HALIFAX

LAND USE BY-LAW

BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE

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REPRINT OF THE BEAVER BANK,

HAMMONDS PLAINS AND UPPER SACKVILLE

LAND USE BY-LAW

WITH AMENDMENTS TO

FEBRUARY 2, 2026

LAND USE BY-LAW

FOR

BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE

THIS IS TO CERTIFY that this is a true copy of the Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville which was passed by a majority vote of the Regional Council at a duly called meeting held on the 9th day of November, 1999, and approved by the Minister of Municipal Affairs on the 4th day of May, 2000, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 2nd day of February, 2026.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this ___ day of _____20___, A.D.

_____

Municipal Clerk

LAND USE BY-LAW

FOR

BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE

Please note that HRM Council at its meeting on May 9, 2000, approved a motion to insert the following notation in the Land Use By-law as follows:

The provisions of the zones described in this bylaw do not apply to property owned or occupied by Her Majesty the Queen in right of the Province of Nova Scotia or Canada in respect of a use of the property made by the Crown. Where a privately owned or occupied property is to be used for a federally regulated activity, the federal jurisdiction may, depending on the particular circumstances, override the requirements of this bylaw.

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PART 1: TITLE

This By-law shall be cited as the "Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville within Halifax Regional Municipality.

PART 2: DEFINITIONS

In this By-law the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future; words used in the singular number shall include the plural and words used in the plural number shall include the singular. The word "used" shall include "intended to be used", "arranged" and "designed". All other words shall carry their customary meaning except for those defined hereinafter:

2.1 ACCESSORY BUILDING OR STRUCTURE means a building or structure which is used exclusively for an accessory use and which is not attached in any way to the main building and which conforms with all applicable requirements of this by-law.

2.2 ACCESSORY USE means a use which is subordinate, normally incidental, and exclusively devoted to a main use or building permitted under the provisions of this by-law and, where residential uses are permitted by this by-law, shall include home occupations related to the domestic arts of cooking, sewing, tutoring or repairing household articles, or related to traditional crafts carried on within a dwelling without alteration to the dwelling and without devoting any space within the dwelling exclusively to such occupations (RC- Oct 05/21; E-Jan 08/22.

2.3 AGRICULTURAL USE means the use of land and buildings for the production of food, fibre or flora or the breeding and handling of animals and includes retail or market outlets for the sale of perishable agricultural goods or for the handling of animals, but shall not include intensive agriculture uses.

2.4 AGRICULTURAL USE - INTENSIVE means the use of land and buildings in which the predominant use is for the commercial raising of poultry, turkeys, or other fowl, fur bearing animals, swine, the commercial growing of mushrooms, a slaughterhouse, a broiler plant, or land used as an animal feed lot, managed to maximum production and output in a confined area.

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

2.6 ATTACHED BUILDING means a building otherwise complete in itself, which depends for structural support, or complete enclosure upon a division wall or walls shared in common with an adjacent building or buildings.

2.7 BED AND BREAKFAST (Deleted: RC-Feb 21/23;E-Sep 1/23)

2.8 BOARDING OR ROOMING HOUSE (Deleted: RC-Aug 9/22;E-Sep 15/22)

2.9 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes any vessel or **shipping (RC-Dec 11/25;E-Feb 2/26)** container used for any of the foregoing purposes.

2.9A CANADIAN GEODETIC VERTICAL DATUM (CGVD28) - means the vertical datum for Canada officially adopted by an Order in Council in 1935. CGVD28 is a tidal datum defined by the mean water level at five tide gauges: Yarmouth and Halifax on the Atlantic Ocean, Pointe-au-Père on the St-Lawrence River, and Vancouver and Prince-Rupert on the Pacific Ocean. In addition, the definition includes an elevation at a benchmark in Rouses Point, NY (next to Lake Champlain) accepted as fixed by the US and Canada in 1925. The datum is propagated in land using geodetic levelling measurements. The vertical datum is accessible through benchmarks anchored to the ground and stable structures. The heights in terms of CGVD28 are in normal-orthometric system. (RC-Jun 25/14;E-Oct 18/14)

2.9B CANNABIS LOUNGE means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products or any of its derivatives such as oils or edible products. A cannabis lounge may or may not include cannabis retail sales. (RC-Sep 18/18;E-Nov 3/18)

2.9C CANNABIS PRODUCTION FACILITY means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products,

(a) including
- **(i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and**
- **(ii) associated activities permitted by the federal license, such as research and development, storage, and destruction, and**

(b) excluding
- **(i) industrial hemp, and**
- **(ii) premises used for personal production permitted by federal legislation.**

(RC-Sep 18/18;E-Nov 3/18)

2.9D CANNABIS RETAIL SALES means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public. (RC-Sep 18/18;E-Nov 3/18)

2.10 COMMERCIAL ENTERTAINMENT USE means any building or part of a building which is used for commercial entertainment, amusement or relaxation and, without limiting the generality of the foregoing may include a tavern, nightclub or other beverage room, an arcade, bingo hall, dance hall, a pool or billiard hall, or bowling alley, but shall not include theatres or cinemas.

2.11 COMMERCIAL RECREATION USE means a building or lot or part of a building or lot used solely for commercial recreation or sport purposes and without limiting the generality of the foregoing, may include animal or vehicle racing tracks, rifle ranges, marinas, golf

courses, amusement parks and centres, and commercial camping grounds, and may include a dwelling unit or dwelling units for maintenance or security personnel.

2.12 COMMERCIAL VEHICLE means any vehicle which is licensed as a commercial carrier as determined by the Registrar of Motor Vehicles and with a registered vehicle weight of over three (3) ton (3.1 tonnes).

2.12A CEMETERY means the use of land or structures for the interment of human remains but shall not include the use of structures for crematoriums. (NWCC-Dec 18/03;E-Jan 11/04)

2.13 COMMUNITY CENTRE means any tract of land or building or any part of a building 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, but shall not include fraternal centre.

2.14 COMPOSTING OPERATION means a public or private solid waste management facility where the waste is processed using composting technology which may include physical turning, windrowing, in-vessel, static pile aeration or other mechanical handling of organic matter and where the annual production of compost material exceeds 60 cubic metres.

2.14A CONSERVATION USE means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing. (RC-Jun 25/14;E-Oct 18/14)

2.14B CONSTRUCTION AND DEMOLITION MATERIALS, hereinafter referred to as C&D Materials, means materials which are normally used in the construction of buildings, structures, roadways, walls and landscaping features, and includes, but is not limited to, soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles and metals. (RC-Jun 25/14;E-Oct 18/14)

2.14C CONSTRUCTION AND DEMOLITION MATERIALS DISPOSAL SITE, hereinafter referred to as a C&D Disposal Site, means land and /or buildings or part of a building where C&D Materials, or Residue remaining from C&D Processing Facilities, are disposed of by land application or burying, and shall not include the use of inert C&D materials, approved by Provincial Department of the Environment and Labour, for site rehabilitation within gravel pits and quarry operations licensed by the Province of Nova Scotia. (RC-Jun 25/14;E-Oct 18/14)

2.14D CONSTRUCTION AND DEMOLITION MATERIALS PROCESSING FACILITY, hereinafter referred to as a C&D Processing Facility, means lands and/or buildings or part of a building used to sort, alter, grind, or otherwise process, C&D Materials for reuse or recycling into new products, and shall not include a Used Building Material Retail Outlet, an operation that processes inert C&D Materials on the site of generation and the material processed does not leave the site except for inert C&D Materials described in Sub-Section 9(3) of HRM C&D License By-law (L-200 and L-201), de-construction of a building on site, a municipal processing facility for used asphalt and concrete, or facilities associated with reclamation of a gravel pit or

quarry operations licensed by the Province of Nova Scotia or forestry manufacturing processes. (RC-Jun 25/14;E-Oct 18/14)

2.14E CONSTRUCTION AND DEMOLITION MATERIALS TRANSFER STATION, hereinafter referred to as a Transfer Station, means land and/or buildings or part of a building at which C&D Materials are received and sorted for subsequent transport to a C&D Disposal Site or a C&D Processing Facility. (RC-Jun 25/14;E-Oct 18/14)

2.15 COUNCIL means the Council or Community Council of Halifax Regional Municipality.

2.16 DAYLIGHTING TRIANGLE means the triangular shaped land which is that part of and within a corner lot, adjacent to the intersection of the front lot line and the flankage lot line, and which is measured, from such intersection and along each street line the distance required by this By-law and, along a straight line joining the points of the required distance along each street line. In the case of a through lot, a daylighting triangle shall also be adjacent to the intersection of the rear lot line and the flankage lot line and shall be measured from such intersection the distance required by this By-law and along a straight line joining the points of such distance.

2.17 **DAY CARE FACILITY means a building, part of a building or other place, whether known as a day nursery, nursery school, kindergarten, play school or by any other name, with or without stated educational purpose, the operator of which for compensation or otherwise, receives for temporary care or custody, on a daily or hourly basis, during all or part of the day, apart from parents, more than three (3) children not of common parentage and up to and including twelve (12) years of age; but does not include a nursery school or kindergarten conducted as part of a school, college, academy or other educational institution where instruction is given in Grades Primary to VII. (RC-Mar 3/09;E-Mar 21/09)**

2.18 DEVELOPMENT OFFICER means the officer of Halifax Regional Municipality, from time to time charged by the Municipality with the duty of administering the provisions of this By-law.

2.19 DISPLAY COURT means an area of land where goods are displayed which are, or which are similar to other goods which are, available for sale to the general public from a retail outlet located on the same lot or on another lot. Without limiting the generality of the foregoing, outdoor display includes the display of cars, trucks, vans, motor homes, trailers, boats, snowmobiles, motorcycles, swimming pools, decorative fountains and prefabricated cottages and homes.

2.20 DWELLING

(a) Dwelling means a building or part of a building, occupied or capable of being occupied as a home or residence by one or more persons, and containing one or more dwelling units but shall not include a hotel, a motel, apartment hotel or hostel.

(b) Dwelling, Auxiliary means a self-contained dwelling unit within a single unit dwelling which is secondary to the main residential use of the property and does not exceed forty (40) percent of the gross floor area of the main structure.

(c) Dwelling Unit means one or more habitable rooms designed, occupied or intended for use by one or more persons as an independent and separate housekeeping

establishment in which a kitchen, sleeping and sanitary facilities are provided for the exclusive use of such persons.

(d) Dwelling, Single Unit means a building which is a completely detached dwelling unit, **and includes a mobile dwelling. (RC-Oct 11/22;E-Nov 16/22)**

(e) Dwelling, Mobile means a detached dwelling designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembling, and the foregoing shall include mobile homes and modular dwellings having any main walls with a width of less than twenty (20) feet (6.1 m).

(f) Dwelling, Two Unit means a building containing two (2) dwelling units.

(g) Dwelling, Multiple Unit means a building containing three (3) or more dwelling units.

2.21 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 and structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

2.22 ESTABLISHED GRADE means with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of such building, and when used with reference to a structure, shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road or highway means the elevation of the street, road or highway established by the Municipality or other designated authority.

2.23 EXCAVATING SERVICES means operations which involve buildings used for the storage of machinery related to excavating services and/or the storage of aggregate materials, extraction on site, and the processing of top soil, but does not include operations which involve crushing, blasting, or screening.

2.24 EXTRACTIVE FACILITIES means all buildings, aggregate plants, material storage areas and weigh scales associated with extractive uses which involve screening, blasting or crushing but does not include structures or storage areas which are fundamental to the activities of mining or extraction.

2.25 EXISTING means in existence on the effective date of this By-law.

2.25A EXISTING SENIORS CITIZENS HOUSING means housing designed for occupation by senior citizens, located on those properties listed in Appendix A-1. (RC-Sep 12/23;E-Oct 10/23)

2.26 FISHING USE means any use associated with fishing, including boat and equipment storage and maintenance buildings and yards and retail and wholesale outlets for fish and fish products, a smokehouse, and/or an operation where a fisherman himself or his crew processes his own catch but does not include a fish processing plant.

2.26A FLOODWAY means the inner portion of the floodplain having a 5% chance of flood occurring in any given year (the 1-in-20-year flood elevation). Under this by-law, the Floodway flood elevation is derived from the model that accounts for Climate change conditions for the Western University IDF-CC Tool upper bound result for the 2070 – 2099 period under the Sackville Rivers Floodplain Study Phase II produced by CBCL in 2017. (RC-Apr29/25;E-May26/25)

2.26B FLOOD FRINGE means the outer portion of the floodplain, between the 1-in-20-year floodway and the outer boundary of the floodplain, having a 1% chance of flood occurring in any given year (the 1-in-100-year flood elevation). Under this by-law, the Flood Fringe flood elevation is derived from the model that accounts for Climate change conditions for the Western University IDF-CC Tool upper bound result for the 2070 – 2099 period under the Sackville Rivers Floodplain Study Phase II produced by CBCL in 2017. (RC-Apr29/25;E-May26/25)

2.27 FORESTRY USE means commercial silviculture and the production of timber or pulp and any uses associated with a forestry use, including sawmills, shingle mills, vehicle and equipment storage and maintenance buildings and yards and retail and wholesale outlets for wood and wood products.

2.28 FRATERNAL CENTRES means any lot or building operated by members of a fraternal organization and, without limiting the generality of the foregoing, may include such establishments as a Legion, Lion's Club, Knights of Columbus or Kiwanis.

2.29 GOLF COURSE means a public or private area operated for the purpose of playing golf and related activities including a club house, and administration buildings. The foregoing is specifically limited by excluding permanent residential accommodation of any type except a dwelling unit or dwelling units provided for maintenance or security personnel.

2.30 GROSS FLOOR AREA means the aggregate 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 but excluding car parking areas within the building; and for the purpose of this clause, the walls of an inner court shall be deemed to be exterior walls.

2.31 HEIGHT means the vertical distance of a building between the established grade and highest point of the roof surface for flat, hip, or gable roofs, and to the deckline for mansard and gambrel roofs. In the case of multi-unit dwellings, height shall mean the vertical distance of a building between the established grade and the highest point of the roof surface for flat roofs, and to one- quarter the height between the finished ceiling of the uppermost floor and the highest point of any other roof type, and provided that no roof space be used for human habitation.

2.31A HEN means adult female chicken. For the purposes of this by-law hens associated with an accessory hen use are not livestock (RC- Oct 05/21; E-Jan 08/22).

2.32 HOME BUSINESS USES means the accessory use of a dwelling for gainful employment involving the provision or sale of goods and/or services and without limiting the generality of the foregoing does not include restaurants, take-outs, convenience stores, the boarding of animals, taxi stands or any use deemed to be obnoxious.

2.33 INSTITUTIONAL USE means any educational or denominational use, day care facility, **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)**, fire and police station, public works, hospital and medical clinic, public library, museum and gallery, community centre and hall, government office, recreational use or open space use.

2.34 KENNEL means a building or structure used for the enclosure of more than two dogs which are kept for the purposes of commercial breeding or showing or for commercial boarding with or without veterinary care.

2.35 LIVESTOCK means horses, cows, pigs, sheep, goats and fowl, whether or not they are kept for commercial purposes.

2.36 LOADING SPACE means an area of land provided and maintained upon the same lot or lots upon which the main use is located and which has adequate access to permit ingress and egress by means of driveways, aisles or manoeuvring areas and which is used for the temporary parking of a commercial motor vehicle while merchandise or materials are being loaded or unloaded from the vehicles.

2.37 LOCAL COMMERCIAL USE means a building which is used for the sale of goods and services required by households on a daily basis and may include a convenience store, video store and/or personal service shop.

2.38 LOT means any area of land or parcel described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the effective date of this By-law, or is described in a plan and deed pursuant to the Land Titles Clarification Act or is approved on a plan of subdivision endorsed and filed in the Office of the Registrar of Deeds for Halifax.

(a) Corner Lot means a lot situated at the intersection of, and abutting on, two or more streets.
(b) Through Lot means a lot bounded 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 before defined, such lot shall be deemed to be a corner lot for the purpose of this By-law.

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

2.40 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 mid-points of the front and rear lot lines.

2.41 LOT FRONTAGE means the horizontal distance between the side lot lines as measured along the front lot line. In the case of a corner lot with a daylighting triangle the front and flankage lot lines shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage.

2.42 LOT LINE

(a) Lot Line means a boundary or exterior line of a lot.

(b) Front Lot Line means the line dividing the lot from the street or from the private road; and

(i) in the case of a corner lot - the shorter boundary line abutting the street shall be deemed to be the front lot line and the longer boundary line abutting the street shall be deemed to be the flankage lot line; and where such lot lines are of equal length, the front lot line shall be either of the lot lines and the other lot line shall be the flankage lot line; boundaries dividing the lot from a street shall be deemed to be the front lot line; or

(ii) in the case of a lot which has as one of its boundaries the shore line of a lake or the bank of a river, the lot line facing the access road shall be deemed to be the front lot line.

(c) Rear Lot Line means the lot line farthest from or opposite to the front lot line.

(d) Side Lot Line means a lot line other than a front or rear lot line.

(e) Flankage Lot Line means a side lot line which abuts the street on a corner lot.

2.43 LIC means the Land Information Centre whose property identification numbering system is used in this By-law to identify particular land parcels. The LIC is an agency of the Council of Maritime Premiers established on the authority of Order in Council of the Provinces of Nova Scotia, New Brunswick and Prince Edward Island under the Council of Maritime Premiers Act in order to produce comprehensive property and ownership mapping for the Provinces.

2.44 MAIN BUILDING means the building in which is carried on the principal purpose or purposes for which the building lot is used.

2.45 MAIN WALL means the exterior front, side or rear wall of a building and all structural members essential to the support of a full or partially enclosed space or roof.

2.46 MAXIMUM LOT COVERAGE means that percentage of the lot area covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the maximum lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

2.47 MINIMUM WIDTH means the minimum width or length required by this By-law of any main wall.

2.48 MUNICIPALITY means Halifax Regional Municipality.

2.49 OBNOXIOUS USE means a use which, from its nature or operation creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other materials and shall include, in unserviced areas, operations which produce wastes which cannot be treated by an on-site sewage disposal system approved pursuant to the Regulations Respecting On-Site Sewage Disposal Systems, or which involve, as the primary function, the processing, production, or warehousing of dangerous goods or hazardous wastes.

2.50 OFFICE means a room or rooms where business may be transacted, a service performed or consultation given but shall not include the manufacturing of any product or the retail selling of goods.

2.50A Off-site Fill means fill imported from outside the floodplain or fill transported from the Flood Fringe to the Floodway. (RC-Apr29/25;E-May26/25)

2.51 OPEN SPACE USE means the use of land for public and private parks and playgrounds, athletic fields, tennis courts, lawn bowling greens, outdoor skating rinks, picnic areas, cemeteries, day camps, historic sites or monuments, and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial camping grounds, golf courses nor a track for the racing of animals or motorized vehicles.

2.52 OUTDOOR STORAGE means the storage of merchandise, goods, inventory, materials or equipment or other items which are not intended for immediate sale, by locating them on a lot exterior to a building.

2.53 PARKING LOT means a building or structure or part of a building or structure or 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 and which has adjacent access to permit ingress or egress of motor vehicles to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted.

2.54 PARKING SPACE means an area of not less than one hundred sixty (160) square feet (15 m^2), measuring eight (8) feet (2.4 m) by twenty (20) feet (6.1 m), for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas.

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

2.56 PERSONAL SERVICE SHOP means a building or part of a building in which persons are employed in furnishing direct services and otherwise directly administering to the individual and personal needs of persons, and without limiting the generality of the foregoing, may include such establishments as barber shops, beauty parlours, automatic laundry shops, hairdressing shops, shoe repair and shoe shining, and tailoring, laundry and dry cleaning collection depots and shops, but excludes the manufacturing or fabrication of goods for retail or wholesale distribution.

2.57 PRIVATE CLUB means a building used as a meeting place for members of an organization and may include a lodge, fraternity or sorority house and a labour union hall.

2.58 PRIVATE ROAD means any street or road which is not public where:

(a) the right-of-way, alignment, and gradient of the road are approved by the Department of Transportation pursuant to the Municipal Government Act; and

(b) the road extends to and has access to a public street or highway and where not totally located within the area of land proposed to be subdivided it shall be an easement for access which has been clearly granted to the subdivider by deed, registered in the office of the Registrar of Deeds for the County of Halifax.

2.59 PUBLIC PARK means a park owned or controlled by a public authority or by any board, commission or other authority established under any statute of the Province of Nova Scotia.

2.60 RECREATION USE means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses. (RC-Jun 25/14;E-Oct 18/14)

2.61 RECYCLING DEPOT means a building which is used for the deposit, collection and handling of waste paper, rags, tires, bottles or other materials (excluding construction and demolition materials or hazardous materials) which are to be delivered wholesale to other operations for reclamation, processing or salvage, but shall not include any such salvage or processing on the same lot or within any building used as a re-cycling depot. (RC-Sept 10/02; E-Nov 9/02)

2.62 RESIDENTIAL CARE FACILITY (Deleted: RC-Aug 9/22;E-Sep 15/22)

2.63 RESTAURANT - FULL SERVICE means 8 building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building and y include a take-out area which does not exceed 10% of the gross floor area of the full service restaurant. A full service restaurant is characterized by the provision of table service, including buffet service and may also be licensed to serve alcoholic beverages.

2.64 RESTAURANT - DRIVE-IN means a building or part of a building wherein food is prepared and offered for sale to the public for consumption within or outside the building. A drive-in restaurant is characterized by the provision of take-out services at a counter or from a drive through car pick up window. It does not provide the service of delivering to or waiting on tables nor is it licensed to sell alcoholic beverages.

2.65 RESTAURANT - TAKE-OUT means a building or part of a building wherein food is prepared and offered for sale to the public primarily for off-premises consumption and any include a seating area which does not exceed 25% of the gross floor area of the take-out restaurant. A take-out restaurant does not provide the service of delivery to or waiting on tables nor is it licensed to sell alcoholic beverages. Take-out restaurants, however, may provide a home delivery service.

2.66 RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public at retail value.

2.67 ROAD ENTRANCE RESERVE means the frontage which provides access to a public street or highway or private road from an area of land consisting of a minimum of five

acres, and which entrance has been approved by the Department of Transportation for the purposes of a public or private road entrance reserve.

2.68 SALVAGE YARD means a lot or premises for the storage, handling or processing of and sale of scrap material, and without limiting the generality of the foregoing, shall include waste paper, rags, bones, used bicycles, vehicles, tires, metal or other scrap material or salvage but excluding Construction and Demolition Materials and hazardous waste material storage or disposal sites. (RC-Sep 10/02; E-Nov 9/02)

2.68A SCHOOL BUS YARD means a parking area that is used exclusively for the storage of school busses intended to transport students. (NWCC-Jun 14/21; E-Jul 3/21)

2.69 SENIOR CITIZENS HOUSING (Deleted: RC-Aug 22/23;E-Sep 28/23)

2.70 SERVICE INDUSTRY means a building or part of a building in which the primary function is to provide services such as maintenance or limited processing, and which may include, as a minor or accessory function, the provision of supplies, merchandise or wares directly related to the services provided, and without limiting the generality of the foregoing, may include a public garage including an engine and body repair shop, a printing establishment, a laundry or cleaning establishment, a wholesale bakery, a paint shop, plumbing shop, sheet metal shop, a truck depot and similar uses.

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

2.72 SERVICE STATION means a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines; and (or) the servicing and general repairing of motorized vehicles and may include the sale of automobile accessories and washing establishments. Furthermore the general repair of motorized vehicles shall not include an auto body shop. (NW/WR/MDVCCC-Oct 26/06;E-Nov 18/06)

2.72A SHARED HOUSING USE means a use that contains 4 or more bedrooms, that meets one or more of the following:

(i) that are rented for remuneration as separate rooms for residential accommodation; or
(ii) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use,

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation as defined in the Tourist Accommodation Regulation Act.
(RC-Aug 9/22;E-Sep 15/22)

2.72B SHARED HOUSING WITH SPECIAL CARE means a type of Shared Housing Use that is designed to provide a level of care to residents with cognitive, physical or behavioural limitations, and for greater certainty, shared housing with special care

may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use. (RC- Aug 9/22;E-Sep 15/22)

2.72B(a) SHIPPING CONTAINER means a container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck. (RC-Dec 11/25;E-Feb 2/26)

2.72C Short-term Bedroom Rental means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals. (RC-Feb 21/23;E-Sep 1/23)

2.72D Short-term Rental means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less. (RC-Feb 21/23;E-Sep 1/23)

2.73 SIGN means any structure, device, light, painting or other representation or natural object which is used to identify, advertise or attract attention to any object, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which display or include any letter, work, model, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot, except any "sign" regulated under HRM By-law S-800 and signs which are affixed to the inside of a window or glass door.

(a) <u>Ground Sign</u> means a sign supported by one or more uprights, poles or braces, placed in or upon the ground.
(b) <u>Projecting Sign</u> means a sign which projects from and is supported by or which extends beyond a wall or the roof of a building. (RC-Sep 26/06;E-Nov 18/06)

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

2.75 STREET LINE means the boundary line of a street or private road.

2.76 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, and includes buildings, walls signs, and fences exceeding six (6) feet (1.8 m) in height.

2.76.5 SUITE

(a) Backyard Suite means a self-contained subordinate dwelling unit that is located within an accessory building or structure.
(b) Secondary Suite means a self-contained subordinate dwelling unit that is located within a residential main building.
(RC-Sep 1/20;E-Nov 7/20)

2.76.7 URBAN SERVICE AREA means the Urban Service Area under Schedule B of the Regional Subdivision By-law. (RC-May 23/24;E-June 13/24)

2.76A USED BUILDING MATERIAL RETAIL OUTLET means land and/or buildings or part of a building where C&D Materials are sorted and available for resale with incidental and minimal alteration of the materials and where activity primarily occurs inside a building. (RC-Sep 10/02; E-Nov 9/02)

2.76B WATER CONTROL STRUCTURE - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams. (RC-Jun 25/14;E-Oct 18/14)

2.77 WATERCOURSE means a lake, river, stream, ocean or other natural body of water. (RC-Jun 25/14;E-Oct 18/14)

2.78 YARD means an open, uncovered space on a lot appurtenant to a building, except a court bounded on two or more sides by buildings. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

(a) Front Yard means a yard extending across the full width of a lot and between the front lot line and the nearest wall of any main building or structure on the lot; and "required front yard" or "minimum front yard" means the minimum depth required by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on the lot.

(b) Rear Yard means a yard extending across the full width of a lot and between the rear lot line and the nearest wall of any main building or structure on the lot; and "required rear yard" or "minimum rear yard" means the minimum depth required by this By-law of a rear yard on a lot between a rear lot line and the nearest main wall of any building or structure on the lot.

(c) Side Yard means a yard extending between the front yard and the rear yard and between a side lot line and the nearest main wall of any building on the lot; and "required sideyard" or "minimum side yard" means the minimum breadth required by this By-law of a side yard on a lot between a side yard line and the nearest main wall of any building or structure on the lot.

(d) Flankage Yard means the side yard of a corner lot, which side yard abuts a street, and "required flankage yard" or "minimum flankage yard" means the minimum side yard required by this By-law where such yard abuts a street or private road.

PART 3: ZONES AND ZONING MAPS

3.1 ZONES

For the purpose of this By-law, the Beaver Bank, Hammonds Plains and Upper Sackville Plan Area is divided into the following zones by the zoning maps, the boundaries of which are shown on the attached zoning schedules. Such zones may be referred to by the appropriate symbols:

	Symbol	Zone
Residential Zones	R-1	Single Unit Dwelling Zone
	R-2	Two Unit Dwelling Zone
	R-1A	Auxiliary Dwelling Unit Zone
	R-3	Mobile Dwelling Zone
	R-3A	Mobile Home Park Zone
	CDD	Comprehensive Development District Zone
Mixed Use Zones	R-6	Rural Residential Zone
	R-8	Special Area Zone
	MU-1	Mixed Use 1 Zone
	MU-2	Mixed Use 2 Zone
	GU-1	General Use Zone
Resource Zones	MR-1	Mixed Resource Zone
Commercial Zones	C-2	General Business Zone
	C-4	Highway Commercial Zone
	C-5	**Hammonds Plains Commercial Zone (RC-Feb 9/10;E-Apr 3/10)**
	C-6	Commercial Entertainment Zone
Industrial Zones	I-1	Mixed Industrial Zone
	I-4	Former Sanitary Landfill Site Zone
Construction & Demolition Zones	**CD-1**	**(C&D Materials Transfer Stations) Zone**
(RC-Sep 10/02; E-Nov 9/02)	**CD-2**	**(C&D Materials Processing Facilities) Zone**
	CD-3	**(C&D Materials Disposal Sites) Zone**
Infrastructure Charge Zone	**ICH**	**Infrastructure Charge Holding Zone (RC-Jul 2/02, E-Aug 17/02)**
Community Uses Zones	P-2	Community Facility Zone
	RPK	**Regional Park Zone (RC-Jun 25/14;E-Oct 18/14)**
	PWS	**Protected Water Supply Zone (RC-Jun 25/14;E-Oct 18/14)**
	1987 FP	Floodplain Zone

2024 FWO	**Floodway Overlay (RC-Apr29/25;E-May26/25)**
2024 FFO	**Flood Fridge Overlay (RC-Apr29/25;E-May26/25)**
US	**Urban Settlement Zone (RC-Jun 25/14;E-Oct 18/14)**
TR	**Transportation Reserve Zone (RC-Jun 25/14;E-Oct 18/14)**

3.2 ZONING MAPS

(a) Maps 1A, 1B, 1C, 1D and 1E, attached hereto, may be cited as the Beaver Bank, Hammonds Plains and Upper Sackville Zoning Maps and are hereby declared to form part of this By-law.
(b) The extent and boundaries of all zones are shown on Maps 1A, 1B, 1C, 1D and 1E, and for all such zones the provisions of this By-law shall respectively apply.
(c) The symbols used on Maps 1A, 1B, 1C, 1D and 1E, refer to the appropriate zones established by Section 3.1 above.

