.9**
- **(c)** Kennels – **Section 7.10**
- **(d)** Scrap or Salvage Yards – **Section 7.12**
- **(e)** Dwellings – 1 dwelling unit on a lot – **Subsection 29.6.4**

29.3 PERMITTED USES BY SITE PLAN APPROVAL

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

None

29.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

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

- **(a)** Energy Generation Systems – **Policy 5-78**
- **(b)** Shooting Ranges – Outdoor – **Policy 5-66**

29.5 RURAL INDUSTRIAL (RM) ZONE DEVELOPMENT STANDARDS

29.5.1 In the Rural Industrial (RM) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 29-1: RM Zone Development Standards

Standard	All Permitted Uses
Minimum Lot Area	4,000 m^2 (43,056 ft^2)
Minimum Lot Frontage	60.0 m (196.9 ft)
Minimum Front Setback	15.0 m (49.2 ft)
Minimum Rear Setback **i.** Main Buildings **ii.** Accessory Buildings	 15.0 m (49.21 ft) 6.0 m (19.68 ft)
Minimum Side Setback **i.** Main Buildings **ii.** Accessory Buildings	 15.0 m (49.21 ft) 6.0 m (19.68 ft)
Minimum Flanking Setback **i.** Main Buildings **ii.** Accessory Buildings	 15.0 m (49.21 ft) 15.0 m (49.21 ft)
Maximum Building Height	N/A

29.6 SPECIAL REQUIREMENTS RURAL INDUSTRIAL (RM) ZONE

ABUTTING USES

29.6.1 Where an industrial use, including areas devoted to outdoor storage, is located within 100 metres (328 feet) of a Rural General Zone:

(a) screening shall be provided in accordance with **Section 6.20** between the use and the property line; and

(b) no sign shall be permitted within a required side or rear setback.

OPEN STORAGE / OUTDOOR DISPLAY

29.6.2 No open storage / outdoor display shall be permitted in any required setback.

29.6.3 The area devoted to open storage / outdoor display shall not exceed 50% of the lot area.

ACCESSORY RESIDENTIAL USE

29.6.4 A single dwelling not exceeding a floor area of 120.0 square metres (1,291.6 square feet) nor exceeding a height of on story may be permitted in the Rural Industrial (RM) Zone provided it coexists with the main industrial use operating on the property.

STANDARDS FOR AGGREGATE RELATED USES

29.6.5 In addition to all other applicable requirements of this Bylaw, Aggregate Related Industries may be established on a lot in the Rural Industrial (RM) provided the following conditions can be met:

- **(a)** aggregate related Industries shall be a minimum of 400.0 metres (1312.3 feet) from existing dwellings;
- **(b)** all exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal;
- **(c)** exterior lighting shall not cause glare on adjacent properties; and
- **(d)** any equipment including but not limited to mixers, batchers, silos, and similar structures shall be contained within a fenced enclosure.

30 Shoreline (SL) Zone

30.1 PERMITTED USES

30.1.1 The following main uses shall be permitted in the Shoreline (SL) Zone subject to the requirements of this Bylaw:

- **(a)** Accommodations - 4 units
- **(b)** Dwellings – 3 or more dwelling units on a lot – Existing
- **(c)** Dwellings – Up to 2 dwelling units on a lot
- **(d)** Community Hall
- **(e)** Conservation
- **(f)** Guest Homes
- **(g)** Marinas & Boat Clubs
- **(h)** Mobile Homes
- **(i)** Parks & Open Space
- **(j)** Private Clubs & Organizations
- **(k)** Public Recreation
- **(l)** Recreational Cabin
- **(m)** Residential Facility - Up to 6 bedrooms
- **(n)** Walkways & Trails
- **(o)** Water Access
- **(p)** Workshops

30.2 PERMITTED USES WITH CONDITIONS

30.2.1 The following main uses shall be permitted in the Shoreline (SL) Zone subject to the requirements of this Bylaw and any conditions noted:

- **(a)** Accessory Dwelling Units - **Section 7.1**

30.3 PERMITTED USES BY SITE PLAN APPROVAL

30.3.1 The following main uses shall be permitted in the Shoreline (SL) Zone by Site Plan Approval subject to the requirements of this Bylaw:

- **(a)** Cluster Development – Up to 16 dwelling units
- **(b)** Accommodations – More than 4 units

30.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

30.4.1 The following uses shall be considered in the Shoreline (SL) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

- **(a)** Cluster Development – More than 16 dwelling units – **Policy 5-17**
- **(b)** Energy Generation Systems – **Policy 5-78**

30.5 SHORELINE (SL) ZONE DEVELOPMENT STANDARDS

30.5.1 In the Shoreline Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Table 30-1: SL Zone Development Standards *

Standard	All Permitted Uses
Minimum Lot Area	5,000 m^2 (53,820 ft^2)
Minimum Lot Frontage	37.0 m (121.4 ft)
Minimum Front Setback	5.0 m (16.4 ft)
Minimum Rear Setback	7.5 m (24.6 ft)
Minimum Side Setback **i.** Main Buildings **ii.** Accessory Buildings	 2.0 m (6.6 ft) 2.0 m (6.6 ft)
Minimum Flanking Setback **i.** Main Buildings **ii.** Accessory Buildings	 5.0 m (16.4 ft) 5.0 m (16.4 ft)
Maximum Building Height **i.** Main Buildings **ii.** Accessory Buildings	 10.6 m (34.8 ft) 7.6 m (24.9 ft)

***See **Section 6.30.1** - Watercourse & Shoreline Buffers

31 Comprehensive Development District (CDD) Zone

31.1 PERMITTED USES

31.1.1 The following uses shall be permitted in Comprehensive Development District (CDD) Zone subject to the requirements of this Bylaw:

(a) Dwelling – 1 dwelling unit on a lot

31.2 USES CONSIDERED BY DEVELOPMENT AGREEMENT

31.2.1 The following uses shall be considered in the Comprehensive Development District (CDD) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

(a) Comprehensive Developments – **Policy 4-110**

31.3 COMPREHENSIVE DEVELOPMENT DISTRICT (CDD) ZONE DEVELOPMENT STANDARDS

31.3.1 In the Comprehensive Development District (CDD) Zone, no development permit shall be issued except in conformance an effective development agreement or with the following requirements:

Standard	All Permitted Uses
Minimum Lot Area	
i. Serviced Lot	600 m^2 (6,459 ft^2)
ii. Unserviced Lot	2,700 m^2 (29,063 ft^2)
Minimum Lot Frontage	
i. Serviced Lot	20.0 m (65.7 ft)
ii. Unserviced Lot	37.0 m (121.4 ft)
Minimum Front Setback	10.0 m (32.9 ft)
Minimum Rear Setback	
i. Main Buildings on Corner Lots	4.0 m (13.2 ft)
ii. Main Buildings on Other Lots	8.0 m (26.3 ft)
iii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Side Setback	
i. Main Buildings	2.0 m (6.6 ft)
ii. Accessory Buildings	2.0 m (6.6 ft)
Minimum Flanking Setback	
i. Main Buildings	5.0 m (16.4 ft)
ii. Accessory Buildings	5.0 m (16.4 ft)
Maximum Building Height	
i. Main Buildings	10.6 m (34.7 ft)
ii. Accessory Buildings	7.6 m (24.9 ft))

32 Mi'kmaw Land (ML) Zone

32.1 PERMITTED MAIN USES

32.1.1 The following main uses shall be permitted in the Mi'kmaw Land (ML) Zone subject to the requirements of this Bylaw:

(a) All

32.2 PERMITTED USES WITH CONDITIONS

32.2.1 The following main uses shall be permitted in the Mi'kmaw Land (ML) Zone subject to the requirements of this Bylaw and any conditions noted:

None

32.3 PERMITTED USES BY SITE PLAN APPROVAL

32.3.1 The following main uses shall be permitted in the Mi'kmaw Land (ML) Zone by Site Plan Approval subject to the requirements of this Bylaw:

None

32.4 USES CONSIDERED BY DEVELOPMENT AGREEMENT

32.4.1 The following uses shall be considered in the Mi'kmaw Land (ML) Zone by Development Agreement, subject to the applicable policies in the Municipal Planning Strategy:

None

32.5 MI'KMAW LAND (ML) ZONE DEVELOPMENT STANDARDS

32.5.1 In the Mi'kmaw Land (ML) Zone, no development permit shall be issued except in conformance with an effective development agreement or the following requirements:

Standard	All Permitted Uses
Minimum Lot Area	N/A
Minimum Lot Frontage	N/A
Minimum Front Setback	10.0 m (32.8 ft)
Minimum Rear Setback	10.0 m (32.8 ft)
Minimum Side Setback	10.0 m (32.8 ft)
Minimum Flanking Setback	10.0 m (32.8 ft)

33 Flood Zones and Overlays

33.1 APPLICABILITY

33.1.1 Lands within the following flood overlays, as depicted on Schedule 'B' are subject to the provisions of this Part, in addition to the general provisions of this Bylaw and the specific provisions of the underlying zone(s) applied to the lands:

(a) Flood Way Modification (E-3) Overlay

(b) Flood Way Fringe (E-4) Overlay

33.1.2 Where the provisions of this Part conflict with other portions of this Bylaw, this Part shall prevail.

33.2 FLOOD PROOFING STANDARDS

33.2.1 Where this Bylaw allows, main buildings associated with permitted land uses in all flood overlays shall meet the following flood proofing requirements:

(a) The "minimum opening elevation" of any main building shall be flood proofed to an elevation of 0.09 metres (0.30 feet) above the established 1:100 year flood elevation indicated on mapping prepared under the Municipal Flood Line Mapping Program.

(b) Fill shall be placed around the perimeter of the building to a height equal to the minimum opening elevation for a distance of 3.0 metres (9.84 feet) perpendicular to the said perimeter. Such fill shall have a slope of 50% to existing grade where soil is used as backfill material, subject to **Section 33.4** below.

(c) Notwithstanding **(b)** above, a slope to existing grade exceeding 50% may be used provided that the backfilling has been designed by a professional engineer and subject to **Section 33.4** below.

(d) Notwithstanding **(b)** above, fill may be placed around the structure at a minimum 3% slope provided the volume of fill in excess of **(b)** above meets the site development standards contained **Section 33.11.**

(e) At the finished foundation stage of construction, the property owner shall provide the Development Officer with a location certificate prepared by a Surveyor licensed to practice in Nova Scotia indicating, in addition to the location of the buildings or structures on the lot, the minimum opening elevation.

33.3 INFILLING

33.3.1 Unless otherwise permitted under this Bylaw, the infilling of any property subject to the flood overlays shall not be permitted except as necessary for public works projects and to improve the effectiveness of flood water and/or storm water drainage control.

33.4 SITE GRADING AND DRAINAGE

33.4.1 Unless otherwise permitted under this Bylaw, alterations to topography shall:

(a) not interfere with the drainage of designated Flow Ways;

(b) not prevent water from occupying an area designated as a 1:20 year and/or a 1:100 year flood plain; and

(c) direct surface water to the lowest elevation on the property.

33.5 DITCHING STANDARDS

33.5.1 Where this Bylaw requires ditching in relation to land forming activities, the following standards shall apply:

(a) the minimum distance between the lowest elevation and land formed field and the bottom ditch shall not be less than 0.6 metres (2.0 feet);

(b) the side slopes of ditches shall be constructed at a maximum slope of 50% for ditches that are less than 1.0 metres (3.3 feet) deep and a maximum 33% for ditches deeper than 1.0 metres (3.3 feet);

(c) all ditches shall be lined with an approved material to prevent erosion and slumping; and

(d) all ditches shall have positive drainage beginning at an elevation of 7.9 metres (25.9 feet) above sea level.

33.5.2 The Development Officer may consult with a qualified expert regarding any application involving ditching design standards identified in this section.

33.6 FARMLAND IMPROVEMENT

33.6.1 Alterations necessary for farmland improvement will not be subject to the issuance of a development permit provided the alterations are consistent with **Section 33.5** Ditching Standards, and Appendix 'A' – Dykeland Land Forming Standards.

33.7 TEMPORARY STRUCTURES

33.7.1 Where this Part allows temporary structures and uses and portable structures, such shall only be permitted to remain in place between April 1 and October 31.

33.8 EXISTING BUILDINGS / STRUCTURES & REMEDIAL WORK

33.8.1 Notwithstanding anything else in this Bylaw, a development lawfully existing on July 15, 2002, which does not meet the flood proofing requirements contained herein may be enlarged, modified, or altered provided the improvement involves an acceptable alternative flood proofing measure.

33.9 APPLICATION FOR DEVELOPMENT PERMIT

33.9.1 Where an application for a development permit for a "cut and fill" involves more than one property in a hydrologic region, the applicant shall provide the Development Officer with written notice from each affected property owner that such an application is being made on their behalf.

33.10 PERMITTED USES AND STRUCTURES

33.10.1 The uses and structures permitted in the flood zones and in the flood overlays (subject to the uses permitted in the underlying zoning), shall be as outlined in **Table 33-1.**

Table 33-1 Permitted Uses and Structures in Flood Zones and Overlays.

	Permitted Uses	Permitted Structures
Flow Way Zone (E-1)	• Accessory Outdoor Storage • Agriculture & Gardening • Golf Courses • Parking Lots • Picnic & Camping Facilities • Public Works Projects • Sports Fields, Trails, Outdoor Rinks • Walkways & Trails	• Structures incidental to public works projects • Temporary and portable structures accessory to permitted uses and subject to **Section 33.7**
Flood Way Zone (E-2)	• Accessory Outdoor Storage • Agriculture & Gardening • Golf Courses • Parking Lots • Picnic & Camping Facilities • Public Works Projects • Sports Fields, Trails, Outdoor Rinks • Walkways & Trails	• Structures incidental to public works projects • Temporary and portable structures accessory to permitted uses and subject to **Section 33.7** • One building per 930 m^2 (10,010 ft^2) of lot area which does not exceed 10.0 m^2 (107.6 ft^2) in floor area and is used in conjunction with any permitted use provided the applicant agrees to accept all risks and not hold the Municipality responsible for any damages incurred in the event of a flood.
Flood Way Modification Overlay (E-3)	• Uses permitted by the underlying zoning except hospitals, nursing homes, residential facilities, industrial uses, and scrap yards	• Structures permitted by the underlying zoning
Flood Way Fringe Overlay (E-4)	• Uses permitted by the underlying zoning except hospitals, nursing homes, residential facilities, industrial uses, and scrap yards	• Structures permitted by the underlying zoning

33.11 CUT AND FILL PROCEDURE

33.11.1 Where a property is permitted to be developed using a "cut and fill" procedure, the following requirements shall be met:

(a) fill placement shall be in accordance with all applicable requirements under this Bylaw; and

(b) for the purposes of this Section, created storage space shall mean the volume of cuts made between 8.5 metres (27.9 feet) above sea level and the appropriate 1:20 year flood elevation indicated on the Municipal Flood Line Mapping Program or such higher elevation above 8.5 meters to facilitate positive drainage of any area being cut.

APPLICATION FOR DEVELOPMENT PERMIT

33.11.2 An application for a development permit pursuant to **Subsection 33.11.1** above, shall be accompanied by a plan showing:

(a) all information required under **Sections 4.5 and 4.6** of this Bylaw, certified by a professional surveyor or survey engineer;

(b) existing and proposed contours of the site at an interval of not less than 0.25 m (0.8 ft) indicating the areas on the lot(s) to be cut and filled and drainage patterns; and

(c) detailed calculations indicating the volumes of "cut and fill" for each affected property.

33.11.3 Written permission from all affected landowners must accompany the application.

PERMITS

33.11.4 Upon receipt of the information outlined in **Section 33.11.2** the Development Officer may issue a development permit to construct.

33.11.5 Notwithstanding **Section 3.3** of this Bylaw, a development permit to construct shall become null and void if the development has not been completed within twelve (12) months from the date of issuance unless an application to renew a permit has been approved by the Development Officer.

33.11.6 In the event the permit has expired and a renewal has not been issued by the Development Officer, the Municipality may take action to remediate the site or taken action as outlined in the Nova Scotia *Municipal Government Act* as amended from time to time.

33.11.7 Within 30 days of the completion of a development, the property owner shall obtain from the Development Officer a Certificate of Compliance.

33.11.8 A Certificate of Compliance shall only be issued when the following conditions have been met:

(a) the new 1:20 year flood line shall be tied to two consecutive Nova Scotia Survey Control Monuments;

(b) provide a new contour of the 1:20 year flood line;

(c) submission of a digital file, in a format acceptable to the Municipality, prepared by a professional surveyor or survey engineer for (a) and (b) above;

(d) submit an "as constructed" plan prepared by a professional surveyor or survey engineer indicating the site civil work required under **Subsection 33.11.2** above has been completed.

REINSTATEMENT

33.11.9 The property owner shall, within 30 days, reinstate exposed soils on the property with appropriate landscaping materials to minimize erosion and sedimentation.

SOIL CONSERVATION

33.11.10 Appendix 'B', Soil Conservation Areas, identifies areas containing quality soils for agricultural purposes. Regardless of permitted land uses and in addition to other provisions of this Bylaw alterations to topography shall be subject to the following requirements:

(a) the finished elevation of any cuts or the removal of fill shall not be less than 8.5 metres above sea level except for ditches;

(b) topsoil shall be removed, stockpiled and reapplied to the area affected by the alteration;

(c) the area of land shall be reformed in compliance with industry practices for Dykeland Ditching Standards and the Dykeland Land Forming Standards outlined in Appendix 'A'; and

(d) any activity carried out under this Section shall only be permitted to occur between May 1 and September 31.

33.11.11 Parking lots and public works projects shall be permitted uses in areas identified for soil conservation and not subject to requirements outlined in **Section 33.11.10.**

33.12 SPECIAL PROVISIONS FLOW WAY (E-1) ZONE

ALTERATIONS TO TOPOGRAPHY

33.12.1 Alterations to topography including any change to an established watercourse shall not be permitted in the Flow Way (E-1) Zone unless the alteration is designed to improve the flood way flows and drainage.

33.12.2 No unnecessary fill other than for soil conservation purposes shall be deposited in the Flow Way (E-1) Zone.

33.12.3 The removal of fill is permitted in the Flow Way (E-1) Zone provided the requirements of **Section 33.11** are met.

VEGETATION MANAGEMENT

33.12.4 No trees, bushes or vegetative material or objects that would restrict or impede the flow of water and/or ice shall be permitted to be planted or placed in the Flow Way (E-1) Zone.

33.13 SPECIAL PROVISIONS FLOOD WAY (E-2) ZONE

ALTERATION OF TOPOGRAPHY

33.13.1 Minor alterations to topography shall be permitted subject to the issuance of a development permit to allow for necessary grading of roads, driveways and parking areas, sports fields, golf courses, and other recreational uses provided the following conditions can be met:

(a) gravel and other materials may be deposited in the Flood Way (E-2) Zone to allow for the reasonable construction of driveways;

(b) the property owner shall submit an "as constructed" plan prepared by a Professional Surveyor or Professional Survey Engineer indicating contours of the affected area at an interval not less than 0.25 m (0.8 ft.); and

(c) no alteration carried out under this Section above shall impede drainage or flow of flood water or reduce the capacity of flood water storage.

33.14 SPECIAL PROVISIONS FLOOD WAY MODIFICATION (E-3) OVERLAY

PROPERTY DEVELOPMENT

33.14.1 A property located in the Flood Way Modification (E-3) Overlay may be developed provided it meets flood proofing requirements as set out in **Section 33.2** of this Bylaw.

