HALIFAX

LAND USE BY-LAW

PLANNING DISTRICTS 8 & 9

(LAKE ECHO/PORTERS LAKE)

THIS COPY IS A

REPRINT OF THE

LAND USE BY-LAW FOR

PLANNING DISTRICTS 8 & 9

WITH AMENDMENTS TO

FEBRUARY 2, 2026

LAND USE BY-LAW
FOR
PLANNING DISTRICTS 8 & 9

THIS IS TO CERTIFY that this is a true copy of the Land Use By-law for Planning Districts 8 & 9 which was passed by a majority vote of the former Halifax County Municipality at a duly called meeting held on the 20th day of December, 1988, and approved by the Minister of Municipal Affairs on the 10th day of March, 1989, 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___.

_____
Municipal Clerk

Table of Contents

PART 1: TITLE 1

PART 2: DEFINITIONS 1

PART 3: ZONES AND ZONING MAPS 13

PART 4: GENERAL PROVISIONS FOR ALL ZONES 17

4.1 DEVELOPMENT PERMITS 17

4.2 LICENCES PERMITS AND COMPLIANCE WITH OTHER BY-LAWS . 17

4.3 SEWAGE DISPOSAL SYSTEMS 17

4.4 REDUCED FRONTAGE OR AREA 18

4.5 ROAD ENTRANCE RESERVES 18

4.6 ONE DWELLING ON A LOT. 18

4.7 SEPARATION BETWEEN MAIN BUILDINGS 18

4.8 EXISTING UNDERSIZED LOTS 19

4.8A LAND TITLES CLARIFICATION AREAS (RC-Dec 11/25;E-Feb 2/26) 19

4.9 EXISTING BUILDINGS 19

4.10 EXISTING USES 19

4.11 ACCESSORY USES AND BUILDINGS (MC-Jun 26/95;E-Jul 22/95) .. 20

4.11A ACCESSORY HEN USE (RC- Oct 05/21; E-Jan 08/22) 20

4.12 ACCESSORY BUILDINGS 20

4.12AA SHIPPING CONTAINERS (RC-Dec 11/25;E-Feb 2/26) 21

4.12A SECONDARY SUITES AND BACKYARD SUITES (RC-Sep 1/20;E-Nov 7/20) 21

4.13 TEMPORARY CONSTRUCTION USES PERMITTED (HECC-Jan 20/09;E-Feb 07/09) 22

4.14 VEHICLE BODIES 23

4.15 RESTORATION TO A SAFE CONDITION 23

4.16 BUILDING TO BE MOVED 24

4.17 HEIGHT REGULATIONS 24

4.18 WATERCOURSE SETBACKS AND BUFFERS (RC-Jun 25/14;E-Oct 18/14) ... 24

4.18A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14) ... 25

4.19 REDUCED FRONTAGE ON A CURVE ... 25

4.20 PERMITTED ENCROACHMENTS ... 25

4.21 YARD EXCEPTION ... 26

4.22 ILLUMINATION ... 26

4.23 COMMERCIAL MOTOR VEHICLES ... 26

4.24 PARKING REQUIREMENTS ... 26

4.25 STANDARDS FOR PARKING LOTS ... 29

4.26 COMPOSTING OPERATIONS (MC-Feb 26/96;E-Mar 28/96) ... 29

4.27 SCHEDULE B - AREAS OF ELEVATED ARCHAEOLOGICAL POTENTIAL (RC-Jun 25/14;E-Oct 18/14) ... 29

4.28 SCHEDULE C - WETLANDS (RC-Jun 25/14;E-Oct 18/14) ... 30

4.29 WIND ENERGY FACILITIES (RC-Jun 25/14;E-Oct 18/14) ... 30

4.30 PUBLIC TRANSIT FACILITIES (RC-Jun 25/14;E-Oct 18/14) ... 34

4.31 CANNABIS-RELATED USES (RC-Sep 18/18;E-Nov 3/18) ... 34

4.32 SHORT-TERM RENTALS (RC-Feb 21/23;E-Sep 1/23) ... 34

4.33 DEVELOPMENT AGREEMENTS FOR ADAPTIVE REUSES IN RURAL HRM (RC-Dec 11/25;E-Feb 2/26) ... 35

PART 5: SIGNS ... 36

PART 6: R-1 (SINGLE UNIT DWELLING) ZONE ... 39

PART 7: R-1A (AUXILIARY DWELLING UNIT) ZONE ... 41

PART 8: R-B (RESIDENTIAL B) ZONE ... 43

PART 9: R-BA (AUXILIARY DWELLING UNIT) ZONE ... 46

PART 10: R-2 (TWO UNIT DWELLING) ZONE ... 49

PART 11: R-A (RESIDENTIAL A) ZONE ... 51

PART 12: R-3 (MOBILE DWELLING SUBDIVISION) ZONE ... 54

PART 13: R-6 (RURAL RESIDENTIAL) ZONE ... 56

PART 14: RE (RURAL ENTERPRISE) ZONE ... 59

PART 15: MR (MIXED RESOURCE) ZONE 63
PART 16: C-1 (COMMUNITY COMMERCIAL) ZONE 67
PART 17: C-2 (GENERAL BUSINESS) ZONE 71
PART 18: I-2 (SALVAGE YARD) ZONE 74
PART 19: I-3 (GENERAL INDUSTRY) ZONE 75
PART 20: RPK (REGIONAL PARK) ZONE (RC-Jun 25/14;E-Oct 18/14) 77
PART 21: PWS (PROTECTED WATER SUPPLY) ZONE (RC-Jun 25/14;E-Oct 18/14) . 78
PART 22: D-l (DND) ZONE 79
PART 22A: CD-1 (C&D MATERIALS TRANSFER STATIONS) ZONE (RC-Sep 10/02;E-Nov 9/02) 80
PART 22B: CD-2 (C&D MATERIALS PROCESSING FACILITIES) ZONE (RC-Sep 10/02;E-Nov 9/02) 83
PART 22C: CD-3 (C&D MATERIALS DISPOSAL SITES) ZONE (RC-Sep 10/02;E-Nov 9/02) 85
PART 22D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE (RC-Jul 2/02;E-Aug 17/02) 87
PART 22E: PA (PROTECTED AREA) ZONE (RC-Jun 25/14;E-Oct 18/14) 88
PART 22F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE (RC-Jun 25/14;E-Oct 18/14) 89
PART 23: ADMINISTRATION 90
APPENDIX "A" 92
Schedule A-1: Wind Energy Zoning (RC-Jun 25/14;E-Oct 18/14) 93
Schedule B: Areas of Elevated Archaeological Potential (RC-Jun 25/14;E-Oct 18/14) 94
Schedule C: Wetlands (RC-Jun 25/14;E-Oct 18/14) 95

Schedule A: Porters Lake/Lake Echo Zoning Map Separate

PART 1: TITLE

This By-law shall be cited as the "Land Use By-law for Planning Districts 8 and 9" within the Municipality of the County of Halifax.

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. (MC-Jun 26/95;E-Jul 22/95)