3.3 INTERPRETATION OF ZONING BOUNDARIES

Boundaries between zones shall be determined as follows:

(a) where a zone boundary is indicated as following a street or highway, the boundary shall be the centre line of such street or highway;
(b) where a zone boundary is indicated as approximately following lot lines, the boundary shall follow such lot lines;
(c) where a street, highway, railroad or railway right-of-way, electrical transmission line right-of-way or watercourse is included on the zoning maps, it shall, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof; and
(d) where a railroad or railway right-of-way, electrical transmission line right-of-way or watercourse is included on the zoning maps and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise; or
(e) where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the attached Schedules.

3.4 ZONES NOT ON MAPS

The zoning maps of this By-law may be amended to utilize any zone in this By-law, regardless of whether or not such zone has previously appeared on any zoning map. Such amendments must be carried out in accordance with the Municipal Government Act and must be in conformity with the policies of the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville.

3.5 USES PERMITTED

Uses permitted within any zone shall be determined as follows:

(a) If a use is not listed as a use permitted within any zone, it shall be deemed to be prohibited in that zone.

(b) Notwithstanding 3.5 (a), above, unless a use is specifically prohibited within the General Use Zone, it shall be deemed to be a permitted use in that zone.

(c) If any use is listed subject to any special conditions or requirements, it shall be permitted subject to the fulfilling of such conditions or requirements.

(d) Where a use permitted within any zone is defined in Section 2, the uses permitted within that zone shall be deemed to include any similar use which satisfies such definition except where any definition is specifically limited to exclude any use.

(e) Except where limited by Section 4.1, or specifically prohibited elsewhere in this By-law, any use permitted within any zone may be located in conjunction with, whether contained within the same building or located on the same lot as, any other use permitted within that zone.

3.6 OTHER USES CONSIDERED BY DEVELOPMENT AGREEMENT

(a) Notwithstanding Section 3.5 above, certain uses which may not be uses permitted in any zone may be considered in accordance with the Municipal Government Act. As provided for by Policies P-18, P-19, **P-22A (RC-Mar 5/13;E-Apr 20/13), P-26A (RC-Sep 16/08;E-Oct 4/08),** P-27, P-30, P-31, **P-32b (RC-Jul 8/03;E-Aug 16/03),** P-39**A, P-39B (RC-Aug 9/22;E-Sep 15/22)**, P-41, P-44, P-50, P-56, P-77, and P-131 of the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville, such uses are as follows:

Shared Housing with Special Care Use with greater than ten (10) bedrooms in the Residential and Upper Hammonds Plains Community Designation (RC-Jan 10/23;E-Feb 3/23)
Model homes and associated office uses in the Residential Designation
Mobile home parks and expansion of existing mobile home parks in the Mixed Use A, B and C Designations and the Upper Hammonds Plains Community Designation
Commercial recreation uses and expansion of existing commercial recreation uses in the Mixed Use A, B and C Designations and the Rural Resource Designation
Salvage Yards in the Mixed Use C Designation
Extractive facilities in the Mixed Use A, B and C Designations and the Rural Resource Designation
Buildings specified in the Floodplain Designation
Uses permitted by the zone on the abutting property within the abutting designation
Two Unit, Townhouse and Multiple Dwelling Uses within the Residential, Mixed **Use B and Residential Resource Designations on the lands known as Blocks A through D of the Glen Arbour Integrated Golf Course and Residential Community**
Expansion of the mobile home park or permit innovative forms of housing or design (for the former housing site or future expansion) which is not permitted in accordance with the Mobile Home Park Bylaw for the former housing site of the Beaver Bank Villa within the Mixed Use A Designation. (RC-Jul 8/03;E-Aug 16/03)
Kennels and expansions to existing kennels. (RC-Sep 16/08;E-Oct 4/08)

(b) Deleted (RC-Jun 27/06;E-Aug 26/06)

(c) Deleted (RC-Mar 26/02;E-Apr 25/02)

(d) A Fraternal Centre at 40 Sandy Lake Road, Beaver Bank (RC-Mar 5/13;E-Apr 20/13)

(e) Pursuant to Policy P-152, where there is enabling policy to consider the development, by development agreement, of multiple unit dwellings or the expansion of existing multiple unit dwellings, such policy may be used to consider the development of shared housing uses at a larger scale than what is permitted by the Land Use By-law. (RC- Aug 9/22;E-Sep 15/22)

(f) industrial uses in excess of 5000 square feet (464.5 m^2) in the Upper Hammonds Plains Community Designation.

(g) commercial uses in excess of 2000 square feet (185.8 m^2) around the intersection of Old Annapolis Road and Pockwock Road; Anderson Road and Pockwock Road; and Kemptown Road junction in the Upper Hammonds Plains Community Designation.

(h) forestry uses in excess of 5000 square feet (464.5 m^2) in the Upper Hammonds Plains Community Designation.

(i) multiple unit dwellings, including townhouses in the Upper Hammonds Plains Community Designation. (RC-Jan 10/23;E-Feb 3/23)

(j) In accordance with Policy P-36A, a Commercial Office Building shall be permitted at 1274 Hammonds Plains Road (PID 00422279). (RC-Mar 25/25;E-Apr 29/25)

(k) Subject to Policy P-78I, a development agreement may be considered to permit additional development within the Floodplain Designation. (RC-Apr29/25;E-May26/25)

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter, except in the Beaver Bank/Hammonds Plains Growth Control Areas: (RC-Jun 25/14;E-Oct 18/14)

(i) Conservation Design Developments in accordance with policies S-14A, S-14B, S-15A, S15B, S-16A, S-17A, S-17B, and S-17C (RC-Dec 11/25;E-Feb 2/26) of the Regional Municipal Planning Strategy, as applicable. (RC-Jun 25/14;E-Oct 18/14)

As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the area identified as the Indigo Shores Special Planning Area in accordance with the *Housing in the Halifax Regional Municipality Act* and as shown in Schedule I of the Land Use By-law shall be permitted to develop more than 25 lots per year by development agreement. (Special Area Task Force–May 11/22;E-May 20/22)

3.7 LARGER CANNABIS PRODUCTION FACILITY BY DEVELOPMENT AGREEMENT (RC-Sep 18/18;E-Nov 3/18)

Cannabis production facilities that are permitted in a zone that exceed the maximum gross floor area requirements of the zone may be permitted by development agreement in accordance with Policy EC-22 of the Regional Municipal Planning Strategy.

3.8 DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES (RC-Oct 11/22;E-Nov 16/22)

Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-7A of the Halifax Regional Municipal Planning Strategy.

3.9 INTERPRETATION OF 1-in-100-YEAR FLOOD ELEVATION (RC-Apr29/25;E-May26/25)

Reference point elevations for the 1-in-100-year flood elevation are outlined in Schedule K of this By-law for the administration of requirements of PART 25A – 2024 FWO (Floodway Overlay Zone) and PART 25B – 2024 FFO (Flood Fringe Overlay) Zone. Site-specific elevations may be determined by a qualified professional engineer or Licensed Nova Scotia Land Surveyor and used for administering these sections of the by-law when greater precision is required.

3.10 HYDROTECHNICAL STUDIES (RC-Apr29/25;E-May26/25)

Hydrotechnical studies submitted to fulfill the requirements for developments as outlined in PART 25A – 2024 FWO (Floodway Overlay) Zone and PART 25B – 2024 FFO (Flood Fringe Overlay) Zone must be developed following the methodology outlined in the Nova Scotia Municipal Flood Line Mapping Document.

PART 4: GENERAL PROVISIONS FOR ALL ZONES

4.1 DEVELOPMENT PERMITS

(a) No development shall be permitted unless a development permit has been issued and no development permit shall be issued unless the provisions of this By-law are satisfied.

(b) Any development permit shall be in force for a period of one (1) year from the date of issue and any permit may be re-issued upon request and subject to review by the Development Officer.

(c) Where any development permit is issued, such permit may include permission of any single development, or of more than one development, or of any or all elements related to any development, including signs permitted according to Section 5 provided that such are specified by the permit and provided also that no development permit shall pertain to more than one (1) lot.

4.1A No more than one development permit may be issued per year for a residential use on a lot not serviced by sanitary sewerage or water distribution systems for any area of land subdivided pursuant to a completed tentative subdivision application, not pursuant to a completed concept plan application received between January 22, 2004, and the effective date of this section. (RC-Apr 13/04;E-Apr 22/04)

4.1B Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning. (RC-Jun 25/14;E-Oct 18/14)

4.1C An accessory hen use is exempt from the requirement to obtain a development permit (RC- Oct 05/21; E-Jan 08/22).

4.1D A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit. (RC-Feb 21/23;E-Sep 1/23)

4.1E Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit. (RC-Feb 21/23;E-Sep 1/23)

4.2 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BY-LAWS

(a) Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other by-law in force within the Municipality, or to obtain any licence, permission, permit, authority or approval required by any other by-law of the Municipality or statute and regulation of the Province of Nova Scotia.

(b) Where the provisions in this By-law conflict with those of any other municipal or provincial regulations, by-laws or codes, the higher or more stringent requirements shall prevail.

4.3 SEWAGE DISPOSAL AND WATER SYSTEMS

Where any lot is developed with a septic tank and disposal field, the minimum on-site requirements of this By-law shall apply for the purpose of obtaining a development permit. For the purpose of obtaining a permit for the installation of a septic tank, the regulations of the Department of Environment shall prevail.

4.4 ONE DWELLING ON A LOT

No person shall erect more than one (1) dwelling on a lot **except where backyard suites are permitted (RC-Sep 1/20;E-Nov 7/20)**. **Notwithstanding, in any C-5 (Hammonds Plains Commercial) Zone, a lot may contain more than one (1) dwelling. (RC-Feb 9/10;E-Apr 3/10)**

4.5 EXISTING UNDERSIZED LOTS

(a) Notwithstanding anything else in this By-law, a vacant lot held in separate ownership from adjoining parcels on the effective date of this By-law, having less than the minimum frontage, depth or area required by this By-law, may be used for any purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.

(b) Further to Subsection 4.5(a) above, the Development Officer may issue a development permit for a lot approved pursuant to PART 14 of the Subdivision By-law where an undersized lot has had its boundaries altered.

4.6 REDUCED FRONTAGE OR AREA

(a) Any lot created pursuant to the reduced frontage or area requirements of the Subdivision By-law may be used for any purpose permitted in the zone in which the lot is located and a development permit may be issued and a building may be erected on the lot, provided that all other applicable provisions of this By-law are satisfied.

(b) With the exception of the R-1, P-2, and any commercial or industrial zones, or lots serviced by central sewer and/or water services, the Development Officer may issue a development permit for a lot approved pursuant to Part 14 of the Subdivision By-law, provided that all other applicable provisions of this By-law are satisfied.

(c) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:

(i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;

(ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of

intersection with the public street or highway or private road shall be shown on the plan of subdivision;

(iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;

(iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Section 4.11 of the this By-law;

(v) the remaining lands meet the requirements of the applicable zone. (NWCC-Dec 18/03;E-Jan 11/04)

(d) Notwithstanding the lot frontage requirements found elsewhere in this By-law, residential uses that are located on lots that do not meet lot frontage requirements and received development permits on or before April 1, 2016 are permitted provided all other applicable provisions of this By-law are satisfied. (RC-Jan 10/17;E-Feb 25/17)

4.7 ROAD ENTRANCE RESERVES

Notwithstanding the lot frontage provisions contained in this by-law, a portion of a lot identified as a road entrance reserve shall meet the requirements of the provincial Department of Transportation and Halifax Regional Municipality.

4.8 EXISTING BUILDINGS

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

(a) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard that does not conform to this By-law; and

(b) all other applicable provisions of this By-law are satisfied.

4.9 EXISTING USES

Unless otherwise identified in Appendix "A" **or "A-1" (RC-Sep 12/23;E-Oct 10/23)**, where uses are permitted as existing uses within a zone, they shall be considered as fully conforming uses and as such are permitted to expand, resume operation if discontinued, or be replaced, or rebuilt if destroyed, on the lot which they occupied on the effective date of this By-law.

4.9A EXISTING NON-RESIDENTIAL USES (RC-Apr29/25;E-May26/25)

Notwithstanding Section 4.9, where uses are permitted as existing non-residential uses within PART 25 – 1987 FP (Floodplain) Zone and PART 25A – 2024 FWO (Floodway Overlay) Zone, they shall be considered as fully conforming uses and as such are permitted to change in use to a use permitted in the zone, resume operation if discontinued, or be replaced, or rebuilt if destroyed, on the lot which they occupied on [coming in force date of this section] subject to the requirements

of the zone. An existing non-residential use includes a non-residential use that existed on or before [coming in force date of this section].

4.10 NON-CONFORMING USES

Non-conforming uses shall be subject to the Municipal Government Act of Nova Scotia. Additions or structural alterations to non-conforming uses shall be permitted if they do not result in any increase in the volume of space devoted to the non-conforming use itself.

4.11 ACCESSORY USES AND BUILDINGS

Provisions made under this by-law to permit uses, buildings, and structures shall, unless otherwise stated by this by-law, also be deemed to include any accessory uses buildings or structures provided that:

(a) the accessory use, building, or structure is located within the same zone as the principal building or use it is intended to serve or is located within an abutting zone in which the principal use or building is permitted;
(b) the accessory use building or structure is located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot containing the principal building or use it is intended to serve; and
(c) all other applicable conditions and requirements of this by-law are satisfied.

4.11A ACCESSORY HEN USE (RC- Oct 05/21; E-Jan 08/22)

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

(a) The maximum number of hens permitted on a lot shall be:
- **i. a maximum of 10 hens on lots less than 4,000 square metres in size;**
- **ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;**
- **iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;**
- **iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;**

(b) Hens shall be contained within an accessory building or a fenced area that:
- **i. is located in a rear yard;**
- **ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;**
- **iii. subject to 4.11A(b)(iv), meets the requirements for accessory buildings under this by-law; and**
- **iv. is setback a minimum of 1 metre from any side or rear lot line.**

(c) The following are not permitted:
- **i. On-site slaughtering or euthanizing of hens; and**
- **ii. The sale of eggs, meat or hens**

4.12 ACCESSORY BUILDINGS

(a) Accessory uses, buildings and structures shall be permitted in any zone but shall not:

(i) be used for human habitation except where a dwelling is a permitted accessory use;

(ii) be used for the keeping of livestock except where agriculture is a permitted use;

(iii) be built closer to the front lot line than the minimum distance required for the main building, or be built closer than eight (8) feet (2.4 m) to any other lot line except that:

1. common semi-detached garages may be centred on the mutual side lot line; and
2. boat houses and boat docks may be built to the lot line when the line corresponds to the high water mark; and
3. **accessory uses or buildings in any C-5 (Hammonds Plains Commercial) Zone shall not be located in the front yard or flankage yard. (RC-Feb 9/10;E-Apr 3/10)**

(iv) exceed fifteen (15) feet (4.6 m) in height in any C-5 (Hammonds Plains Commercial) Zone; **(RC-May 23/24;E-June 13/24)**

(v) exceed **a footprint of** one thousand (1000) square feet (93 square metres) or 25 feet (7.7 metres) in height in any R-l (Single Unit Dwelling) Zone or R-2 (Two Unit Dwelling) Zone; **(RC-Dec 11/25;E-Feb 2/26)**

(vi) be built within eight (8) feet (2.4 m) of a dwelling unit or twelve (12) feet (3.7 m) of any other main building.

(b) Notwithstanding anything else in this By-law, drop awnings, clothes poles, flag poles, garden trellises, fences and retaining walls shall be exempted from the requirements of Subsection (a).

(c) Repealed (RC-May 23/24;E-June 13/24)

(d) Notwithstanding anything else in this by-law, an enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum gross floor area requirements for **backyard suites. (RC-Dec 11/25;E-Feb 2/26) (RC-May 23/24;E-June 13/24)**

4.12A SECONDARY SUITES AND BACKYARD SUITES (RC-Sep 1/20;E-Nov 7/20)

(a) SECONDARY SUITES

Secondary suites shall be permitted accessory to a single unit dwelling**, a mobile dwelling,** a two unit dwelling, **or a townhouse dwelling** subject to the following provisions: **(RC-Dec 11/25;E-Feb 2/26)**

(i) No more than one total auxiliary dwelling unit, or (RC-May 23/24;E-June 13/24) secondary suite shall be permitted on a lot;

(ii) The floor area of a secondary suite shall not exceed 80.0 square metres;

(iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;

(iv) Notwithstanding the parking requirements of Section 4.26, additional off-street parking shall not be required; and

(v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone. **(RC-May 23/24;E-June 13/24)**

(b) BACKYARD SUITES

Backyard suites shall be permitted accessory to a single unit dwelling, a mobile dwelling, a two unit dwelling, or a multiple unit dwelling containing three (3) units subject to the following provisions:

(i) No more than one backyard suite shall be permitted on a lot; **(RC-Dec 11/25;E-Feb 2/26)**

(ii) A backyard suite is not considered a separate main building or main dwelling;

(iii) The backyard suite shall meet the accessory buildings requirements as set out in Sections 4.11 and 4.12;

(iv) The gross floor area of a backyard suite shall not exceed 1000 square feet (93 square metres); (RC-May 23/24;E-June 13/24)

(v) Notwithstanding the parking requirements of Section 4.26, additional off-street parking shall not be required;

(vi) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone. (RC-May 23/24;E-June 13/24)

(vii) A backyard suite must be located on the same lot as the main dwelling unit; and

(viii) A backyard suite shall have unobstructed access that

(A) connects the backyard suite to a street or private road,

(B) is located on the same lot on which the backyard suite is located, and

(C) has a minimum width of 1.1 metres.

(RC-May 23/24;E-June 13/24)

(ix) Notwithstanding Subsection (iii), a non-conforming accessory building may be converted to a backyard suite if the gross floor area of the backyard suite does not exceed 1000 square feet (93 square metres). **(RC-May 23/24;E-June 13/24)**

4.12AA SHIPPING CONTAINERS (RC-Dec 11/25;E-Feb 2/26)

(a) Shipping containers shall be prohibited.

(b) Notwithstanding subsection (a), non-residential temporary construction shipping containers are permitted subject to Section 4.13.

(c) Notwithstanding subsection (a), temporary residential shipping containers are permitted subject to Section 4.13.

(d) Notwithstanding subsection (a), shipping containers are permitted as a dwelling subject to the applicable zone standards for dwellings.

(e) Notwithstanding subsection (a), shipping containers are permitted as a backyard suite subject to the applicable requirements for backyard suites.

4.13 TEMPORARY CONSTRUCTION USES PERMITTED (RC-Jan 20/09;E-Feb 7/09)

(a) Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure which is necessary and accessory to

construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(ab) Temporary buildings or structures for a work camp or construction camp are permitted on the worksite or on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the worksite. Any other temporary construction uses must be located on the worksite. (RC-Dec 11/25;E-Feb 2/26)

(b) A rock crusher may be used at the site of a demolition of a structure or building, the site of construction of primary or secondary services pursuant to the Regional Subdivision By-law, or at the site of development permitted pursuant to this By-law, provided a development permit has been issued for such use.

(c) A development permit may only be issued for the temporary use of a rock crusher.

(d) A development permit issued for the use of a temporary rock crusher accessory to demolition of a structure or building pursuant to this By-law or a development pursuant to this By-law shall be valid for any period specified not exceeding sixty (60) days. A development permit issued under this clause may be renewed for a period not to exceed thirty (30) days at a time, if a development officer determines that an extension of the period is necessary. No rock crusher shall be located or used within three (3) metres of any property boundary.

(e) A development permit issued for the use of a temporary rock crusher accessory to the construction of primary or secondary services pursuant to the Regional Subdivision By-law shall be valid for any period which does not exceed the construction time schedule specified in the subdivision agreement. No rock crusher for which a permit has been issued under this clause shall be located or used within sixty (60) metres of any building used for residential or institutional purposes; with the exception of fire stations, police stations, public works facilities, cemeteries, historic sites and monuments, and recreational trails where no rock crusher shall be located or used within three (3) metres of any property boundary.

(f) Notwithstanding any other provision of this By-law, a temporary rock crusher accessory to construction in progress shall not be used to process material for export to another site nor to process material imported to the site.

(g) A temporary rock crusher may be used as an accessory to demolition in progress to process demolished material for export to another site subject to disposal in accordance with the requirements of this By-law and the C&D Materials Recycling and Disposal License By-law.

4.14 VEHICLE BODIES

No truck, bus, coach, **motor home, camper trailer** or streetcar body, nor a structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the Municipality, shall be used for human habitation, and no vehicle body shall be used as a commercial building. **For clarity, a shipping container is not considered a vehicle body. (RC-Dec 11/25;E-Feb 2/26)**

4.15 RESTORATION TO A SAFE CONDITION

Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided that in the case of a non-conforming use, the provisions of the Municipal Government Act shall prevail.

4.16 BUILDING TO BE MOVED

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

4.17 HEIGHT REGULATIONS

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, ventilators, skylights, barns, chimneys, clock towers, ~~**windmills**~~ **(RC-Aug 16/11;E-Oct 29/11)**, solar collectors or home satellite dishes.

4.18 WATERCOURSE SETBACKS AND BUFFERS (RC-Jun 25/14;E-Oct 18/14)

(1) (a) No development permit shall be issued for any development within 20m of the ordinary highwater mark of any watercourse.

(b) Where the average positive slopes within the 20m buffer are greater than 20%, the buffer shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.

(c) Within the required buffer pursuant to clauses (a) and (b), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(d) Within the required buffer pursuant to clauses (a) and (b), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m^2 or a combination of an accessory structure and attached deck not exceeding 20 m^2 , fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure, and water control structures.

(e) Notwithstanding clause (a), the required buffer for construction and demolition operations shall be as specified under the applicable CD Zone.

(f) Within the buffer required pursuant to clause (f), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(2) Notwithstanding subsection (1), where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

(3) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

(4) Notwithstanding subsection (1), nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

(5) Notwithstanding subsection (1), the selective removal of vegetation to maintain the overall health of the buffer may be authorized by the Development Officer where a management plan is submitted by a qualified arborist, landscape architect, forester or forestry technician.

(6) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and contours and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the requirements of this section.

4.19 REDUCED FRONTAGE ON A CURVE

Where the front lot line of any lot is a curved line, a minimum lot width which is equal to the minimum lot frontage required by this By-law shall be required in lieu of such minimum lot frontage. For the purpose of this Section, such minimum lot width shall be measured along a horizontal line between the side lot lines, twenty (20) feet from the front lot line.

4.20 DAYLIGHTING TRIANGLE

On a corner lot, a fence, sign, hedge, shrub, bush or tree or any other structure or vegetation shall not be erected or permitted to grow to a height more than two (2) feet (.6 m) above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of twenty (20) feet (6.1 m) from their point of intersection.

4.21 PERMITTED ENCROACHMENTS

Every part of any yard required by this By-law shall be open and unobstructed by any structure except to permit uses or encroachments subject to the following provisions:

(a) In-ground uncovered patios, walkways or steps may be located in any yard.
(b) There may be erected or maintained in any yard, the usual projections of sill, cornices, eaves, gutters, chimneys, pilasters, canopies or other architectural features, provided that no such structure or feature shall project more than two (2) feet (.6 m) into any required yard.

(c) Window bays and solar collectors may be permitted to project not more than three (3) feet (.9 m) from the main wall into a required front, rear or flankage yard.
(d) Exterior staircases, balconies, porches, verandas and sundecks shall not be permitted to project into any required yard.
(e) Ornamental planting and landscaping may be located in any yard unless otherwise indicated in this By-law.
(f) Access ramps for the mobility disabled may be located in any yard.

4.22 YARD EXCEPTION

(a) Where, in this By-law a front, side or rear yard is required, and part of the area of the lot is usually covered by water or marsh or is beyond the rim of a river bank or watercourse, then the required yard shall be measured from the nearest main wall of the main building or structure on the lot to the edge of the said area covered by water or marsh, if such area is closer than the lot lines.
(b) In any zone where two unit dwellings are permitted, the minimum yard from the side being common with another dwelling unit shall be 0.0 feet (0.0 m).

4.23 ILLUMINATION

No person shall erect any illuminated sign or illuminate an area outside any building unless such illumination is directed away from adjoining properties and any adjacent streets.

4.24 SEPARATION BETWEEN MAIN BUILDINGS

The minimum separation distance between main buildings located on the same lot shall be sixteen (16) feet (4.8 m).

4.25 USES PERMITTED ON PRIVATE ROADS AND SCHEDULE "A" ROADS

Notwithstanding anything else in this By-law, development on private roads and Schedule "A" roads shall be restricted to residential, recreational and resource uses.

4.26 PARKING REQUIREMENTS

(a) For every building or structure to be erected or enlarged, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule, except where any parking requirement is specifically included elsewhere in this By-law. Where the total required spaces for any use is not a whole number, the total spaces required by this Section or by other specific sections shall be the next largest whole number.

USE	PARKING REQUIREMENT
Any dwelling except as specified below	**0 spaces** per dwelling unit **(RC-May 23/24;E-June 13/24)**
Multiple unit dwellings	**0.33** spaces per dwelling unit **(RC-May 23/24;E-June 13/24)**

Shared Housing Use (RC-Aug 9/22;E-Sep 15/22)	**0 spaces**
Retail stores, service and personal service shops:	
(a) exceeding 5,000 square feet (464.5 m^2) of gross floor area	5.5 spaces per 1,000 square feet (92.9 m^2) of gross floor area
(b) not exceeding 5,000 square feet (464.5 m^2) of gross floor area	3.3 spaces per 1,000 square feet (92.9 m^2) of gross floor area
Banks, financial institutions and general offices	3.3 spaces per 1,000 square feet (92.9 m^2) of gross floor area
Motels, hotels **and short-term bedroom rentals (RC-Feb 21/23;E-Sep 1/23)**	1 space per sleeping unit plus requirements for restaurants or other facilities contained therein
Restaurants - Drive-In	27 spaces per 1000 square feet (92.9 m^2) of gross floor area
Restaurants - Full Service	20 spaces per 1000 square feet (92.9 m^2) of gross floor area
Restaurants - Take-Out:	
(a) exceeding 300 square feet (28 m^2) of gross floor area	16 spaces per 1000 square feet (92.9 m^2) of gross floor area
(b) not exceeding 300 square feet (28 m^2) of gross floor area	5 spaces
Lounges, taverns and beverage	the greater of 1 space per 3 seats or 1 space per100 square feet (9.3 m^2) of gross floor area
Theatres	1 space per 5 seats
Institutional uses except as **otherwise** specified	where there are fixed seats, the greater of 1 space per 4 seats and 1 space per 100 square feet (9.3 m^2) of gross floor area where there are no fixed seats, the greater of 1 space per 100 square feet (9.3 m^2) of gross floor area or 1 space per 4 persons which can be accommodated at any one time
Government offices	4.5 spaces per 1,000 square feet (92.9 m^2) of gross floor area
Schools	3 spaces per classroom plus 1 space per 20 high school students
Hospitals	2 spaces per bed
Day care facilities	1.5 spaces per 400 square feet (37.2 m^2) of gross floor area
Medical clinics and offices of any health practitioner	**2 spaces per consulting room (RC-Aug 5/08;E-Aug 23/08)**
Funeral homes	15 spaces
Warehouses, transport terminals and	the greater of 2 spaces per

general industrial uses	1,000 square feet (92.9 m^2) of gross floor area or 1 space per 4 employees
Any use not specified above	3.3 spaces per 1,000 square feet (92.9 m^2) of gross floor area

(b) Reserved Spaces for the Mobility Disabled

Notwithstanding Section 4.26(a) above, reserved parking spaces for the mobility disabled shall be provided as an addition to the required spaces in conformity with the following schedule:

USE	PARKING REQUIREMENT
Medical Clinics and offices of any health practitioner	1 reserved parking space for the mobility disabled per 5-15 parking spaces required; 1 additional space for each additional 15 required spaces or part thereof to a maximum of 10
Multiple Dwellings	1 reserved parking space per 30 units to a maximum of 10
Restaurants and Theatres	1 reserved parking space per 50 seats to a maximum of 10
All other uses excluding fire stations and any industrial use which does not have a retail function	1 reserved parking space for the mobility disabled per 15-100 parking spaces required; 1 additional space for each additional 100 required spaces or part thereof, to a maximum of 10

(c) Notwithstanding subsections (a) and (b), there shall be no required parking for residential uses within the Urban Service Area. (RC-Dec 11/25;E-Feb 2/26)

4.27 STANDARDS FOR PARKING LOTS

Where a parking lot for more than four (4) vehicles is required or permitted:

(a) the lot shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles;
(b) the lights used for illumination of the lot shall be so arranged as to divert the light away from streets, adjacent lots and buildings;
(c) a structure, not more than fifteen (15) feet (4.6 m) in height and not more than fifty (50) square feet (5 m^2) in area may be erected in the lot for the use of attendants;
(d) the lot shall be within three hundred (300) feet (91.4 m) of the location which it is intended to serve and shall be situated in the same zone;
(e) no gasoline pumps or other service station equipment shall be located or maintained on the lot;

(f) approaches or driveways to the lot shall be defined by a curb or concrete or rolled asphalt and the limits of the lot shall be defined by a fence, curb or other suitable obstruction designed to provide a neat appearance; in addition, the location of approaches or driveways shall be not closer than fifty (50) feet (15.2 m) from the limits of the right-of-way at a street intersection;

(g) entrance and exit ramps to the lot shall not exceed two (2) in number and each such ramp shall be a width of twenty-five (25) feet (7.6 m) at the street line and edge of pavement; and

(h) the width of a driveway leading to a parking lot or loading space, or of a driveway or aisle in a parking lot, shall be a minimum width of ten (10) feet (3 m) if for one-way traffic and a minimum width of twenty (20) feet (6.1 m) if for two-way traffic, and the maximum width of a driveway shall be twenty-five (25) feet (7.6 m).