33.15 SPECIAL PROVISIONS FLOOD WAY FRINGE (E-4) OVERLAY

33.15.1 Pursuant to Municipal Planning Strategy **Policy 4-115**, a property located in the Flood Way Fringe (E-4) Overlay may be infilled to any elevation provided the "cut

and fill process requirements outlined in **Section 33.11** have been followed.

33.16 SOIL STABILIZATION

33.16.1 Where this Bylaw allows for the alteration of topography, the property owner shall immediately stabilize any exposed soils in accordance with methods and procedures described in the Nova Scotia Department of Environment *Erosion and Sedimentation Control Handbook for Construction Sites* as amended from time to time.

34 Site Plan Approval

34.1 INTRODUCTION TO APPROVAL CRITERIA

34.1.1 This Part contains criteria to be considered in addition to all other requirements of this Bylaw when approving development through the site plan approval process.

34.1.2 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.

34.1.3 Development shall reasonably meet all site planning criteria of the following sections, as they apply to certain types of development.

34.1.4 The Development Officer may 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.

34.2 BOARDING HOUSE, DWELLING AND ACCOMMODATIONS SITE PLAN APPROVAL

34.2.1 Where a zone permits boarding houses and dwellings by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the matters of **Section 34.2** have been addressed.

PLANTING, LANDSCAPING AND ADVERSE EFFECT MITIGATION

34.2.2 Parking areas, mechanical equipment, outdoor storage areas and waste management facilities shall not be located in required setbacks.

34.2.3 Landscaping, fencing or similar visual barriers as a screen, defined in **Section 35**, Definitions, shall be provided around parking areas, mechanical equipment, outdoor storage areas and waste management facilities to minimize visual impacts and privacy intrusion on adjacent residential properties to a reasonable extent.

34.2.4 A minimum of 25% of the total property area shall be retained as open and amenity space and appropriately landscaped with grass and other planting materials.

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

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

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

MOVEMENT THROUGH SITE

34.2.8 Where a sidewalk, trail or similar walking paths are available abutting the subject property, 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 (4.9 feet) in width and paved with asphalt, concrete, or interlocking pavers.

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

34.2.10 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 (9.8 feet) in width for single-lane and 6.0 metres (19.7 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.

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

34.3 MEDIUM SIZED COMMERCIAL STRUCTURES SITE PLAN APPROVAL

34.3.1 Where a zone permits medium sized commercial structures by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the matters of **Section 34.3** have been addressed.

LOCATION AND DESIGN OF NEW STRUCTURES

34.3.2 All buildings shall be located as far away from existing single and double dwelling units as reasonably possible.

34.3.3 No structure on the site shall exceed 8.0 metres (26.2 feet) or two stories above the established grade, whichever is less. Notwithstanding, any lot zoned C-1 and with frontage and access to Robie Street, Lower Truro are exempt from this requirement.

PLANTING, LANDSCAPING AND ADVERSE EFFECT MITIGATION

34.3.4 Landscaping, fencing or similar visual barriers shall be provided around parking areas, mechanical equipment, outdoor storage areas and waste management facilities to minimize visual impacts and privacy intrusion on adjacent residential properties to a reasonable extent.

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

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

34.3.7 Parking areas, mechanical equipment, outdoor storage areas, and waste management facilities shall not be located in required setbacks.

34.3.8 Suitable site grading and storm water management practices shall be required to adequately dispose of surface water from the site.

34.3.9 A landscaped area shall be provided along a public street a minimum of 3.0 metres (9.8 feet) from the edge of the road or sidewalk. The area shall be landscaped with grass, shrubs, trees, or other material to provide an attractive streetscape for the business without hindering exposure.

34.3.10 Exterior lighting and signage shall be located in a manner that does not interfere with neighbouring dissimilar land uses.

34.3.11 All components of the development shall be adequately maintained.

EXEMPTION

34.3.12 Site Plan Approval shall not be required for cumulative expansions that are less than 50.0 square metres (538.0 square feet) in area.

34.4 DRIVE-THROUGH RESTAURANTS SITE PLAN APPROVAL

34.4.1 Where a zone permits drive through restaurants by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use By-law and the matters **Section 34.4** have been addressed.

PLANTING, LANDSCAPING AND ADVERSE EFFECT MITIGATION

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

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

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

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

34.4.6 Outdoor storage shall not be permitted in the front and flankage yards.

MOVEMENT THROUGH THE SITE

34.4.7 Where a sidewalk, trail or similar walking paths are 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 (4.9 feet) in width and paved with asphalt, concrete, bricks, or interlocking pavers.

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

34.4.9 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 (9.8 feet) in width for single-lane and 6.0 metres (19.7 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.

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

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

LOCATION OF NEW STRUCTURES

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

34.4.13 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-THRU SPECIFIC REQUIREMENTS

34.4.14 When a drive-through service or drive-through restaurant abuts a property with existing dwellings, any intercoms, speakers, and service windows shall be located in a manner so as to best direct noise away from neighbouring dwellings.

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

34.4.16 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.

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

34.5 CAMPGROUND SITE PLAN APPROVAL

34.5.1 Where a zone permits campgrounds by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the matters of **Section 34.5** have been addressed.

CAMPGROUND LAYOUT

34.5.2 Campgrounds shall be designed to avoid undue hazards for traffic circulation and to avoid creating pedestrian hazards.

34.5.3 All building and non-building uses associated with a campground 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 15.0 metres (49.21 feet) from all lot lines.

34.5.4 The development shall have adequate emergency service access.

34.5.5 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

34.5.6 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 to create buffers along the campground perimeter.

34.5.7 All areas disturbed by development shall be landscaped.

34.5.8 Measures including lot grading and stormwater management practices shall be integrated in the site concept to adequately dispose, retain, and manage stormwater and surface water.

CAMPSITES SPACES

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

34.5.10 Any fire places or wood burning devices shall be located a minimum of 15.0 metres (49.0 feet) from all lot lines.

MOVEMENT THROUGH THE SITE

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

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

34.5.13 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.

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

34.6 REUSE OF COMMUNITY FACILITIES SITE PLAN APPROVAL

34.6.1 Where the reuse of a community facility for dwelling uses is enabled by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the matters of **Section 34.6** have been addressed.

RETENTION OF THE COMMUNITY FACILITY BUILDING

34.6.2 At least 80% of the existing former community building shall be retained, measured as a proportion of exterior wall area.

34.6.3 The total floor area of the proposed development shall not exceed 120% of the floor area of the building as it existed during its last operational use.

34.6.4 The height of the building shall not be increased more than 3.0 metres and shall comply with zone standards for building height.

34.6.5 The proposal shall retain prominent aspects of the former community facility building.

PLANTING, LANDSCAPING AND ADVERSE EFFECT MITIGATION

34.6.6 Parking areas, mechanical equipment, outdoor storage areas and waste management facilities shall not be located in required setbacks.

34.6.7 Landscaping, fencing or similar visual barriers shall be provided around parking areas, mechanical equipment, outdoor storage areas and waste management facilities to minimize visual impacts and privacy intrusion on adjacent residential properties to a reasonable extent.

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

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

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

MOVEMENT THROUGH SITE

34.6.11 Where a sidewalk, trail, or similar walking paths are available abutting the subject property, 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 (4.9 feet) in width and paved with asphalt, concrete, or interlocking pavers.

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

34.6.13 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 (9.8 feet) in width for single-lane and 6.0 metres (19.7 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.

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

34.7 CLUSTER DEVELOPMENT SITE PLAN APPROVAL

34.7.1 Where a zone permits cluster development by site plan approval, the Development Officer shall approve a site plan where the requirements of this Land Use Bylaw and the matters of **Section 34.7** have been addressed.

DEVELOPMENT DENSITY

34.7.2 Each dwelling shall contain no more than two dwelling units.

34.7.3 The overall density of the entire development, in terms of dwelling units per hectare, shall not exceed 1.0 times what could be achieved through as-of-right development in the applicable land use zone(s). Where the development encompasses more than one zone, the as-of-right development potential shall be calculated proportional to the land area of each of the applicable zones.

MOVEMENT THROUGH SITE

34.7.4 Where a sidewalk, trail or similar walking paths are available abutting the subject properties, 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 (4.9 feet) in width and paved with asphalt, concrete, or interlocking pavers.

OPEN SPACE AND LANDSCAPING

34.7.5 The development shall retain at least 40% of the total land area as open space or agriculture.

34.7.6 Where possible, vegetation on site shall be retained and incorporated into the site landscape, particularly for the protection of environmentally sensitive or significant areas and to create buffers along the Cluster Development perimeter.

34.7.7 All areas disturbed by development shall be landscaped.

34.7.8 Measures including lot grading and stormwater management practices shall be integrated in the site concept to adequately dispose, retain, and manage stormwater and surface water.

35 Definitions

1. **A-WEIGHTED DECIBEL OR DB(A)** means a measurement of Environmental Noise, whereby A-frequency weighting is used to compensate for the varying sensitivity of the human ear to sounds at different frequencies.

2. **ABATTOIR** means the use of a building, structure, or part thereof, for slaughtering and processing animals.

3. **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.

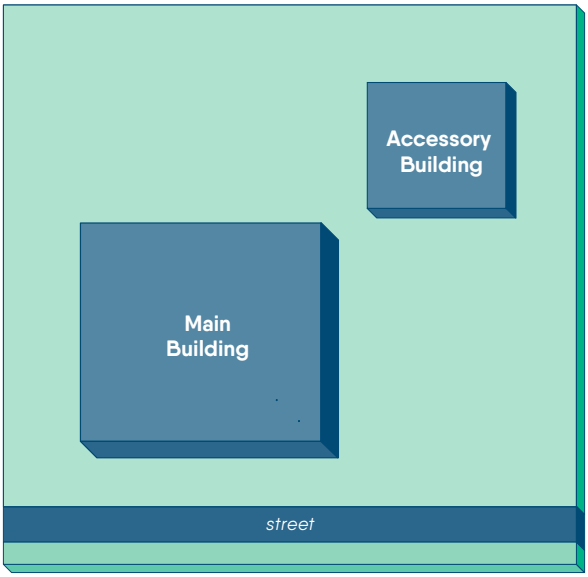


Figure 14 Accessory Building

4. **ACCESSORY STRUCTURE** means a structure other than a building which is located on the same lot as the principal use or main building, and of a nature customarily and clearly secondary and incidental to the main building or principal use. For the purposes of this Bylaw, accessory structures shall include signs, swimming pools, fences over 2.0 metres in height, non-broadcasting antenna, and similar structures.

5. **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.

6. **ACCOMMODATIONS** 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, and hostels; entire home rental; individual room rental; cottage rentals; cabin rentals; geodesic dome rentals; or yurt rentals.

7. **AGGREGATE RELATED INDUSTRIES** means buildings, structures, land, or part thereof, used for aggregate processing, storage, and related uses including, but not limited to, asphalt processing, concrete batching and component manufacturing, sand pit operations, and mineral bulk storage. This definition also includes worker housing accessory to an aggregate related use.

8. **AGRICULTURAL USE** means the use of land and buildings for activities directly supporting farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, horse stables, and animal and poultry husbandry and the necessary accessory uses for packing, storing, or treating the produce. This definition also includes worker housing accessory to the agricultural use.

9. **AGRICULTURE RELATED INDUSTRIES** means the use of land, buildings, or structures for commercial/industrial uses directly related to agriculture and necessarily in close proximity to farm operations, such as feed mills, farm equipment repair, farm wineries, farm breweries, cheesemakers, and similar uses, but excludes the processing of animals, which is covered by the definition of abattoir.

10. **AGRITOURISM** means the use of land, buildings, structures, or part thereof to provide tourist-oriented activities or services located on a farm operation that promotes the products grown, raised, and/or processed on that farm operation. These may include, but are not limited to, winery retail sales, farm brewery retail sales, tasting rooms, "field to table" restaurants, u-picks, hayrides, and farm-stay accommodations.

11. **AMBIENT DEGRADATION NOISE STANDARD** means the average noise level over a specified period of time, usually composed of sound from many sources, near and far.

12. **ANIMAL CARE** means the use of land, buildings, or structures for the care of animals and includes veterinary care and grooming but does not include the breeding of animals or boarding.

13. **ANIMAL SHELTER** means a lot and/or building or part thereof used for the care of lost, abandoned, or neglected animals, run by a registered, non-profit, animal welfare charity.

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

15. **AUTOMOBILE SALE, REPAIR, & SERVICE STATIONS** the commercial use of land, buildings, or part thereof for the sale, repair, washing, or fueling of automobiles and may include the sale of lubricating oils and automobile accessories.

16. **BANKS & FINANCIAL** means the use of a building for the provision of banking and financial services, and may include, but is not limited to, banks, mortgage brokers, and financial advisors.

17. **BOARDING HOUSE** means a building in which the proprietor rents out two or more separate boarding house sleeping units but does not include rooms advertised to the travelling public but may include staff housing.

18. **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.

19. **BUFFER** means a spatial separation between two uses or other identified physical features.

20. **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 all additions, porches, decks attached thereto.

21. **BUILDING CONTRACTOR** means the use of buildings or land for the storage of materials and small tools in support of a building and construction-related trade such as, but not limited to, carpenters, electricians, masons, and plumbers, but does not include the storage of heavy equipment.

22. **BUSINESS & PROFESSIONAL OFFICE** means the use of a building or portion of a building where business may be transacted, a service performed, or consultation given, and includes but is not limited to offices for lawyers, architects, engineers, planners, accountants, real estate agents, and photographers but shall not include any place where manufacturing of any product or selling of goods is carried on.

23. **BUSINESS SERVICES** means the use of a building or part thereof for commercial services in support of business activities such as, but not limited to, copy and print shops, courier and delivery services, and business equipment leasing.

24. **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.

25. **CAMPING UNIT** means any tent, trailer, cabin, lean-to, recreational vehicle or similar structure established or maintained and operated as temporary living quarters for recreation, education, or vacation purposes.

26. **CIVIC & CULTURAL USES** 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.

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

28. **CLUSTER DEVELOPMENT** means a form of development in which the developed area is concentrated at higher density to preserve open space, farmland, recreation features, or environmental features while maintaining a gross density that is similar to what it would be if the development was carried out through a more traditional approach to subdivision.

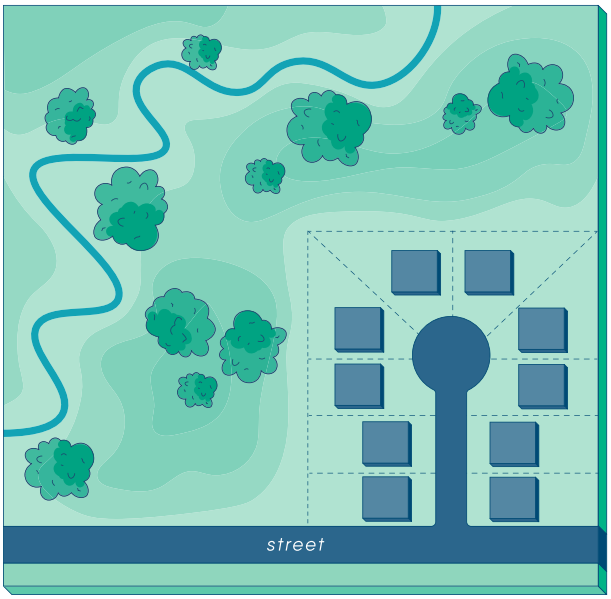


Figure 15 Cluster Development

29. **COLLECTOR STREET** means a street listed in Schedule 'F' of this Bylaw.

30. **COMMERCIAL RECREATION** means the use of land, buildings, or part thereof for commercial recreation or entertainment purposes.

    a. **INDOOR COMMERCIAL RECREATION** means the use of a building or part of a building for indoor commercial recreation or entertainment purposes and without limiting the generality of the foregoing, may include such establishments as dance halls, billiard or pool halls, movie theatres, bowling alleys, miniature golf courses, bingo halls, roller skating rinks and discos, indoor paintball, and arcades for pinball and other game machines and amusements.

    b. **OUTDOOR COMMERCIAL RECREATION** means the use of land for outdoor commercial recreation or entertainment purposes and includes but is not limited to ski hills, golf courses, private tennis clubs, gondolas, equestrian centres, and archery ranges, but shall not include shooting ranges and racetracks.

31. **COMMERCIAL STRUCTURE, LARGE SIZED** means a commercial structure, including shopping centres with a net floor area of 4,645 square metres (50,000 square feet) or more.

32. **COMMERCIAL STRUCTURE, MEDIUM SIZED** means a commercial structure exceeding 930 square metres (10,000 square feet) but less than 4,645 square metres (50,000 square feet),

33. **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.

34. **COMMUNITY HALL** 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.

35. **CONSERVATION** means the use of land for open space and any structure or building necessary for conservation purposes or scientific research related to the lands in question or to adjacent water bodies.

36. **CONVENIENCE STORE** means a store intended to provide the neighbouring residential area with items of merchandise which constitute general dry goods and grocery food items including accessory uses such as ATMs, video rentals, postal services, lunch counter and not more than three (3) coin operated amusement machines. Such business shall be conducted within a wholly enclosed building which floor space does not exceed 111 square metres (1194.8 square feet) in area exclusive of utility and washrooms.

37. **CORNER LOT SIGHT 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 (6.6 feet) 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 lot sight triangle'.

38. **COUNCIL** means the elected Council of the Municipality of the County of Colchester.

39. **CRAFT FOOD AND BEVERAGE PRODUCTION** means the use of a building or part thereof to produce:

    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; or

    c. 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.

40. **CUT AND FILL** means topographical alterations made to a property(s) located in a designated flood plain flooding at a frequency of 1:20 years where soil is moved from one location (cut) and placed in another (fill) with no net loss to the overall flood water storage capacity within that particular hydrologic zone.

41. **DAY CARE CENTRE** means the use of a building or part thereof for the daily, non-medical care of humans for financial remuneration but does not include overnight accommodations or uses captured by the definition of education use.

42. **DECIBEL OR DB** means a measurement of sound, namely the scale in which sound pressure level is expressed. When measuring environmental noise, a weighting network is used which filters the frequency of sound, and is expressed as "dB(A)".

43. **DECOMMISSION BOND** means a bond identifying the Municipality as the beneficiary issued by a recognized surety licensed to carry on business in Nova Scotia, or comparable other form of surety acceptable to the Municipality in its sole discretion.

44. **DECOMMISSION PLAN** means a plan approved for the decommissioning of a wind power project.

45. **DECOMMISSIONING** means the final closing down and dismantling of a wind power project and associated infrastructure once a wind power project has reached the end of its operation life.

46. **DESIGNATION** means an area shown on the Future Land Use Map, Schedule 'B' of the Municipal Planning Strategy.

47. **DESIGNATED FLOOD PLAIN** means the area of land adjacent to the Salmon River, North River and their tributaries that is inundated with flood waters at a statistical frequency of 1:100 years and 1:20 years as identified under the Canada - Nova Scotia Flood Damage Reduction Program and associated Flood Risk Mapping.

48. **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) and shall include any topographical alterations for the purposes of flood plain management.

49. **DEVELOPMENT OFFICER** means the person or persons appointed by Council under the authority of the *Municipal Government Act* to administer the provisions of the Land Use Bylaw.

50. **DEVELOPMENT PERMIT** means the permit issued by the Development Officer certifying that the proposed development complies with the provisions of the Land Use Bylaw and any development agreement or site plan agreement in effect on the property.