4.28 LOADING SPACE REQUIREMENTS

(a) In any zone, no person shall erect or use any building or structure for manufacturing, storage or warehousing, or as a retail or wholesale store, or as a freight or passenger terminal, or for any other use involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained on the same premises with every such use, one off-street space for standing, loading and unloading for every twenty thousand (20,000) square feet (1858 m^2) or fraction thereof of gross floor area used for such purposes to a maximum of six (6) loading spaces.

(b) The provisions of a loading space for any building with less than fifteen hundred (1,500) square feet (140 m^2) shall be optional.

(c) Each loading space shall be at least twelve (12) feet (3.7 m) by twenty-five (25) feet (7.6 m) with a minimum of fourteen (14) feet (4.3 m) height clearance.

(d) Loading space areas, including driveways leading thereunto, shall be constructed of and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

4.29 COMPOSTING OPERATIONS

No development permit shall be issued for a composting operation except in compliance with the following provisions:

(a) the use shall not be obnoxious or create a nuisance;

(b) a composting operation shall meet the following separation distances:

(i)	from any property line	328 feet (100 m)
(ii)	from the nearest:	
	1. residential dwelling	1,640 feet (500 m)
	2. community facility use	1,640 feet (500 m)
	3. commercial or industrial building	984 feet (300 m)
(iii)	from a watercourse	328 feet (100 m)

(c) notwithstanding any other provisions of this by-law, composting operations may occur either inside or outside of a building; and

(d) a composting operation shall not have direct access to either a local or subdivision road, as determined by the Municipality's Engineering and Works Department and any access road for such operations shall not occur through lands zoned for residential use.

4.30 SCHEDULE F - AREAS OF ELEVATED ARCHAEOLOGICAL POTENTIAL (RC-Jun 25/14;E-Oct 18/14)

Where excavation is required for a development on any area identified on Schedule F attached to this by-law, a development permit may be issued and the application may be referred to the Nova Scotia Department of Communities, Culture and Housing, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

4.31 SCHEDULE G – WETLANDS (RC-Jun 25/14;E-Oct 18/14)

Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands identified on Schedule G attached to this by-law, within and adjacent to the lot. Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within any such wetland.

4.32 WIND ENERGY FACILITIES (RC-Jun 25/14;E-Oct 18/14)

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

a) "Habitable Building" means a dwelling unit, hospital, hotel, motel, shared housing use (RC-Aug 9/22;E-Sep 15/22) or other building where a person lives or which contains overnight accommodations.

b) "Nacelle" means the frame and housing at the top of the tower that encloses the gearbox and generator.

c) "Nameplate Capacity" means the manufacturer's maximum rated output of the electrical generator found in the nacelle of the wind turbine;

d) "Total Rated Capacity" means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility;

e) "Tower Height" means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building's foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;

f) "Turbine" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.

g) "Wind Energy Facility" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines;

i) "Micro Facility" means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.

ii) "Small Facility" means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.

iii) "Medium Facility" means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.

iv) "Large Facility" means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Schedule H - Wind Energy Zoning. Such zones are:

(UW-1) Urban Wind Zone
(RW-2) Rural Wind Zone
(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).

ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.

iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,

iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.

v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.

vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.

b) RURAL WIND ZONE (RW-2)

i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).

ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.

iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:

1) A minimum distance of the greater of the following from any habitable building on an adjacent property;

(a) 4 times the wind turbine height; or

(b) the distance required to ensure that

(i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling; and

(ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker. (RC-Dec 11/25;E-Feb 2/26)

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

c) RESTRICTED ZONE (R)

i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

a) **a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;**

b) **the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;**

c) **identification and location of the properties on which the proposed Wind Energy Facility will be located;**

d) **at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;**

e) **at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the Aviation Act; and,**

f) **any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.**

IV ADDITIONAL PERMIT REQUIREMENTS

a) **The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:**

- **i)** **not attached to a building and is not connected to the power grid;**
- **ii)** **attached to an accessory building in excess of 215 square feet and is not connected to the power grid.**

b) **A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:**

i)	**Micro**	**140 metres (460 ft)**
ii)	**Small**	**360 metres (1180 ft)**
iii)	**Medium**	**500 metres (1640 ft)**
iv)	**Large**	**2000 metres (6560 ft)**

c) **The notice pursuant to section b) shall include the following information:**

- **i)** **a site plan that includes property boundaries and the location of the proposed wind energy facility;**
- **ii)** **a description of the type of wind energy facility; and**
- **iii)** **the applicant's contact information which shall include a mailing address.**

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

a) Wind Energy Facilities shall not be permitted in the following zones of the Beaver Bank, Hammond Plains and Upper Sackville Land Use By-law:
  i) RPK (Regional Park) Zone.

VII INSTALLATION AND DESIGN

a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.
b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.
c) All electrical wires shall, to the maximum extent possible, be placed underground.
d) The visual appearance of the Wind Energy Facility shall at a minimum:
  i) be a non-obtrusive colour such as white, off-white or gray;
  ii) not be artificially lit, except to the extent required by the Federal Aviation Act or other applicable authority that regulates air safety; and,
  iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.

VIII MISCELLANEOUS

a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.
b) The siting of Wind Energy Facilities is subject to the requirements for Watercourse Setbacks and Buffers as set out in the Land Use By-law.
c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES

a) Schedule H – Wind Energy Zoning

4.33 PUBLIC TRANSIT FACILITIES (RC-Jun 25/14;E-Oct 18/14)

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements.

4.34 CANNABIS-RELATED USES (RC-Sep 18/18;E-Nov 3/18)

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

4.35 SHORT-TERM RENTALS (RC-Feb 21/23;E-Sep 1/23)

a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.

b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:

- **i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
- **ii) Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
- **iii) The operator of the short-term bedroom rental resides on site while any bedrooms are rented;**
- **iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m^2) in area; and**
- **v) One off-street parking space in addition to that required for the dwelling unit shall be provided for each bedroom to be rented.**

4.36 Modified Floodproofing Area Special Requirements (RC-Apr29/25;E-May26/25)

No building, structure, or use shall be permitted within the area identified on the Zoning Map as areas requiring modified floodproofing unless the following special requirements are met:

a) All habitable floorspace shall be constructed above the nearest upstream 1-in-100-year flood elevations outlined on Schedule K or the site-specific 1-in-100-year flood elevation as determined by a professional engineer or licensed Nova Scotia Land Surveyor;

b) All electrical and mechanical equipment within a building must be located above the 1-in-100 flood elevation unless designed by a professional engineer to withstand a flood; and

c) **All structures that extend below the 1-in-100-year flood elevation must be designed and certified by a professional engineer to withstand a flood.**

4.37 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES IN RURAL HRM (RC-Dec 11/25;E-Feb 2/26)

Pursuant to Policy G-15B of the Halifax Regional Municipal Planning Strategy, internal conversions of residential buildings, institutional buildings, utility buildings, or commercial buildings for the purpose of creating residential dwelling units that are not otherwise permitted in the Land Use By-law, may be considered by development agreement.

PART 5: SIGNS

5.1 GENERAL

(a) Where this part is inconsistent with the regulations respecting advertising signs on or near public highways, made or administered by the Department of Transportation, the more restrictive regulations shall apply.

(b) No person shall erect a sign according to the provisions of Section 5.3 except where a development permit has been issued, and no permit to erect a sign shall be issued unless all the sign provisions of this By-law are satisfied.

5.1A TEMPORARY SIGNAGE

(a) This By-law shall not apply to any sign regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs); and

(b) Any sign provision within this By-law referring to temporary signage, as regulated under HRM By-law S-800, is superceded. (RC-Sep 26/06;E-Nov 18/06)

5.2 SAFETY

Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed in compliance with the Building By-law and any fire prevention and electrical codes.

5.3 NUMBER OF SIGNS

(a) For the purposes of this Section, where a multiple tenancy building is occupied by more than one business, each business shall be considered to be a separate premises.

(b) For the purposes of determining the number of signs permitted by this Section, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Double-faced and three-faced signs shall be counted as single signs. Where matter is displayed in a random manner, without organized relationships or elements, or where there is reasonable doubt about the relationships of any elements, each element shall be considered to be a single sign.

(c) No more than three (3) signs shall be erected on any premises at any one time, except on a corner lot where one (1) additional sign may be erected. For this purposes of this Section, signs enumerated in Section 5.5 shall not be counted.

5.4 SIGN AREA

The total area permitted of any sign shall be considered to be the area of the smallest rectangle, triangle or circle which can totally circumscribe the sign face or surface of any single, double or three-faced sign in the plane of its largest dimension. Each visible face of a multi-faced sign shall be calculated separately and then totalled in determining the sign area permitted.

5.5 SIGNS PERMITTED IN ALL ZONES

The following signs shall be permitted in all zones and in addition to any signs permitted according to Section 5.3:

(a) Any sign which has an area of no more than two (2) square feet (.2 m^2) and which identifies the name and address of a resident.
(b) Any sign which has an area of no more than two (2) square feet (.2 m^2) and which regulates the use of property, as do "no trespassing" signs.
(c) Any real estate sign which has an area of no more than eight (8) square feet (.7 m^2) in any Residential (R-1) Zone or thirty-two (32) square feet (2.2 m^2) in any other zone.
(d) Any sign which has an area of no more than five (5) square feet (.5 m^2) and which regulates or denotes the direction or function of various parts of a building or premises, including parking and traffic areas.
(e) Any sign which has an area of no more than fifty (50) square feet (4.6 m^2) and which is incidental to construction.
(f) Any sign erected by, or under the direction of, a government body as are signs identifying public buildings, giving public information or regulating traffic or safety.
(g) Any flag, insignia, notice or advertising of any charitable, religious or fraternal organization.
(h) Any memorial sign, plaque or tablet.

5.6 SIGNS PROHIBITED IN ALL ZONES

The following signs shall not be permitted in any zone:

(a) Any sign or sign structure which constitutes a hazard to public safety.
(b) Any sign which, for any reason, obstructs the vision of drivers leaving a roadway or driveway, or detracts from the visibility or effectiveness of any traffic sign or control device on public streets.
(c) Any sign which obstructs free ingress to or egress from a fire escape door, window or other required exit.
(d) Any sign located at or near a sharp road curve or below the crest of a hill, except a sign erected by a government body.
(e) Any sign which is not erected by, or under the direction of, a government body and which makes use of words such as "STOP", "LOOK", "DANGER", "ONE WAY" or "YIELD" or any similar words, phrases, symbols, lights or characters used in a manner which may mislead, confuse or otherwise interfere with traffic along a public road.
(f) Any sign which incorporates any flashing or moving illumination and any sign which has any visible moving part or mechanical movement whether achieved by natural or artificial means.
(g) Any searchlight, stringlight, spinner or streamer except for occasions such as grand openings, county fairs and public festivals, or used as temporary holiday decorations.
(h) Any sign painted on a tree, stone, cliff or other natural object.
(i) Any sign which is not related to any business or use located on the lot or premises, and any sign which no longer advertises a bona fide business conducted or a product

sold. Such signs are deemed to be obsolete signs and shall be removed by the owner or occupant of the property upon which they are erected, within sixty (60) days of the date of discontinuance of the business or product.

5.7 PROJECTING SIGNS

No projecting sign shall:

(a) exceed twenty (20) square feet (2 m^2) in area for that portion of the sign which projects beyond any wall or roof;
(b) project horizontally more than six (6) feet (1.8 m) from any wall to which it is attached;
(c) project over a public right-of-way or daylighting triangle;
(d) be erected below a height of ten (10) feet (3 m) or exceed a height of thirty-five (35) feet (10.7 m); or
(e) be permitted to swing freely on its supports.

5.8 GROUND SIGNS

No ground sign shall:

(a) exceed a height of twenty-five (25) feet (7.6 m) except in a C-4 (Highway Commercial) Zone;
(b) extend beyond a property line or project over a public right-of-way, daylighting triangle, driveway or parking space;
(c) be less than ten (10) feet (3 m) from any street or abutting lot in any C-2(General Business), C-4(Highway Commercial), C-6(Commercial Entertainment) Zone.

5.9 ADDITIONAL SIGN CONTROL - BEAVER BANK

In the area defined in Appendix "C" of the Land Use By-Law, no commercial or industrial sign shall:

(a) exceed thirty-two (32) square feet of sign area on a single face or sixty-four (64) square feet of sign area for both faces combined;
(b) be lighted unless it is attached to the building or permanent foundation.

5.10 ADDITIONAL SIGN CONTROL - C-5 (Hammonds Plains Commercial) Zone: (RC-Feb 9/10;E-Apr 3/10)

In any C-5 (Hammonds Plains Commercial) Zone, the following sign requirements shall apply. Where the following requirements conflict with Part 5, the more stringent shall apply:

Ground Signs
(a) no more than one ground sign shall be permitted on a lot;
(b) ground signs shall not exceed 4.6 m (15 ft) above established grade in vertical height and 4.6 m (15 ft) in width;
(c) ground signs shall be permitted within the required landscape strip, provided other land use by-law requirements are satisfied;

(d) ground signs located outside the required landscape strip shall be sited in a landscaped area a minimum of 27.9 m^2 (300 ft^2) in size;

(e) ground signs shall have a maximum of two (2) faces, which shall be affixed back to back, not exceeding 20.9 m^2 (225 ft^2) per sign face;

Wall Mounted Signs

(f) wall mounted (fascia) signs shall not exceed one (1) ft^2 of surface area for each lineal foot of building facade facing a public street, however, no fascia sign shall exceed 9.3 m^2 (100 ft^2) in area;

Wall Mounted Signs - Multiple Commercial Occupancy Building

(g) businesses located in multiple commercial occupancy building may be permitted a maximum of two (2) wall mounted (fascia) signs, the total of which shall not exceed an area equal to ten (10) percent of the business facade upon which it is located, however, no business fascia sign shall exceed 5.6 m^2 (60 ft^2) in area; and

All Signs

(h) No signs shall be located on the roof of any building.

PART 6: R-1 (SINGLE UNIT DWELLING) ZONE

6.1 R-1 USES PERMITTED

No development permit shall be issued in any R-1 (Single Unit Dwelling) Zone except for the following:

Single unit dwellings
Existing two unit dwellings
New two unit dwellings within the Urban Service Area
Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24)
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings
Offices in conjunction with permitted dwellings
Open space uses

6.2 R-1 ZONE REQUIREMENTS

In any R-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	on-site services	29, 064 square feet (2700 m^2)
	central water	12,000 square feet (1118 m^2)
	central sewer	10,000 square feet (929 m^2)
	Sewer and water services	6,000 square feet
Minimum Frontage:	on-site services	100 feet (30.5 m)
	central sewer	75 feet (23 m)
	Sewer and water services	60 feet
Minimum Front or Flankage Yard		20 feet (6.1 m)
Minimum Side or Rear Yard		8 feet (2.4 m)
Maximum Lot Coverage		35 per cent
Maximum Height of Main Building		35 feet (10.7 m)

6.3 R-1 ZONE REQUIREMENTS: OPEN SPACE USES

In any R-1 Zone, where open space uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 22.

6.4 OTHER REQUIREMENTS: OFFICE USES

Where offices are permitted in any R-1 Zone, the following shall apply:

(a) Any office shall be wholly contained within the dwelling which is the principle residence of the operator of the office.
(b) No individuals who are not residents in the dwelling shall be employed in the office.
(c) No more than twenty-five (25) per cent of the gross floor area shall be devoted to any office, and in no case shall any office occupy more than three hundred (300) square feet (28 m).
(d) No open storage or outdoor display shall be permitted.
(e) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)
(f) One off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m^2) of floor area devoted to any office.

6.5 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R-1 Zone, the following shall apply:

(a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling, which is the principle residence of the operator of the facility.
(b) No open storage or outdoor display shall be permitted.
(c) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)
(d) One off-street parking space, other than that required for the dwelling, shall be provided.

6.6 OTHER REQUIREMENTS: BED AND BREAKFASTS (Deleted: RC-Feb 21/23;E-Sep 1/23)

6.7 OTHER REQUIREMENTS: COMMERCIAL MOTOR VEHICLES

In any R-1 Zone, not more than one commercial vehicle shall be kept on any lot and no such commercial motor vehicle shall exceed a registered vehicle weight of five (5) tons nor be kept less than ten (10) feet from any front lot line.

6.8 EXISTING HOME BUSINESS USES

Notwithstanding Section 4.9 and 6.1, the existing home businesses identified in Appendix B shall be permitted to the extent they are in existence at the time the land use by-law is adopted.

6.9 EXISTING TWO UNIT DWELLINGS

Notwithstanding Section 4.9, any existing two unit dwellings shall not be permitted to convert into a multi-unit dwelling.

6.10 **SHARED HOUSING ON PID 00420927 (RC-Aug 9/22;E-Sep 15/22)**

Notwithstanding Section 6.1, **a shared housing with special care with greater than 10 bedrooms (RC-Aug 9/22;E-Sep 15/22)** shall be permitted within the R-1 zone on the property in Uplands Park identified **as PID 00**420927 **(RC-Aug 9/22;E-Sep 15/22)**.

6.11 FRONTAGE ON A STREET

No development permit shall be issued in an R-1 Zone unless the lot or parcel intended to be used or upon which the building or structure is to be erected abuts and fronts upon a public street or highway.

6.12 SUBDIVISION OF EXISTING TWO UNIT DWELLINGS - UPLANDS PARK

Notwithstanding Section 6.2, the minimum lot area per dwelling unit for existing two unit dwellings on the following properties shall be 3,000 square feet and the minimum lot frontage shall be 30 feet: Patricia Foran, LIC Number 420265; Lawrence Leslie, LIC Number 420224; Sarah Martin, LIC Number 420398.

PART 7: R-1A (AUXILIARY DWELLING UNIT) ZONE

7.1 R-1A USES PERMITTED

No development permit shall be issued in any R-1A (Auxiliary Dwelling Unit) Zone except for the following:

Residential Uses

Single unit dwellings;
Two unit dwellings within the Urban Service Area
Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24)
Auxiliary dwelling units;
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than seven (7) children in conjunction with permitted dwellings;
Offices in conjunction with permitted dwellings**;**
Open space uses

7.2 R-1A ZONE REQUIREMENTS: RESIDENTIAL USES

In any R-1A Zone where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	on-site services	29,064 square feet (2700 m^2)
	central water	12,000 square feet (1118 m^2)
	central sewer	10,000 square feet (929 m^2)
Minimum Frontage:	on-site services	100 feet (30.5 m)
	central sewer	75 feet (23 m)
Minimum Front or Flankage Yard		20 feet (6.1 m)
Minimum Rear or Side Yard		8 feet (2.4 m)
Maximum Lot Coverage		35 per cent
Maximum Height of Main Building		35 feet (10.7 m)

7.3 OTHER REQUIREMENTS: AUXILIARY DWELLING UNITS

Where auxiliary dwelling units are permitted in any R-1A Zone, the following shall apply:

(a) the maximum gross floor area of any auxiliary dwelling unit shall not exceed (40) per cent of the gross floor area of the dwelling.
(b) there shall be no more than one (1) entrance along the front wall of the dwelling;
(c) the power meter for the auxiliary dwelling unit shall not be located on the front facade of the dwelling; and
(d) one (1) off-street parking space shall be provided for any auxiliary dwelling unit.

7.4 <u>OTHER REQUIREMENTS: BED AND BREAKFASTS</u> (Deleted: RC-Feb 21/23;E-Sep 1/23)

7.5 <u>OTHER REQUIREMENTS: OPEN SPACE USES</u>

In any R-1A Zone, where open space uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 22.

7.6 <u>OTHER REQUIREMENTS: OFFICE USES</u>

Where offices are permitted in any R-1A Zone, the following shall apply:

(a) Any office shall be wholly contained within the dwelling which is the principle residence of the operator of the office.
(b) No individuals who are not residents in the dwelling shall be employed in the office.
(c) No more than twenty-five (25) per cent of the gross floor area shall be devoted to any office, and in no case shall any office occupy more than three hundred (300) square feet (28 m^2).
(d) No open storage or outdoor display shall be permitted.
(e) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)
(f) One off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m^2) of floor area devoted to any office.

7.7 <u>OTHER REQUIREMENTS: DAY CARE FACILITIES</u>

Where day care facilities are permitted in any R-1A Zone, the following shall apply:

(a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling, which is the principle residence of the operator of the facility.
(b) No open storage or outdoor display shall be permitted.
(c) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)
(d) One off-street parking space, other than that required for the dwelling, shall be provided.

PART 7A: R-1B (AUXILIARY DWELLING WITH HOME BUSINESS) ZONE
(RC-Sep 13/11;E-Oct 29/11)

7A.1 R-1B USES PERMITTED

No development permit shall be issued in any R-1B (Auxiliary Dwelling With Home Business) Zone except for the following:

Single unit dwellings
Two unit dwellings within the Urban Service Area
Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24)
Auxiliary dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings
Business uses in conjunction with permitted dwellings
Open space uses

7A.2 R-1B ZONE REQUIREMENTS

In any R-1B Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**29,064 square feet (2700 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**20 feet (6.1 m)**
Minimum Rear or Side Yard	**8 feet (2.4 m)**
Maximum Lot Coverage	**35 percent**
Maximum Height of Main Building	**35 feet (10.7 m)**

7A.3 EXEMPTION: EXISTING LOTS WITH REDUCED FRONTAGE

Notwithstanding the lot frontage requirements of Section 7A.2, existing lots with reduced frontage as of September 13, 2011 will be permitted with a lot frontage of 20 feet (6.1 m).

7A.4 R-1B ZONE REQUIREMENTS: OPEN SPACE USES

In any R-1B Zone, where open space uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 22.

7A.4 OTHER REQUIREMENTS: AUXILIARY DWELLING UNITS

Where auxiliary dwelling units are permitted in any R-1A Zone, the following shall apply:

(a) the maximum gross floor area of any auxiliary dwelling unit shall not exceed

(40) per cent of the gross floor area of the dwelling.

(b) there shall be no more than one (1) entrance along the front wall of the dwelling;

(c) the power meter for the auxiliary dwelling unit shall not be located on the front facade of the dwelling; and

(d) one (1) off-street parking space shall be provided for any auxiliary dwelling unit.

7A.5 <u>OTHER REQUIREMENTS: BUSINESS USES</u>

Where any business is permitted in any R-1B Zone, the following shall apply:

(a) No individuals who are not residents in the dwelling shall be employed in the business.

(b) No more than fifty (50) percent of the gross floor area shall be devoted to any business, and in no case shall any business occupy more than one thousand (1000) square feet (92.9 m^2).

(c) No outdoor storage or outdoor display shall be permitted.

(d) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling.

(e) One off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m^2) of floor area devoted to any business.

7A.6 <u>OTHER REQUIREMENTS: DAY CARE FACILITIES</u>

Where day care facilities are permitted in any R-1B Zone, the following shall apply:

(a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling which is the principle residence of the operator of the facility.

(b) No outdoor storage or outdoor display shall be permitted.

(c) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling.

(d) One off-street parking space, other than that required for the dwelling shall be provided.

7A.7 <u>OTHER REQUIREMENTS: BED AND BREAKFASTS</u> (Deleted: RC-Feb 21/23;E-Sep 1/23)

7A.8 <u>OTHER REQUIREMENTS: COMMERCIAL MOTOR VEHICLES</u>

In any R-1B Zone, not more than one commercial vehicle shall be kept on any lot and no such commercial motor vehicle shall exceed a registered vehicle weight of five (5) tons nor be kept less than ten (10) feet from any front lot line.

PART 7B: R-1C (SMALL LOT SINGLE UNIT DWELLING) ZONE

(RC-Jan 24/23;E-Feb 22/23)

7B.1 R-1C USES PERMITTED

No development permit shall be issued in any R-1C (Small Lot Single Unit Dwelling) Zone except for the following:
Single unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 22/23;E-Sep 28/23)
Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings
Offices in conjunction with permitted dwellings
Bed & Breakfasts
Short-term Rentals
Open space uses

7B.2 R-1C ZONE REQUIREMENTS

In any R-1C Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	**4,000 square feet (371.6 square metres)**
Minimum Frontage:	**40 feet (12.2 meters)**
Minimum Front or Flankage Yard:	**20 feet (6.1 metres)**
Minimum Side or Rear Yard:	**8 feet (2.4 metres)**
Minimum Lot Coverage:	**35 percent**
Maximum Height of Main Building:	**35 feet (10.7 metres)**

7B.3 MAXIMUM NUMBER OF SINGLE UNIT DWELLINGS ON THE AREA IDENTIFIED ON SCHEDULE L

A maximum of 228 single unit dwellings shall be permitted on the area identified on Schedule L. (RC-Dec 11/25;E-Feb 2/26)

7B.3 R-1C ZONE REQUIREMENTS: OPEN SPACE USES

In any R-1C Zone, where open space uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 22.

7B.4 OTHER REQUIREMENTS: OFFICE USES

Where offices are permitted in any R-1C Zone, the following shall apply:

(a) Any office shall be wholly contained within the dwelling which is the principal residence of the operator of the office.
(b) No individuals who are not residents in the dwelling shall be employed in the office.

(c) No more than twenty-five (25) per cent of the gross floor area shall be devoted to any office, and in no case shall any office occupy more than three hundred (300) square feet (28 m).
(d) No open storage or outdoor display shall be permitted.
(e) Not more than one (1) business sign shall be permitted, and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling.
(f) One off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m^2) of floor area devoted to any office.

7B.5 <u>OTHER REQUIREMENTS: DAY CARE FACILITIES</u>

Where day care facilities are permitted in any R-1C Zone, the following shall apply:

(a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling, which is the principal residence of the operator of the facility.
(b) No open storage or outdoor display shall be permitted.
(c) Not more than one (1) business sign shall be permitted, and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling.
(d) One off-street parking space, other than that required for the dwelling, shall be provided.

7B.6 <u>OTHER REQUIREMENTS: BED AND BREAKFASTS</u>

Where a bed & breakfast is permitted in any R-1C Zone, the following shall apply:

(a) The bed & breakfast shall be wholly contained within the dwelling which is the principal residence of the operator of the establishment;
(b) Not more than three (3) rooms may be let;
(c) No window display and not more than one (1) business sign shall be permitted, and no such sign shall exceed two (2) square feet (0.2 m^2) in area; and
(d) One off-street parking space in addition to that required for the dwelling shall be provided for each room to be let.

7B.7 <u>OTHER REQUIREMENTS: COMMERCIAL MOTOR VEHICLES</u>

In any R-1C Zone, not more than one commercial vehicle shall be kept on any lot and no such commercial motor vehicle shall exceed a registered vehicle weight of five (5) tons nor be kept less than ten (10) feet from any front lot line.

7B.8 <u>FRONTAGE ON A STREET</u>

No development permit shall be issued in an R-1C Zone unless the lot or parcel intended to be used or upon which the building or structure is to be erected abuts and fronts upon a public street or highway.

PART 8: R-2 (TWO UNIT DWELLING) ZONE

8.1 R-2 USES PERMITTED

No development permit shall be issued in any R-2 (Two Unit Dwelling) Zone except for the following:

Single unit dwellings
Two unit dwellings
Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24)
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings
Offices in conjunction with permitted dwellings
Open space uses
Existing Home Businesses

8.2 R-2 ZONE REQUIREMENTS

In any R-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area: on-site services	29,064 square feet (2700m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Side or Rear Yard	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

8.3 R-2 ZONE REQUIREMENTS: OPEN SPACE USES

In any R-2 Zone, where open space uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 22.

8.4 OTHER REQUIREMENTS: OFFICE USES AND DAY CARE FACILITIES

Where offices are permitted in any R-2 Zone, the following shall apply:

(a) Any office shall be wholly contained within the dwelling which is the principle residence of the operator of the office.
(b) No individuals who are not residents in the dwelling shall be employed in the office.
(c) No more than twenty-five (25) per cent of the gross floor area shall be devoted to any office, and in no case shall any office occupy more than three hundred (300) square feet (28 m^2).
(d) No open storage or outdoor display shall be permitted.

(e) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)

(f) One off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m^2) of floor area devoted to any office.

8.5 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R-2 Zone, the following shall apply:

(a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling which is the principle residence of the operator of the facility.

(b) No open storage or outdoor display shall be permitted.

(c) Not more than one (1) business sign shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area. The height of the sign shall be restricted to eight (8) feet or less and not be attached to a dwelling. (RC-Jun 30/09;E-Sep 5/09)

(d) One off-street parking space, other than that required for the dwelling shall be provided.

8.6 OTHER REQUIREMENTS: BED AND BREAKFASTS (RC-Feb 21/23;E-Sep 1/23)

8.7 OTHER REQUIREMENTS: COMMERCIAL MOTOR VEHICLES

In any R-2 Zone, not more than one commercial vehicle shall be kept on any lot and no such commercial motor vehicle shall exceed a registered vehicle weight of five (5) tons nor be kept less than ten (10) feet from any front lot line.

8.8 EXISTING HOME BUSINESS USES

Notwithstanding Section 4.9 and 7.1, the existing home businesses identified in Appendix "A", shall be permitted to the extent they are in existence at the time the land use by-law is adopted.

PART 9: R-3 (MOBILE DWELLING) ZONE

9.1 R-3 USES PERMITTED

No development permit shall be issued in any R-3 (Mobile Dwelling Subdivision) Zone except for the following:

Single unit dwellings
Two unit dwellings
Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24)
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings
Business uses in conjunction with permitted dwellings
Open space uses

9.2 R-3 ZONE REQUIREMENTS

In any R-3 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

9.3 OTHER REQUIREMENTS: BUSINESS AND DAY CARE USES

Where business uses and day care facilities are permitted in any R-3 Zone, the provisions of Parts 11.3 and 11.4 shall apply.

PART 10: R-3A (MOBILE HOME PARK) ZONE

10.1 R-3A USES PERMITTED

No development permit shall be issued in any R-3A (Mobile Home Park) Zone except for the following:

Existing mobile home park

10.2 R-3A ZONE REQUIREMENTS

Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Height of Main Building	35 feet (10.7 m)

10.3 Notwithstanding Section 4.9, the existing mobile home park shall be permitted to the extent it is in existence at the time the land use by-law is adopted. Any expansion shall be subject to Section 3.6 of this By-law (Uses Considered by Development Agreement).

PART 11: R-6 (RURAL RESIDENTIAL) ZONE

11.1 R-6 USES PERMITTED

No development permit shall be issued in any R-6 (Rural Residential) Zone except for the following:

Single unit dwellings
Two unit dwellings
Multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24)
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings
Business uses in conjunction with permitted dwellings
Open space uses
Agriculture uses
Forestry uses

11.2 R-6 ZONE REQUIREMENTS

In any R-6 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	on-site services	29,064 sq. ft. (2700 m^2)
	central sewer	10,000 sq. ft. (929 m^2)
Minimum Frontage:	on-site services	100 ft. (30.5 m)
	central sewer	75 ft. (23 m)
Minimum Front or Flankage Yard		20 feet (6.1 m)
Minimum Rear or Side Yard		8 feet (2.4 m)
Maximum Lot Coverage		35 per cent
Maximum Height of Main Building		35 feet (10.7 m)

11.3 OTHER REQUIREMENTS: BUSINESS USES

Where business uses are permitted in any R-6 Zone the following shall apply:

(a) Any business shall be wholly contained within the dwelling or accessory building. The dwelling shall be the principle residence of the operator of the business.
(b) No more than fifty per cent of the gross floor area of any dwelling shall be devoted to any business use and in no case shall the gross floor area of all buildings on any lot devoted to a business use exceed one thousand (1,000) square feet.
(c) No materials or equipment which is obnoxious or creates a nuisance by virtue of noise, vibration, smell or glare shall be used on the lot.
(d) No open storage or outdoor display shall be permitted.
(e) No more than one sign shall be permitted for any business and no such sign shall exceed two (2) square feet.

(f) One (1) off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (14 m) of floor area devoted to any business. No portion of any parking space shall be located within any required side yard.

11.4 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R-6 Zone, the following shall apply:

(a) With the exception of outdoor play space, any facility shall be wholly contained within the dwelling or accessory building.
(b) No open storage or outdoor display shall be permitted.
(c) No more than one sign shall be permitted for any facility and no such sign shall exceed two (2) square feet.

11.5 OTHER REQUIREMENTS: AGRICULTURE USES

(a) No more than fifty (50) domestic fowl or ten (10) of any other animals confined to a barn, stable, or other structure shall be permitted.
(b) No more than one thousand (1000) square feet of floor area of any structure shall be used for retail use accessory to agriculture uses.

11.6 OTHER REQUIREMENTS: FORESTRY USES

(a) No more than one thousand (1000) square feet of floor area of any structure shall be used for a sawmill, other industrial mill related to forestry, or retail use accessory to forestry uses.
(b) Any area devoted to open storage shall not be permitted within any required yard and shall not exceed twenty-five (25) per cent of the lot area.
(c) No sawmills or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than three hundred (300) feet from any dwelling except a dwelling located on the same lot directly related to the above use.

11.7 EXISTING BUSINESS USES

Notwithstanding Section 4.9 and 11.1, existing business uses identified in Appendix "A" shall be permitted to the extent they are in existence at the time the land use by-law is adopted.

11.8 EXEMPTION: EXISTING SEMI-DETACHED DWELLINGS

(a) Notwithstanding Section 11.2, where a semi-detached dwelling was in existence prior to *January 1, 2013*, (NWCC-Jan 9/17;E-Jan 28/17) and capable of being serviced with central services, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	**5 000 square feet (464.5 square metres)**
Minimum Lot Frontage:	**35 feet (10.6 metres)**

Minimum Rear or Side Yard:	**10 feet (3 m) or 0.0 feet (0.0 m) from the side being common with another dwelling unit**

(b) Notwithstanding Section 11.8(a), all other provisions of this by-law shall be applicable. (RC-Sept 30/04;E-Oct 2/04)

PART 12: R-8 (SPECIAL AREA) ZONE

12.1 R-8 USES PERMITTED

No development permit shall be issued in any R-8 (Special Area) Zone except for the following:

Existing commercial uses
Existing institutional uses
Existing residential uses
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Mobile Home Parks (RC-Jul 8/03;E-Aug 16/03)
Open space uses
All uses permitted in the MU-1 (Mixed Use 1) Zone

12.2 R-8 ZONE REQUIREMENTS: EXISTING USES

In any R-8 Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)
Minimum Separation Distance Between Main Buildings	16 feet (4.8 m)

12.3 R-8 ZONE REQUIREMENTS: MU-1 ZONE USES

In any R-8 Zone, where new MU-1 Zone uses are permitted, no development permit shall be issued except in conformity with the provisions of Part 13.

12.4 OTHER REQUIREMENTS: CONVERSION AND EXPANSION OF EXISTING COMMERCIAL AND INSTITUTIONAL USES

In any R-8 Zone, existing commercial and institutional uses shall be permitted to expand or be converted to any use permitted in the C-2 (General Business) Zone or C-4 (Highway Commercial) Zone, or any institutional use.

12.5 OTHER REQUIREMENTS: OPEN STORAGE OR OUTDOOR DISPLAY

In any R-8 Zone, no open storage or outdoor display shall be permitted within thirty (30) feet of a residential or institutional use except where a visual or physical barrier is provided, in which case there shall be no open storage or outdoor display within ten (10) feet of a residential or institutional use.

12.6 EXISTING RESIDENTIAL USES

Notwithstanding Section 4.9 and 12.1, existing residential uses shall be permitted to the extent they are in existence on the effective date of this By-law.

12.7 MOBILE HOME PARK

In any R-8 Zone, where a mobile home park is permitted, no development permit shall be issued except in conformity with the provisions of Mobile Home Park Bylaw, as amended from time to time. (RC-Jul 8/03;E-Aug 16/03)

PART 13: MU-1 (MIXED USE) 1 ZONE

13.1 MU-1 USES PERMITTED

No development permit shall be issued in any MU-1 (Mixed Use) Zone except for the following:

Residential Uses
Single unit dwellings
Two unit dwellings
Shared housing use (RC-Aug 9/22;E-Sep 15/22)
Existing Senior Citizens housing **on properties listed in Appendix A-1 (RC-Sep 12/23;E-Oct 10/23)**
Existing multiple unit dwellings
New multiple unit dwellings containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24)
Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings
Business uses in conjunction with permitted dwellings
Short-term Bedroom Rentals accessory to a residential use with up to 6 bedrooms (RC-Feb 21/23;E-Sep 1/23)

Other Uses
Institutional uses, except fire and police stations
Open space uses
Commercial uses permitted in the C-2 (General Business) Zone
Trucking, landscaping, excavating and paving services
Agriculture uses
Forestry uses and wooden furniture manufacturing
Composting operations (see section 4.29)
School Bus Yard (NWCC-Jun 14/21;E-July 3/21)

13.2 MU-1 ZONE REQUIREMENTS: RESIDENTIAL USES

In any MU-1 Zone, no development permit shall be issued for residential uses except in conformity with the provisions of Section 11.2.

13.3 MU-1 ZONE REQUIREMENTS: OTHER USES

In any MU-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Lot Coverage for Structures and Storage	50 per cent

Maximum Height of Main Building	35 feet (10.7 m)

13.4 OTHER REQUIREMENTS: BUSINESS AND DAY CARE USES

(a) With the exception of outdoor display provisions, where business uses and day care facilities in conjunction with a dwelling are permitted in any MU-1 Zone, the provisions of Section 11.3 and Section 11.4 shall apply.
(b) Outdoor display shall not be permitted:
  (i) within 10 feet of the front lot line or within the required side yard;
  (ii) within any yard which abuts an adjacent residential use, except where a visual barrier is provided;
  (iii) shall not exceed 200 square feet.

13.5 OTHER REQUIREMENTS: COMMERCIAL USES

Where commercial uses are permitted in any MU-1 Zone, the following shall apply:

(a) The gross floor area devoted to all commercial uses on any lot shall not exceed two thousand (2,000) square feet.
(b) No open storage or outdoor display shall be permitted.
(c) The parking lot shall be demarcated and paved or otherwise maintained with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.
(d) Except where any commercial use abuts another commercial use in an MU-1 Zone, no portion of any parking space shall be located within any required side yard.
(e) Where any commercial use abuts another commercial use in the MU-1 Zone, the abutting side yard requirement shall be eight (8) feet.

13.6 OTHER REQUIREMENTS: AGRICULTURE USES

(a) Notwithstanding the provisions of Section 13.3, where any barn, stable or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals is erected in any MU-1 Zone, no structure shall:
  (i) be less than fifty (50) feet from any side lot line;
  (ii) be less than one hundred (100) feet from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use;
  (iii) be less than three hundred (300) feet from any watercourse or water body;
  (iv) be less than five hundred (500) feet from any residential (R-1, RR-1) zone.
(b) No more than two thousand (2,000) square feet of floor area of all structures on any lot shall be used for a retail use accessory to agriculture uses.

13.7 OTHER REQUIREMENTS: FORESTRY AND WOODEN FURNITURE MANUFACTURING

Where forestry uses and wooden furniture manufacturing are permitted in any MU-1 Zone, the following shall apply:

(a) No more than two thousand (2,000) square feet of gross floor area of all structures on any lot shall be used for a sawmill, other industrial mill related to forestry, wooden furniture manufacturing, or retail use accessory to the above uses;

(b) No sawmill or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than three hundred (300) feet from any dwelling except a dwelling located on the same lot or directly related to the above use;
(c) Any area devoted to open storage shall not be permitted within any required front or side yard and shall not exceed twenty-five (25) per cent of the lot area.

13.8 OTHER REQUIREMENTS: INSTITUTIONAL USES

Where institutional uses are permitted in any MU-1 Zone, the provisions of Part 22 shall apply.

13.9 OTHER REQUIREMENTS: TRUCKING, LANDSCAPING, EXCAVATING AND PAVING SERVICES

Where trucking, landscaping, excavating and paving services are permitted in a MU-1 Zone, the following shall apply:

(a) No development permit shall be issued for any use unless a dwelling is located on the lot.
(b) The total gross floor area of all structures on any lot devoted to the above uses shall not exceed two thousand (2000) square feet.
(c) No materials or mechanical equipment which is obnoxious or which creates a nuisance by virtue of noise, vibration, smell or glare shall be used on the lot.
(d) With the exception of aggregate resources, any materials associated with the above uses shall be contained within a building or otherwise enclosed by a fence, vegetation, or other means which provide a visual and physical barrier.
(e) Any area devoted to open storage shall not be permitted within any required front or side yard line and shall not exceed twenty-five (25) per cent of the lot area.
(f) One off street parking space, other than that required for the dwelling shall be provided for every three hundred (300) square feet of floor area used by the above use.
(g) No product stockpile or processing activity associated with the above uses shall be located within one hundred (100) feet of a watercourse.

13.9.1 OTHER REQUIREMENTS: SCHOOL BUS YARD

Where School Bus Yards are permitted in a MU-1 Zone, the following shall apply:

(a) Any area devoted to the parking and use of school busses shall not be permitted within 60 metres (200 feet) of a residential use except where a residential use is located on the same lot, exclusive of employee parking.
(b) Not more than 25% of a lot may be used for a school bus yard use, exclusive of employee parking.
(c) Maintenance and fuelling of school busses shall not be permitted on any lot that contains a School Bus Yard. (d) Derelict school busses shall not be permitted on any lot that contains a School Bus Yard.
(NWCC – Jun 14/21; E – Jul 3/21)

13.10 EXEMPTION: EXISTING MOBILE HOME PARKS

Notwithstanding Section 13.1, Timber Trails Mobile Home Park, LIC Number 40203622, shall be a permitted use to the extent to which it is in existence on the effective date of this by-law.

13.11 EXEMPTION: EXISTING COMMERCIAL RECREATION USES

Notwithstanding Section 13.1, Woodhaven Campground, LIC Number 425389, and Pin-Hi Golf Course, LIC Number 425512, and Atlantic Playland, LIC Number 40203648 and 40203630, shall be permitted uses to the extent to which they are in existence on the effective date of this By-law.

PART 14: MU-2 (MIXED USE TWO) ZONE

14.1 MU-2 USES PERMITTED

No development permit shall be issued in any MU-2 (Mixed Use Two) Zone except for the following:

All uses permitted in the MU-1 Zone
Existing Senior Citizens Housing on properties listed in Appendix A-1 (RC-Sep 12/23;E-Oct 10/23)
All uses permitted in the C-4 Zone
All uses permitted in the I-1 (Mixed Industrial) Zone
Composting operations (see section 4.29)
Cannabis production facilities (RC-Sep 18/18;E-Nov 3/18)

14.2 MU-2 ZONE REQUIREMENTS: RESIDENTIAL USES

In any MU-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**29,064 square feet (2700 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**20 feet (6.1 m)**
Minimum Rear or Side Yard	**8 feet (2.4 m)**
Maximum Lot Coverage	**35 per cent**
Maximum Height of Main Building	**35 feet (10.7 m)**

14.3 MU-2 ZONE REQUIREMENTS: INDUSTRIAL USES OVER 2000 SQUARE FEET

In any MU-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**40,000 square feet (3716.1 m^2)**
Minimum Frontage	**150 feet (30.5 m)**
Minimum Front or Flankage Yard	**50 feet (15.2 m)**
Minimum Rear or Side Yard	**50 feet (15.2 m)**
Maximum Lot Coverage for Structures	**50 per cent**
Maximum Lot Coverage for Structures and Outdoor Storage	**75 per cent**
Maximum Height of Main Building	**35 feet (10.7 m)**
Minimum Separation Distances Between Accessory Buildings	**15 feet (4.6 m)**

14.4 MU-2 ZONE REQUIREMENTS: OTHER USES

In any MU-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**20,000 square feet (1858 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**30 feet (9.1 m)**
Minimum Rear or Side Yard	**15 feet (4.6 m)**
Maximum Lot Coverage	**50 per cent**
Maximum Height of Main Building	**35 feet (10.7 m)**

14.5 <u>OTHER REQUIREMENTS: BUSINESS AND DAY CARE USES</u>

Where business uses and day care facilities in conjunction with a dwelling are permitted in any MU-2 Zone the provisions of Section 13.4 shall apply.

14.6 <u>OTHER REQUIREMENTS: COMMERCIAL USES</u>

Where commercial uses are permitted in an MU-2 Zone, the following shall apply:

(a) The gross floor area devoted to all commercial uses shall not exceed two thousand (2,000) square feet unless there is direct access to Highway No. 1, a minimum lot area of 30,000 square feet and a minimum frontage of 150 feet, and in no case shall it exceed 10,000 square feet.
(b) The parking lot shall be demarcated and paved or otherwise maintained with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.
(c) Where any commercial use abuts another commercial or an industrial use, the abutting side yard requirement shall be eight (8) feet.
(d) Except where a commercial use abuts another commercial use, no portion of any parking space shall be located within any required side yard.
(e) No open storage shall be permitted within the front yard.
(f) No open storage shall be permitted within any side or rear yard which abuts a residential or community use, except where a fence or other visual and physical barrier is provided within the abutting yard and in no case shall open storage be located within the required side or rear yard.
(g) No outdoor display shall be located within ten (10) feet of any front lot line or within any required side or rear yard. Where the yard abuts a residential or community use, a visual barrier shall be provided.

14.7 <u>OTHER REQUIREMENTS: SERVICE STATIONS</u>

Where service stations are permitted in the MU-2 Zone, the following shall apply:

(a) Minimum lot area 30,000 square feet (2787 m^2)
(b) Minimum Frontage 150 feet (45.7 m)
(c) No portion of any pump island shall be located closer than twenty (20) feet (6.1 m) from any street line.
(d) The minimum distance between ramps or driveways shall not be less than thirty (30) feet (9.1 m).
(e) The minimum distance from a ramp or driveway to a road intersection shall be fifty (50) feet (15 m).

(f) The minimum angle of intersection of a ramp to a road line shall be forty-five (45) degrees.

(g) The width of a ramp shall be a minimum of twenty (20) feet (6.1 m) and a maximum of twenty six (26) feet (7.9 m).

14.8 OTHER REQUIREMENTS: AGRICULTURE

(a) Notwithstanding the provisions of Section 14.2, where any barn, stable or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals is erected in any MU-2 Zone, no structure shall:

- **(i) be less than fifty (50) feet from any side lot line;**
- **(ii) be less than one hundred (100) feet from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use;**
- **(iii) be less than three hundred (300) feet from any watercourse or water body; and**
- **(iv) be less than five hundred (500) feet from any residential (R-1, RR-1) zone.**

(b) Unless there is direct access to Highway No. 1, no more than two thousand (2,000) square feet of floor area of any structure shall be used for a retail use accessory to agriculture uses, and in no case shall it exceed 10,000 square feet.

14.9 OTHER REQUIREMENTS: FORESTRY

Where forestry uses are permitted in any MU-2 Zone, the following shall apply:

(a) Unless there is direct access to Highway No. 1, no more than two thousand (2,000) square feet of floor area of all structures on a lot shall be used for a sawmill, other industrial mill related to forestry, or retail use accessory to the forestry uses, and in no case shall it exceed 10,000 square feet.

(b) No sawmill or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than three hundred (300) feet from any dwelling except a dwelling located on the same lot or directly related to the forestry use.

(c) Any area devoted to open storage shall not be permitted within any required front or side yard and shall not exceed twenty-five (25) percent of the lot area.

14.10 OTHER REQUIREMENTS: INDUSTRIAL USES

(a) Unless there is direct access to Highway No. 1, no more than two thousand (2,000) square feet of floor area of any structure shall be used for an industrial use, and in no case shall it exceed 10,000 square feet.

(b) Where any industrial use abuts another industrial or a commercial use, the abutting side yard requirement shall be fifteen (15) feet.

(c) No open storage shall be permitted in the front yard or within any required side or rear yard.

(d) With the exception of aggregate resources, any materials associated with the industrial use shall be contained within a building or otherwise enclosed by a fence, vegetation, or other means which provide a visual and physical barrier.

(e) No outdoor display shall be located within ten (10) feet of any front lot line or within any required side or rear yard.

(f) No outdoor display shall be permitted in any yard where the yard abuts any residential or community use, except where a visual barrier is provided.

(g) No parking or loading area shall be permitted in any required side or rear yard where the required yard abuts any residential or community use.

14.11 <u>OTHER REQUIREMENTS: INSTITUTIONAL USES</u>

Where institutional uses are permitted in any MU-2 Zone, the provisions of Part 22 shall apply.

14.12 <u>OTHER REQUIREMENTS: SEPARATION</u>

Notwithstanding the provisions of Section 14.3 and 14.4, where the gross floor area of all industrial or commercial uses on a lot exceeds 2,000 square feet, no industrial or commercial building or associated storage area shall be less than one hundred (100) feet from any residential (R-1, RR-1) zone, or watercourse and in no case shall an associated storage area be less than one hundred (100) feet from a watercourse.

14.13 <u>EXEMPTION: EXISTING COMMERCIAL RECREATION USES</u>

Notwithstanding the provisions of Section 14.1, Colonial Camp Ground, LIC Number 40139594, shall be a permitted use to the extent to which it is in existence on the effective date of this By-law.

14.14 <u>EXEMPTION: EXISTING SALVAGE OPERATION</u>

Notwithstanding the provisions of Section 14.1, and subject to the provisions of Sections 14.4 and 14.10, the following properties may be used for the purposes of a salvage operation: Lands of Howard Barkhouse, Highway No. 1, LIC NUMBER 40139651; Lands of Mobile Valve Repairs Ltd., Highway No. 1, LIC NUMBERS 40163222 and 40163219.

14.15 <u>EXEMPTION: EXISTING MOBILE HOME PARK</u>

Notwithstanding Section 14.1, Springfield Estates Mobile Home Park, LIC Number 40152803 shall be a permitted use to the extent to which it is existence on the effective date of this by-law. Any expansion shall be subject to Section 3.6 of this By-law (Uses Considered by Development Agreement).

14.16 <u>OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES</u> (RC-Sep 18/18;E-Nov 3/18)

(a) A cannabis production facility shall comply with the requirements of Section 14.3 and Section 14.10.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

PART 15: GU-1 (GENERAL USE) ZONE (RC-Jan 10/23;E-Feb 3/23)

15.1 GU-1 USES PERMITTED

No development permit shall be issued in any GU-1 (General Use) Zone except for the following:

RESIDENTIAL USES
Single unit dwellings;
Two-unit dwellings;
Shared Housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit;
Home Business Uses; and
Uses accessory to the foregoing.

COMMERCIAL USES
Any commercial use not exceeding 2,000 square feet of gross floor area except:
- Commercial entertainment uses
- Outdoor display courts
- Service stations

INDUSTRIAL USES
Any industrial use not exceeding 5,000 square feet of gross floor area except:
- Sanitary Landfill Sites and Dumps
- Hazardous Waste Disposal Sites
- C&D Materials Transfer Stations
- C&D Materials Processing Facilities
- C&D Materials Disposal Sites
- Salvage Yards (except existing salvage yards)
- Composting Operations

RESOURCE USES
Any resource use except:
- Forestry uses exceeding 5000 square feet
- Intensive Agricultural Uses

15.2 GU-1 ZONE REQUIREMENTS: RESIDENTIAL USES

In any GU-1 Zone, where uses are permitted as Residential uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**29,064 square feet (2700 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**20 feet (6.1 m)**
Minimum Rear or Side Yard	**½ the height of the main building, but in no case shall it be less than 8 feet (2.4 m)**
Maximum Lot Coverage	**35 per cent**

Maximum Height of Main Building	**35 feet (10.7 m)**

15.3 GU-1 ZONE REQUIREMENTS: EXISTING SALVAGE YARDS

In any GU-1 Zone, where existing salvage yards are permitted no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**80,000 square feet (7432 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**50 feet (15.2 m)**
Minimum Rear or Side Yard	**50 feet (15.2 m)**
Maximum Lot Coverage for Structures and Storage	**75 per cent**

(a) Any materials associated with the existing salvage yard operation shall be contained within a building or otherwise enclosed by a fence, vegetation, or other means which provide a visual and physical barrier.
(b) No outdoor storage shall be located within any required yard.
(c) No salvage yard operation shall be located within five hundred (500) feet of a community facility use or a residential zone.
(d) No outdoor storage shall be located within three hundred (300) feet of a watercourse.

15.4 GU-1 ZONE REQUIREMENTS: HOME BUSINESS USES

Where home business uses are permitted in any GU-1 Zone, the following shall apply:

(a) Any home business shall be wholly contained within either the dwelling or an accessory building on the property which comprises the principal residence of the operator of the home business.
(b) No more than one thousand (1,000) square feet (92.9 m^2) of the combined gross floor area of any structure shall be devoted to a home business use.
(c) No materials or mechanical equipment shall be used which is obnoxious or creates a nuisance by virtue of noise, vibration, glare, odour or dust.
(d) Any structure used for the repair or work on vehicles or mechanical equipment shall be located a minimum of 50 feet away from a dwelling on the property or on an abutting lot.
(e) All outdoor storage of materials, goods, supplies, or equipment related to the operation of the business shall not exceed 300 square feet (91.4 m), cannot be located in any required front or side yard and must be effectively screened by a fence.
(f) Outdoor display shall not exceed 200 square feet (18.5 m^2).
(g) No more than one (1) sign shall be permitted for any home business and no such sign shall exceed three (2) square feet (0.3 m^2) in area.
(h) Two (2) off-street parking spaces other than that required for the dwelling shall be provided.

15.5 GU-1 ZONE REQUIREMENTS: COMMERCIAL USES

In any GU-1 Zone, where commercial uses are permitted, no permit shall be issued except in conformity with the following:

(a) a maximum of 500 square feet (46.4 m^2) of open storage shall be permitted if it is screened by an opaque fence.

(b) a maximum of 200 square feet (18.5 m^2) of outdoor display shall be permitted.

(c) Except where any commercial use abuts another commercial use, no portion of any parking space shall be located within any required side yard.

(d) Landscaping shall be provided along the front and side of the property to a minimum depth of 10 feet (3.0 m).

15.6 GU-1 ZONE REQUIREMENTS: INDUSTRIAL USES

In the GU-1 Zone, where industrial uses are permitted, no permit shall be issued except in conformity with the following:

(a) Any building or structure shall conform to the following requirements:

Minimum Lot Area	**80,000 square feet (7432 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**30 feet (9.1 m)**
Minimum Rear or Side Yard	**25 feet (7.6 m)**
Maximum Height of Main Building	**35 feet (10.7 m)**

(b) No outdoor storage of materials shall be located within the minimum yard requirements specified under clause (a) and any outdoor storage of materials shall be enclosed within a fence or otherwise screened so as to provide a visual and physical barrier.

(c) No building or outdoor storage area shall be located within 100 hundred feet (30.5 m) of any dwelling on an abutting lot.

(d) No building or outdoor storage area shall be located within 300 hundred feet (91 m) of a watercourse.

(e) The combined area of all buildings and outdoor storage areas shall not exceed seventy-five (75) per cent of the lot area.

(f) No outdoor display shall be located within 10 feet (1.5 m) of any front lot line and where a residential or community use is established on the abutting lot, no outdoor display shall be located within 25 feet (7.6 m) of the common lot line unless a visual barrier is provided, in which case the required setback from the lot line may be reduced to 5 feet (1.5 m).