51. **DISPLAY COURT** means the use of land for the outdoor display and sale of large household or recreational items such as, but not limited to, all-terrain vehicles, hot tubs, swimming pools, boats, and recreational vehicles. This definition shall include the display and sale of prefabricated homes but shall not include heavy equipment sales.

52. **DRINKING ESTABLISHMENT** means the use of land, a building, or part thereof for the commercial serving of alcoholic beverages but does not include such servicing incidental to a restaurant use or craft food and beverage production use.

53. **DRIVEWAY** means a vehicular passageway having at least one end thereof connected to a public thoroughfare, and providing ingress to and/or egress from a lot.

54. **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 such definition shall include a mini-home or manufactured home but shall not include a recreational cabin or an accommodations use.

   a. **ACCESSORY DWELLING** means a subservient dwelling either located within a single unit dwelling or in a building on a lot with a single dwelling.

   b. **MINI-HOME OR MANUFACTURED HOME** means a transportable, single or multiple section dwelling unit certified by Canadian Standards Association prior to placement on the site as complying with CAN/CSA-Z240 Series "Mobile Homes" at the time of manufacture.

   c. **ROW DWELLING** 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.

   d. **SEMI-DETACHED DWELLING** means a dwelling that is divided vertically into two dwelling units, each with its own entrance.

55. **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).

56. **DYKELANDS** means agricultural lands that have naturally flat topography causing water to pond on the soil surface and are protected from tidal flooding by dykes. The agricultural potential of these soils is greatly improved by providing surface drainage with land forming techniques.

57. **EDUCATION**:

   a. **ACADEMIC EDUCATION** means 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.

   b. **COMMERCIAL EDUCATION** means a school where instruction is given to students for the purposes of renumeration and shall include dancing schools, music schools, driving schools, trade schools, and any other school conducted for renumeration. For the purposes of this bylaw, a commercial school does not include daycare centres or private academic schools.

c. **POST-SECONDARY EDUCATION** 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, and for greater clarity student dormitories shall be considered to be uses accessory to a post-secondary education use.

58. **ENERGY GENERATION SYSTEM** means a structure for converting kinetic or chemical energy to electricity but does not include generators or batteries for on-site use nor solar panels or wind turbines.

59. **ENVIRONMENTAL ASSESSMENT** means all documentation required under the Canadian Environmental Assessment Act of Canada and any regulations thereto and Environment Act of Nova Scotia and any regulations thereto.

60. **ENVIRONMENTAL NOISE** means a measurement of the noise level already present within an environment in the absence of a wind power project.

61. **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.

62. **ERECT** means to build, construct, reconstruct, alter, or relocate and without limiting the generality of the foregoing, 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.

63. **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.

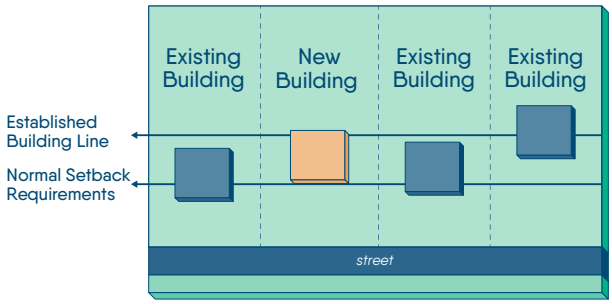


Figure 16 Established Building Line

64. **ESTABLISHED GRADE** means, with reference to a building, the average elevation of the finished surface or the ground where it meets the exterior of such building; or with reference to a structure, means the average elevation of the finished grade of the ground immediately surrounding such structures exclusive in both cases of any artificial embankment or entrenchment.

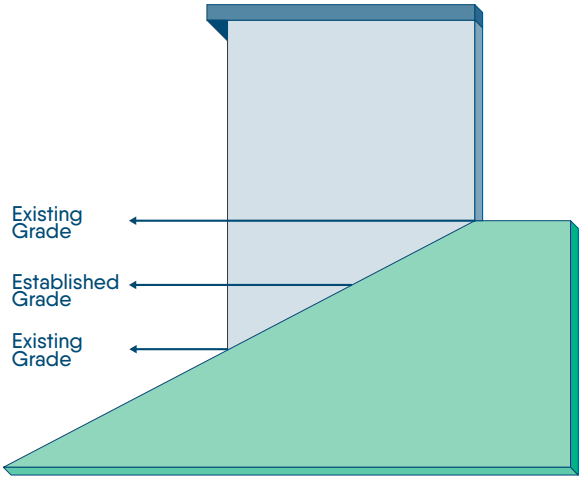


Figure 17 Established Grade

65. **EXISTING** means existing on the specified date or, where no date is specified, on the effective date of this Bylaw.

66. **EXTERNAL PROPERTY LINE** means a common boundary with any parcel of land which is adjacent to those parcels of land which form part of a wind power project.

67. **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.

68. **FERTILIZER BLENDING PLANT** means an enclosed weatherproof facility designed for the mixing, storage, packaging, and distribution of dry granular fertilizer. No part of the blending operation shall involve any outdoor storage of the fertilizer product or any of its components, or the manufacture of any chemical substance.

69. **FISHING-RELATED USES** 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 chandlering, and the storage of commercial fishing gear.

70. **FLOOD PROOFING** means a measure or combination of structural and non-structural measures that incorporated into the design of a structure which reduces or eliminates the risk of flood damage, usually to a defined elevation. The prescribed method of flood proofing is through the permanent placing of fill, or elevation of the structure, or having the sills of all windows and doors through the foundation walls above the specified level.

71. **FLOOD WAY** means the inner portion of a flood risk area where the risk of flooding is greatest, on average once in twenty years, and where flood depths and velocities are greatest.

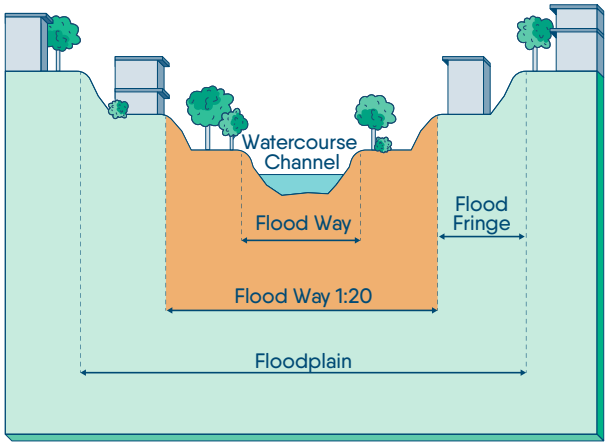


Figure 18 Flood Way

72. **FLOOD WAY FRINGE** means the outer portion of a flood risk area where the risk of flooding is moderate and floods on average once in one hundred years.

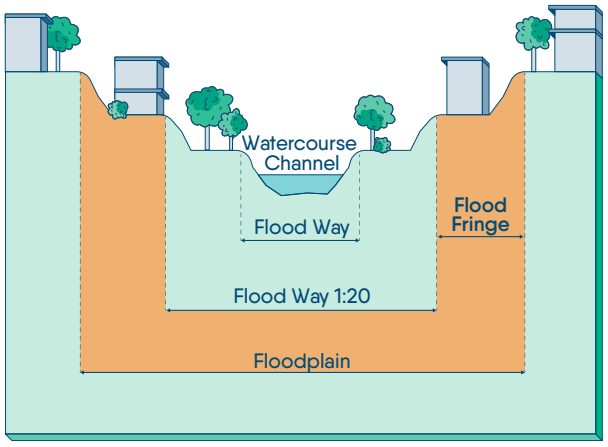


Figure 19 Flood Way Fringe

73. **FORESTRY-RELATED USES** means the use of land or buildings to produce lumber or pulp and uses associated with the forestry industry, including sawmills, maple sugaring operations, Christmas tree u-picks, tree nurseries, shingle mills, forestry vehicle and equipment storage, maintenance buildings and yards, and wholesale outlets for wood and wood products. This definition also includes worker housing accessory to a forestry use.

74. **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.

75. **FUR FARM** means any operation where one or more individuals, whether male or female, of any species of fur bearing animal intended for pelt production are confined to an enclosed structure for feeding, breeding, or holding for production purposes or for future sale.

76. **GARDEN & NURSERY SALES** the use of land, buildings, or part thereof for the growing and sale of flowers, plants, shrubs, trees, or similar vegetation together with gardening tools and implements that are sold at retail from such buildings or lot to the general public.

77. **GOVERNMENT USES** means a municipal, provincial or federal government office, courthouse, registry office, health clinic, welfare center, employment office, buildings required for other government service delivery including municipal servicing and maintenance depots, or a building of any government agency or crown corporation.

78. **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. For residential uses, any private garage, porch verandah, sunroom, unfinished attic, basement, or other room which is not habitable during all seasons of the year shall be excluded.

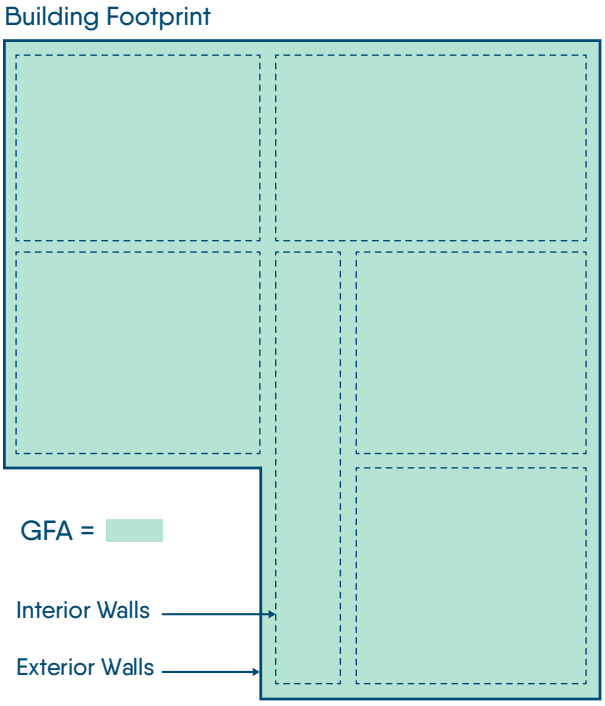


Figure 20 Gross Floor Area

79. **GUEST HOME** 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.

80. **HABITABLE AREA** means an enclosed area of a building designed and/or used for any purpose other than parking of vehicles (including boats), building access, parks and conservation uses, or commercial/industrial storage.

81. **HEAVY EQUIPMENT SALES AND SERVICE** means the use of a building or part of a building or structure in which heavy equipment and machinery are serviced or offered or kept for sale, rent, lease, or hire under agreement for compensation.

82. **HEIGHT**

a. for a buildings means: the vertical distance on a building between the established grade, and:

i. the highest point of the roof surface, or the parapet, whichever is greater, of a flat roof; or

ii. the deckline of a mansard roof; or

iii. the mean level between eaves and ridge of a gabled, hip, gambrel or other type of pitched roof.

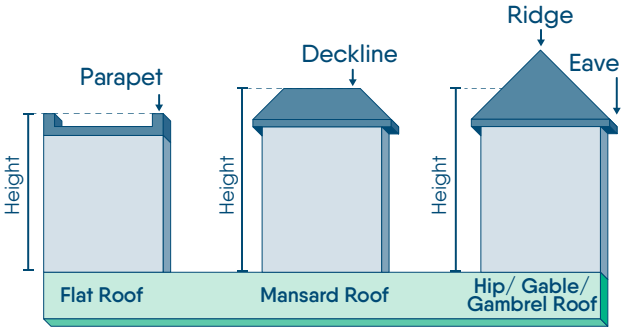


Figure 21 Building Height and Roof Types

b. for a structure means the vertical distance between the established grade and the highest point on the structure.

83. **HOME OCCUPATION** 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.

84. **INDUSTRIAL USE** means a use involving manufacturing, processing, fabrication, or assembly of raw materials or goods, warehousing, or outdoor bulk storage, but does not include scrap yards, which are separately defined. For greater clarity, uses accessory to an industrial use may include, but are not limited to, commercial uses (such as retail or wholesale sales) that are secondary and incidental to the main industrial activity.

    a. **HEAVY INDUSTRIAL USE** 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 include, but is not limited to, explosives, petrochemical, coke, or paint plants; rendering plants; tanneries; refineries; or industrial cleaners.

    b. **LIGHT INDUSTRIAL USE** means an activity carried out within a wholly enclosed structure that is engaged in the manufacturing, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, packaging, incidental storage, sales, and distribution of such products excluding basic industrial processing or any use that produces obnoxious emissions. Light industrial uses shall not include any that may be considered for an environmental assessment under the Nova Scotia *Environmental Assessment Act Regulations.*

85. **INFILLING** means material or the act of depositing material from an outside area into the 1:20 year and/or 1:100 year flood plain as identified under this Bylaw.

86. **INSTITUTIONAL** means a use 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.

87. **KENNEL** means any land, building, structure, outdoor enclosure, or other facility where dogs are kept, boarded, or bred for commercial purposes. A kennel may include daily and overnight boarding, breeding facilities, kennels and dog daycares or combination thereof. For greater certainty, this definition does not include:

   a. veterinary clinics;

   b. grooming businesses that do not provide any form of unattended care and do not have an outdoor dog enclosure or run;

   c. training facilities where each attending dog is handled at all times by either the owner or trainer and in which the facility has no boarding capacity;

   d. hobby or occasional breeding where no more than four litters for smaller breeds up to 10.0 kilograms and two litters for those breeds over 10.0 kilograms, are bred per calendar year on the premises, regardless of the number of mating pairs that may reside on the premises; or

   e. personal ownership or fostering through a recognized animal welfare organization of any number of dogs for which there is no financial remuneration made for any care or services provided.

88. **LAND FORMING** means the process of mechanically moving soil to change agricultural field topography creating improved surface drainage. It involves the excavation of a series of parallel surface drains.

89. **LAND LEASE COMMUNITY** means the use of land in which individual home sites or pads are leased for occupancy by mini homes, manufactured homes, or mobile homes. This use may include shared services; amenities intended for the use of residents; and buildings and uses incidental to the operation of the community such as, but not limited to, management offices, maintenance equipment storage, and a dwelling for the site manager.

90. **LANDSCAPING** means a combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, paving stones, 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 affect adjacent land.

91. **LIVESTOCK** means poultry, cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and any other livestock designated by the Minister of Agriculture under authority of the Fences and *Detention of Stray Livestock Act.* R.S., c. 166, s.1.

92. **LIVESTOCK OPERATION** means the use of land, buildings, or part thereof as a fur farm or for the keeping of livestock for the purposes of raising, feeding, or production.

   a. **INTENSIVE LIVESTOCK OPERATION** means a livestock operation with animal housing structure(s) greater than 50 square metres in combined gross floor area.

   b. **MODERATE LIVESTOCK OPERATION** means a livestock operation with animal housing structure(s) greater than 2.0 square metres in combined gross floor area but not more than 50 square metres in combined gross floor area.

93. **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.

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

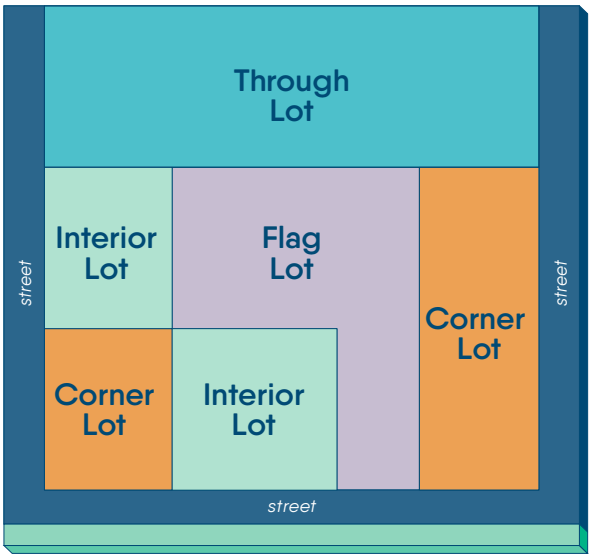


Figure 22 Lot Types

   a. **CORNER LOT** means a lot situated at the intersection of and abutting on two or more streets.

   b. **FLAG LOT** means a lot characterized by the main body of the lot generally to the rear of another lot and with lot frontage provided by a narrow prolongation or "pole" that extends from the main body of the lot to a public or private road.

   c. **INTERIOR LOT** means a lot situated between two lots and having access to one street.

   d. **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 Bylaw.

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

96. **LOT COVERAGE** means the percentage of the lot area covered by buildings and roofed structures, and for the purpose of this definition eaves, cantilevers, or other such projections of a roof shall be counted.

97. **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.

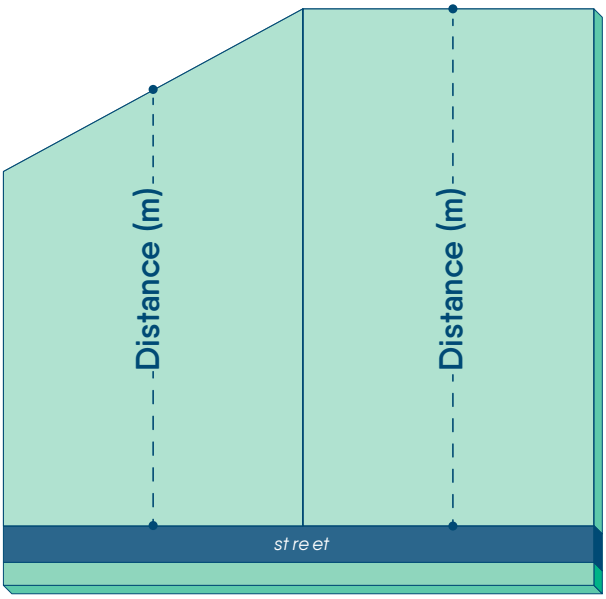


Figure 23 Lot Depth

98. **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 (or front and flanking lot line on through lots with no rear lot line), and at a point equal in distance from the front lot line to the required front setback, or any distance specified in the Bylaw.