(g) Where a residential or community use is established on the abutting lot, no parking or loading area shall be located within 25 feet (7.6 m) of the common lot line unless a visual barrier is provided, in which case the required setback from the lot line may be reduced to 5 feet (1.5 m).

(h) Landscaping shall be provided along the front and sides of the property to a minimum depth of 10 feet (3.0 m).

(i) Where an industrial use abuts a residential or community use, a visual and physical barrier in the form of an opaque fence or landscaping shall be provided.

15.7 GU-1 ZONE REQUIREMENTS: OTHER USES

In any GU-1 Zone, no development permit shall be issued for uses other than

residential uses, salvage yard uses, industrial uses and forestry uses except in conformity with the following:

Minimum Lot Area	**29,064 square feet (2700 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**30 feet (9.1 m)**
Minimum Rear or Side Yard	**15 feet (4.6 m)**
Maximum Lot Coverage	**50 per cent**
Maximum Height of Main Building	**35 feet (10.7 m)**

15.8 <u>OTHER REQUIREMENTS: AGRICULTURE USES</u>

(a) No more than fifty (50) domestic fowl or ten (10) of any other animals confined to a barn, stable, or other structure shall be permitted.

(b) No more than one thousand (1000) square feet (92.9 m^2) of floor area of any structure shall be used for retail use accessory to agriculture uses.

15.9 <u>OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES</u>

(a) A cannabis production facility shall comply with the provisions of Section 19.2 and 19.3.

(b) Where a lot containing a cannabis production facility abuts a lot

(i) zoned or used for residential purposes, or

(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

15.10 <u>GU-1 ZONE REQUIREMENTS: FORESTRY USES</u>

In the GU-1 Zone, where forestry uses are permitted, no permit shall be issued except in conformity with the following:

(a) Any building or structure shall conform to the following requirements:

Minimum Lot Area	**80,000 square feet (7432 m^2)**
Minimum Frontage	**200 feet (60 m)**
Minimum Front or Flankage Yard	**30 feet (9.1 m)**
Minimum Rear or Side Yard 15 feet	**(4.6 m) or 25 feet (7.6 m) if abutting a residential use**
Maximum Height of Main Building	**35 feet (10.7 m)**

(b) Open storage shall not be permitted in a required side or front yard.

(c) No sawmill or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than 300 hundred feet (30.5 m) from any dwelling on an abutting lot.

(d) No sawmill or other industrial mill related to forestry shall be located within 300 hundred feet (91.4 m) of a residential or rural residential zone.

(e) Where any sawmill or other industrial mill related to forestry abuts a residential or community use, a visual and physical barrier in the form of an

opaque fence or landscaping shall be provided.

15.11 GU-1 ZONE REQUIREMENTS

In any GU-1 Zone, where a combination of uses is permitted in the GU-1 Zone, the combined gross floor area of all structures devoted to a non-residential use shall not exceed 5000 square feet (464 m^2) and in no case can the gross floor area of any of the non-residential use exceed the maximum gross floor area permitted for each non-residential use as specified under these Sections.

PART 16: C-2 (GENERAL BUSINESS) ZONE

16.1 C-2 USES PERMITTED

No development permit shall be issued in any C-2 (General Business) Zone except for the following:

Retail stores
Food stores
Service and personal service shops
Offices
Commercial schools
Banks and financial institutions
Full Service and Take-out Restaurant
Funeral establishments
Theatres and cinemas, except drive-in theatres
Parking lots
Welding, plumbing and heating, electrical and other special trade contracting services and shops
Bakeries
Single and two unit dwellings
Institutional Uses
Shared housing use with 10 or fewer bedrooms (RC-Aug 9/22;E-Sep 15/22)
Commercial Entertainment Uses in conjunction with Full Service Restaurants, not exceeding 139 square metres (1,500 square feet) devoted to public use, and only on the sites identified in this Part. (RC-Apr 26/16;E-Jun 25/16)

16.2 C-2 ZONE REQUIREMENTS

No development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Height of Main Building	35 feet (10.7 m)

16.3 OTHER REQUIREMENTS: PARKING AND OUTDOOR DISPLAY

In any C-2 Zone, the following shall apply:

(a) No open storage or outdoor display shall be permitted.
(b) No parking shall be permitted within any required side or rear yard where the required yard abuts any residential or community use, except where a visual barrier is erected, in which case there will be no parking within (five) 5 feet of the side or rear lot line.
(c) The parking lot shall be demarcated and paved or otherwise maintained with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.

16.4 OTHER REQUIREMENTS: ABUTTING USES

Notwithstanding the provisions of Section 16.2, where any commercial use abuts another commercial or an industrial use, the abutting side or rear yard requirement may be reduced to eight (8) feet.

16.5 OTHER REQUIREMENTS: COMMERCIAL FLOOR AREA

The gross floor area of all commercial buildings on a lot in any C-2 Zone shall not exceed five thousand (5000) square feet of gross floor area, including any floor area devoted to permitted dwelling units.

16.6 OTHER REQUIREMENTS: INSTITUTIONAL USES

Where institutional uses are permitted ln any C-2 Zone, the provisions of Part 22 shall apply.

16.7 OTHER REQUIREMENTS: COMMERCIAL ENTERTAINMENT USES IN CONJUNCTION WITH FULL SERVICE RESTAURANTS (RC-Apr 26/16;E-Jun 25/16)

Commercial Entertainment Uses in conjunction with Full Service Restaurants, not exceeding 139 square metres (1,500 square feet) devoted to public use, shall only be permitted in the following locations.

- **1345 Hammonds Plains Road (PID 00421131)**

PART 17: C-4 (HIGHWAY COMMERCIAL) ZONE

17.1 C-4 USES PERMITTED

No development permit shall be issued in any C-4 (Highway Commercial) Zone except for the following:

All uses permitted in the C-2 zone
Display courts
Motels
Service stations
Taxi and bus depots
Greenhouses and nurseries
Veterinary clinics and indoor kennels
Recycling Depots
Building supply outlets
Drive in and take out restaurants
Fraternal centres and private clubs
Short-term Rentals (RC-Feb 21/23;E-Sep 1/23)
Short-term Bedroom Rentals (RC-Feb 21/23;E-Sep 1/23)

17.2 C-4 ZONE REQUIREMENTS

In any C-4 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	15 feet (4.6 m)
Maximum Height of Main Building	35 feet (10.7 m)
Maximum Lot Coverage for Structures and Outdoor Storage	75 per cent

17.3 OTHER REQUIREMENTS: COMMERCIAL FLOOR AREA

The gross floor area of all commercial buildings on a lot in any C-4 Zone shall not exceed ten thousand (10,000) square feet of gross floor area, including any floor area devoted to permitted dwelling units.

17.4 OTHER REQUIREMENTS: OPEN STORAGE AND DISPLAY

Where any portion of any lot in any C-4 Zone is to be used for open storage or outdoor display, the following shall apply:

(a) Any area devoted to open storage may not exceed fifty (50) per cent of the lot area.
(b) No open storage shall be permitted within any front yard.
(c) No outdoor display shall be located within ten (10) feet of any front lot line.

(d) No open storage or outdoor display shall be permitted in any required yard within any C-4 Zone where the required yard abuts any residential or community facility use except where a visual and physical barrier is provided, in which case there will be no open storage or outdoor display within five feet of the abutting side or rear lot line.

17.5 OTHER REQUIREMENTS: PARKING AND LOADING AREAS

No parking or loading area shall be permitted in any required side or rear yard where the yard abuts any residential or community facility use, except where a visual barrier is provided in which case there will be no parking or loading within five (5) feet of the abutting side or rear lot line.

17.6 OTHER REQUIREMENTS: SERVICE STATIONS

Where service stations are permitted in the C-4 Zone, the following shall apply:

(a) Minimum lot area 30,000 square feet (2787 m^2)
(b) Minimum Frontage 150 feet (45.7 m)
(c) No portion of any pump island shall be located closer than twenty (20) feet (6.1 m) from any street line.
(d) The minimum distance between ramps or driveways shall not be less than thirty (30) feet (9.1 m).
(e) The minimum distance from a ramp or driveway to a road intersection shall be fifty (50) feet (15 m).
(f) The minimum angle of intersection of a ramp to a road line shall be forty-five (45) degrees.
(g) The width of a ramp shall be a minimum of twenty (20) feet (6.1 m) and a maximum of twenty six (26) feet (7.9 m)

17.7 OTHER REQUIREMENTS: ABUTTING USES

Notwithstanding the provisions of Section 17.2, within a C-4 Zone, where any commercial use abuts another commercial or an industrial use, the abutting side or rear yard requirement may be reduced to eight (8) feet.

PART 17A: C-5 (HAMMONDS PLAINS COMMERCIAL) ZONE (RC-Feb 9/10;E-Apr 3/10)

17A.1 C-5 USES PERMITTED

No development permit shall be issued in any C-5 (Hammonds Plains Commercial) Zone except for the following, pursuant to the Site Plan Approval process:

Commercial Uses
Food Stores
Service and Personal Service Shops
Full Service Restaurants
Take-Out Restaurants
Retail Stores
Banks and Financial Institutions
Offices
Bakeries
Veterinary Clinics and the associated boarding of animals
Greenhouses and Nurseries
Service Stations, including an accessory drive-up window on PID 41185133, and associated vehicles washing facilities
Theatres and Cinemas, except drive in theatres
Commercial Schools
Private Clubs not exceeding 418.1 m^2 (4,500 ft^2) of gross floor area
Commercial Entertainment Uses in conjunction with Full Service Restaurants, not exceeding 232.3 m^2 (2,500 ft^2) devoted to public use

Other Uses
Institutional Uses, excluding cemeteries
A maximum of four (4) dwelling units within a commercial use building
Public Utilities/Works Uses
Public Transit Terminals
Uses Accessory to Permitted Uses

17A.2 Site Plan Approval shall not be required for a change in use or occupancy within a building, internal renovations with no external renovation or modifications to a building, accessory buildings (not including vehicle washing facilities), or any signage.

17A.3 C-5 ZONE REQUIREMENTS

In any C-5 (Hammonds Plains Commercial) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	**2,787 m^2 (30,000 ft^2)**
Minimum Lot Frontage on Hammonds Plains Road	**61.0 m (200 ft)**
Minimum Lot Frontage	**30.5 m (100 ft)**
Minimum Front/Flankage Yard Setback	**9.1 m (30 ft)**
Minimum Rear and Side Yard Setback	**4.6 m (15 ft)**

Minimum Setback from an abutting residential zone or use	**9.1 m (30 ft)**
Maximum Height of Building	**10.7 m (35 ft)**
Maximum Height of Institutional Building	**15.2 m (50 ft)**
Maximum Lot Coverage	**50 %**
Maximum Impervious Surface Coverage	**75%**
Minimum Landscaped Area	**25%**

17A.4 <u>OTHER REQUIREMENTS: FLOOR AREA</u>

(a) The gross floor area of all buildings (including accessory buildings) on a lot in any C-5 (Hammonds Plains Commercial) Zone, including indoor parking at or above established grade, shall not exceed 2,787 m^2 (30,000 ft^2). In addition, no building footprint shall exceed 1,393.5 m^2 (15,000 ft^2).

(b) Notwithstanding Section 17A.4 (a), where institutional uses are permitted in any C-5 (Hammonds Plains Commercial) Zone, the maximum footprint of an institutional building shall not exceed 1,858 m^2 (20,000 ft^2).

17A.5 <u>OTHER REQUIREMENTS: PUBLIC UTILITIES/WORKS USES AND PUBLIC TRANSIT TERMINALS</u>

Where public utility/works uses and public transit terminals are permitted in any C-5 (Hammonds Plains Commercial) Zone, the following shall apply:

(a) No development permit shall be issued for a public utility/works use or a public transit terminal except in conformity with the provisions of Part 22; and

(b) Notwithstanding Section 17A.5(a), a public utility/works use or public transit terminal shall also conform, where applicable, with the Site Plan Approval provisions of the C-5 Zone, as required by Section 17A.14.

17A.6 <u>OTHER REQUIREMENTS: SERVICE STATIONS</u>

Where service stations are permitted in any C-5 (Hammonds Plains Commercial) Zone, the following shall apply:

(a) The lot shall have a minimum area of 3,716 m^2 (40,000 ft^2);

(b) The lot shall have a minimum of 60 m (200 ft) of contiguous frontage on Hammonds Plains Road;

(c) No building associated with a service station shall exceed 185.8 m^2 (2,000 ft^2) of gross floor area;

(d) No portion of pump island canopy shall be illuminated. Notwithstanding, a pump island canopy may be used as an anchor to direct light immediately beneath the canopy;

(e) A pump island canopy associated with a service station may include one (1) sign, provided the sign is no larger than thirty (30) square feet and not backlit;

(f) A pump island canopy associated with a service station shall include no less than two of the following architectural elements:

(i) recesses/projections;

(ii) cornices and parapets;

(iii) peaked roof forms;

(iv) architectural details such as tile or stone work, and decorative mouldings; and
(v) or any other similar architectural treatment deemed to be an acceptable equivalent;

(g) No portion of any pump island, including a pump island canopy, shall be located closer than 6.1 m (20 ft) from any street line;
(h) No more than four (4) fuel pumps shall be permitted on a lot;
(i) No servicing or general repair of motorized vehicles shall be permitted;
(j) Vehicle washing facilities (car wash) must be accessory to a service station and shall not exceed 185.8 m^2 (2,000 ft^2) of gross floor area;
(k) All architectural requirements applicable to the C-5 (Hammonds Plains Commercial) Zone shall apply to vehicle washing facilities;
(l) No more than one (1) accessory drive-up window shall be permitted on a lot;
(m) The accessory drive-up window shall be subordinate, normally incidental, and exclusively devoted to the service station;
(n) The accessory drive-up window shall not be located on any facade facing a public street; and
(o) No residential uses shall be permitted on the same lot.

17A.7 OTHER REQUIREMENTS: DWELLING UNIT USES

Where dwelling units are permitted in any C-5 (Hammonds Plains Commercial) Zone, the following shall apply:

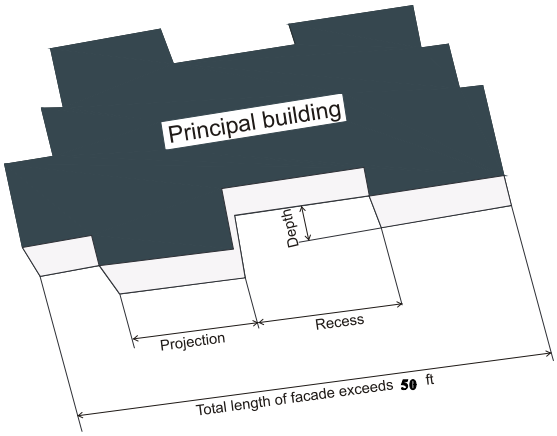
(a) Where a commercial use building contains residential units, the dwelling units shall not exceed 50 percent of the gross floor area of the commercial use building, nor be located at or below the ground floor;
(b) No more than four (4) dwelling units shall be permitted within a commercial use building, and no more than eight (8) dwelling units shall be permitted on a lot; and
(c) Amenity space shall be set aside for recreational purposes such as, but not limited to, common recreational areas, play areas, recreational rooms, roof decks, balconies, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The minimum amenity space shall be provided based on the type of residential unit as follows:
(i) One Bedroom/Bachelor: 18.6. m^2 (200 ft^2)
(ii) Two Bedroom: 32.5 m^2 (350 ft^2)
(iii) Three Bedroom: 46.5 m^2 (500 ft^2)
(iv) Four or more Bedroom: 55.7 m^2 (600 ft^2)

For the purposes of determining amenity space requirements, one bedroom plus den/office units shall be considered to be a two-bedroom unit, two bedroom plus den/office units shall be considered to be a three-bedroom unit and so on.

17A.8 OTHER REQUIREMENTS: ARCHITECTURAL DETAIL

In any C-5 (Hammonds Plains Commercial) Zone, the following architectural requirements shall apply:

(a) **A combination of arcades, display windows, entry areas, permanent awnings or other such features shall be incorporated into all building facades along not less than 60 percent of their horizontal length facing a public street;**



(b) **The predominant roof slope shall be pitched with a minimum slope of ten (10) degrees. The upper floor of any structure shall be articulated with a roof design that incorporates features such as dormers, parapets, peak roof forms, or other architectural treatment considered to be acceptable;**

(c) **With the exception of corner lots, building lines shall be generally parallel or perpendicular to the public street;**

(d) **No uninterrupted length of any facade facing a public street shall exceed 15.2 horizontal metres (50 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 15.2 horizontal metres (50 feet) in length, measured horizontally, having a depth of at least three (3) percent of the length of the facade and extending at least 20 percent of the length of the facade;**

(e) **Building materials shall not include vinyl siding;**

(f) **A minimum of one clearly defined, visible entrance way shall be provided on each facade oriented to the public street. All entrance ways required to be clearly defined shall include no less than three of the following elements:**

- **(i)** **canopies or porticos;**
- **(ii)** **overhangs;**
- **(iii)** **recesses/projections;**
- **(iv)** **arcades;**
- **(v)** **raised corniced parapets over the door;**
- **(vi)** **peaked roof forms;**
- **(vii)** **display windows;**
- **(viii)** **architectural details such as tile or stone work, and decorative mouldings which are integrated into the building;**
- **(ix)** **integral planters or wing walls that incorporate landscaped areas and sitting places; and**
- **(x)** **or any other similar architectural treatment considered to be an acceptable equivalent;**

(g) **The total window area per building facade shall not exceed 50 percent. Windows shall be accentuated by design details (i.e. arches, hoods, mouldings, decorative lintels, pediments, sills);**

(h) **Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling**

towers and exhaust fans shall be screened (visually) from the public street and adjacent properties. The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

17A.9 <u>OTHER REQUIREMENTS: LANDSCAPING</u>

(a) A 4.6 m (15 ft) wide landscape strip shall be provided along all street property lines, exclusive of driveways and walkways. The required landscape strip shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per 7.6 m (25 feet) of street frontage. The incorporation of trees and shrubs into the required landscape strip may be provided in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per 7.6 m (25 feet) of street frontage;

(b) Notwithstanding Section 17A.9(a), existing trees may be substituted where trees and shrubs are required; and

(c) All other landscaped areas shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, and annuals may be utilized.

17A.10 <u>OTHER REQUIREMENTS: DRIVEWAY ACCESS</u>

(a) No lot with less than 200 feet of contiguous frontage on Hammonds Plains Road shall be permitted driveway access onto Hammonds Plains Road;

(b) Where a lot has a minimum of 200 feet of contiguous frontage on Hammonds Plains Road, a maximum of one (1) driveway access onto Hammonds Plains Road shall be permitted; and

(c) A lot with more than 300 feet of contiguous frontage on Hammonds Plains Road may be permitted a maximum of two (2) driveway accesses onto Hammonds Plains Road.

17A.11 <u>OTHER REQUIREMENTS: PARKING</u>

(a) Minimum parking requirements established in Section 4.26(a) shall be reduced by 20 percent in the C-5 (Hammonds Plains Commercial) Zone; and

(b) All lots with more than twenty (20) required parking spaces shall have ten (10) percent of their parking area landscaped with vegetation such that the parking lots do not have groups of parking stalls greater than twenty (20) in an uninterrupted area. Landscape areas designed to separate a bank of parking stalls shall be a minimum of six (6) feet in width and may be calculated as pervious surface where applicable. Required landscaped areas associated with required parking shall have a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) three shrubs.

17A.12 <u>OTHER REQUIREMENTS: BICYCLE PARKING</u>

(a) Bicycle parking which permits the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact (bicycle racks - including wall mounted varieties) shall be provided

at a rate of one (1) per 250 m^2 (2,691 ft^2) of gross floor area, excluding residential units; and

(b) Bicycle parking that secures an entire bicycle and protects it from inclement weather, which includes any key secured areas such as lockers, bicycle rooms, and bicycle cages shall be provided at a rate of one (1) per dwelling unit.

17.A.13 <u>OTHER REQUIREMENTS: OUTDOOR STORAGE AND DISPLAY</u>

(a) No outdoor storage is permitted in the C-5 (Hammonds Plains Commercial) Zone;

(b) Outdoor display of goods and wares shall be permitted, provided the outdoor display is associated with a retail use, food store, bakery, greenhouse and nursery use, or institutional use; and

(c) No outdoor display shall be permitted in any required parking area, required landscaped area, or any area required for pedestrian and vehicular movement.

17A.14 <u>OTHER REQUIREMENTS: SITE PLAN APPROVAL</u>

(a) No development permit shall be issued for any use permitted in the C-5 (Hammonds Plains Commercial) Zone, prior to the Development Officer granting Site Plan Approval. Applications for Site Plan Approval shall be in the form specified in Appendix D. All applications for Site Plan Approval shall be accompanied by a site plan properly drawn to scale and of sufficient detail to address all of matters identified in this Section.

(b) Notwithstanding the Site Plan Approval notification distance required by the <u>Halifax Regional Municipality Charter</u>, the Development Officer shall give notice in writing of an approved site plan, or the appealed refusal of a site plan, to every assessed owner whose property is within the greater of 200 m (656.2 ft) of the applicant=s property.

(c) Where Site Plan Approval provisions conflict with Part 4 and Part 5, the Site Plan Approval provisions shall prevail.

(d) The Development Officer shall approve a Site Plan where the following matters have been addressed:

(i) landscaping required by the C-5 Zone includes the retention of existing natural vegetation, where feasible;

(ii) designated walkways, sidewalks, and other pedestrian connections incorporate a change in colour, texture, or material;

(iii) sidewalks are incorporated along the entire front facade of a commercial use building which contains three or more commercial occupancy spaces;

(iv) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of a commercial use building which contains three or more commercial occupancy spaces;

(v) designated walkways extend from building entrances to a public street and to any public park or trail system abutting the property, and unless otherwise not possible, do not cross any driveways or parking areas;

(vi) **a storm water management plan is prepared by a Professional Engineer, which includes consideration of both upstream and downstream properties;**

(vii) **driveway access is located and designed to minimize impacts on adjacent properties;**

(viii) **required non-residential bicycle storage facilities are provided near the main entrances to buildings;**

(ix) **within any required side or rear yard, existing vegetation be retained unless it does not provide for adequate screening from abutting properties or where the existing vegetation conflicts with required parking and loading areas;**

(x) **where parking areas are located within any required side or rear yard abutting a residentially used or zoned property, screening is provided;**

(xi) **loading facilities are only located at the rear or side of the building and screened from any abutting residentially used or zoned property;**

(xii) **all refuse is screened from abutting properties and public streets;**

(xiii) **the Site Plan includes a lighting plan prepared by a lighting specialist, which identifies measures to ensure outdoor lighting is positioned and directed away from adjacent properties;**

(xiv) **a qualified professional has identified how all applicable landscaping requirements will be satisfied;**

(xv) **an active transportation corridor connecting the Uplands Park subdivision and Kingswood Drive that is designed to a standard acceptable by the Municipality, including a travel surface within the corridor that is clearly marked with a paved treatment such as concrete, asphalt, or interlocking brick. The corridor only applies to PID 41185539, but may be incorporated into PID 00422493, and may require the use of fencing or vegetation to clearly identify the corridor and assist in directing movement. Where the corridor is required, a public access easement in favour of the Municipality shall be established. The minimum width of the public access easement shall be six (6) m (19.7 ft). In the event the corridor is unable to connect to Municipal land, or to a public access easement in favour of the Municipality, development on PID 41185539 shall be designed to facilitate a potential corridor from PID 41185539, across the northern portion of PID 00420927 to Municipal land;**

(xvi) **Residential units are connected, where applicable, to commercial buildings on the same lot, public parkland and open space, pedestrian trails and walkways, parking lots, the public right of way, and the intersection of Hammonds Plains Road and Gatehouse Run/Kingswood Drive. Pedestrian connections may be a combination of on-site crosswalks, walkways and sidewalks, or other forms acceptable by the Municipality;**

(xvii) **queuing areas for accessory drive-up windows are not located between a building and the public street, and where visible from the public street, screening is provided. Queuing areas are clearly delineated and well integrated into the site, while all features associated with the drive-up window, including exit areas from the queue and the call-box, are located and designed to minimize impacts with driveway accesses; and**

(xviii) all matters required by site plan approval shall be maintained.

PART 18: C-6 (COMMERCIAL ENTERTAINMENT) ZONE

18.1 C-6 USES PERMITTED

No development permit shall be issued in any C-6 (Commercial Entertainment) Zone except for the following:

Taverns and beverage rooms
Nightclubs and lounges
Billiard and pool halls
Private clubs
Bingo and dance halls

18.2 C-6 ZONE REQUIREMENTS

In any C-6 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	40,000 square feet (3716.1 m^2)
Minimum Frontage	200 feet (30.5 m)
Minimum Front or Flankage Yard	50 feet (15.2 m)
Minimum Rear or Side Yard	25 feet (7.6 m)
Maximum Lot Coverage	25 per cent
Maximum Height of Main Building	35 feet (10.7 m)

18.3 OTHER REQUIREMENTS: PARKING AND OUTDOOR DISPLAY

In any C-6 Zone, the following shall apply:

(a) No open storage or outdoor display shall be permitted.
(b) Except where any commercial use abuts another commercial use, no parking shall be permitted within any required side or rear yard, except where a fence or other visual and physical barrier is erected in which case there will be no parking within 5 feet of the side or rear lot line.
(c) The parking lot shall be demarcated and paved or otherwise maintained with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.

PART 19: I-1 (MIXED INDUSTRIAL) ZONE

19.1 I-1 USES PERMITTED

No development permit shall be issued in any I-1 (Mixed Industrial) Zone except for the following:

Industrial Uses
Any manufacturing, processing, assembly or warehousing operation which is not obnoxious and which is conducted and wholly contained within a building
Service industries
General contracting storage yards and services
Transport facilities and maintenance yards
Heavy machinery sales and service
Building materials outlets
Greenhouses
Existing asphalt plants
Trucking, landscaping, excavating and paving services
Communication transmission stations
Commercial and office uses accessory to permitted industrial uses
Cannabis production facilities (RC-Sep 18/18;E-Nov 3/18)

Resource Uses
Agriculture uses
Forestry uses
Composting operations (see section 4.29) (MC-Feb 26/96;M-Mar 28/96)

General Commercial Uses
Any commercial use permitted under Section 16.1

Residential Uses
Single unit dwellings**, shared housing use (RC-Aug 9/22;E-Sep 15/22)** and mobile dwellings in association with permitted industrial and resource uses

19.2 LOT SIZE REQUIREMENTS: ALL USES

Minimum Lot Area	29,064 square feet (2700 m^2)
Minimum Frontage	100 feet (30.5 m)

19.3 REQUIREMENTS: INDUSTRIAL USES

(a) any building or structure shall conform to the following requirements:

Minimum Front Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	25 feet (7.6 m)
Maximum Lot Coverage	50 per cent
Minimum Separation Distance Between Accessory Buildings	15 feet (4.6 m)

(b) Notwithstanding clause (a), where an I-1 zoned lot abuts a lot containing an industrial or commercial use, the abutting side or rear yard requirement may be reduced to fifteen (15) feet along the common lot line.
(c) Notwithstanding clause (a), where an I-1 zoned lot abuts a railway line right-of-way, the side or rear yard requirement shall be waived along the common lot line.
(d) No outdoor storage of materials shall be located within the minimum yard requirements specified under clause (a) and any outdoor storage of materials shall be enclosed within a fence or otherwise screened so as to provide a visual and physical barrier.
(e) No building or outdoor storage area shall be located within one hundred (100) feet of any watercourse or any residential zone (R-1, R-2).
(f) The combined area of all buildings and outdoor storage areas shall not exceed seventy-five (75) per cent of the lot area.
(g) No outdoor display shall be located within ten (10) feet of any front lot line and where a residential or community use is established on the abutting lot, no outdoor display shall within twenty-five (25) feet of the common lot line unless a visual barrier is provided, in which the required setback from the lot line may be reduced to five (5) feet.
(h) Where a residential or community use is established on the abutting lot, no parking or loading area shall be located within twenty-five (25) feet of the common lot line unless a visual barrier is provided, in which the required setback from the lot line may be reduced to five (5) feet.

19.4 REQUIREMENTS: RESOURCE USES

(a) agricultural uses shall conform to the requirements of Sections 21.2 and 21.3, except that the minimum lot area and frontage requirements of Section 21.2 shall not apply; and
(b) forestry uses shall conform to the requirements of Sections 21.2 and 21.4, except that the minimum lot area and frontage requirements of Section 21.2 shall not apply.

19.5 REQUIREMENTS: GENERAL COMMERCIAL USES

(a) the gross floor area of all buildings or portions of any building dedicated to permitted commercial uses shall not exceed two thousand (2,000) square feet; and
(b) commercial uses shall conform to the requirements of Sections 16.2, 16.3 and 16.4.