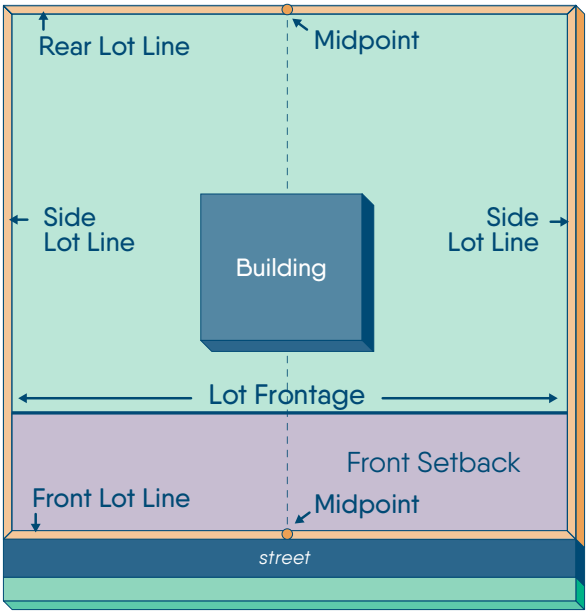


Figure 24 Lot Frontage

99. **LOT LINE** means the boundary of a lot and for greater certainty:

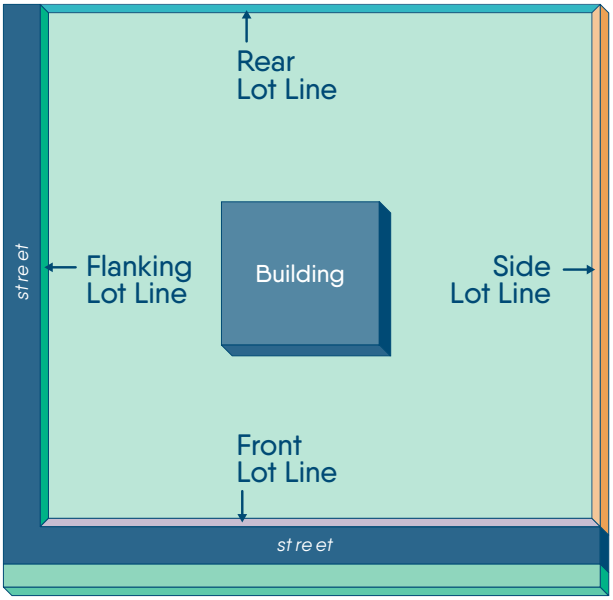


Figure 25 Lot Line

a. **FLANKING LOT LINE** means the lot line which abuts a street on a corner lot or through lot other than the front lot line.

b. **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, either of the two lines may be deemed the front lot line.

c. **REAR LOT LINE** means the line furthest from or opposite the front lot line. In the case of a through lot where the flanking lot line is the lot line furthest from and opposite the front lot line, there shall be no rear lot line.

d. **SIDE LOT LINE** means a lot line other than the front, flanking, or rear lot line.

100. **MAIN BUILDING** means the building or buildings in which the principal purpose for the lot is carried on.

101. **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.

102. **MARINAS & BOAT CLUBS** means a facility where boats may be docked or moored and where fuel and other marine supplies are sold to the boating public, and may include a club element, such as assembly space or the provision of lessons.

103. **MEDICAL CLINIC** means the use of a building or part of a building for the medical, dental, surgical, or therapeutic treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in their residence.

104. **MOBILE HOME** means a transportable, single or multiple section dwelling unit certified by Canadian Standards Association prior to placement on the site as complying with CAN/CSA-Z240 Series “Mobile Homes” at the time of manufacture.

105. **MUNICIPAL GOVERNMENT ACT ("ACT")** means the *Municipal Government Act* of Nova Scotia being Chapter 18 of the Revised Statutes of Nova Scotia, as that Act may be amended from time to time.

106. **MUNICIPALITY** means, where the context dictates, either the body corporate of the Municipality of the County of Colchester or the geographic area incorporated as the Municipality of the County of Colchester.

107. **NACELLE** means the frame and housing at the top of the tower that is part of a wind turbine which encloses components such as the gearbox and generator, protecting them from the weather.

108. **NAMEPLATE CAPACITY** means the manufacturer's maximum rated output of the wind turbine expressed in kilowatts.

109. **NET FLOOR AREA** 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.

110. **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.

111. **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.

112. **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

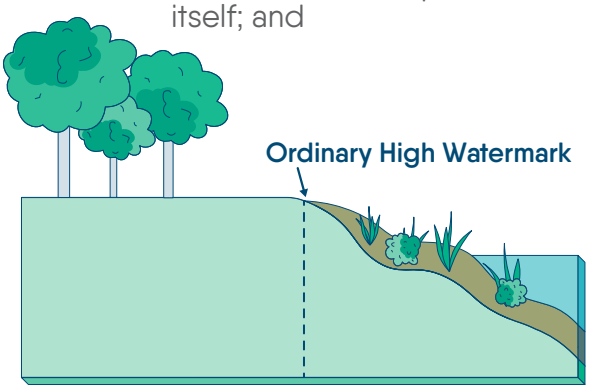


Figure 26 Non-tidal Ordinary High Watermark

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.

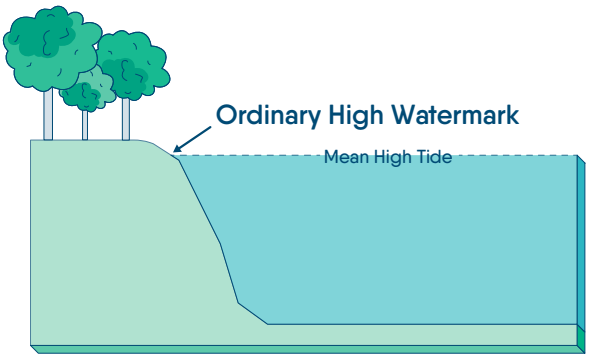


Figure 27 Tidal Ordinary High Watermark

113. **OUTDOOR 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.

114. **OUTDOOR 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.

115. **PARKING LOT** means an open area containing parking spaces, other than a street, for two or more motor vehicles, available for public use or as an accommodation for clients, customers, or residents with access for motor vehicles to and from a street or highway by means of driveways, aisles, or manoeuvring areas where no parking or storage of motor vehicles is permitted.

116. **PARKS AND OPEN SPACE** means the use of land for parks and open space purposes and includes green spaces, naturalized areas, playgrounds, community gardens, and similar uses, together with necessary accessory buildings and structures, but does not include indoor or outdoor commercial recreation uses or a track for the racing of animals or any form of motorized vehicles.

117. **PERSONAL SERVICE SHOP** means the use of a building or part thereof 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, tattoo parlours, and depots for collecting dry cleaning and laundry, but excludes any manufacturing or fabrication of goods for sale

118. **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.

119. **PRIVATE CLUBS & ORGANIZATIONS** means the use of a building exclusively by the members and guests of a club for social, recreational, or athletic activities.

120. **PRIVATE ROAD** means a private road as defined by the Subdivision Bylaw for the Municipality of the County of Colchester and as shown on an approved Subdivision Plan prior to January 1, 1994.

121. **PROFESSIONAL SURVEYOR** means a registered member, in good standing, of the Association of Nova Scotia Land Surveyors.

122. **PROFESSIONAL SURVEY ENGINEER** means a registered member, in good standing, of the Association of Professional Engineers of Nova Scotia and the Association of Nova Scotia Land Surveyors or is a professional engineer who prepares work based on a survey by a professional surveyor.

123. **PUBLIC RECREATION** means the use of public land for outdoor tennis courts, lawn bowling greens, outdoor ice-skating rinks, athletic fields, outdoor swimming pools, and similar facilities.

124. **RACETRACK** means the use of land for the purpose of racing motorcycles, allterrain 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.

125. **RECREATIONAL CABIN** means a recreational shelter typically used for weekend or short term activities such as hunting, fishing or snowmobiling, which is not intended for regular human occupation or living. These are only permitted in Subdivision Area 2, as defined by the *Colchester Subdivision By-law.*

126. **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*.

127. **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 or long-term storage of the material and does not include a scrap yard.

128. **REPAIR 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.

129. **RESIDENTIAL 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 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 nursing home or a facility licensed by Corrections Canada or Nova Scotia Corrections or successor bodies.

130. **RESIDENTIAL OUTBUILDING** means a detached building or structure used for domestic storage but does not include a dwelling unit

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

   a. **DRIVE-THRU RESTAURANT** 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.

   b. **EAT-IN RESTAURANT** means a restaurant or part thereof where food and/or drink may be consumed within the building or on an attached, formalized outdoor space.

   c. **TAKE-OUT RESTAURANT** 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.

132. **RETAIL LUMBER AND BUILDING SUPPLIES** means the outdoor storage and display of lumber and other building supplies for sale. For greater clarity, retail sale contained wholly within a building shall be considered as a retail store.

133. **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.

134. **RIGHT OF WAY** means an easement reserved to access agricultural, forestry, and resource land that extends to and abuts a public road.

135. **SCRAP OR SALVAGE 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 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.

136. **SCREEN** means a physical obstruction between incompatible land uses and for the purposes of this Bylaw, suitable types of screening shall include opaque wood fences, berms, dense evergreen hedges, or a combination of these.

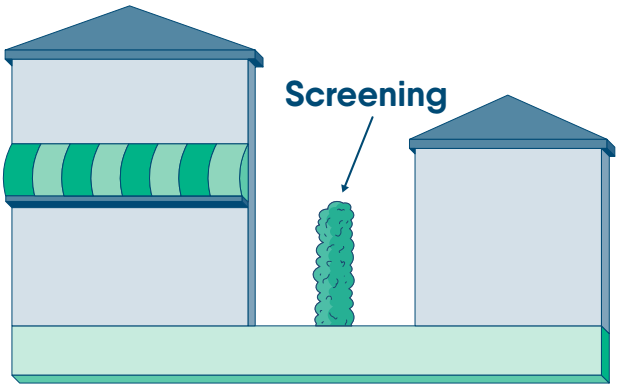


Figure 28 Hedge Screen Example

137. **SELF-STORAGE** means a compartmentalized warehouse facility or complex designed for rental of separate storage areas usually with individual external access, for storage of personal property.

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

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

140. **SHOPPING CENTRE** means a commercial use of land and structures designed, developed, and managed as an inter-related group of commercial uses totaling 930 square metres or more of retail floor space including common areas, related office and warehouse space, but excluding parking areas.

141. **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, and may include the sale, rental, and servicing of firearms and related accessories as an accessory use.

142. **SIGN** means any structure or device intended to identify or advertise a business or commercial activity.

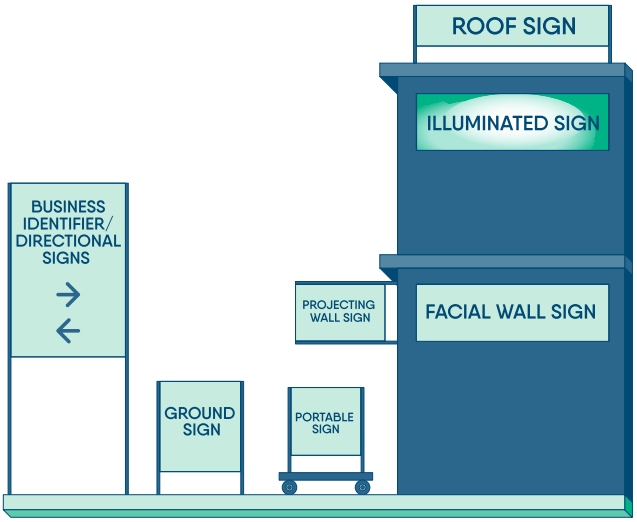


Figure 29 Sign Types

a. **BUSINESS IDENTIFIER / DIRECTIONAL SIGNS** means a standardized composite sign erected and maintained in accordance with this Bylaw that indicates the direct and name of a business premise or development containing multiple business uses.

b. **FACIAL WALL SIGN** means a sign which is parallel to and is supported by a wall of a building.

c. **GROUND SIGN** means a sign supported by one or more upright poles or braces placed permanently in the ground.

d. **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.

e. **PORTABLE SIGN** means a sign designed to be carried, pulled pushed or hauled and which is not permanently fixed in a location.

f. **PROJECTING WALL SIGN** means a sign which projects from, is perpendicular to, and is supported by a wall of a building.

g. **ROOF SIGN** means a sign fixed placed upon or supported by the roof of a building.

143. **SIGN AREA** means the area of the smallest triangle, rectangle or circle or semi-circle which 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 plane of its largest dimension.

144. **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 panel system may include evacuated tubes, flat plate collectors, concentrating mirrors, and building-integrated photovoltaic materials but does not include windows or greenhouses.

   a. **ACCESSORY SOLAR COLLECTOR SYSTEM** means a solar panel 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.

   b. **COMMERCIAL SOLAR COLLECTOR SYSTEM** means a solar panel system designed and sized with a primary purpose to provide electricity or other forms of energy to the grid or other off-site uses.

145. **SOLAR COLLECTOR PANEL AREA** means, for flat panels, the total surface area of any portions of the panel engaged in collecting solar radiation for conversion into useful energy. For curved panels, panel area shall be calculated based on the projection of the panel onto a flat plane.

146. **SOLID WASTE DISPOSAL** means facilities for the treatment and disposal of solid waste, such as garbage or compost, and includes incinerators and landfills, but does not include a salvage yard.

147. **STREET** means a public street or public highway as defined in the Subdivision Bylaw for the Municipality of the County of Colchester.

148. **STREET LINE** means the boundary line of a street.

149. **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, signs, and also fences exceeding 2.0 metres in height. Any tent, awning, bin, bunk, or platform used for any purpose shall be deemed a temporary building.

150. **SUBDIVISION AREA 1** means lands identified as “Area 1” on Schedule “A” of the Subdivision Bylaw for the Municipality of the County of Colchester.

151. **SUBDIVISION AREA 2** means lands identified as “Area 2” on Schedule “A” of the Subdivision Bylaw for the Municipality of the County of Colchester.

152. **TEMPORARY WIND TEST TOWER FACILITIES** means temporary measurement towers for the assessment of potential wind energy resources.

153. **UNGULATES** means any hoofed animals, including the ruminants, swine, horses, or any other split or single hoofed animals.

154. **UNLISTED, UNMAINTAINED ABANDONED PUBLIC ROADS** means a former public road that the Province of Nova Scotia owns but will not grade, repair, or clear.

155. **WALKWAYS AND TRAILS** means the use of land for walkways, trails, and boardwalks, along with accessory structures such interpretive panels or kiosks and washrooms.

156. **WATER ACCESS** means the use of land or structures to provide watercraft access to marine or freshwater bodies and shall include, but is not limited to, wharves, docks, slipways, ramps, quays, and marine railroads.

157. **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.

158. **WAREHOUSE** means a building where wares or goods are stored but shall not include a retail store or a recycling operation.

159. **WHOLESALE SALES** means a commercial use that consists of the selling of merchandise to retailers and to industrial, commercial, institutional, or professional business users, contractors, and other wholesalers, but excludes sales to the end user of merchandise.

160. **WIND FARM** means two or more large scale wind turbines electrically connected to the transmission grid or local distribution network.

161. **WIND POWER PROJECT** means a wind turbine or wind farm and associated property, substations, and other utility systems.

162. **WIND TURBINE** means a wind energy conversion system erected to produce electrical power by capturing the kinetic energy in wind and converting it into electricity.

   a. **LARGE SCALE WIND TURBINE** means any wind turbine that has a nameplate capacity greater than 100 kilowatts, which may be developed as a stand-alone wind turbine or in combination with other wind turbines in a wind farm.

   b. **MICRO SCALE WIND TURBINE** means a wind turbine that has a nameplate capacity of less than 1.0 kilowatts.

   c. **SMALL SCALE WIND TURBINE** means a wind turbine which has a nameplate capacity equal to or less than 100 kilowatts but not less than 1.0 kilowatts, which may be developed as a stand-alone wind turbine or in combination with other wind turbines in a wind farm.

163. **WIND TURBINE HEIGHT** means the distance measured from grade to the highest point of the rotor blade's arc.

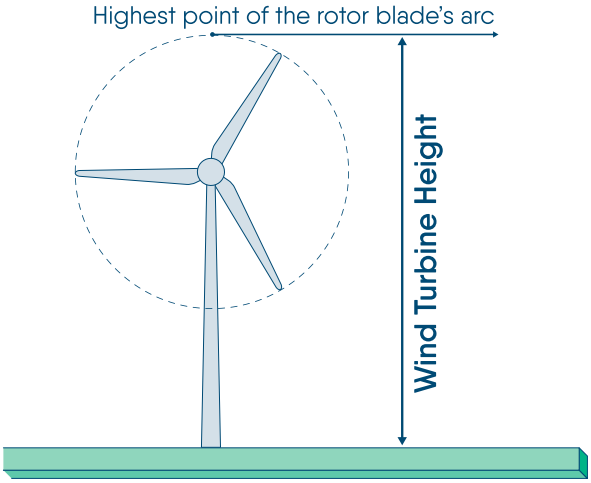


Figure 30 WInd Turbine Height

164. **WORKER HOUSING** means buildings that is accessory to an agricultural use, aggregate use, or forestry use; and is not the main building on the property; and is used to accommodate the workers of said use; and is not considered a dwelling under the *Municipal Government Act*.

165. **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" in which members gain access to shared equipment for small custom production processes.

166. **YARD** means an open, uncovered, area of land extending from the identified lot line to the nearest main wall of any main building or structure. An area of land shall only be categorized as a single type of yard. In determining what yard category applies to an area of land, front yards shall be identified first, then rear yards, then flanking yards, and finally side yards.

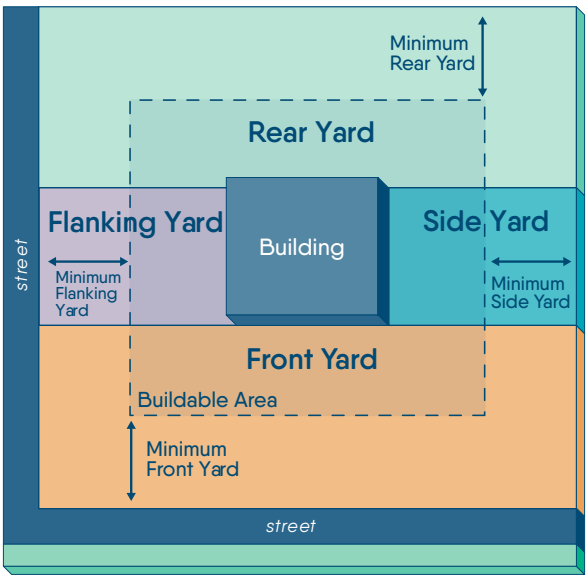


Figure 31 Yard Types

a. **FLANKING YARD** means the yard of a corner lot that 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.

b. **FRONT YARD** means the 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.

c. **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.

d. **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 main building or structure on the lot.

167. **ZONE** means an area of land identified on the zoning map being Schedule 'A' of this Bylaw.

36 Schedules and Appendices

36.1 SCHEDULES, APPENDICES AND FIGURES

36.1.1 All schedules and figures attached to this Bylaw form an official part of this Bylaw.

36.1.2 Any appendices attached to this Bylaw are for information purposes and may be changed by resolution of Council without formally amending this Bylaw.