19.6 REQUIREMENTS: RESIDENTIAL USES

Any residential building shall conform to the following requirements:

Minimum Front Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Height	35 feet (10.7 m)
Minimum Separation from Adjacent Main Buildings	8 feet (2.4 m)

19.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES (RC-Sep 18/18;E-Nov 3/18)

(a) A cannabis production facility shall comply with the requirements of Section 19.2 and 19.3.

(b) Where a lot containing a cannabis production facility abuts a lot

- **(i) zoned or used for residential purposes, or**
- **(ii) that is used for a daycare, community centre, school, religious institution, public park or playground, such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.**

PART 20: I-4 (FORMER SANITARY LANDFILL SITE) ZONE

20.1 I-4 USES PERMITTED

No development permit shall be issued in any I-4 (Sanitary Landfill) Zone except for the following:

Former Sanitary Landfill Site Operation
Recreation uses including golf courses

20.2 I-4 ZONE REQUIREMENTS

In any I-4 Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)
Maximum Lot Coverage	50 per cent

PART 21: MR-1 (MIXED RESOURCE) ZONE

21.1 MR-1 USES PERMITTED

No development permit shall be issued in any MR-1 (Mixed Resource) Zone except for the following:

Agriculture uses
Intensive agriculture uses
Kennels
Forestry uses
Fishing uses
Communications transmission stations
Single unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Business uses in conjunction with permitted dwellings
Open space uses
Hunting and fishing lodges
Recreation uses
Composting operations (see section 4.29)
Cannabis production facilities (RC-Sep 18/18;E-Nov 3/18)

21.2 MR-1 ZONE REQUIREMENTS

In any MR-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	80,000 square feet (7432 m^2)
Minimum Frontage	200 feet (61 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	25 feet (7.6 m)
Maximum Height of Main Building	35 feet (10.7 m)

21.3 OTHER REQUIREMENTS: AGRICULTURAL AND INTENSIVE AGRICULTURAL USES

Where agricultural and intensive agricultural uses are permitted in any MR-1 Zone, the following shall apply:

(a) No barn, stable, or other building intended for the keeping of more than fifty (50) domestic fowl or ten (10) other animals shall be located:
   (i) less than fifty (50) feet from any side lot line;
   (ii) less than one hundred (100) feet from any dwelling or potable water supply except a dwelling or supply on the same lot or directly related to the agricultural use;
   (iii) less than three hundred (300) feet from any watercourse.

(b) No intensive agricultural use shall be less than five hundred (500) feet from any residential (R-1) zone nor shall have access through a residential (R-1) Zone, except where no other access can be granted by the Department of Transportation.

21.4 OTHER REQUIREMENTS: FORESTRY

Where forestry uses are permitted in any MR-1 Zone, the following shall apply:

(a) No sawmill or other industrial mill related to forestry shall be located less than fifty (50) feet from any lot line nor less than one hundred (100) feet from any dwelling except a dwelling located on the same lot or directly related to the forestry use.
(b) No sawmill or other industrial mill related to forestry with more than 2,000 sq. ft. of gross floor area shall be located within three hundred (300) feet of a residential or rural residential zone.
(c) No sawmill or other industrial mill related to forestry with more than 2,000 sq. ft., of gross floor area shall have access through a residential (R-1), zone except where no other access can be granted by the Department of Transportation.
(d) Where any sawmill or other industrial mill related to forestry abuts a residential or rural residential zone, a visual and physical barrier shall be provided.

21.5 OTHER REQUIREMENTS: BUSINESS USES

Where business uses in conjunction with a dwelling are permitted in any MR-1 Zone, the following shall apply:

(a) Any residential lot used for businesses purposes shall contain the principle residence of the operator of the business.
(b) No more than fifty per cent of the gross floor area of any dwelling shall be devoted to any business use and in no case shall the gross floor area of all buildings devoted to a business use exceed one thousand (1000) square feet.

21.6 EXEMPTION: EXISTING GOLF COURSE

Notwithstanding Section 21.1, Halifax Golf and Country Club (Ashburn), LIC Number 526863, shall be a permitted use to the extent to which it is in existence on the effective date of the By-law. Any expansion shall be subject to Section 3.6 of this By-law (Uses Considered by Development Agreement).

21.7 OTHER REQUIREMENTS: CANNABIS PRODUCTION FACILITIES (RC-Sep 18/18;E-Nov 3/18)

(a) A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.
(b) Where a lot containing a cannabis production facility abuts a lot
(i) zoned or used for residential purposes, or
(ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

PART 22: P-2 (COMMUNITY FACILITY) ZONE

22.1 P-2 USES PERMITTED

No development permit shall be issued in any P-2 (Community Facility) Zone except for the following uses:

Schools
Denominational institutions and uses
Day care facilities
A single dwelling unit in conjunction with a day care facility
Fire and police stations
Government offices and public works
Hospitals and medical clinics
Public libraries, museums and galleries
Community centres and halls
Shared housing with 10 or fewer bedrooms (RC-Aug 9/22;E-Sep 15/22)
Shared housing with special care (RC-Aug 9/22;E-Sep 15/22)
Open space uses
Recreation uses

22.2 P-2 ZONE REQUIREMENTS

In any P-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard building	½ the height of the main
Maximum Lot Coverage	50 per cent

22.3 P-2 ZONE REQUIREMENTS: OPEN SPACE USES

Notwithstanding Section 22.2, in any P-2 Zone, no development permit shall be issued for open space uses except in conformity with the following:

Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

22.4 P-2 ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE (RC-Aug 9/22;E-Sep 15/22)**

Notwithstanding Section 22.2, in any P-2 Zone, no development permit shall be issued for **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** except in conformity with the following:

Minimum Lot Area	20,000 square feet (1858 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent

22.5 OTHER REQUIREMENTS: LANDSCAPING

The following landscaping provisions shall be required of all uses, except for **shared housing (RC-Aug 9/22;E-Sep 15/22)** and fire and police stations, as conditions of any development permit issued in a P-2 Zone:

(a) A landscaped area of twenty (20) feet in width shall be provided along any property line which abuts a local street.
(b) A landscaped area of eight (8) feet in width shall be provided along any side or rear property line which abuts an R-1 (Single Unit Dwelling) Zone or RR-1 (Restricted Residential) Zone.
(c) The minimum landscaping requirement for landscaped areas shall be sodding or seeding.

22.6 OTHER REQUIREMENTS: PARKING AREAS

(a) No parking areas shall be permitted within any required side or rear yard.
(b) All parking areas shall be demarcated and paved or otherwise treated with a stable surface which is treated in a manner to prevent the raising of dust and loose particles.

PART 23: RPK (REGIONAL PARK) ZONE (RC-Jun 25/14;E-Oct 18/14)

23.1 RPK USES PERMITTED

No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

Park Uses
Recreation uses
Conservation uses
Uses accessory to the foregoing

23.2 RPK ZONE REQUIREMENTS

In any RPK Zone, no development permit shall be issued except in conformity with the following:

Minimum Front or Flankage Yard:	**9.14m**
Minimum Side or Rear Yard:	**6.1m**
Maximum Lot Coverage:	**35%**
Maximum Height of Main Building:	**10.7 m**
Maximum Building Size:	**305m^2**

PART 24: PWS (PROTECTED WATER SUPPLY) ZONE (RC-Jun 25/14;E-Oct 18/14)

24.1 PWS USES PERMITTED

No development permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

Municipal water distribution or purification facilities
Conservation uses
Public Parks
Agriculture and forestry uses involving no buildings
Single Unit Dwellings
Uses accessory to the foregoing uses

24.2 PWS ZONE REQUIREMENTS: SINGLE UNIT DWELLINGS

In any PWS Zone, where single unit (RC-Oct 11/22;E-Nov 16/22) dwellings are permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	**7432 m²**
Minimum Frontage:	**61m**
Minimum Front or Flankage Yard:	**6.1m**
Minimum Side Yard:	**4.6m**
Minimum Rear Yard:	**7.6m**
Maximum Height of Main Building:	**10.7m**

24.3 PWS ZONE REQUIREMENTS: OTHER USES

In any PWS Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	**1858m²**
Minimum Front or Flankage Yard:	**7.61m**
Minimum Side Yard:	**4.6m**
Minimum Rear Yard:	**7.6m**

24.4 OTHER REQUIREMENTS: SETBACKS FROM WATERCOURSES

(a) Notwithstanding the provisions of Sections 24.2 and 24.3, no development permit shall be issued for any dwelling or accessory structure within 30.5 metres of any watercourse or 76.2 metres of the rim of Pockwock, Beaver, or Tomahawk Lake.

(b) Notwithstanding Section 4.18, water distribution uses may be built to the lot line where the line corresponds to the shore line.

PART 25: **(RC-Apr29/25;E-May26/25) 1987** FP (FLOODPLAIN) ZONE

25.1 FP USES PERMITTED

No development permit shall be issued in any FP (Floodplain) Zone except for the following:

Existing Uses
Non-residential uses that existed on or before [coming in force date of this amendment].
(RC-Apr29/25;E-May26/25)

Resource Uses
Agricultural uses
Forestry uses
Fishing and fishing related uses
Water control structures (RC-Jun 25/14;E-Oct 18/14)
Wastewater, stormwater and water infrastructure (RC-Jun 25/14;E-Oct 18/14)

Open Space Uses
Public and private parks and playgrounds
Recreation uses
Boat house accessory to an existing residential use (RC-Apr29/25;E-May26/25)
Conservation related uses
roads and public utilities (RC-Apr29/25;E-May26/25)

25.2 FP ZONE REQUIREMENTS: RESOURCE USES

In any FP Zone, where uses are permitted as Resource Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	29,064 square feet (2700 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent

25.3 FP ZONE REQUIREMENTS: OPEN SPACE USES

In any FP Zone, where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the provisions of Part 22.

25.4 **Repealed (RC-Apr29/25;E-May26/25)**

25.5 OTHER REQUIREMENTS: PROHIBITED USES AND STRUCTURES

Notwithstanding the provisions of Section 25.1, no structure shall be used or constructed to be used for human habitation, whether permanent or temporary, in any FP Zone.

25.6 **Repealed (RC-Apr29/25;E-May26/25)**

25.7 RESTRICTION: PLACEMENT OF OFF-SITE FILL

The placement of off-site fill or alteration of grades is prohibited within the 1987 FP (Floodplain) Zone, except for road construction and public utilities. The placement of off-site fill or alteration of grades will only be permitted for road construction or public utilities where a professional engineer undertakes a hydrotechnical study to certify that the fill will not contribute to upstream or downstream flooding, increase flood elevations, or alter river flows. (RC-Apr29/25;E-May26/25)

PART 25A 2024 FWO (FLOODWAY OVERLAY) ZONE (RC-Apr29/25;E-May26/25)

25A.1 FWO USES PERMITTED

No development permit shall be issued in any FWO (Floodway Overlay) Zone except for the following:

Existing Uses
Non-residential uses that existed on or before [coming in force date of this section]

Resource Uses
Agricultural uses, except buildings and structures related to agricultural uses
Forestry uses
Fishing and fishing-related uses

Open Space Uses
Public and private parks and playgrounds
Recreation uses
Boathouse accessory to an existing residential use
Conservation related uses

Other Uses
Public utilities, trails, and roadways
Parking areas

Change in use permitted uses
Subject to section 25A.9, an existing non-residential use may change in use to a use permitted in the underlying zone except for any of the following:

Automotive Repair
Heavy equipment services
Gas Stations
Dry cleaners
Industrial uses
Construction & Demolition uses
Any use for the storage, distribution, or manufacturing of hazardous materials
Medical Facilities and hospitals
Daycares
Shared Housing
Hotels and motels

25A.2 FWO ZONE REQUIREMENTS: RESOURCE USES

In any FWO Zone, where uses are permitted as Resource Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**29,064 square feet (2700 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**20 feet (6.1 m)**
Minimum Rear or Side Yard	**8 feet (2.4 m)**
Maximum Lot Coverage	**35 percent**

25A.3 ~~F~~WO ZONE REQUIREMENTS: OPEN SPACE USES

In any FWO Zone, where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the provisions of Sections 25A.4, 25A.5, 25A.6 of Part 25 and Sections 22.3 and 22.5 of Part 22.

25A.4 OTHER REQUIREMENTS: PROHIBITED USES AND STRUCTURES

Notwithstanding the provisions of Section 25A.1:

a) no structure shall be used or constructed to be used for human habitation, whether permanent or temporary, in any FWO Zone;
b) no structure shall be used for the storage, distribution, or manufacturing of hazardous materials; and
c) any structure must be designed by a professional engineer to withstand a flood and allow flow through.

25A.5 RESTRICTION: PLACEMENT OF OFF-SITE FILL

The placement of off-site fill or alteration of grades is prohibited within the FWO Zone, except for road construction and public utilities. The placement of off-site fill or alteration of grades will only be permitted for road construction or public utilities where a professional engineer undertakes a hydrotechnical study to certify that the fill will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns.

25A.6 OTHER REQUIREMENTS: GRADE ALTERATION FOR FLOODPROOFING

Notwithstanding Section 25A.5, alteration of grades is permitted for floodproofing required under Sections 25A.7 and 25A.8 subject to the following:

a) grade alteration is limited to the existing building footprint with associated slope stabilization to floodproof a building or structure.
b) a grading plan has been prepared and certified by a professional engineer or licensed Nova Scotia Land Surveyor showing the final grade is above the nearest upstream 1-in-100-year flood elevation shown on Schedule K or at a site-specific elevation above the 1-in-100-year elevation as determined by a professional engineer or Nova Scotia Land Surveyor;
c) a professional engineer, through a hydrotechnical study, certifies that the grading will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns; and

d) all other grading legislation is met.

25A.7 <u>OTHER REQUIREMENTS: EXISTING USES EXPANSION</u>

Notwithstanding Sections 4.9 and 25A.1, where a hydrotechnical study undertaken by a professional engineer certifies that an expansion to an existing use will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, result in a change to flood water flow patterns, existing uses permitted under Section 25A.1 are permitted to expand provided the expansion is for:

a) alterations and expansions to entranceways needed for accessibility purposes; or
b) alterations and expansions to loading areas.

25A.8 <u>OTHER REQUIREMENTS: EXISTING USE RECONSTRUCTION AND FLOODPROOFING</u>

Existing uses permitted under Section 25A.1, are permitted to be reconstructed provided the structure is constructed in the same location and to the same extent as the existing building, there is no increase in the building footprint, and a hydrotechnical study, carried out by a qualified person, shows that the proposed development will not contribute to increased flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to floodwater flow patterns. Where an existing use is permitted to be reconstructed the following floodproofing conditions must be met:

a) all floors must be constructed above the nearest upstream 1-in-100-year flood elevation outlined on Schedule K or above the site-specific 1-in-100-year elevation as determined by a professional engineer or Nova Scotia land surveyor.
b) all electrical and mechanical equipment within a building must be located above the 1-in-100-year elevation unless designed by a qualified professional engineer to withstand a flood; and
c) any structure constructed below the 1-in-100-year flood elevation must be designed by a professional engineer to withstand a flood and allow for flow through.

25A.9 <u>OTHER REQUIREMENTS: EXISTING NON-RESIDENTIAL USES CHANGE IN USE</u>

An existing non-residential use may change to another non-residential use permitted in the underlying zone subject to the following requirements:

a) there is no expansion of the structure(s);
b) the change in use is not for any residential institutions such as hospitals, shared accommodations, or daycares as outlined in Section 25A.1; and
c) the use change is not for commercial or industrial uses involving the use or storage of hazardous materials.

25A.10 PARKING

The minimum parking requirements, as set out in Section 4.26, shall not apply to any use permitted in the Floodway Overlay Zone.

PART 25B 2024 FFO (FLOOD FRINDGE OVERLAY) ZONE (RC-Apr29/25;E-May26/25)

In addition to the regulations of the underlying zone, development in the 2024 FFO (Flood Fringe Overlay) Zone shall be subject to the following requirements:

25B.1 PROHIBITED USES

Notwithstanding the uses permitted in the underlying zone, the following uses are prohibited:

Automotive Repair
Heavy equipment services
Gas Stations
Dry cleaners
Industrial uses
Construction & Demolition uses
Any use for the storage, distribution, or manufacturing of hazardous materials
Medical Facilities and hospitals
Daycares
Shared Housing
Hotels and motels

25B.2 FLOODPROOFING BUILDING REQUIREMENTS

All new or expanded structures are permitted subject to the following floodproofing requirements:

a) all floors must be constructed above the nearest upstream 1-in-100-year flood elevation outlined on Schedule K or above the site-specific 1-in-100-year elevation as determined by a professional engineer or Nova Scotia land surveyor, except for a parking area that may be constructed below the 1-in-100-year elevation if designed by a professional engineer to allow flow-through of floodwaters and to withstand a flood;

b) all electrical and mechanical equipment within a building must be located above the 1-in-100-year elevation unless designed by a professional engineer to withstand a flood; and

c) all below-grade parking or other structures below the 1-in-100-year elevation must be designed by a professional engineer to withstand a flood and to allow flow through.

25B.3 RESTRICTION: OFF-SITE FILL FOR FLOODPROOFING

The placement of off-site fill shall not be permitted unless it is required for floodproofing subject to the following:

a) the placement of off-site fill is limited to the building footprint and associated slope stabilization to place the building above the nearest upstream 1-in-100-year elevation outlined in Schedule K or the site-specific 1-in-100-year

elevation as determined by a professional engineer or Nova Scotia Land Surveyor;

b) a grading plan has been prepared by a professional engineer or Licensed Nova Scotia Land Surveyor that clearly shows the final grade is above the nearest upstream 1-in-100-year flood elevation shown on Schedule K or at an elevation certified by a professional engineer or Licensed Nova Scotia Land Surveyor to be above the 1-in-100-year elevation at the site;

c) a professional engineer certifies, through a hydrotechnical study, that the infill and grading will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns; and

d) all other grading legislation is met.

25B.4 <u>RESTRICTION: GRADE ALTERATION</u>

Alterations of topography shall be permitted to allow for necessary grading for permitted uses, provided the following conditions can be met:

a) a grading plan has been prepared by a professional engineer or Licensed Nova Scotia Land Surveyor that clearly shows the final grade is above the nearest upstream 1-in-100-year flood elevation shown on Schedule K or at an elevation certified by a professional engineer or Licensed Nova Scotia Land Surveyor to be above the 1-in-100-year elevation at this site.

b) a professional engineer certifies and confirms, through a hydrotechnical study, that the grading will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns.

c) all other grading legislation is met.

25B.5 <u>SECONDARY SUITES AND BACKYARD SUITES</u>

Where a residential use is located within the 2024 FFO (Flood Fringe Overlay) Zone, the following conditions shall be applied to Secondary Suites and Backyard Suites in addition to the requirements set out in Section 4.12A:

a) the habitable floorspace of a secondary suite shall not be permitted unless it is above the nearest upstream 1-in-100-year flood elevation outlined on Schedule K or above a site-specific 1-in-100-year flood elevation as determined by a professional engineer or Licensed Nova Scotia Land Surveyor after April 8, 2025; and

b) a new backyard suite constructed after April 8, 2025, shall be floodproofed as per the floodproofing requirements of 25B.2 of the 2024 FFO (Flood Fringe Overlay) Zone.

PART 26: COMPREHENSIVE DEVELOPMENT DISTRICT (CDD) ZONE

26.1 CDD USES PERMITTED

No development permit shall be issued in any CDD (Comprehensive Development District) Zone except for the following:

Single unit dwellings
Two unit dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Local commercial uses not exceeding two thousand (2000) square feet
Day care facilities for not more than seven (7) children and in conjunction with permitted dwellings
Home Business
Institutional Uses

26.2 CDD REQUIREMENTS

In any CDD (Comprehensive Development District) Zone no development permit shall be issued except in conformity with the development agreement provisions of the Municipal Government Act.

PART 26A: CD-1 (C&D MATERIALS TRANSFER STATIONS) ZONE

26A.1 CD -1 USES PERMITTED

No development permit shall be issued in any CD-1 (Transfer Stations) Zone except for the following, pursuant to the Site Plan Approval process:

Construction and Demolition Materials Transfer Stations
Uses accessory to permitted use

26A.2 CD-1 ZONE REQUIREMENTS

In any CD-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**3,716 square metres (40,000 square feet) - central services**
	11,148 square metres (120,000 square feet) - on-site services
Minimum Frontage	**15 metres (49.2 feet) - central services**
	30 metres (98.4 feet) - on-site services
Minimum Front Yard	**25 metres (82.0 feet)**
Minimum Side Yard	**30 metres (98.4 feet)**
Minimum Rear Yard	**30 metres (98.4 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.0 feet)**

26A.3 OTHER REQUIREMENTS: C&D Materials Transfer Stations

No development permit shall be issued for a C&D Materials Transfer Station except in compliance with the following provisions:

(a) any building or structure shall meet the following separation distances:

(i)	**from any property line**	**30 metres (98.4 feet)**
(ii)	**from the nearest residential dwelling or institutional use**	**60 metres (196.9 feet)**
(iii)	**from a watercourse**	**30 metres (98.4 feet)**

(b) notwithstanding Section 26A.3(a), where a building or structure is not to be located within 250 metres of a residential or institutional use or building, the building setback from any property line may be reduced to 10 metres (32.8 feet).

(c) notwithstanding Section 26A.3(a), any C&D Materials Transfer Station which is to be totally enclosed within a building (no outdoor storage of material, product, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

26A.4 General Requirements: C&D Materials Operations

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

(a) no operation shall be permitted, result in, causes or produces any of the following effects discernible outside any building or structure or affecting any adjacent property:

noise or sound which is obnoxious because of its volume, duration, intermittent beat, frequency, or shrillness;

dissemination of smoke, fumes, gas, dust, odour, or any atmospheric pollutant; or

discharge of any waste material whatsoever into a watercourse or water resource except in accordance with the applicable government requirements.

(b) notwithstanding any other provisions of this by-law, C&D Materials Operation may occur either inside or outside of a building;

(c) there shall be a landscaped area of at least 4.5 metres (14.8 feet) in depth that runs the length of and directly abuts the front lot line, excluding driveway openings, and such land within this required landscaped area shall be grassed (or other appropriate vegetation ground cover) and trees and shrubs shall be planted (trees shall be a minimum of 1.8 metres (6 feet) in height) or existing trees and shrubs shall be maintained at a minimum rate of one (1) plant per each 2 metres (6.6 feet) of frontage;

(d) notwithstanding Section 26A.4(c), if the front yard area is treed, the landscaped area is not required but all vegetation within 10 metres of the front lot line shall be retained and maintained;

(e) no portion of the operation shall be located within any side, rear, or front yard setback;

(f) no operation shall have direct access to either a local or subdivision road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not occur through lands zoned for residential (R-1, R-1A, R-2, R-3, and R-6) or community use (P-2, P-3, P-4, and FP); and

(g) no portion of the operation shall be located within a **Flood Fridge Overlay (RC-Apr29/25;E-May26/25).**

26A.5 <u>General Requirements: Site Plan Approval</u>

All C&D operations are subject to approval of a site plan. The Development Officer shall approve a site plan where the following matters have been addressed:

h) driveway access to the site shall be located in such a manner to minimize land use impacts on adjacent land uses;

i) separation distances shall be provided from any structure on the site and abutting residential or community facility properties to ensure the development does not negatively impact upon surrounding properties;

j) all off-street loading and unloading areas, stockpiles, processing areas, and adjacent uses or streets and screening can be in the form of fencing, berms, vegetation, or a combination of elements;

k) a landscaping plan shall be prepared that protects and minimize land use impacts on adjoining lands and the plan shall indicate the type, size, and location of all landscaping elements including the landscaping along the front of the property, to achieve the objective of the plan;

l) within any designated side and rear yards, existing vegetation shall be retained unless it does not provide for adequate screening measures;

m) all outdoor lighting shall be oriented such that it is directed away from adjacent properties;

n) all solid waste storage containers shall be screened from adjacent properties and streets;

o) impact of the location, number and size of signs;

p) measures, including but not limited to lot grading, berms, shall be required to adequately address the management of stormwater and surface water; and

q) provisions are established to ensure the operation and any required site improvements are maintained to a high standard.

PART 26B: CD-2 (C&D MATERIALS PROCESSING FACILITIES) ZONE

26B.1 CD-2 USES PERMITTED

No development permit shall be issued in any CD-2 (C&D Recycling) Zone except for the following, pursuant to the Site Plan Approval process:

Construction and Demolition Materials Processing Facilities
All CD-1 Zone uses
Uses Accessory to permitted uses, excluding construction and demolition disposal
Accessory dwelling unit which are provided for the purposes of safety, security, or maintenance

26B.2 CD-2 ZONE REQUIREMENTS

In any CD-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**3,716 square metres (40,000 square feet) central services** **11,148 square metres (120,000 square feet) on-site services**
Minimum Frontage	**15 metres (49.2 feet) central services** **30 metres (98.4 feet) on-site services**
Minimum Front Yard	**30 metres (98.4 feet)**
Minimum Side Yard	**30 metres (98.4 feet)**
Minimum Rear Yard	**30 metres (98.4 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.0 feet)**

26B.3 OTHER REQUIREMENTS: C&D Materials Transfer Stations

In any CD-2 Zone, no development permit shall be issued for any C&D Materials Transfer Stations except in conformity with the provision for such a use as contained within the CD-1 Zone.

26B.4 OTHER REQUIREMENTS: C&D Materials Processing Facilities

No development permit shall be issued for C&D materials processing facility except in compliance with the following provisions:

(a) any building, structure or area used for processing shall meet the following separation distances:

(i)	**from any property line**	**60 metres (196.8 feet)**
(ii)	**from the nearest residential dwelling or institutional use**	**90 metres (295.3 feet)**
(iii)	**from a watercourse**	**60 metres (196.8 feet)**

(b) notwithstanding Section 26B.4(a), where a building or structure is not to be located within 250 metres of a residential or institutional use or building, the

building setback from any property line may be reduced to 10 metres (32.8 feet).

(a) notwithstanding Section 26B.4(a), any C&D Materials Processing Facility which is to be totally enclosed within a building (no outdoor storage of material, product, processing area, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

26B.5 <u>GENERAL REQUIREMENTS: C&D MATERIALS OPERATIONS</u>

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

(a) the operation complies with the general zone requirements as outlined in Section 26A.4.

(b) notwithstanding Sections 26B.2 to 26B.4, inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are not clearly differentiated than the more stringent requirements shall apply to the permitted uses.

26B.6 <u>GENERAL REQUIREMENTS: SITE PLAN APPROVAL</u>

C&D Materials Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters outlined in Section 26A.5.

PART 26C: CD-3 (C&D MATERIALS DISPOSAL SITES) ZONE

26C.1 CD-3 USES PERMITTED

No development permit shall be issued in any CD-3 (C&D Disposal) Zone except for the following, pursuant to the Site Plan Approval process:

Construction and Demolition Materials Disposal Sites
All CD-2 zone uses
Uses Accessory to permitted uses
Accessory dwelling unit which are provided for the purposes of safety, security, or maintenance.

26C.2 CD-3 ZONE REQUIREMENTS

In any CD-3 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**11,148 square metres (120,000 square feet)**
Minimum Frontage	**15 metres (49.2 feet) central services**
	30 metres (98.4 feet) on-site services
Minimum Front Yard	**50 metres (164 feet)**
Minimum Side Yard	**50 metres (164 feet)**
Minimum Rear Yard	**50 metres (164 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.1 feet)**

26C.3 OTHER REQUIREMENTS: CD-1 and CD-2 Zone Uses

In any CD-3 Zone, no development permit will be issued for any:

(a) C&D Materials Processing Facility except in conformity with the provision for such a use as contained within the CD-2 Zone; and
(b) C&D Materials Transfer Station except in conformity with the provision for such a use as contained within the CD-1 Zone.

26C.4 OTHER REQUIREMENTS: C&D Materials Disposal Sites

No development permit shall be issued for C&D disposal site except in compliance with the following provisions:

(a) no portion of the operation shall be located within 60 metres (196.8 feet) of any side or rear property line abutting a residential or community facility use;
(b) any building or structure used in conjunction with a disposal operation shall meet the following separation distances:

(i)	**from any property line**	**50 metres (164 feet)**
(ii)	**from the nearest residential dwelling or institutional use**	**90 metres (295.3 feet)**

(iii) from a watercourse 60 metres (196.8 feet)

26C.5 <u>GENERAL REQUIREMENTS: C&D Materials Operations</u>

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

(a) the operation complies with the general zone requirements as outlined in Section 26A.4.

(b) Notwithstanding Sections 26C.2 to 26C.4, inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are integrated than the more stringent requirements shall apply to the permitted uses.

26C.6 <u>GENERAL REQUIREMENTS: Site Plan Approval</u>

C&D Material Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters as outlined in Section 26A.5.