36.2 SCHEDULE 'A' – ZONING MAPS

36.3 SCHEDULE 'B' – FLOOD OVERLAYS

36.4 SCHEDULE 'C' – GROWTH CENTRES

36.5 SCHEDULE 'D' – COASTAL ELEVATION

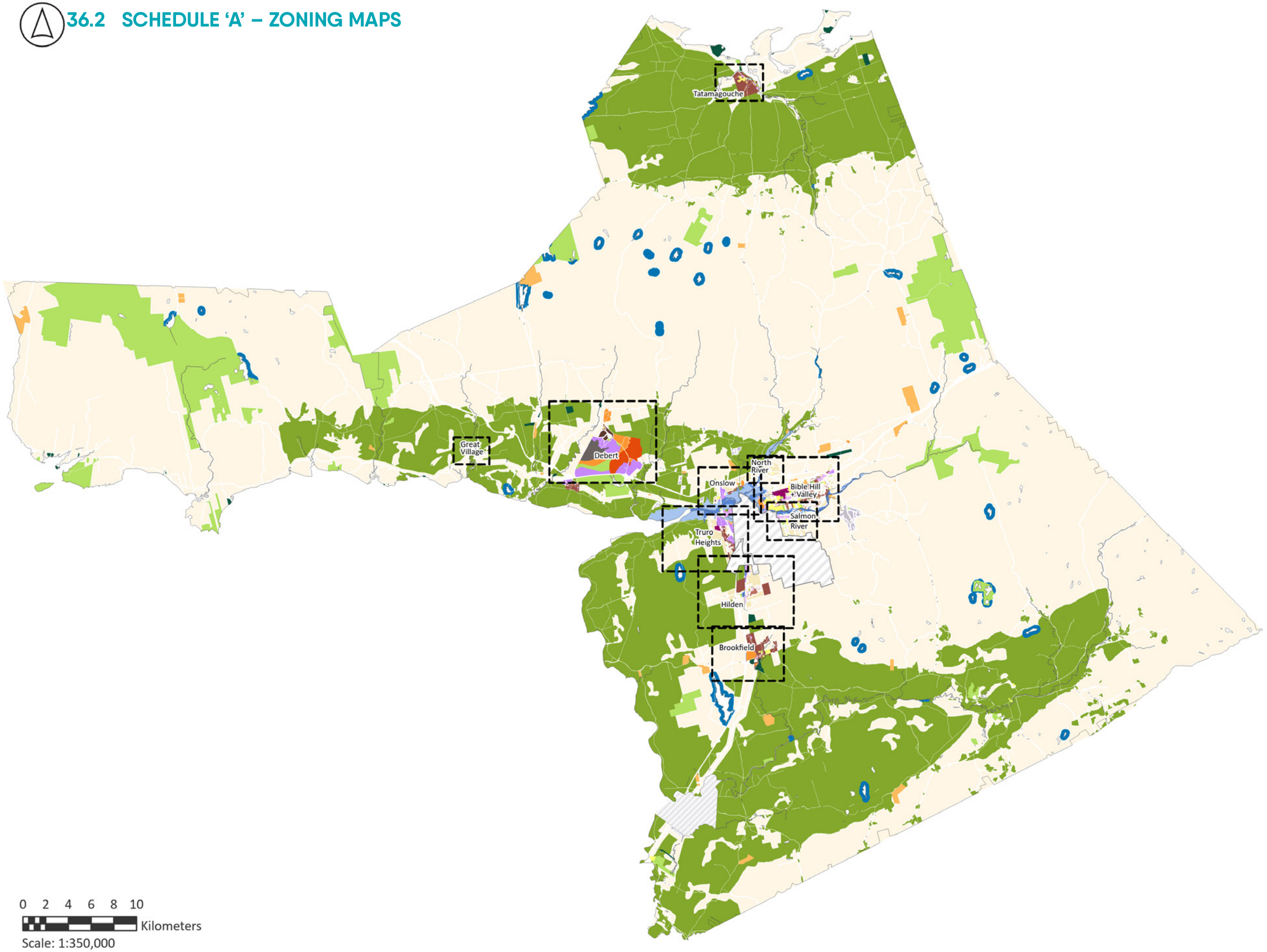
36.6 SCHEDULE 'E' – VILLAGE HERITAGE AREA OVERLAY

36.7 SCHEDULE 'F' – COLLECTOR STREETS

36.8 APPENDIX 'A' - DYKELAND LAND FORMING STANDARDS

36.9 APPENDIX 'B' – SOIL CONSERVATION AREAS

36.10 APPENDIX 'C' – EXISTING MOBILE HOMES



0 2 4 6 8 10
Kilometers
Scale: 1:350,000
When Printed at 17" x 11"

ZONING MAP

SCHEDULE A
LAND USE BY-LAW

- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
- C-4 Local Commercial
- CDD Comprehensive Development District
- I Institutional
- M Industrial
- ML Mi'Kmaw Lands
- MS Main Street
- P-1 Parks and Open Spaces
- P-2 Commercial Recreation
- R-1 Single Dwelling Unit
- R-2 Double Dwelling Unit
- R-2C Double Unit Conversion
- R-3 Medium Density Residential
- R-4 High Density Residential
- RG Rural General
- RM Rural Industrial
- RR Rural Residential
- SL Shoreline
- E-1 Flow Way
- E-2 Flood Way
- Inset Map Extent

Colchester

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BIBLE HILL + VALLEY ZONING MAP

SCHEDULE A
LAND USE BY-LAW

- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
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- RM Rural Industrial
- RR Rural Residential
- SL Shoreline
- E-1 Flow Way
- E-2 Flood Way

Town of Truro

0 200 400 600 800 1,000 Meters

Scale: 1:25,000
When Printed at 17" x 11"

Colchester

Notes

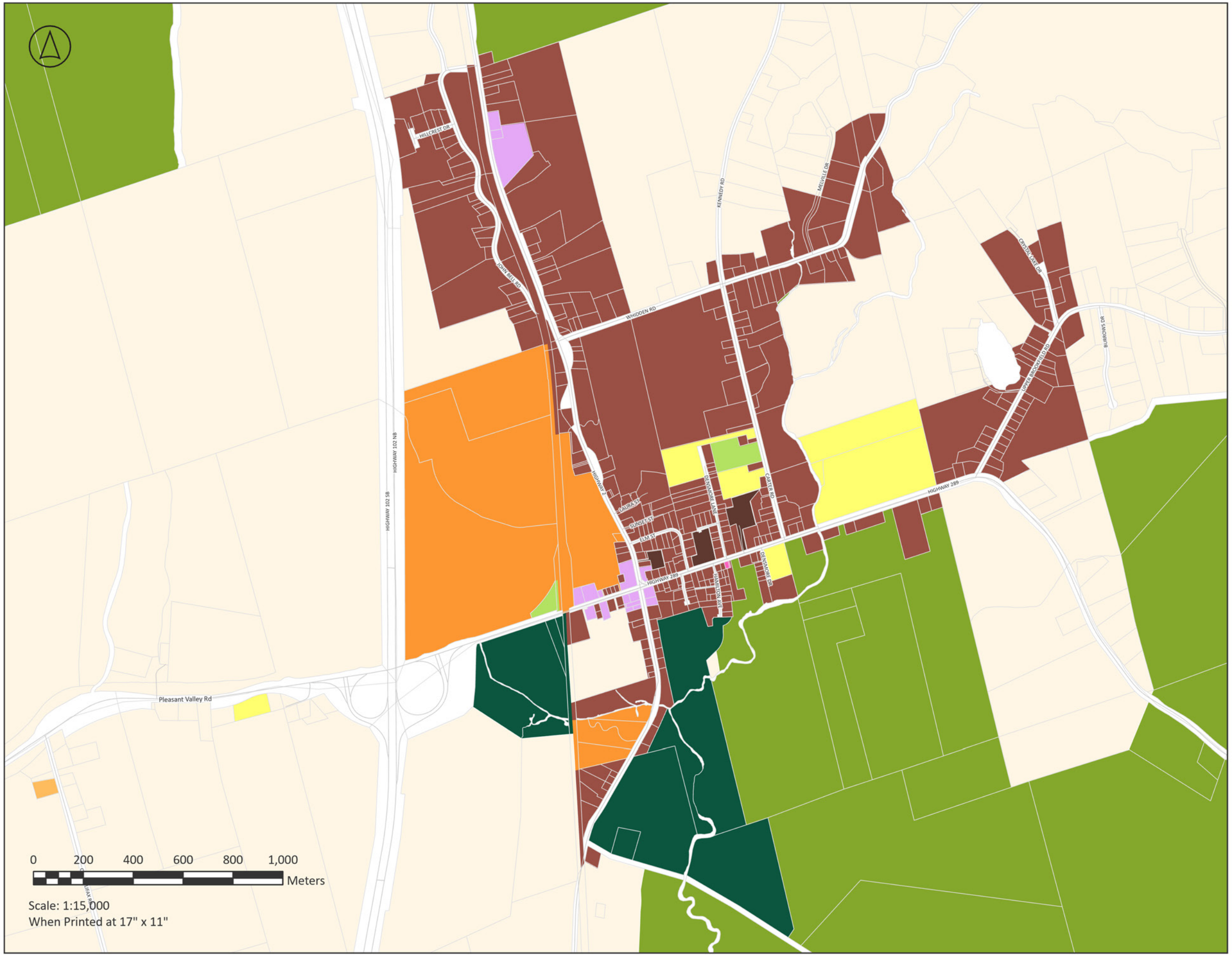
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BROOKFIELD ZONING MAP

SCHEDULE A
LAND USE BY-LAW



- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
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- E-2 Flood Way

Colchester

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DEBERT ZONING MAP

SCHEDULE A
LAND USE BY-LAW

- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
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- R-4 High Density Residential
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- RR Rural Residential
- SL Shoreline
- E-1 Flow Way
- E-2 Flood Way

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Scale: 1:25,000
When Printed at 17" x 11"

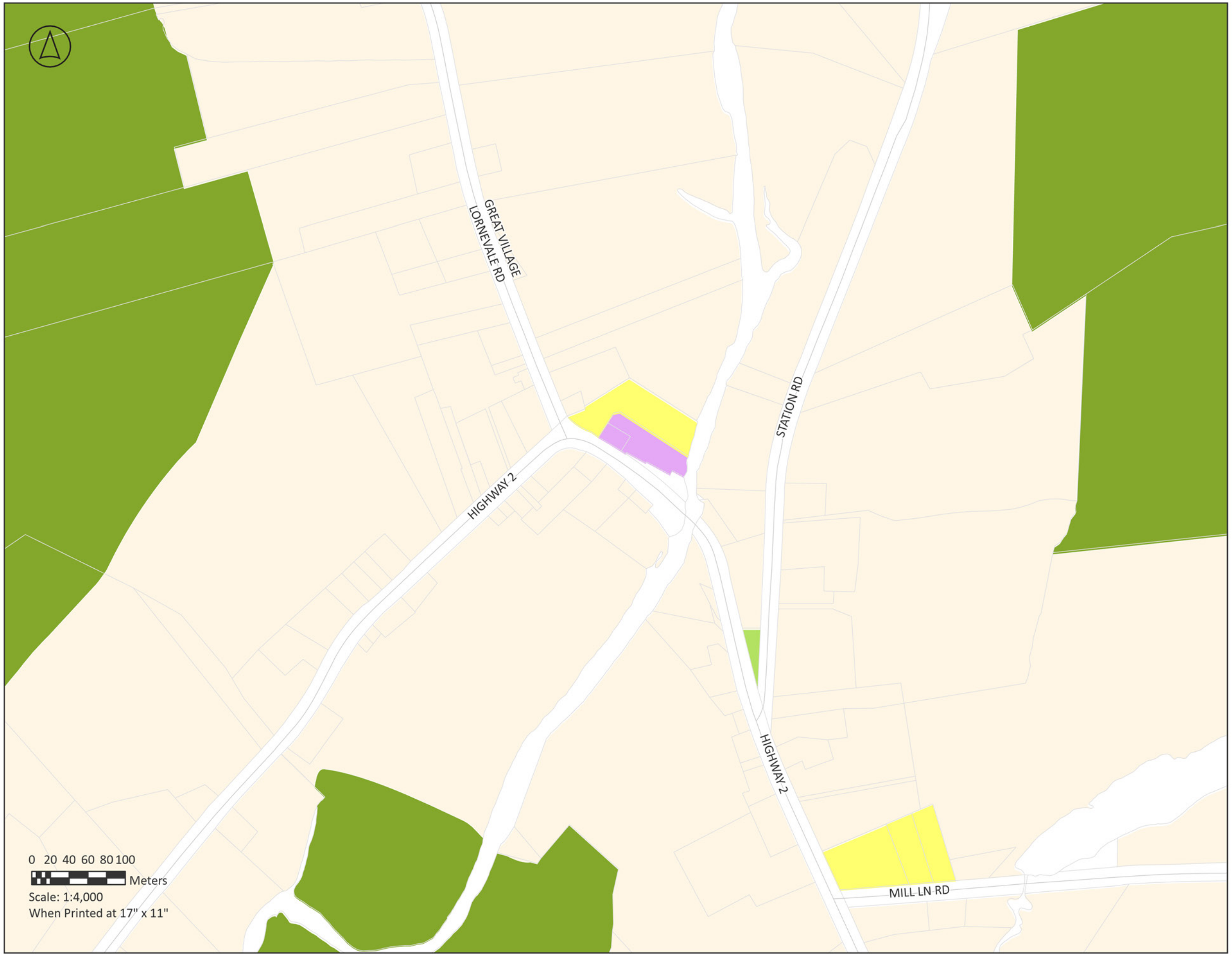
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GREAT VILLAGE ZONING MAP

SCHEDULE A
LAND USE BY-LAW

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- SL Shoreline
- E-1 Flow Way
- E-2 Flood Way

Colchester

Notes

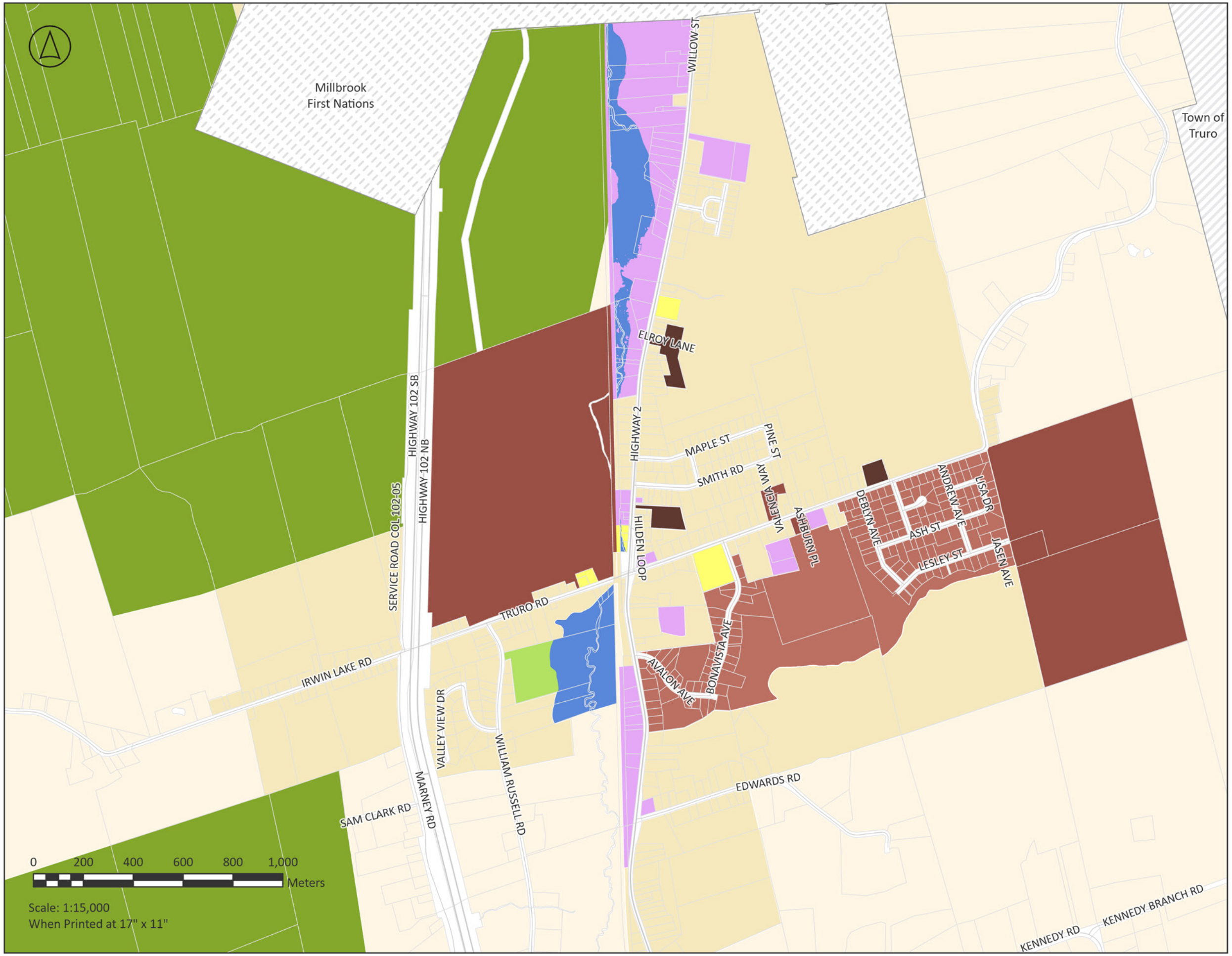
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HILDEN ZONING MAP

SCHEDULE A
LAND USE BY-LAW



- AIR Airport
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- E-2 Flood Way

Colchester

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NORTH RIVER ZONING MAP

SCHEDULE A
LAND USE BY-LAW

- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
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- R-4 High Density Residential
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- RR Rural Residential
- SL Shoreline
- E-1 Flow Way
- E-2 Flood Way

Colchester

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ONSLOW ZONING MAP

SCHEDULE A
LAND USE BY-LAW



- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
- C-4 Local Commercial
- CDD Comprehensive Development District
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- RG Rural General
- RM Rural Industrial
- RR Rural Residential
- SL Shoreline
- E-1 Flow Way
- E-2 Flood Way

Colchester

Notes

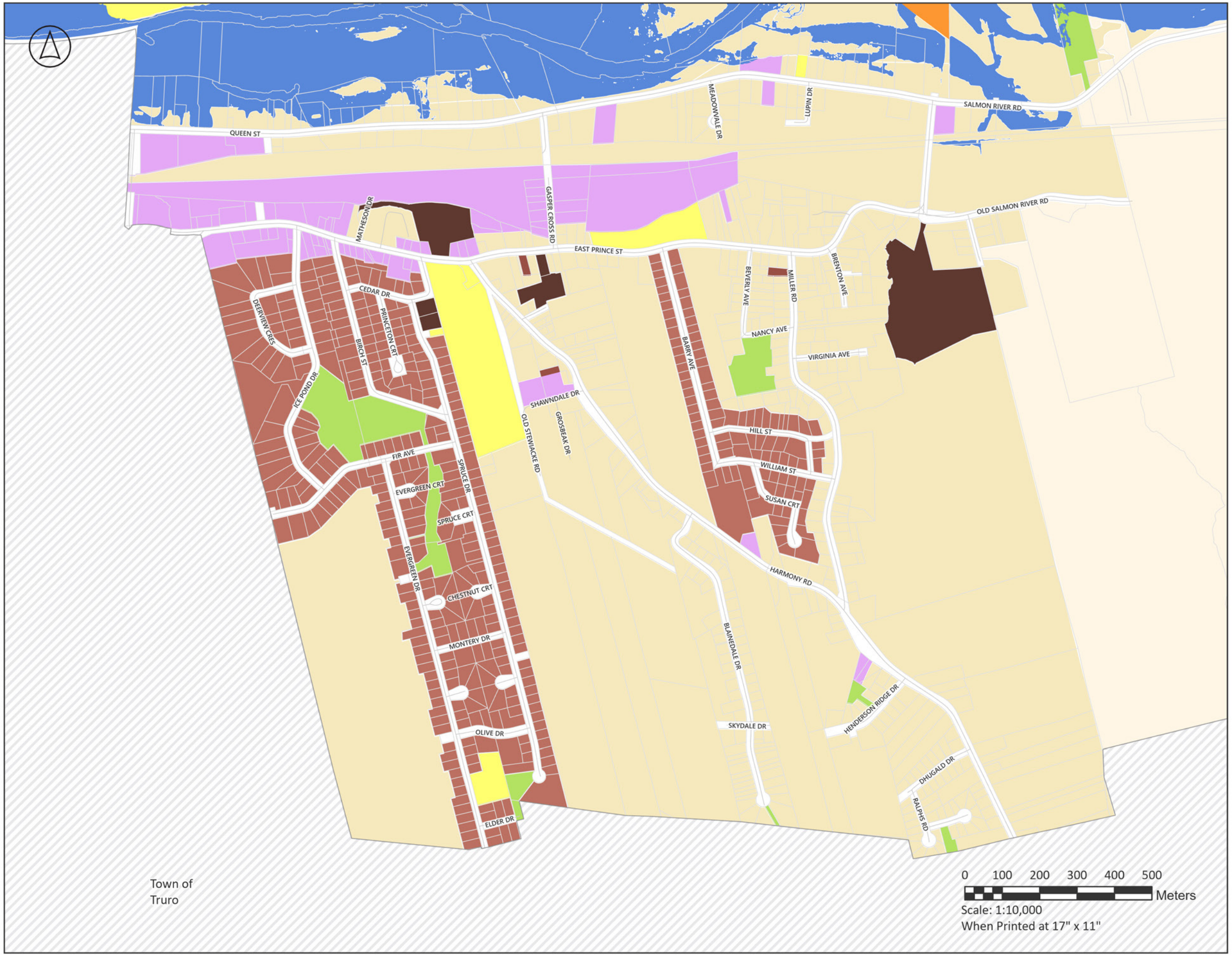
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SALMON RIVER ZONING MAP

SCHEDULE A
LAND USE BY-LAW



- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
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- E-2 Flood Way

Colchester

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TATAMAGOUCHE ZONING MAP

SCHEDULE A
LAND USE BY-LAW

- AIR Airport
- AP Agriculture Potential
- C-1 General Commercial
- C-2 Highway Commercial
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- R-2 Double Dwelling Unit
- R-2C Double Unit Conversion
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- R-4 High Density Residential
- RG Rural General
- RM Rural Industrial
- RR Rural Residential
- SL Shoreline
- E-1 Flow Way
- E-2 Flood Way

0 200 400 600 800 1,000 Meters

Scale: 1:15,000
When Printed at 17" x 11"

Colchester

Notes

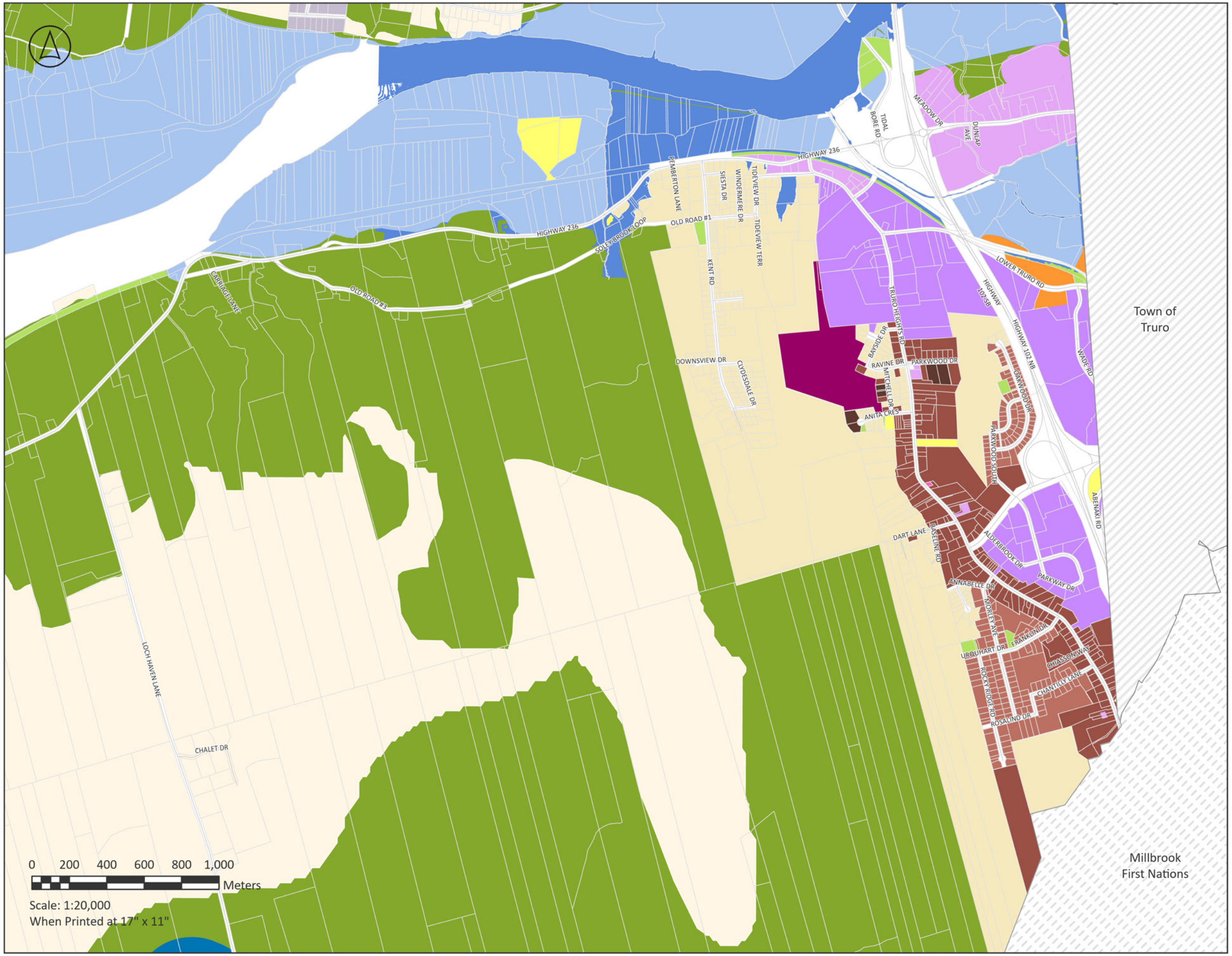
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TRURO HEIGHTS ZONING MAP

SCHEDULE A
LAND USE BY-LAW



- AIR Airport
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- C-1 General Commercial
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- RR Rural Residential
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Colchester

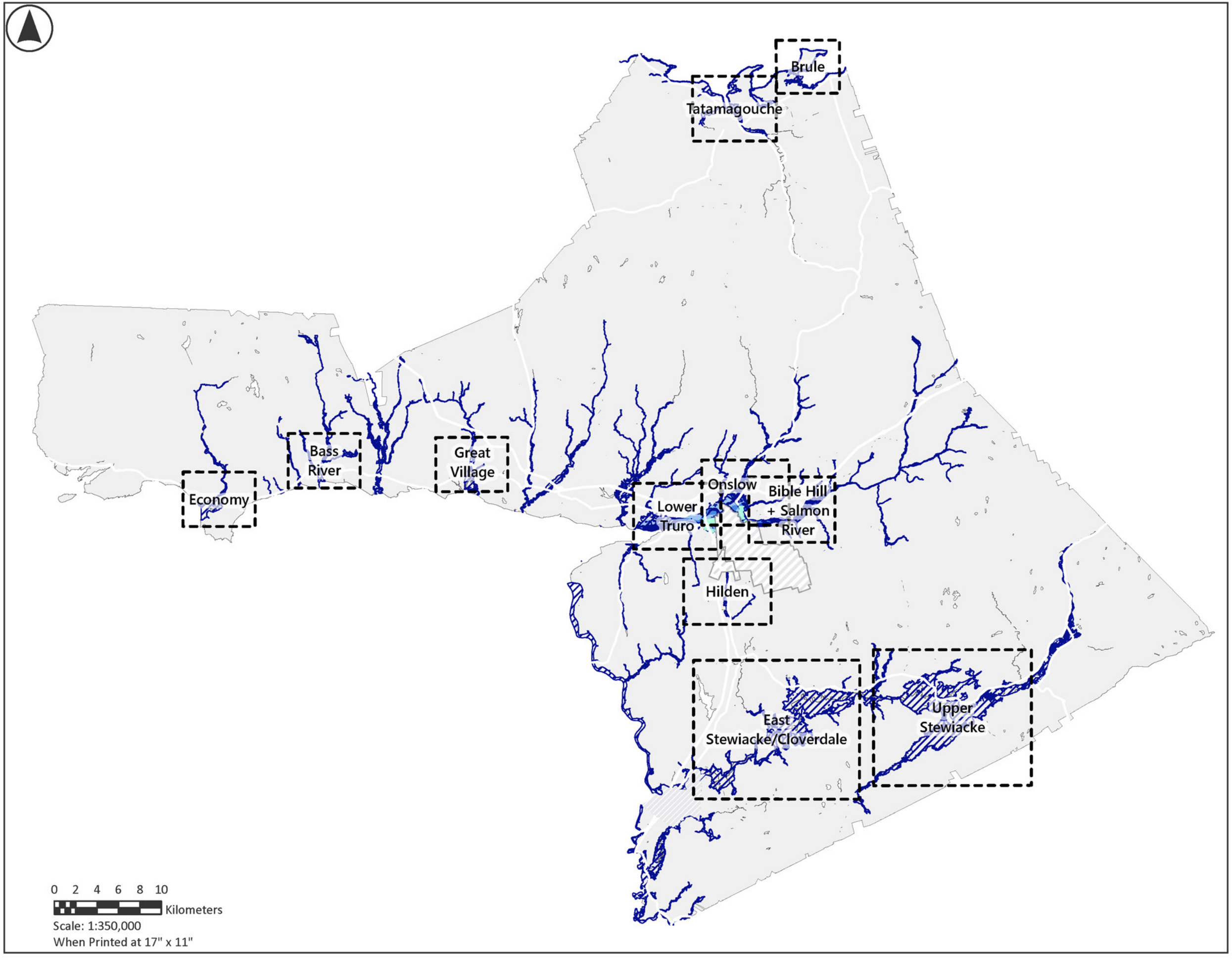
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36.3 SCHEDULE 'B' – FLOOD OVERLAYS



FLOOD OVERLAY

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Town of Truro
- Millbrook First Nations
- Town of Stewiacke
- Inset Map Extent

Colchester

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BASS RIVER FLOOD OVERLAY

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Water Bodies

OLD ECONOMY RD
MINES BASS RIVER RD
MAPLE AVE
EDGEWOOD RD
PLEASANT HILLS RD
HIGHWAY 2
BIRCH HILL RD
JUDGE FULTON RD
KINGS REST RD
WHARF RD
STARRATT RD
MINAS KING DR
LEWIS LANE
WILSON DR

0 200 400 600 800 1,000
Meters

Scale: 1:20,000
When Printed at 17" x 11"

Colchester

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BIBLE HILL + SALMON RIVER FLOOD OVERLAY

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Water Bodies

Town of Truro

0 200 400 600 800 1,000 Meters

Scale: 1:25,000
When Printed at 17" x 11"

Colchester

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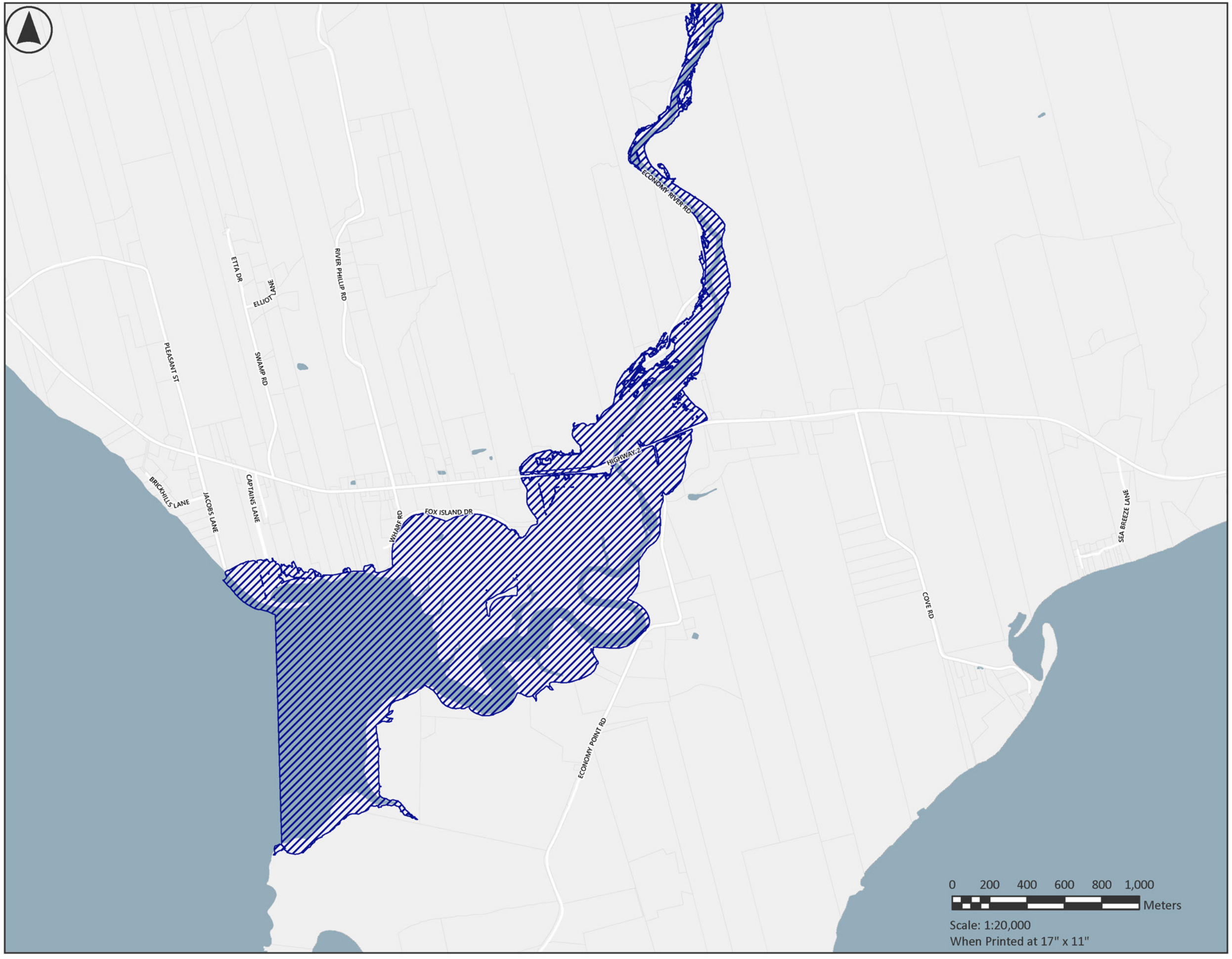
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Current Version updated 2026.

ECONOMY FLOOD OVERLAY

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Water Bodies



Colchester

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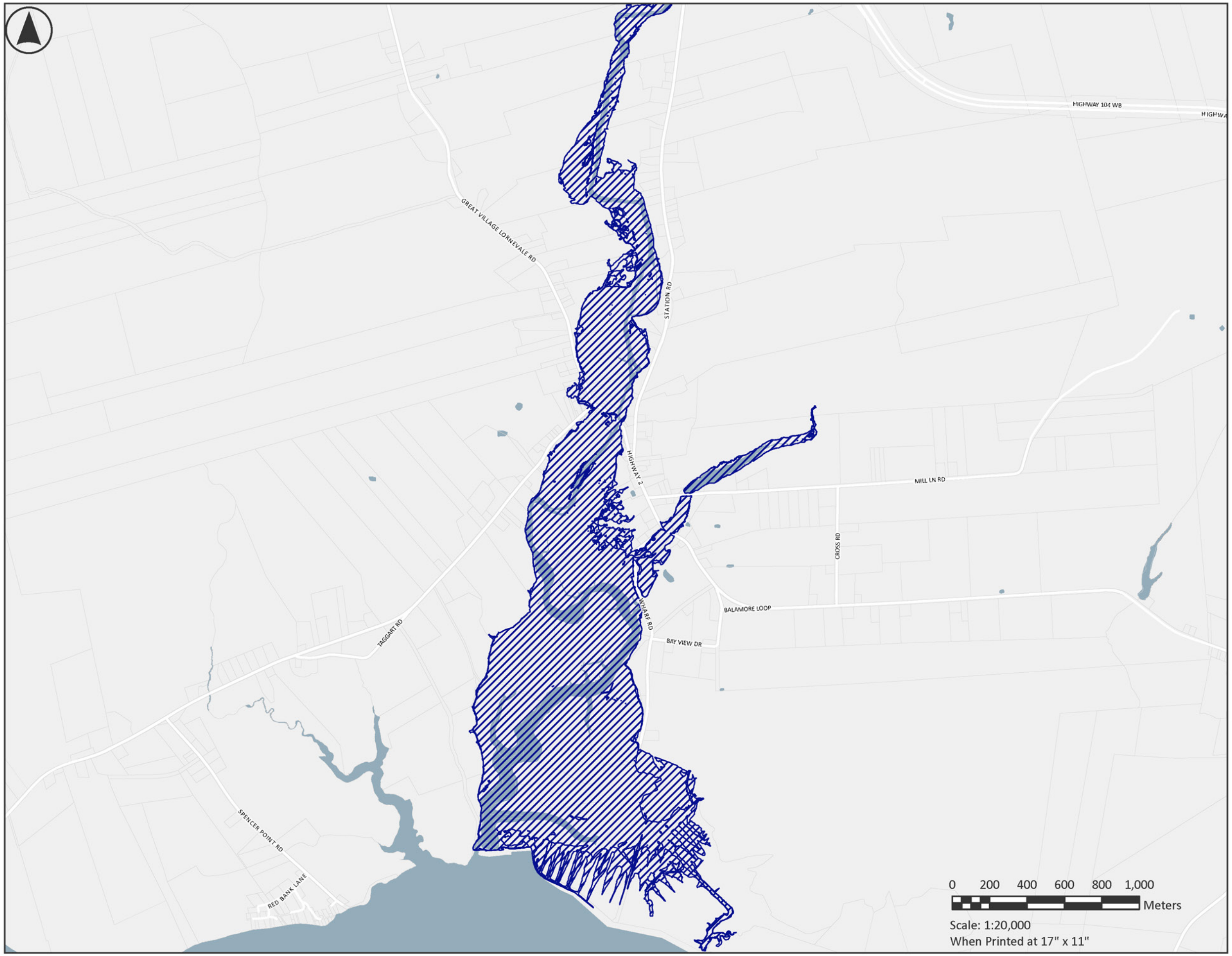
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GREAT VILLAGE FLOOD OVERLAY