PART 26D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE

26D.1 ICH USES PERMITTED

No development permit shall be issued in any ICH Zone except on lots in existence on the date of adoption (July 2, 2002) of this zone for the following:

Single Unit Dwellings
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Open Space Uses

26D.2 ICH ZONE REQUIREMENTS

In any ICH Zone, no development permit shall be issued except in conformity with the requirements of the R-1 Zone. (RC-Jul 2/02, E-Aug 17/02)

PART 26E: BEDFORD WEST COMPREHENSIVE DEVELOPMENT DISTRICT (BWCDD) ZONE

1) No development permit shall be issued for a development with a Bedford West Comprehensive Development District (BWCDD) Zone except in accordance with a development agreement approved pursuant to policies contained in the Bedford West Secondary Planning Strategy. (RC-Jun 20/06;E-Jul 29/06)

PART 26F: US (URBAN SETTLEMENT) ZONE (RC-Jun 25/14;E-Oct 18/14)

26F.1 US USES PERMITTED

No development permit shall be issued in any US (Urban Settlement) Zone except for the following:

Single unit dwellings on existing lots
Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit (RC-Aug 9/22;E-Sep 15/22)
Public parks and playgrounds
Uses accessory to the foregoing uses

26F.2 US ZONE REQUIREMENTS

In any US Zone, no development permit shall be issued except in conformity with the following:

Minimum Frontage:	**110m**
Minimum Lot Area:	**2ha**
Minimum Front or Flankage Yard:	**9.1m**
Minimum Side Yard:	**2.5m**
Minimum Rear Yard:	**2.5m**
Maximum Lot Coverage:	**35%**
Maximum Height of Main Building:	**11m**

PART 26G: TR (TRANSPORTATION RESERVE) ZONE (RC-Jun 25/14;E-Oct 18/14)

26G.1 TR USES PERMITTED

No development permit shall be issued in any TR (Transportation Reserve) Zone except for the following:

None

26G.2 OTHER REQUIREMENTS

No development permit shall be issued for any development abutting any TR (Transportation Reserve) Zone except where the yard separating the development from the zone boundary is equal to the minimum yard separating a development from a street line, as required by this by-law.

PART 27: ADMINISTRATION

27.1 ENFORCEMENT

This By-law shall be administered by the Development Officer.

27.2 SCOPE OF APPLICATION

(a) Every application for a development permit shall be accompanied by plans, in duplicate, drawn to an appropriate scale and showing:
   (i) the true shape and dimensions of the lot to be used, and upon which it is proposed to erect any building or structure;
   (ii) the proposed location, height and dimensions of the building, structure, or work in respect of which the application is being made;
   (iii) the location of every building or structure already erected on or partly on the lot, and the location of every building upon contiguous lots;
   (vi) the proposed location and dimensions of parking spaces, loading spaces, driveways, and landscaping areas; and
   (v) other such information as may be necessary to determine whether or not every such building, or development, conforms with the requirements of this By-law.

(b) Where the Development Officer is unable to determine whether the proposed development conforms to this By-law and other by-laws and regulations in force which affect the proposed development, he may require that the plans submitted under this section be based upon an actual survey by a Nova Scotia Land Surveyor.

27.3 SIGNATURE FOR APPLICATION

The application shall be signed by the registered owner of the lot or by the owner's agent, duly authorized in writing and shall set forth in detail the current and proposed use of the lot and each building or structure, or part of each building or structure, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this By-law.

27.4 PENALTY

Any person who violates a provision of this By-law shall be subject to prosecution as provided for under the Municipal Government Act.

27.5 DATE OF BY-LAW

This By-law shall take effect May 20, 2000

27.6 PUBLIC HEARING NOTIFICATION (Repealed: RC-Jun 20/23;E-Oct 13/23)

APPENDIX A: EXISTING BUSINESS USES

Single Unit Dwelling (R-1) Zone

USE	LOCATION	LIC INDEX NUMBER
Dominion Siding & Carpentry	Caribou Road	479477
Sportrait Studio	Reindeer Avenue	479642
L & J Plumbing	Caribou Road	479527
Walt's Electrical	Hammonds Plains Road	426668
Laurie Brewster Well Drilling	Fenerty Road	40167546
R.K. Whitman Foundation Forms	Stillwater Lake	426627
Sager's Patio Block and Foundation Form Rental Operation	Stillwater Lake	426477
E. Eisenhauers' Used Cars	Springfield Lake Road	40380032

Two Unit Dwelling (R-2) Zone

USE	LOCATION	LIC INDEX NUMBER
Charles Phillips	Patton Road	477208
James Fifield Cabinet and Woodworking Operation	Patton Road	40166985

Rural Residential (R-6) Zone

USE	LOCATION	LIC
Rover Enterprises Auto Body Shop and Warehouse	Kinsac Road	489336
A.G. Hall Builders and Acadia Masonry	Beaver Bank Road	468579

<u>Hammonds Plains Commercial (C-5) Zone</u> (RC-Feb 9/10;E-Apr 3/10)

USE	LOCATION	LIC
Tim Hortons Drive-In Restaurant	**Hammonds Plains Road**	**421768**

APPENDIX A-1: EXISTING SENIOR CITIZENS HOUSING USES (RC-Sep 12/23;E-Oct 10/23)

An Existing Senior Citizen Housing Use that was issued a development permit for Senior Citizens Housing prior to First Reading of this Appendix may only be re-issued for that use until May 23, 2026, and shall only be a permitted use for those properties listed below.

Any expansion or alteration of an Existing Senior Citizen Housing use may only be considered if the number of dwelling units does not exceed the Total Number of Dwelling Units listed for the property below.

USE	PID	Total Number of Dwelling Units
Senior Citizens Housing	40531329	74
Senior Citizens Housing	41535998 (NWCC-Sep 08/25;E-Sep 23/25)	266 (NWCC-Sep 08/25;E-Sep 23/25)
Senior Citizens Housing	41515677	74
Senior Citizens Housing	41517525	133 (NWCC-Sep 08/25;E-Sep 23/25)
Senior Citizens Housing	00346874	64 (NWCC-Dec 09/24;E-Dec 25/24)
Senior Citizens Housing	00423343	296
Senior Citizens Housing	00468447	424
Senior Citizens Housing	40118648	98
Senior Citizens Housing	40123614	92
Senior Citizens Housing	40161713	76
Senior Citizens Housing	41464512	64
Senior Citizens Housing	41521618	47
Senior Citizens Housing	41521626	46
Senior Citizens Housing	41521634	46
Senior Citizens Housing	41521642	34
Senior Citizens Housing	41521659	46
Senior Citizens Housing	41521667	46
Senior Citizens Housing	41522574	36
Senior Citizens Housing	41522590	8
Senior Citizens Housing	00423103	7
Senior Citizens Housing	00461137	8
Senior Citizens Housing	41233677	71
Senior Citizens Housing	41486309	4
Senior Citizens Housing	41100603	105
Senior Citizens Housing	41522566	98

APPENDIX B: NON-CONFORMING USES

BEAVER BANK, HAMMONDS PLAINS AND UPPER SACKVILLE

Notwithstanding anything else in this By-law, the following use shall be considered to be a non-conforming use to the extent that it shall not be permitted to recommence operations if discontinued for a period of twelve (12) months:

USE	LOCATION	LIC
Woodlands Press	Mayflower Avenue	501965

Woodlands Press shall be permitted to expand to a maximum of 2,000 square feet in the existing dwelling and/or a single accessory building provided that the minimum front yard for the accessory building is fifty (50) feet, and provided that off-street parking is provided according to the requirements of part 4.26.

APPENDIX C: BEAVER BANK - DESCRIPTION

BEGINNING at a point on the Boundary line between Hants County and Halifax County said point being at the intersection of the aforementioned boundary line and the eastern boundary line of William Fultz et al Grant;

THENCE in a southerly direction along the eastern boundary of the William Fultz et al grant to the southeastern corner thereof;

THENCE in a westerly direction along the southern boundary of the William Fultz et al grant to the most westerly corner of the Michael McNaughton grant;

THENCE in a southeasterly direction along the southwestern boundary of the Michael McNaughton grant to the to the northwest corner of the Ridgeway and McGorey grant;

THENCE in a southwesterly direction along the northwestern boundary of the George W. Blamey grant to the southwest corner thereof;

THENCE in a southeasterly direction along the southwestern boundary of the George W. Blamey grant to the northwest corner of the Owen Evans grant #9782;

THENCE in a southwesterly direction along the northwestern boundary of the Owen Evans grant to the northwest corner of the William King grant #11217;

THENCE in a southwesterly direction along the northwestern boundary of the said William King grant to the northeastern boundary of the H.F. Donaldson grant #20120;

THENCE in a northwesterly direction along the northeastern boundary of the said H.F. Donaldson grant to the northwest corner thereof;

THENCE in a southwesterly direction along the northwest boundary of the said H.G. Donaldson grant to the northeast boundary of the Samuel Gaston 500 acre grant;

THENCE by a straight line in a southerly direction to Crown Post HX 25 on the northwestern shore of Golden Lake;

THENCE in a southwesterly direction along the northwestern shore of Golden Lake to the outlet at the southern end of Golden Lake;

THENCE by a straight line in a southwesterly direction to Crown Post HX 12 on the western shore of Kinsac (Long) Lake;

THENCE southerly through Kinsac Lake to a point where intersected by a prolongation of the northwest boundary of Lot 5 of the Windsor Road Lots;

THENCE in a southwesterly direction along said prolongation and the northwest boundary of Lot #5 of the Windsor Road lots to Grove Stillwater;

THENCE in a southerly direction following Groves Stillwater and a brook to Beaver Pond until it intersects with the western boundary of the L.E. Black property (P.I.D. #40014268)

THENCE southerly along the western boundary of the L.E. Black Property (P.I.D. #40014268) crossing the Beaver Bank/Windsor Junction Road to the Dominion Atlantic Railway;

THENCE following the centerline until Dominion Atlantic Railway in a generally northerly direction until intersecting with the centre line of Beaver Bank Road;

THENCE southerly along the centreline of the Beaver Bank Road until reaching the intersection of Millwood Drive;

THENCE southwesterly by the centreline of Millwood Drive to a point being the edge of the Millwood Planned Unit Development;

THENCE northerly, westerly and northerly along the Millwood Planned Unit Development Boundary until intersecting the Dominion Atlantic Railway;

THENCE following the centreline of the aforementioned D.A.R. Railway line in a general northerly direction until striking the boundary line between Hants County and Halifax County;

THENCE following the course of the boundary line between Hants County and Halifax County in a generally easterly direction to the point of beginning.

APPENDIX D: C-5 ZONE SITE PLAN APPROVAL SUBMISSION REQUIREMENTS (RC-Feb 9/10;E-Apr 3/10)

1. An application for Site Plan Approval in the C-5 (Hammonds Plains Commercial) Zone shall include the following:

(a) dimensions and area of the site;
(b) a site plan properly drawn to scale showing all information required by the C-5 Zone;
(c) description, area, and location of all proposed buildings and land uses;
(d) each residential area indicating the number, size, and type dwelling units, including an indication of the number of bedrooms in each unit;
(e) the location and type of existing and proposed easements on and abutting the site;
(f) the location of existing and proposed septic systems, including any features associated with such a system;
(g) identification, location and gradients of all parking areas, including the location and width of driveways, entrances and exits to parking areas, manoeuvring areas for vehicles, service areas, visitor parking and loading areas;
(h) location, area, shape, landscaping and surface treatment of all public and private open spaces, park areas, or amenity spaces;
(i) plan(s) showing all proposed streets, walkways, sidewalks, paths, and bike paths; and
(j) any additional information related to the site, buildings, or abutting properties as may be required by the Development Officer to determine if the proposal conforms to the provisions of this By-law.

APPENDIX E: INTERIM BONUS ZONING REQUIREMENTS FOR APPLICABLE PLAN AMENDMENT APPLICATIONS (RC-Mar 21/23;E-Apr 19/23)

Definitions

1. For the purpose of Appendix E and Schedule J the following definitions shall apply:

(a) ACCESSORY STRUCTURE means a structure that is:

(i) subordinate, incidental, and devoted to a main use or structure, and

(ii) not attached to any main building;

(b) AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;

(c) APPLICANT means any person, including an owner, applying for a development permit, or development agreement;

(d) APPRAISER means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.

(e) BUILDING means every continuous enclosed area with exterior walls on a lot that:

(i) is built, erected, and framed of a combination of materials,

(ii) is either portable or fixed,

(iii) has a roof,

(iv) forms a structure for the shelter of persons, animals, or property, and

(v) is located, in whole or in part, above or below grade;

(ea) CERTIFICATE OF OCCUPANCY means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and *the Nova Scotia Building Code Act;*(NWCC-Feb 20/24;E-Mar 6/24)

(f) FLOOR AREA means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:

(i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,

(ii) any floor area below a ground floor of a building or parking structure,

(iii) elevator shafts,

(iv) accessory structures,

(v) rooftop greenhouses,

(vi) any space open to a floor below, and

(vii) pedways;

(g) GREENHOUSE means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;

(h) INCENTIVE OR BONUS ZONING means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements

or undertakes other action, in the public interest, as specified in the requirements;

(i) INCENTIVE OR BONUS ZONING AGREEMENT means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;

(j) NOT-FOR-PROFIT ORGANIZATION MEANS:

- **(i) a society incorporated pursuant to the Societies Act,R.S.N.S.1989 c.435, as amended,**
- **(ii) a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,**
- **(iii) a non-profit association to which the Co-operative Associations Act applies,**
- **(iv) a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or**
- **(v) a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;**

(k) PARKING STRUCTURE means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use;

(l) PEDWAY means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;

(m) PREMISES means a structure or portions of a structure occupied by a use;

(n) PROFESSIONAL ARTIST means an artist who:

- **(i) has proven, specialized training in an artistic field,**
- **(ii) is recognized as a professional by their peers who are working in the same artistic tradition, and**
- **(iii) has a history of public presentation or publication;**

(o) PUBLIC ART means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia;

(p) REGISTERED CANADIAN CHARITABLE ORGANIZATION means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;

(q) REGISTERED HERITAGE BUILDING means a building on a registered heritage property that:

- **(i) has been registered pursuant to the *Heritage Property Act*, and**
- **(ii) contributes to the character-defining elements on the registered heritage property; and**

(r) REGISTERED HERITAGE PROPERTY means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

<u>Requirement to Provide a Public Benefit for Bonus Zoning</u>

1. In accordance with the Regional Municipal Planning Strategy Policies G-16A to G-16G but subject to Section 3, incentive or bonus zoning shall be required for

developments identified on Schedule J: Lands Subject to Interim Bonus Zoning Requirements.

3. Incentive or bonus zoning shall not be required for developments identified on Schedule J if the Development Officer is satisfied that:

(a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;
(b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;
(c) a minimum of 60% of the development is for housing; and
(d) the property that is the subject of the application is solely owned by one or a combination of the following:
(i) the applicant,
(ii) the Municipality,
(iii) the Provincial Government,
(iv) the Federal Government, or
(v) an agent of the Provincial or Federal Government.

4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.

5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.

(b) Deleted (NWCC-Feb 20/24;E-Mar 6/24)

5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement. (NWCC-Feb 20/24;E-Mar 6/24)

<u>Public Benefit Value</u>

6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.

(2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.

7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor

#2, and then multiplying the product by Factor #3, where:

(a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
(b) Factor #2 is 0.20; and
(c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.

8. (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.

(2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.

(3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.

(4) The cost of any appraisal shall be paid for by the applicant.

(5) The terms of reference for the appraisal shall be determined solely by the Municipality.

(6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.

9. The appraised market value for the purposes of the public benefit value is:

(a) where there is one appraisal, the monetary value of the land from that appraisal; or
(b) where there are two appraisals, the average monetary values of the land from the two appraisals.

<u>Deadline to Complete Public Benefit</u>

10. Any required public benefit shall be completed by the applicant prior to certificate of occupancy being issued or as specified in the applicable development agreement(NWCC-Feb 20/24;E-Mar 6/24)

(a) Repealed (NWCC-Feb 20/24;E-Mar 6/24)
(b) Repealed (NWCC-Feb 20/24;E-Mar 6/24)

Bonus Zoning Rate

11. The bonus zoning rate for the area identified on Schedule J is $156/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

Bonus Zoning Rate Adjustments

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

(2) The bonus zoning rate shall be adjusted using the method specified as follows:

Step 1: The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:
(A/B x 100) minus 100 = percentage change in CPI

(b) where:

(i) "A" is the previous year's Halifax All-Items Consumer Price Index, and

(ii) "B" is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

Step 2: The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

Step 3: The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year.

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

(2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the new complete application is received and the bonus zoning rate previously paid.

Public Benefit: Money-in-Lieu for Affordable Housing

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.

(2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:

(a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;
(b) the acquisition of buildings, housing units, or properties for affordable housing;
(c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;
(d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or
(e) any combination of Clauses (a) to (d).

Public Benefit Categories

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:

(a) additional money-in-lieu for affordable housing;
(b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;
(c) money-in-lieu for the conservation of a registered heritage building; or
(d) the conservation of a building located within a heritage conservation district;
(e) money-in-lieu for the acquisition or improvement of municipal parks;
(f) money-in-lieu for affordable community or cultural indoor space;
(g) money-in-lieu for public art; or
(h) public art on the site of the development.

Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:

(a) a registered heritage building that is on the site of the development; or
(b) a building within a heritage conservation district that is on the site of the development.

(2) The remaining 10% of the public benefit shall be in the form of money-in-lieu for affordable housing.

18. The applicant shall register a waiver in title of the property that, without the approval

of the Municipality, the registered heritage property or the property within a heritage conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

Public Benefit Requirement: On-Site Public Art

19. Where the required public benefit includes public art under Clause 16(h), the public art shall:

(a) be located on the site of the development, and allow direct public access or viewing of the public art;
(b) be designed by a professional artist; and
(c) have a minimum cost of $100,000.

20. The following items shall not qualify as public art under Clause 16(h):

(a) interpretive, wayfinding, or other functional signage;
(b) branding or promotional projects;
(c) plaques and supporting infrastructure;
(d) stock and mass-produced items;
(e) memorials, where:
(i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,
(ii) the memorial has not been designed and created by a professional artist, or
(iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or
(f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.

Incentive or Bonus Zoning Agreement

21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:

(a) the identification of the development site;
(b) design drawings, provided by the applicant, for any required or provided public benefit;
(c) where required by the Development Officer, detailed construction drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;
(d) the identification of any conditions required by the Municipality before the public benefit is accepted;
(e) where required, provisions for the auditing and reporting of public benefits;

and

(f) any other terms or conditions the Development Officer requires.

22. An incentive or bonus zoning agreement shall be signed by the owner.

23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:

(a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;

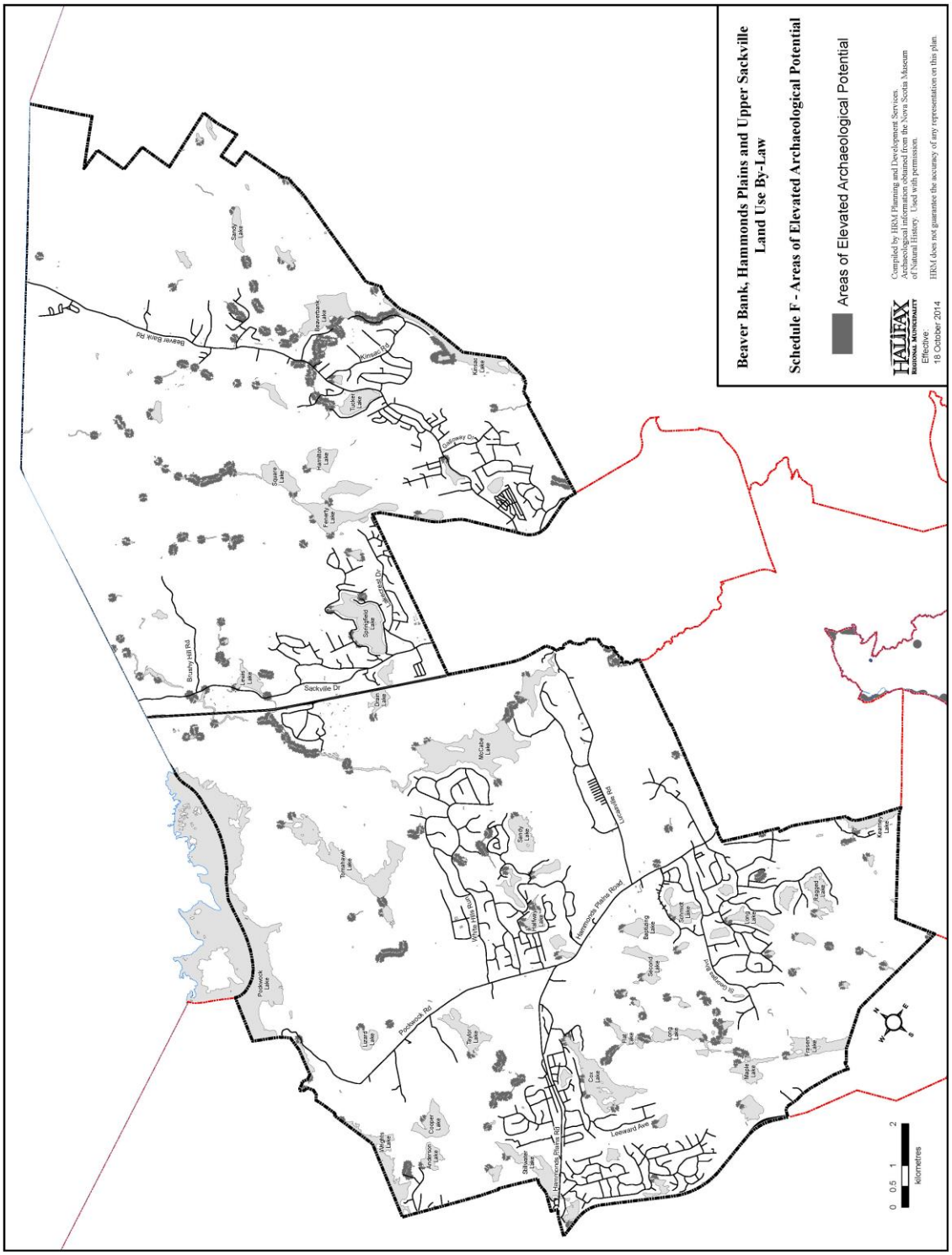
(b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and

(c) sign the discharge, including a discharge agreement, on behalf of the Municipality.

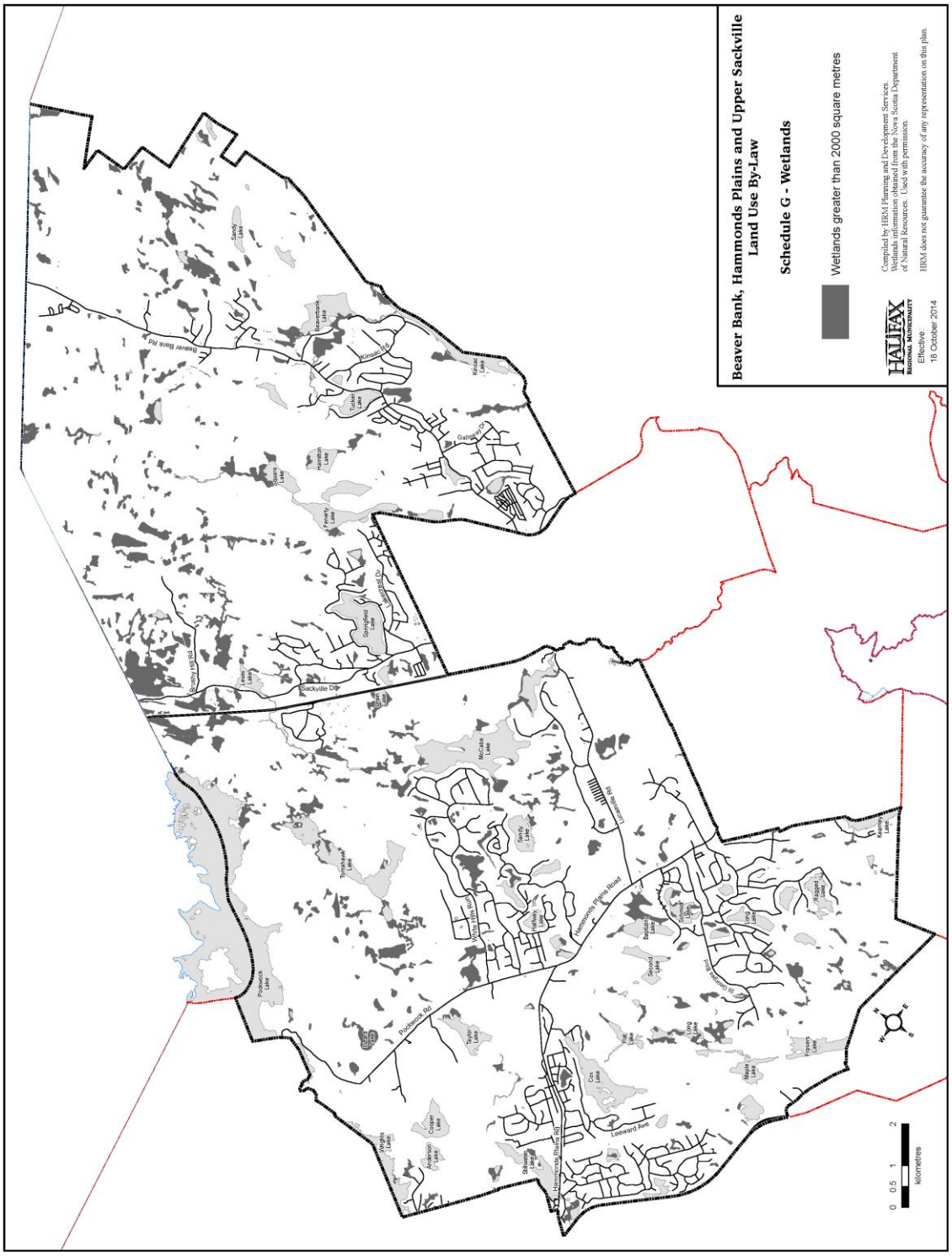
24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.

25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.

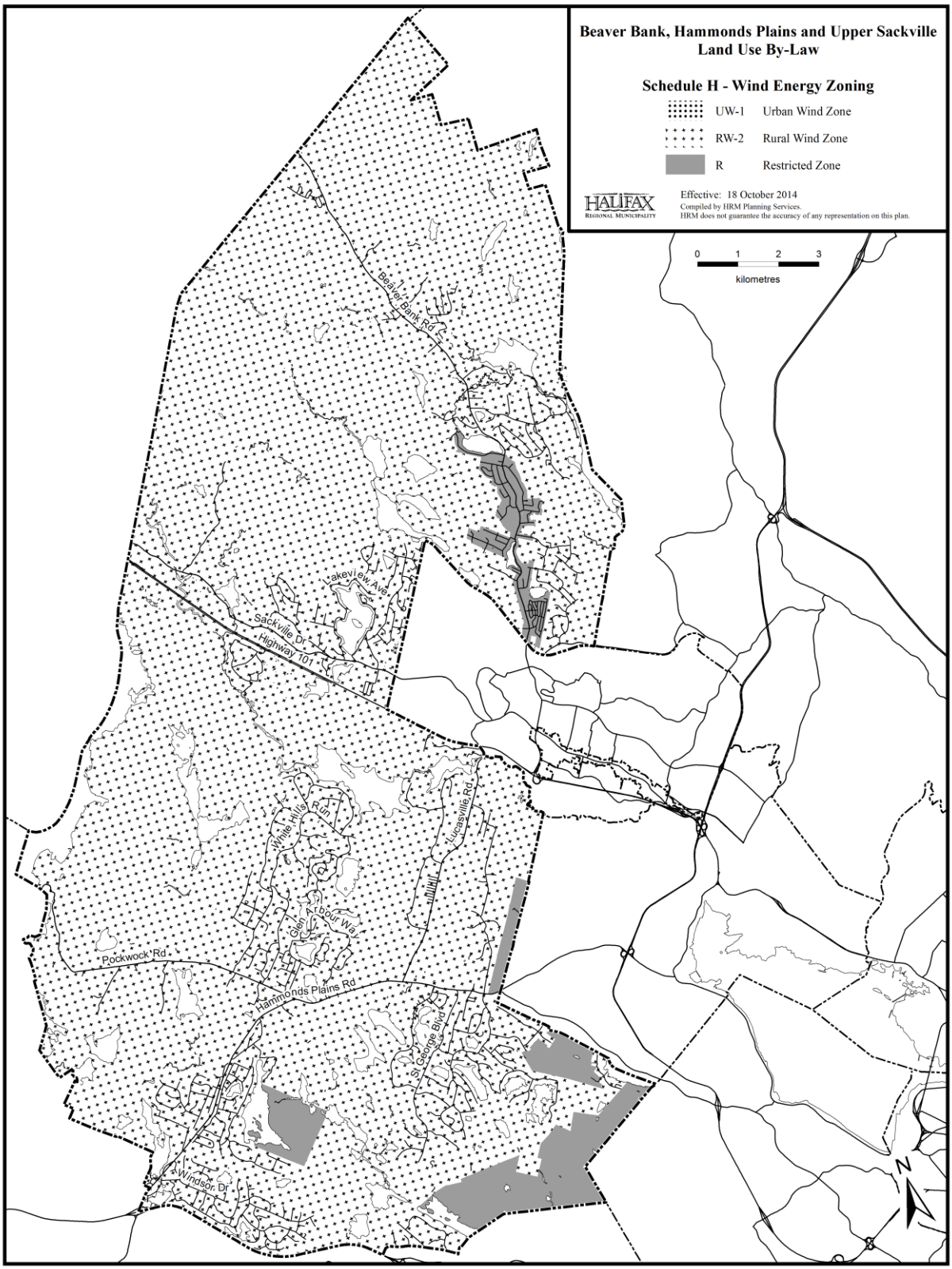
SCHEDULE F: AREAS OF ELEVATED ARCHAEOLOGICAL POTENTIAL (RC-Jun 25/14;E-Oct 18/14)



SCHEDULE G: WETLANDS (RC-Jun 25/14;E-Oct 18/14)



SCHEDULE H: WIND ENERGY ZONING (RC-Jun 25/14;E-Oct 18/14)



SCHEDULE I: INDIGO SHORES SPECIAL PLANNING AREA (Special Area Task Force-Apr 21/22;E-May 20/22)

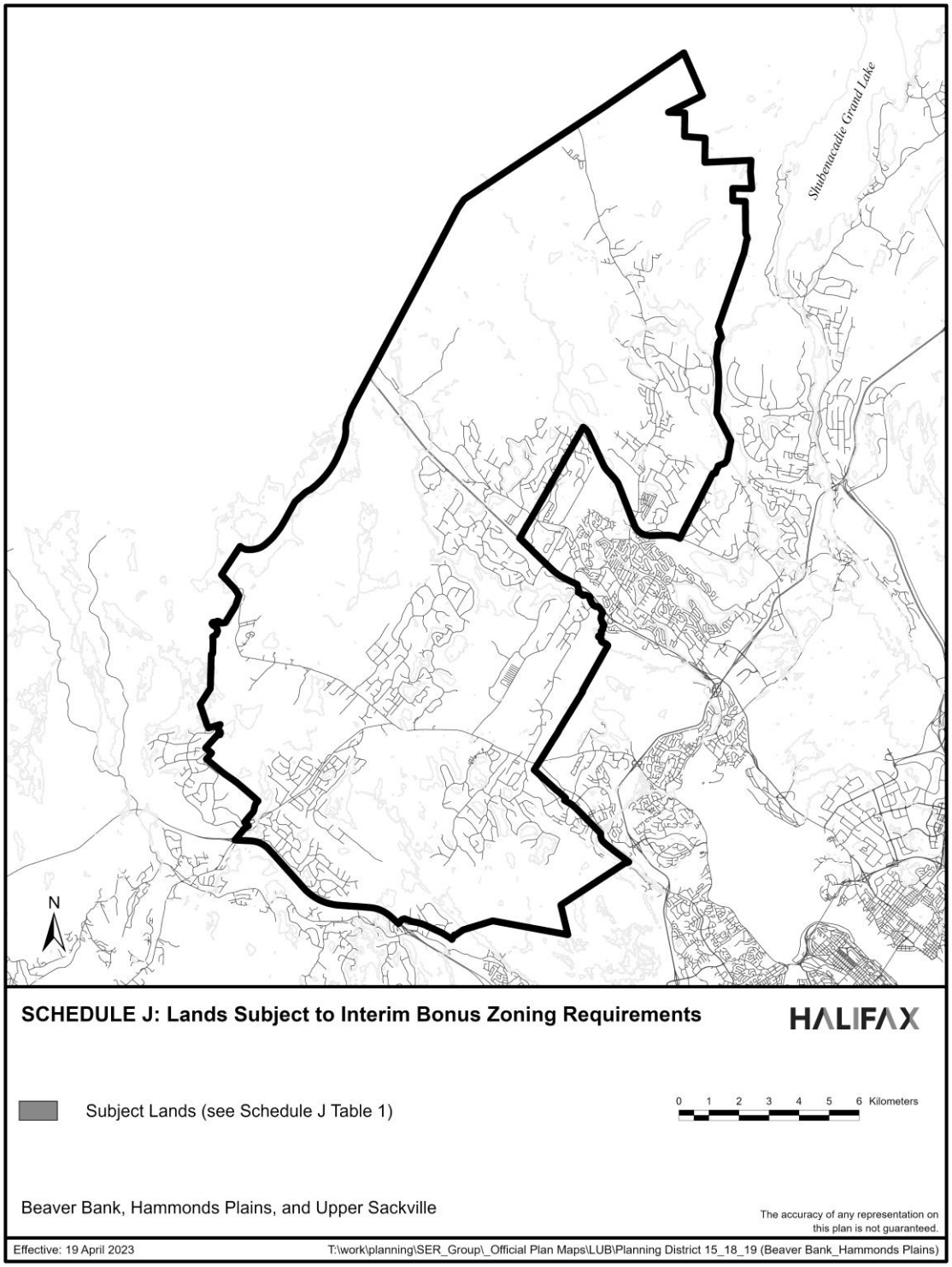
Schedule I - Indigo Shores Special Planning Area

Indigo Shores Special Planning Area

0 140 280 420 560 700
Meters

Effective Date: 20 May 2022

SCHEDULE J: LANDS SUBJECT TO INTERIM BONUS ZONING REQUIREMENTS (RC-Mar 21/23;E-Apr 19/23)



Schedule J, Table 1: Lands Subject to Interim Bonus Zoning Requirements

Ref. #	Case #	PIDs

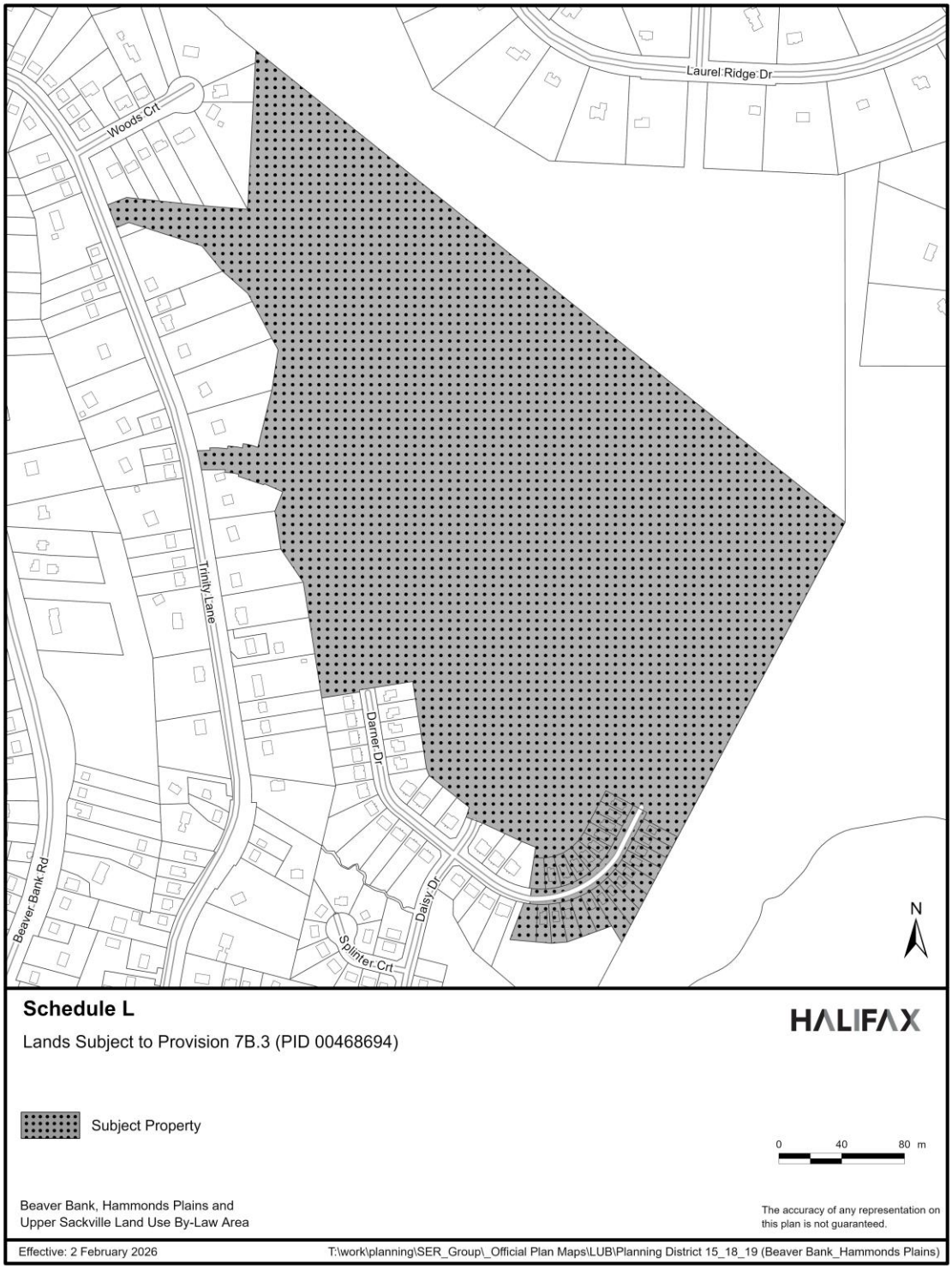
SCHEDULE K – 1-IN-100-YEAR FLOOD ELEVATION MARKERS (RC-Apr29/25;E-May26/25)

Schedule K – Key 1-in-100-year flood elevations by location

1-in-100-year Flood Elevation Markers by Location (2024) (NAD83 MTM 5, CGVD2013)

Location	ID	Location Description	Northing	Easting	1-in-100-year flood elevation (water level)
Sackville River upstream of confluence	1	McCabe Lake	4959740.8	25560147.4	77.47 m
	2	Webber Lake outlet	4959673.5	25562024.7	76.02 m
	3	Upstream of Lucasville bridge	4959697.4	25562188.1	75.55 m
Little Sackville River upstream of confluence	4	Little Lake	4963191.4	25563512.0	75.38 m
	5	Feely Lake outlet	4962481.1	25563773.9	68.77 m
	6	Barrett Pond outlet	4961756.9	25563773.9	62.33 m
	7	Upstream of Millwood Drive crossing	4961648.0	25563038.7	54.97 m
	8	Upstream of Beaver Bank Cross Road crossing	4960780.9	25563175.8	53.00 m
	9	Upstream of Beaver Bank Road crossing	4960469.0	25563909.5	50.78 m
	10	Upstream of Sackville Drive crossing	4959240.5	25564166.5	40.26 m
	11	Upstream of Sackville Cross Road crossing	4958582.7	25564317.1	29.22 m
Sackville River downstream of confluence	12	Confluence of Sackville River and Little Sackville River	4957321.0	25565858.2	14.32 m
	13	Upstream of Rifle Range Lane crossing	4956550.8	25566466.8	9.96 m
	14	Upstream of Highway 102 crossing	4956130.5	25566575.8	9.87 m
	15	Upstream of River Lane crossing	4955678.0	25566944.6	9.20 m
	16	Upstream of Sunnyside Mall "A"	4955431.8	25566898.5	9.03 m
	17	Upstream of Sunnyside Mall "B"	4955297.1	25566859.6	8.95 m
	18	Upstream of Bedford Highway Crossing	4954860.7	25566374.7	7.44 m
	19	Upstream of Railway Crossing	4954703.5	25566345.6	4.40 m

SCHEDULE L: LANDS SUBJECT TO PROVISION 7B.3 (PID 00468694) (RC-Dec 11/25;E-Feb 2/26)



LAND USE BY-LAW
AMENDMENTS - BEAVER BANK, HAMMONDS PLAINS, UPPER SACKVILLE

Amendment Number	Policies/Maps	Subject	Council Adoption	Effective Date
1	Request by Annapolis Basin Limited to enter into a development agreement to allow for high intensity residential uses (two units, townhouses and small scale multiple dwellings) serviced by oversized on-site sewage system on Blocks A through D within the Glen Arbour Integrated Golf Course and residential community; adding Map 2 Zoning Glen Arbour and adding to the AList of Maps@.	Case No. 00071	C - June 25, 2001	E - June 27, 2001
2	Application by Steve Fairbairn to amend the MPS for Beaver Bank, Hammonds Plains and Upper Sackville to allow a commercial entertainment use at 991 Beaver Bank Windsor Junction Cross Road (Amend Part 3.6 (a); and delete Part 3.6 (c)).	Case No. 00404	C - March 26, 2002	E - April 25, 2002
3	Amended by adding Capital Cost Contribution: Section 3.1 - add AInfrastructure Charge Zone@; add Part 26D.	Project No. 00423	C - July 2, 2002	E - August 17, 2002
4	Amended to include Construction & Demolition Waste by adding Section 2.14A, 2.14B, 2.14C, 2.14D, 2.76A; replacing 2.61, 2.68; adding new zones to Section 3.1; replacing Section 4.18a and b; Part 26A, 26B, and 26C; amend Section 15.1.	Project No. 00082	C - September 10, 2002	E - November 9, 2002
5	Amended Part 3.6(a) (expansion of the mobile home park or permit innovative forms of housing or design); amended Part 12.1 (adding Mobile Home Parks)	Case No. 00398	C - July 8, 2003	E - August 16, 2003
6	Amend Part 4.12 by adding subsection (c) regarding height of accessory buildings.	Case No. 00444	C - August 25, 2003	E - August 30, 2003
7	Add Part 2.12(a)-definition of cemetery; add Part 4.6(c) reduced frontage or area (cemeteries).	Case No. 00499	NWCC - December 18, 2003	E - January 11, 2004
8		Project No. 00664	C - April 13, 2004	E - April 22, 2004

	Add Part 4.1A under Development Permits re: Interim Growth Management.			
9	Add Part 11.8 - Exemption: Existing Semi-Detached Dwellings; Part 4.6 - .	Case No. 00611	C - September 30, 2004	E - October 2, 2004
10	Zoning Map 1E was amended by rezoning PID #00421743 to MR-1 Zone from CDD Zone.	Case No. 00700	C - March 21, 2005	E - March 26, 2005
11	Zoning Map 1C was amended by rezoning 740 Beaver Bank Windsor Junction Cross Road from MU-1 (Mixed Use) Zone to I-1 (Mixed Industrial) Zone.	Case No. 00767	C - March 9, 2006	E - March 24, 2006
12	Zoning Map 1E was amended by rezoning PID #41165275 from MU-1 (Mixed Use) Zone to C-2 (General Business) Zone.	Case No. 00813	C - March 27, 2006	E - April 14, 2006
13	Zoning Map 1E was amended by rezoning 2120 Hammonds Plains Road, PID 41090572 from MU-1 to C04 Zone.	Case No. 00826	C - April 24, 2006	E - May 12, 2006
14	Amended by inserting Part 26: Bedford West Comprehensive Development District (BWCDD) Zone; Zoning map amended to include Bedford West.	Case No. 00382	C - June 20, 2006	E - July 9, 2006
15	Amendments regarding the Regional Plan	Regional Plan	C - June 27, 2006	E - August 26, 2006
16	Replace Section 2.73 - definition of sign; and Add Section 5.1A - Temporary Signage	Project No. 00327	C - September 26, 2006	E - November 18, 2006
17	Replace Section 2.72 - definition of Service Station.	Case No. 00925	NW/WR/MDVC - October 26, 2006	E - November 18, 2006
18	Amend Section 24.1, Replace Section 24.2 and Add Sections 24.3 and 24.4; Amend Zoning map to rezone Hartland Dev Ltd and Melvin Tract Society from P-4 zone to PWS Zone.	Case No. 00969	WRCC - December 18, 2006	E - January 6, 2007
19	Amend Zoning Map 1C to rezone 439 Beaver Bank Road from MU-1 to C-4 Zone and 550 Beaver Bank Road from R-6 to R-1 Zone.	Case Nos. 00919 and 00958.	MDVCCC - May 30, 2007	E - June 16, 2007
20	Amend Zoning Map to rezone area in Westwood Hills, Tantallon, from MU-1 to R-1 Zone.	Case No. 01069	WRCC - January 7, 2008	E - January 26, 2008

21	Amend Section 4.26: Medical clinics and offices of any health practitioner.	Case No. 01119	C - August 5, 2008	E - August 23, 2008
22	Amend the Zoning Map 1E to rezone PID #40806861 (corner of Hammonds Plains Road and Glen Arbour Way) from MU-1 to C-4 Zone.	Case No. 01117	WRCC - August 25, 2008	E - September 13, 2008
23	Amend Part 3, Subsection 3.6(a), re: kennels considered by da.	Case No. 01076	RC - September 16, 2008	E - October 4, 2008
24	Amend Part 4.13 re: Temporary Construction Uses Permitted	Case No. 01058	RC - January 20, 2009	E - February 7, 2009
25	Amend Part 2.17 re: Day Care Facility	Case No. 01074	RC - March 3, 2009	E - March 21, 2009
26	Amend the Zoning Map 1C to rezone PID #s 40871626 and 00500959 from MU-1 to CDD Zone	Case No. 00898	MDVCCC - March 5, 2009	E - March 28, 2009
27	Amend Zoning Map 1E to rezone PID #41185133 (intersection of Hammonds Plains Road and Gatehouse Run) from MU-1 to C-4 Zone	Case No. 01197	WRCC - June 22, 2009	E - July 11, 2009
28	Amend Subsection 6.4(e); 6.5(c); 7.6(e); 7.7(c); 8.4(e); and 8.5(c) re: business signs	Case No. 01201	RC - June 30, 2009	E - September 5, 2009
29	Amend Section 3.1, 4.4, 4.12, Appendix A and Map 1E, and add Section 5.10, 17A and Appendix D to include the Hammonds Plains Commercial Zone.	Case No. 01186	RC - February 9, 2010	E - April 3, 2010
30	Amend Zoning Map (1-D): to allocate areas in Westwood Hills Subdivision, Upper Tantallon, to Planning Districts 1 and 3; and Amend Schedules F and G to reflect same changes.	Case No. 15894	RC – June 21, 2011	E – September 3, 2011
31	Add Part 7A: R-1B Zone; Amend Zoning Map 1C to rezone Monarch/Rivendale lands to R-1B	Case No. 16423	RC – September 13, 2011	E – October 29, 2011
32	Deleted the word “windmills” in Section 4.17; Added **Section 4.32 Wind Energy Facilities** in Part 4: General Provisions for all Zones; Add Schedule H – Wind Energy Map	Project No. 00953	RC – August 16, 2011	E – October 29, 2011
33	Amend Part 4, Section 32 IV by adding **b)** and **c)** after a): Wind Energy Facilities.	Project No. 00953	RC – October 18, 2011	E – October 29, 2011
34	Amend Maps 1C and 1E by	Case No. 16892	NWCC – July 5,	E – July 21, 2012

	rezoning portions of the Waterstone Subdivision from MU-1 to R-6 Zone.		2012	
35	Amend Part 3, Subsection 3.6(a); Added Part 3, Subsection 3.6(d) - 40 Sandy Lake Road.	Case No. 17531	RC – March 5, 2013	E – April 20, 2013
36	Maps 1B and 1C are amended by rezoning portions of the McCabe Lake North lands	Case No. 18704	NWCC – June 14, 2014	E – July 5, 2014
37	**Repeal/Readopt** Section 2.14A, 2.60, 2.77; parts of 3.1, 3.6; 4.1B, 4.18, 4.30, 4.31, 4.32; Part 23, 24, 26F, 26G; Schedules 1-A, 1-B, 1-C, 1-D, 1-E, F, G, H; **Add** Section 2.9A, 2.76B; 4.33; **Amend** parts of Section 3.6; 4.18; Part 25, Schedule 1-E, F, G, H.	RP+5	RC-June 25, 2014	E-October 18, 2014
38	Amend the zoning map, Schedule 1E, by removing the MU-1 Zone from, and applying the C-4 Zone to PID 41127564 and a portion of PID 41351669, Voyageur Way and Hammonds Plains Road, Hammonds Plains.	Case No. 19111	NWCC – Oct 20, 2014	E–November 8, 2014
39	**Amend** the zoning map – Rezone 2074, 2090 and 2092 Hammonds Plains Road from I-1, P-2 and MU-1 Zone to C-4 Zone.	Case 19172	NWCC – July 20, 2015	E-August 8, 2015
40	**Amend** Section 16.1 – C-2 Uses Permitted; **Add** Section 16.7.	Case 19627	RC-April 26, 2016	E-June 25, 2016
41	**Amend** Section 11.8(a) – **Deleting** the date "May 13, 2004" and **replacing** it with "January 1, 2013"	Case 20603	NWCC – January 9, 2017	E – January 28, 2017
42	**Add** 4.6(d) – Reduced Frontage or Area	25 Acre Lots	RC – January 10, 2017	E – February 25, 2017
43	**Amend** the zoning map – 65 Halfway Lake Drive, Hammonds Plains, from R-1 to the R-1A	Case 21564	HEMDCC – September 10, 2018	E – September 29, 2018
44	**Add** multiple amendments re. cannabis related uses	Case 21331	RC – September 18, 2018	E – November 3, 2018
45	**Add** Definitions, 2.76.5 – Backyard Suite, Secondary Suite; Part 4.12A – Secondary Suites and Backyard Suites; **Amend** Section 4.4 – One Dwelling on a Lot.	Case 21162 – Secondary / Backyard Suites	RC – September 1, 2020	E – November 7, 2020
46	**Add** definition 2.68; add "School Bus Yard" to Section 13.1 & add section 13.9.1 to Part 13 MU-1	Case 23111	NWCC – June 14, 2021	E – July 3, 2021
47	**Amend** - Schedule 1-C, PID: 41043597 from I-1 to MU-1	Case 20110	NWCC – December 13, 2021	E - January 1, 2022

48	**Amended** Part 2 and Part 4 to add definitions and stipulations for Accessory Hen Use	Case 22227	RC – October 5, 2021	E – January 8, 2022
49	**Added** Schedule I: Indigo Shores Special Plan Area; **Amended** Section 3.6 - Other Uses Considered by Development Agreement	Special Planning Area - Indigo Shores (21639)	Special Area Task Force – May 11, 2022	E - May 20, 2022
50	**Amended** Part 2, Definitions – 2.33; Part 3, Zones and Zoning Maps – Clause 3.6(a); Part 4, General Provisions for all Zones – 4.26(a), 4.26(b), 4.32 I(a); Part 6, R-1 Zone – 6.1, 6.10; Part 7, R-1A Zone – 7.1; Part 7A, R-1B Zone – 7A.1; Part 8, R-2 Zone – 8.1; Part 9, R-3 Zone – 9.1; Part 11, R-6 Zone – 11.1; Part 12, R-8 Zone – 12.1; Part 13, MU-1 Zone – 13.1; Part 16, C-2 Zone – 16.1; Part 19, I-1 Zone – 19.1; Part 21, MR-1 Zone – 21.1; Part 22, P-2 Zone – 22.1, 22.4, 22.5; Part 26, CDD Zone – 26.1; Par 26D, ICH Zone – 26D.1; Part 26F, US Zone – 26F.1 **Deleted** Part 2, Definitions – 2.8, 2.62 **Added** Part 2, Definitions – 2.72A, 2.72B; Part 3, Zones and Zoning Maps – Clause 3.6(e)	Case RP16-16 (Shared Housing)	RC-August 9, 2022	E-September 15, 2022
51	**Amend** Clause 2.20(d); Clause 3.6(a); CDD(i); Section 4.33; Section 6.1, Section 9.1, Section 11.1, Section 13.1; Section 14.1; Section 21.1; Section 24.1, 24.2 **Added** Section 3.8	Case 22257 (Regional Plan – Phase 3)	RC – October 11, 2022	E – November 16, 2022
52	**Amend:** Section 3.6 **Repeal and replace:** Repeal Subsection 15.1 – 15.9 and insert new 15.1 – 15.11	Case 23617	RC – January 10, 2023	E – February 3, 2023
53	**Added:** Part 7B **Amend**: Zoning Map 1C	Case 24045	RC – January 24, 2023	E – February 22, 2023
54	**Added** Appendix E - Interim Bonus Zoning Requirements for Applicable Plan Amendments; Schedule J - Lands Subject to Interim Bonus Zoning Requirements	Case 24063	RC – March 21, 2023	E – April 19, 2023
55	**Added** Part 2, Clauses 2.72C, 2.72D; Part 4, Clauses 4.1D, 4.1E, Section 4.35 – Short Term Rentals **Amended** Part 4, Section 4.26; Part 6, Section 6.1; Part 7, Section 7.1; Part 8, Section 8.1; Part 13, Section 13.1; Part 17, Section 17.1; Part 26, Section 26.1	Case 24526 (Short Term Rentals)	RC – February 21, 2023	E – September 1, 2023

	Deleted Part 2, Clause 2.7; Part 6, Section 6.6; Part 7, Section 7.4; Part 7A, Section 7A.7; Part 8, Section 8.6			
56	**Amended** Part 4, Section 4.26; Part 7B, Section 7B.1; Part 13, Section 13.1 **Deleted** Part 2, Definitions, Section 2.69	Case 24528 (Shared Housing Housekeeping Amendments)	RC – August 22, 2023	E – September 28, 2023
57	**Added** Part 2, Definitions, Section 2.25A (Existing Seniors Citizens Housing); Appendix A-1 **Amended** Part 4, Section 4.9; Part 13, Section 13.1; Part 14, Section 14.1	Case 24528 (Shared Housing Housekeeping Amendments – Senior Citizens Housing)	RC – September 12, 2023	E – October 10, 2023
58	**Repealed** Part 27, Section 27.6	Case 2023-002 (Public Participation)	RC – June 20, 2023	E – October 13, 2023
59	**Added** Section 1(ea)**;** Section 5A. **Amended** Subsection 10 **Repealed/Deleted** Section 3(b); Subsection 10(a)(b)	Case 2023-01049	NWCC – Feb 20, 2024	E – March 6, 2024
60	**Added:** Part 2, section 2.76.7, Part 4, section 4.12 (d) **Amended:** Part 4, clause 4.12(a) subclause (iv) & (v) | Part 4, clause 4.12 A(b) subclause (iv), (vi), (viii), & (ix) | Part 4, clause 4.26(a) | Part 6, section 6.1 | Part 7, section 7.1 | Part 7A, section 7A.1 | Part 8, section 8.1 | Part 9, section 9.1 | Part 11, section 11.1 | Part 13, section 13.1 **Repealed:** Part 4, clause 4.12(c)	MINORREV - 2023-01065 Housing Accelerator Fund (HAF)	RC – May 23, 2024	E – June 13, 2024
61	**Amend**: Zoning Map – Schedule 1-C. Rezone 749 Windgate Dr. from MU-1 to I-1	PLANAPP 2024-00177	NWCC – July 15, 2024	E – July 31, 2024
62	**Amend:** Appendix A-1: Existing Senior Citizen Housing Uses; PID: 00346874 from 57 to 64Dwelling units	PLANAPP 2024-00385	NWCC – December 9, 2024	E – December 25, 2024
63	**Added:** Part 3, Section 3.6 (j)	PLANAPP 2023-00304	RC – March 25, 2025	E – April 29, 2025
64	**Amend:** Part 2.26A 7 B, Part 3.1 & 3.6, Part 3.9 7 & 3.10, 4.9A, PART 4.36, PART 25, 25.1, PART 26A, Schedules 1-B and 1-C Zoning **Add:** Section 25.7, PART 25A, PART 25B, Schedule K **Repealed:** Part 25.4, 25.6	Case 21402 – Update to the Development Controls along the Sackville and Little Sackville River Floodplains	RC – April 29, 2025	E – May 26, 2025
65	**Amend:** Appendix A-1	PLANAPP 2024-01253	NWCC – September 8, 2025	E – September 23, 2025

66	**Amend:** Schedule 1-C	PLANAPP 2025-01190	NWCC – October 6, 2025	E – October 21, 2025
67	**Amend:** Table of contents, Part 2 - Section 2.9, Part 3 - Subsection 3.6 (i), Part 4 - Section 4.12, Section 4.12A, Section 4.14, Section 1.26, subclause (b)(vi)(1) in Section 4.32 II, Part 7B.3 **Add:** Part 2 - 2.72B(a), Part 4 - Section 4.12AA, Section 4.13 (ab), Section 4.26 (c), Section 4.37, Schedule L	MINORREV 2025-02922	RC – December 11, 2025	E – February 2, 2026