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Water Bodies



Colchester

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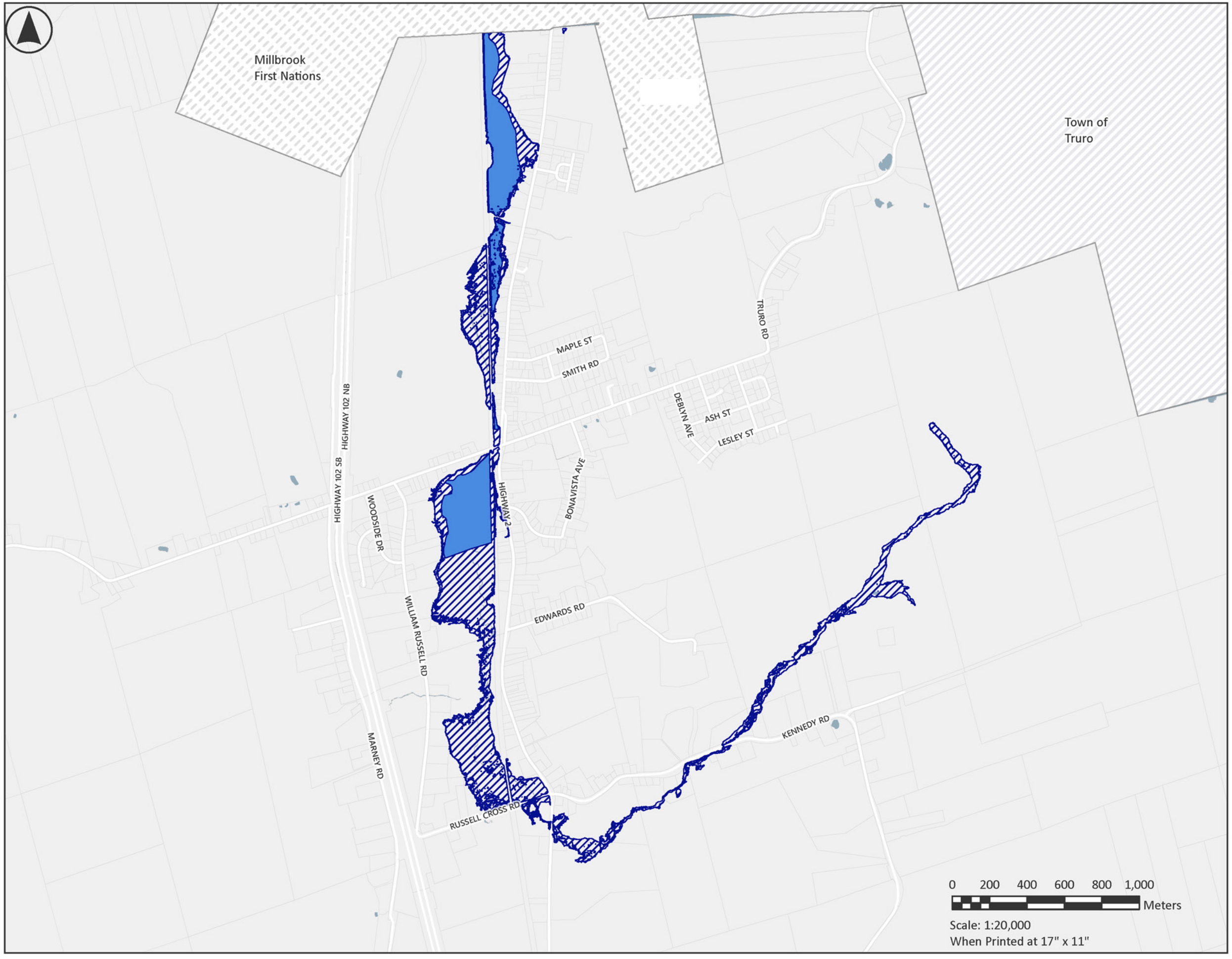
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HILDEN FLOOD OVERLAY

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Water Bodies



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LOWER TRURO FLOOD OVERLAY

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Water Bodies

0 200 400 600 800 1,000 Meters

Scale: 1:25,000
When Printed at 17" x 11"

Colchester

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ONSLOW
FLOOD OVERLAY

0 200 400 600 800 1,000
Meters
Scale: 1:25,000
When Printed at 17" x 11"

SCHEDULE B

- E-1 Flow Way
- E-2 Flood Way
- E_3 Flood Way Modified
- E-4 Flood Way Fringe
- Water Bodies

Town of Truro

GORMAN RD
WEST NORTH RIVER RD
PENNY MOUNTAIN RD
OLD TATAMAGOUCHE RD
CARRYBOLT RD
HIGHWAY 104 WB
HIGHWAY 104 EB
HIGHWAY 311
MOUNTAIN LEE RD
BROOKSIDE RD
FARNHAM MILL RD
SAXBY LANE
MEETING HOUSE RD
ONSLOW RD
BROOKSIDE BR
HUB CENTRE DR
HIGHWAY 107 NB
HIGHWAY 107 SB
HIGHWAY 236
FARNHAM RD
MACDONALD DR
OAK DR
HAZEL DR
PICTOU RD
RETSON DR
DELANEY DR
CORNERSTONE DR
VILLAGE LINE AVE
HILLCREST AVE
ST DAVIDS AVE
VIMY RD
BIGNEY AVE
JOHNSON AVE
COLLEGE RD
WARREN DR
OLD COURT HOUSE DR
SAYWOOD DR
RYLAND AVE
COX RD
SIPU RD
COVINGTON PL
GUEST DR
OSPREY CRT
SCENIC DR
MAPLE BLVD
POINT DR
REGENCY
HANNAM ST
AVON ST
RIVERSIDE AVE
SALMON RIVER RD

Colchester

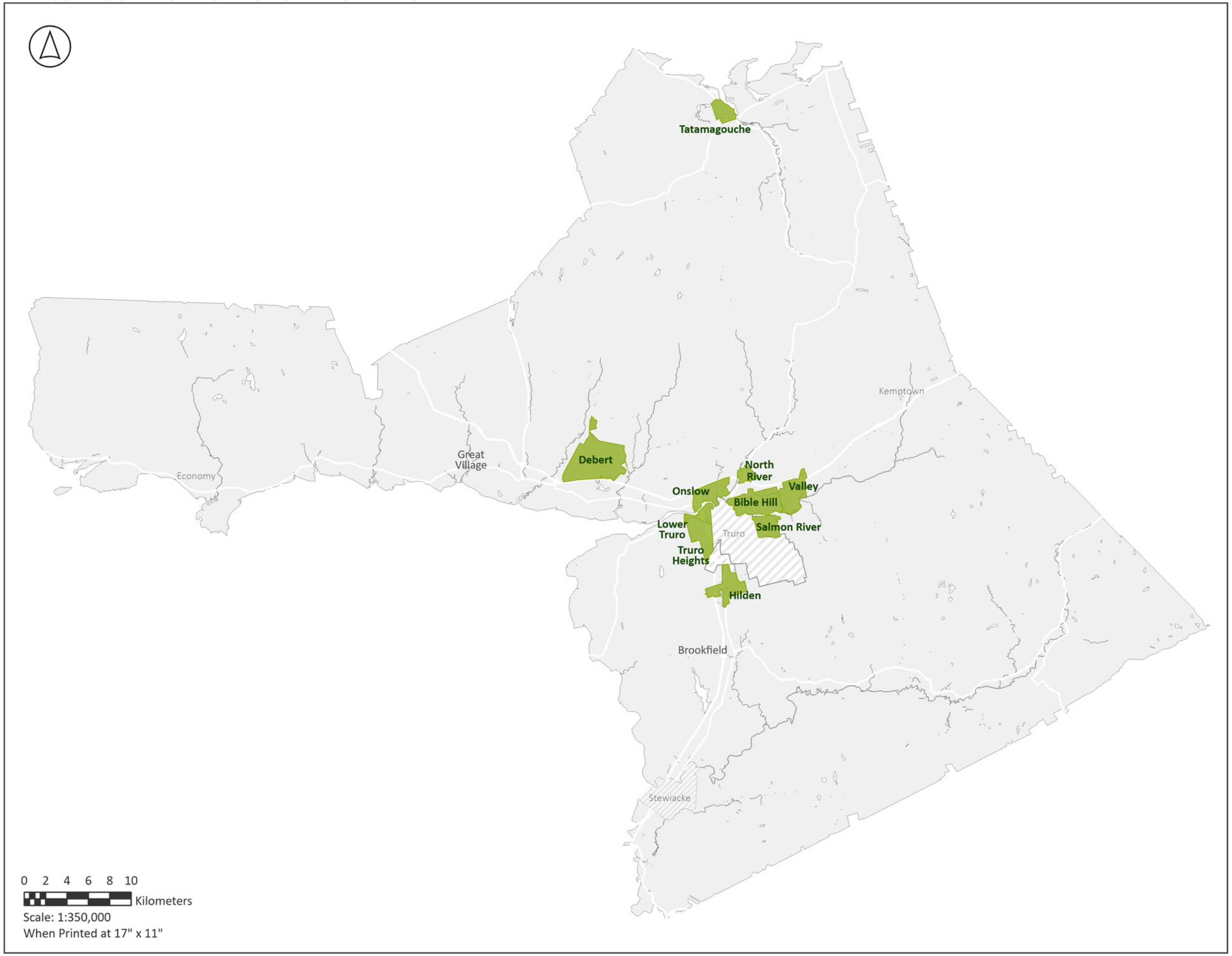
Notes

Property information provided by
Land Information Services of Service Nova Scotia
and Municipal Relations.

Maps originally generated with ArcGIS
June 5, 2025.

Current Version updated 2026.

36.4 SCHEDULE 'C' – GROWTH CENTRES



GROWTH CENTRES

SCHEDULE C
LAND USE BYLAW

Growth Centres

Town of Truro

Millbrook First Nations

Town of Stewiacke

Colchester

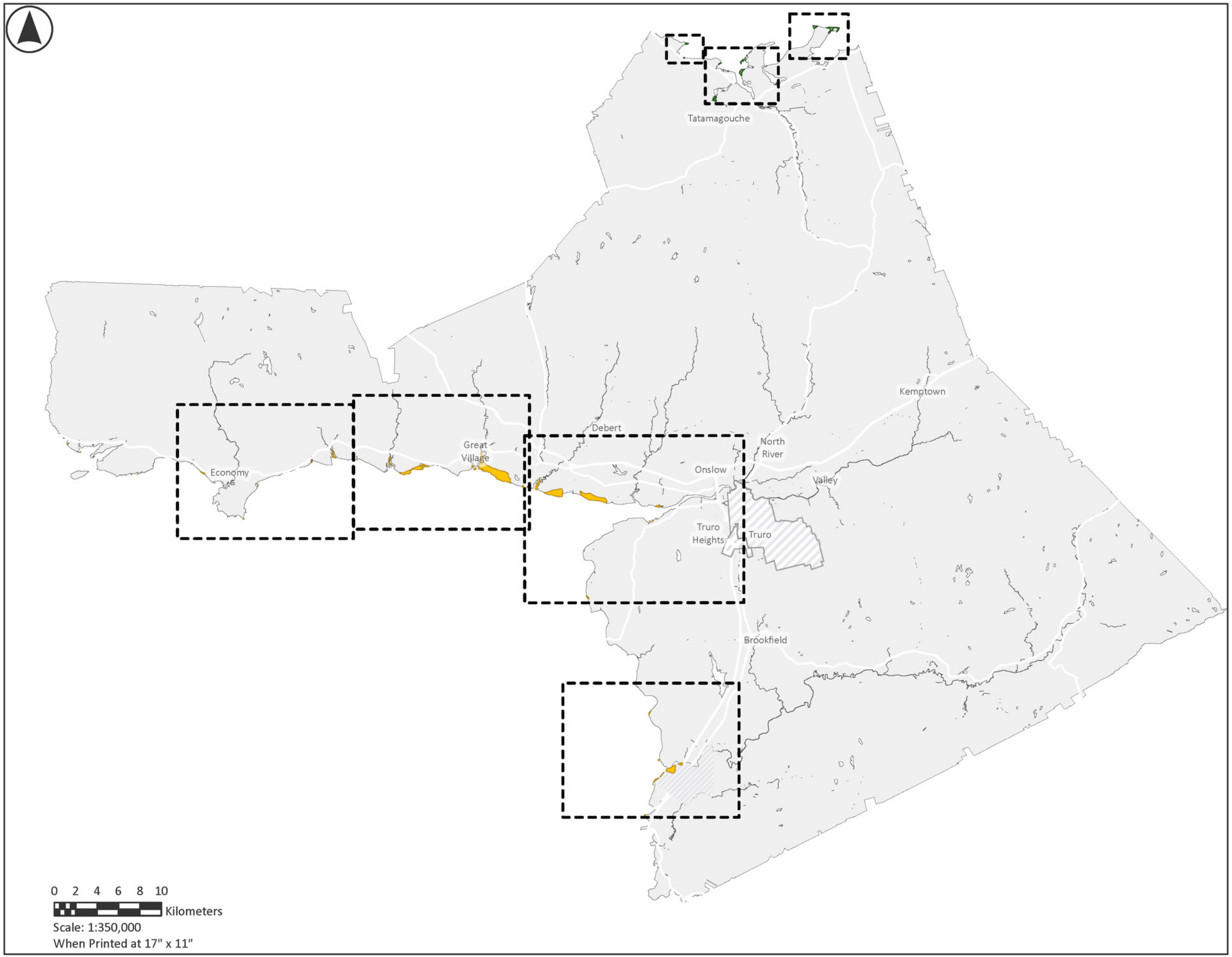
Notes

Property information provided by
Land Information Services of Service Nova Scotia
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Maps Originally Generated with ArcGIS
June 5, 2025

Current Version updated June 2026

36.5 SCHEDULE 'D' – COASTAL ELEVATION



COASTAL ELEVATION OVERLAY

SCHEDULE D

- Minas Basin Inset
- Northumberland Inset
- Minas Basin Coastal Elevation Area
- Northumberland Coastal Elevation Area
- Town of Truro
- Millbrook First Nations
- Town of Stewiacke

Colchester

Notes

Property information provided by Land Information Services of Service Nova Scotia and Municipal Relations.

Maps originally generated with ArcGIS June 5, 2025.

Current Version updated 2026.

MINAS BASIN COASTAL ELEVATION (INSET 1)

SCHEDULE D



Minas Basin Coastal Elevation Area (7.1m)

Colchester

Notes

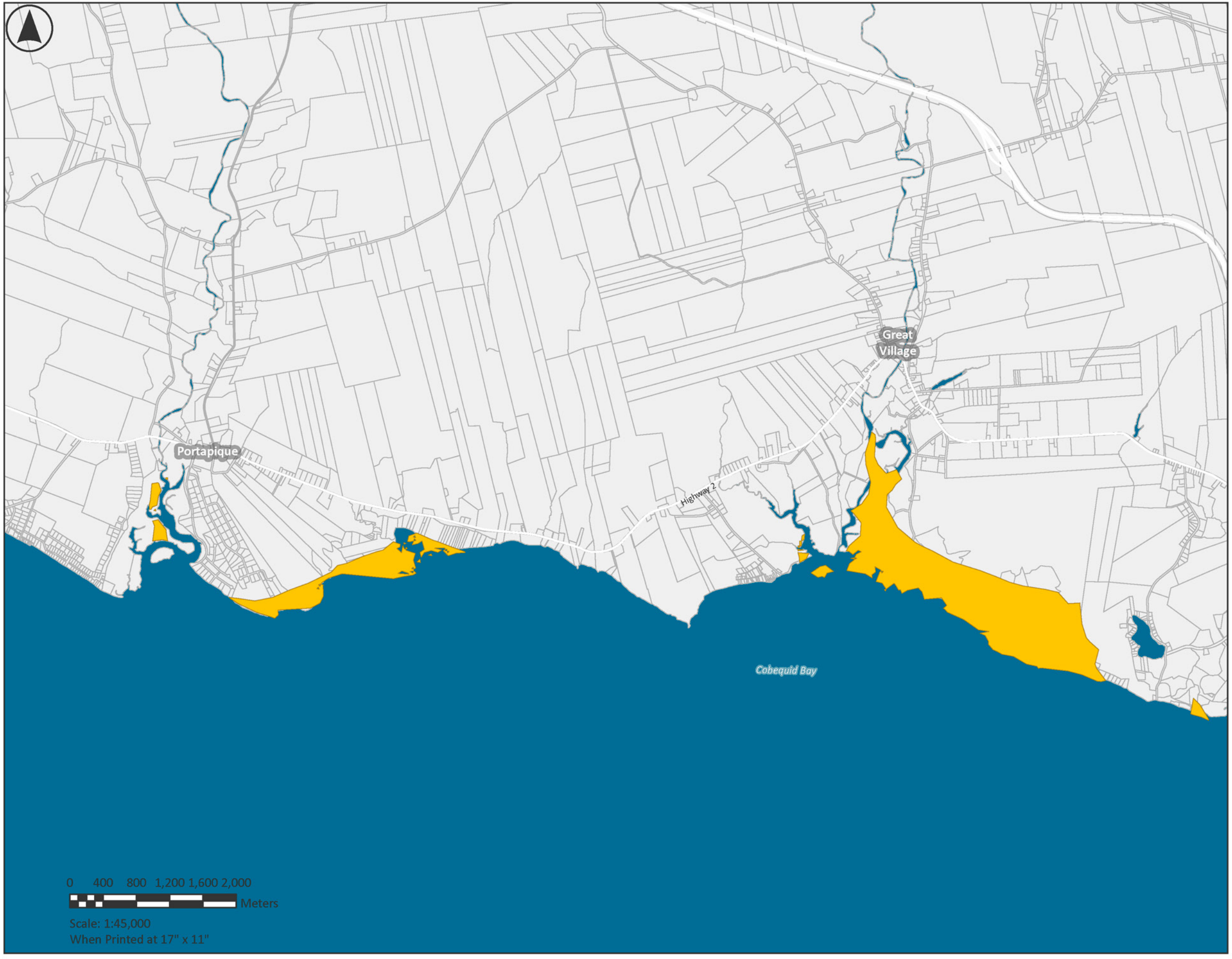
Property information provided by
Land Information Services of Service Nova Scotia
and Municipal Relations.

Maps originally generated with ArcGIS
June 5, 2025.

Current Version updated 2026.

MINAS BASIN COASTAL ELEVATION (INSET 2)

SCHEDULE D



Minas Basin Coastal Elevation Area (7.1m)

Colchester

Notes

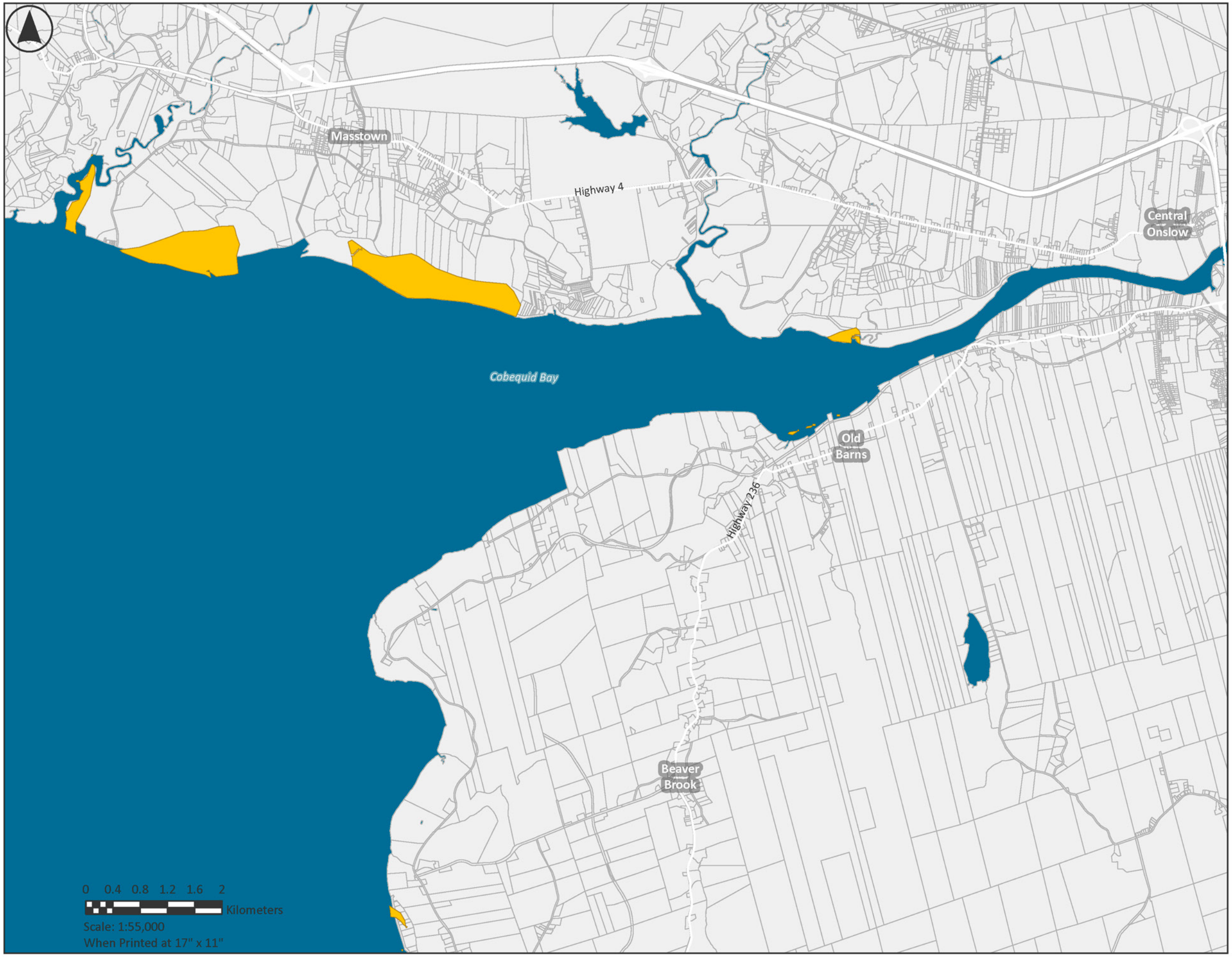
Property information provided by Land Information Services of Service Nova Scotia and Municipal Relations.

Maps originally generated with ArcGIS June 5, 2025.

Current Version updated 2026.

MINAS BASIN COASTAL ELEVATION (INSET 3)

SCHEDULE D



Minas Basin Coastal Elevation Area (7.1m)

Colchester

Notes

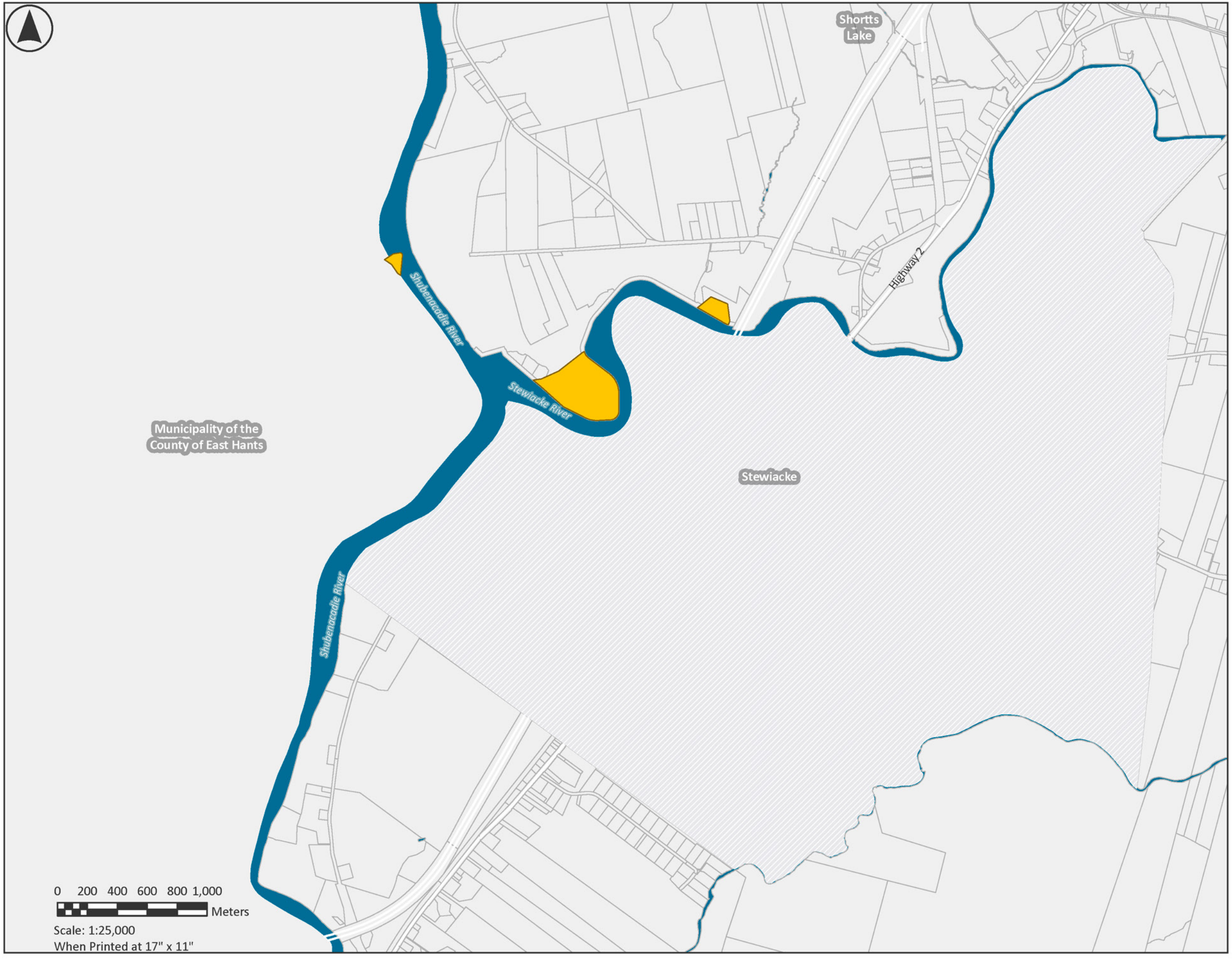
Property information provided by Land Information Services of Service Nova Scotia and Municipal Relations.

Maps originally generated with ArcGIS June 5, 2025.

Current Version updated 2026.

MINAS BASIN COASTAL ELEVATION (INSET 4)

SCHEDULE D



Minas Basin Coastal Elevation Area (7.1m)

Town of Stewiacke

Municipality of the County of East Hants

Colchester

Notes

Property information provided by
Land Information Services of Service Nova Scotia
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June 5, 2025.

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NORTHUMBERLAND COASTAL ELEVATION (INSET 1)

SCHEDULE D



Northumberland Coastal Elevation Area (2.6m)

Colchester

Notes

Property information provided by Land Information Services of Service Nova Scotia and Municipal Relations.

Maps originally generated with ArcGIS June 5, 2025.

Current Version updated 2026.

NORTHUMBERLAND COASTAL ELEVATION (INSET 2)

SCHEDULE D



Northumberland Coastal Elevation Area (2.6m)

Colchester

Notes

Property information provided by
Land Information Services of Service Nova Scotia
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June 5, 2025

Current Version updated 2025

NORTHUMBERLAND COASTAL ELEVATION (INSET 3)

SCHEDULE D



Northumberland Coastal Elevation Area (2.6m)

Colchester

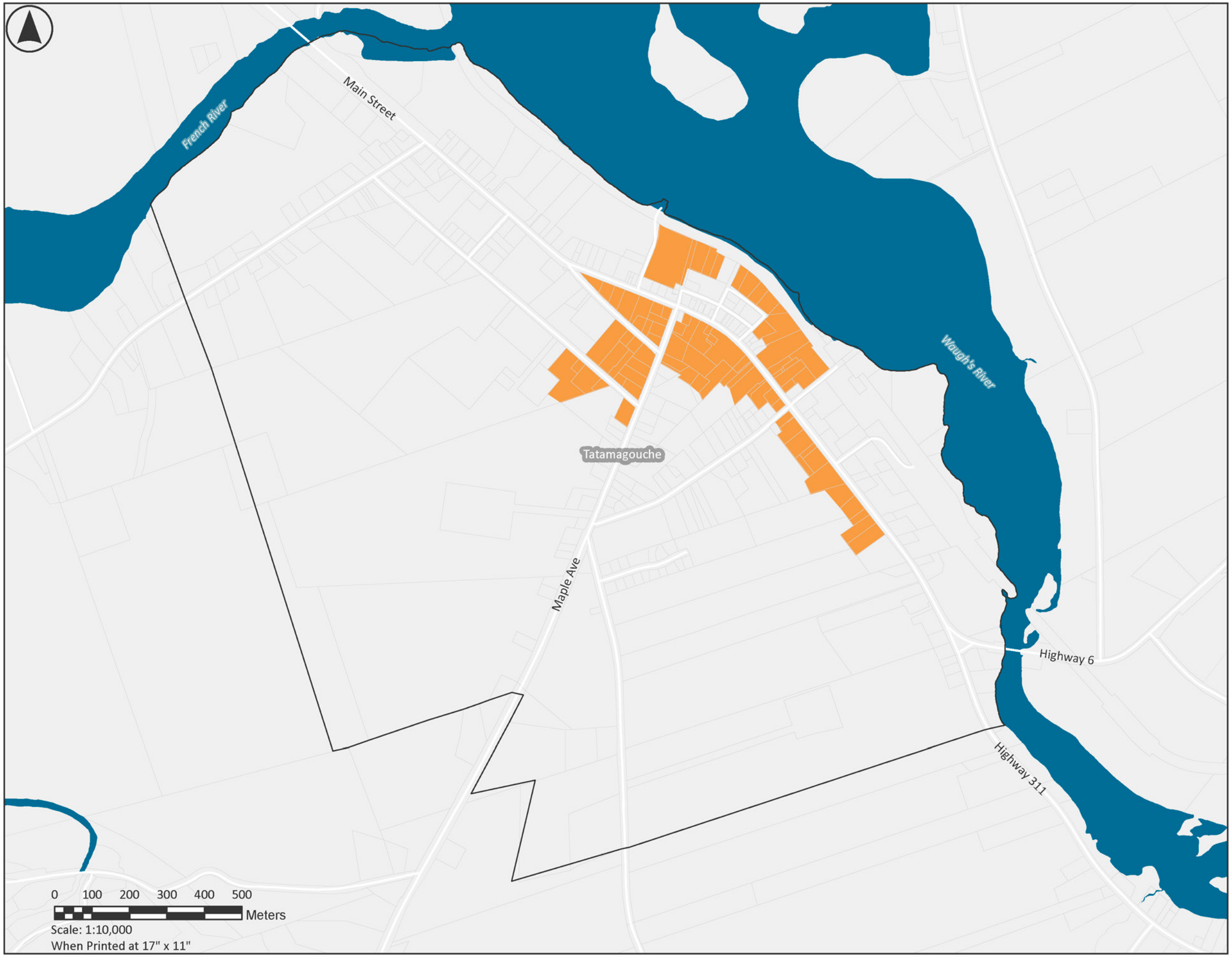
Notes

Property information provided by Land Information Services of Service Nova Scotia and Municipal Relations.

Maps originally generated with ArcGIS June 5, 2025.

Current Version updated 2026.

36.6 SCHEDULE 'E' – VILLAGE HERITAGE AREA OVERLAY



HERITAGE OVERLAY

SCHEDULE E
LAND USE BY-LAW

Tatamagouche Village Heritage Overlay

Tatamagouche Village

Colchester

Notes

Property information provided by
Land Information Services of Service Nova Scotia
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June 5, 2025.

Current Version updated 2026.

36.7 SCHEDULE 'F' – COLLECTOR STREETS

Schedule 'F' – Collector Streets

The following streets shall be designated as collector streets for the purposes of this Bylaw:

Salmon River:	Harmony Road
	East Prince Street
	Salmon River Road
Hilden:	Highway #2
	Irwin Lake Road
	Truro Road
Bible Hill	Main Street
	College Road
	Pictou Road
	Vimy Road
	Farnham Road
	Brookside Road
	Old Court House Branch Road
Lower Truro / Truro Heights:	Truro Heights Connector
	Truro Heights Road
	Lower Truro Road
	Highway #236
Valley:	Old Court House Branch Road
	Pictou Road
	College Road
	Salmon River Road
North River:	Highway #311
	Mountain Lee Road

East Mountain:	Pictou Road
	Onslow/Upper Onslow/Mingos Corner
	Highway #4
Tatamagouche:	Highway #6 (Main Street)

NOTE: For the purposes of this Bylaw, the designated collector streets shall only be the portion of road from the above list that is located within a Growth Centre or a Municipal Sewer District.

36.8 APPENDIX 'A' - DYKELAND LAND FORMING STANDARDS

ACAE engineering notes

Atlantic Committee on Agricultural Engineering

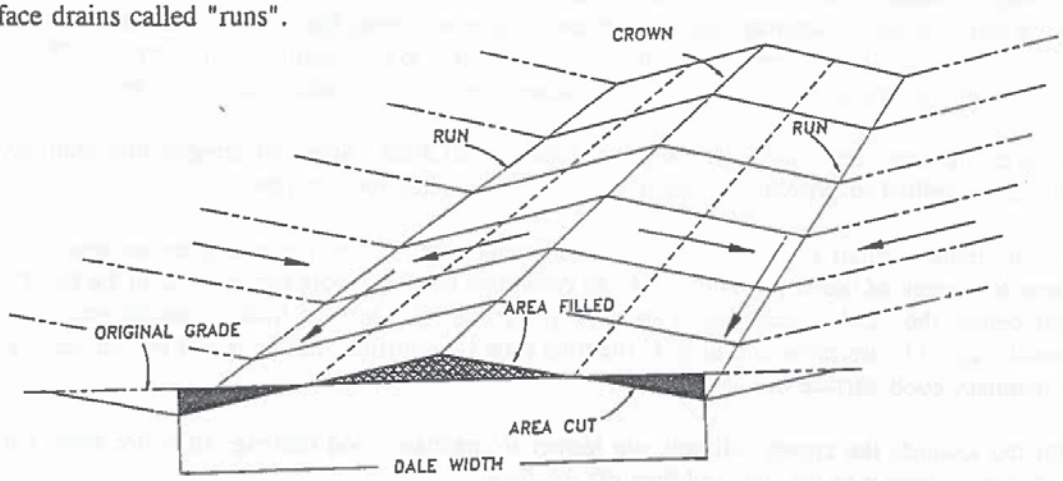
ACAE Pub. No. 29 AGDEX NO. 752

DYKELAND LAND FORMING

Dykeland soils in New Brunswick and Nova Scotia have naturally low permeabilities. This means the downward movement of water through these soils is very slow. The naturally flat topography causes water to pond on the soil surface. The agricultural potential of these soils can be greatly improved by providing surface drainage with proper land forming. The surface drainage improvements will result in a longer growing season, improved crop yields and quality as well as improved field trafficability. Land forming can be used to develop previously unproductive dykeland and to consolidate small fields, hereby improving crop production efficiency when operating modern farm equipment.

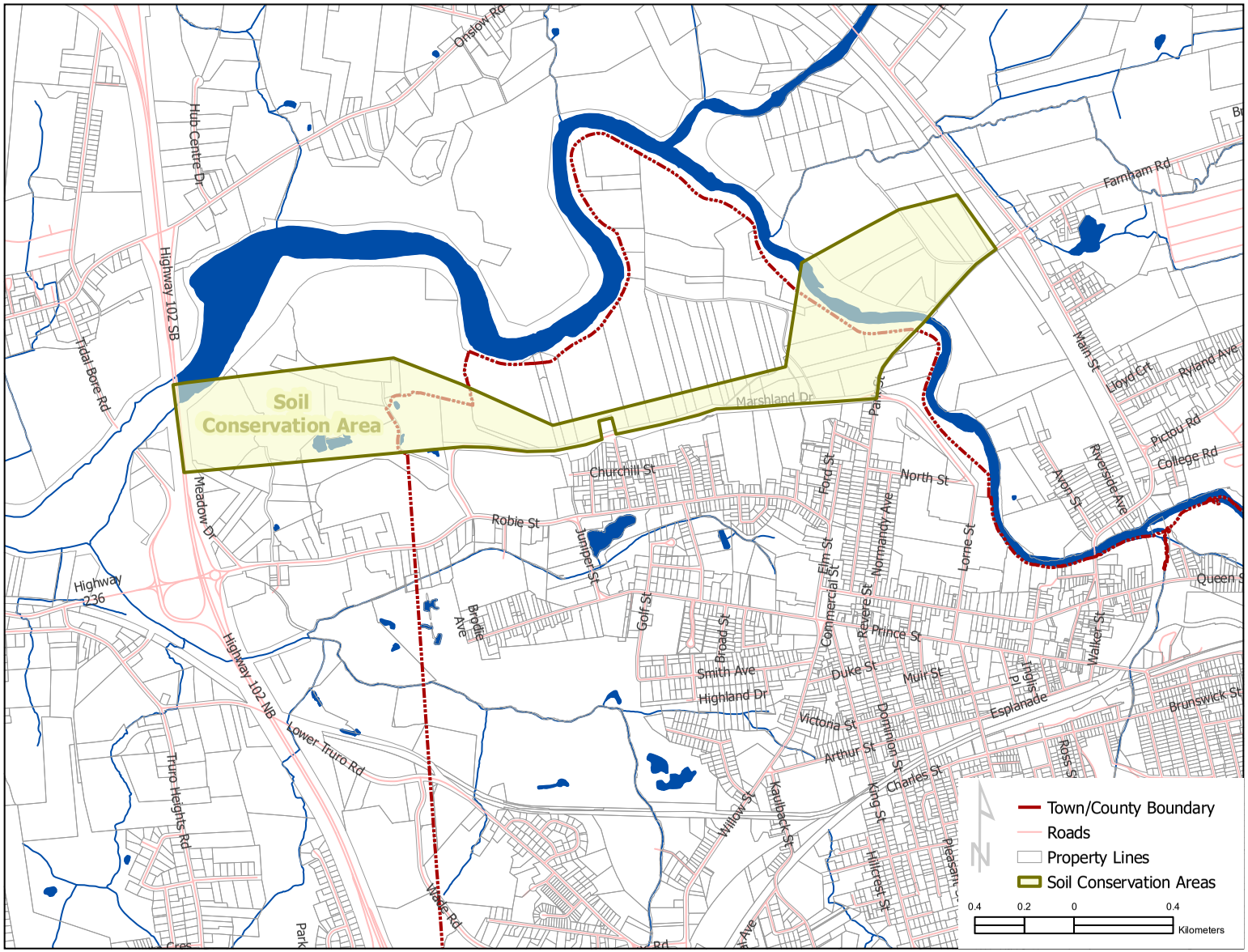
PRINCIPLES OF LAND FORMING

Land forming is the process of mechanically moving soil to change field topography to provide for improved surface drainage. Land forming involves the excavation of a series of parallel surface drains called "runs".



As illustrated in the above diagram the soil which is excavated from the runs is pushed into hills called "crowns". The surface water will drain off the crown to the two adjoining runs. The grade between the crown and the run should be 1 to 2%. The runoff is then drained from the run to a vent ditch and from there to the main ditch system. The grade on the run should not be less than 0.25%. The distance between a pair of runs is called the "dale width". Dale widths vary from 36 to 55 metres (120-180 ft).

36.9 APPENDIX 'B' – SOIL CONSERVATION AREAS



36.10 APPENDIX 'C' – EXISTING MOBILE HOMES

Existing Mobile Homes on Individual Lots in Tatamagouche

Address	PID #
62 Lake Road	20088126
82 Lake Road	20088142
90 Lake Road	20088175
122 Lake Road	20333084
134 Lake Road	20088233
145 Lake Road	20088282
147 Lake Road	20088282


Colchester


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