2.1A ACCESSORY HEN USE means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not commercial purposes. For the purposes of this by-law, an accessory hen use is not an agricultural use (RC- Oct 05/21; E-Jan 08/22).

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. (MC-Jun 26/95;E-Jul 22/95)

2.3 ADULT ENTERTAINMENT USE means a cabaret or massage parlour.

2.4 AGRICULTURAL USE means the use of land and buildings for the production of food, fibre or flora or the breeding or handling of animals and includes retail or market outlets for agricultural products and animals.

2.5 AGRICULTURAL USE - INTENSIVE means the use of land and buildings organized to maximize production in a confined area including the commercial breeding or handling of animals, the cultivation of mushrooms, and feed lots, broiler plants and slaughter houses.

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

2.7 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.

2.8 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 RECREATION USE means a building, structure or lot or part of a building, structure or lot used for commercial recreation or sport purposes and without limiting the generality of the foregoing, may include animal or vehicle racing tracks, riding arenas, rifle ranges, golf courses, miniature golf courses, amusement parks and centres, and drive-in theatres and campgrounds.

2.11 COMMERCIAL VEHICLE means any vehicle which is licensed as a commercial carrier

as determined by the Registrar of Motor Vehicles.

2.11A 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. (MC-Feb 26/96;E-Mar 28/96)

2.11B 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-Sep 10/02;E-Nov 9/02)

2.11C 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-Sep 10/02;E-Nov 9/02)

2.11D 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-Sep 10/02;E-Nov 9/02)

2.11E 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-Sep 10/02;E-Nov 9/02)

2.12 COUNCIL means the Council of the Municipality of the County of Halifax.

2.13 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 five (5) 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. (HECC-Mar 3/09;E-Mar 21/09)

2.14 DEVELOPMENT OFFICER means the Officer appointed by Council to administer the provisions of this By-law.

2.15 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, hostel, and travel trailer or trailer otherwise described.

(b) 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 kitchen, sleeping and sanitary facilities are provided for the exclusive use of such persons.

(c) Dwelling Unit, Auxiliary means a dwelling unit no greater in size than forty-five (45) per cent of the dwelling in which it is located, and in which interior access between the two dwelling units is unrestricted.

(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 single or multiple section manufactured dwelling unit designed to be transportable whether or not it is equipped with wheels, and having any main wall with a width of less than twenty (20) feet (6.1 m).

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

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

2.16 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 includes a lounge or beverage room, a video or amusement centre and a pool or billiard hall, but does not include an adult entertainment use.

2.17 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 but does not include work done in connection with the subdivision approval process or for the temporary storage of fill.

2.18 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 public street or highway or private road means the elevation of the public street, highway or private road approved by the Municipality or other designated authority.

2.18A 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)

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

2.20 EXISTING means in existence on the effective date of this By-Law.

2.21 FISH AND BOAT SHED means a building used exclusively for storing or repairing fishing equipment and boats and which is not used for seasonal or permanent residential purposes or any other use, and which has waterfrontage on the Atlantic Ocean proper, inlets of the Atlantic Ocean, or Porters Lake south of Middle Porters Lake Road.

2.22 FISH PROCESSING PLANT means a building or part of a building which is used for the cleaning, filleting, curing, packing, canning, freezing, salting and cooking, pickling, drying or preparing fish for market in any other manner, but does not include a smokehouse or an operation where a fisherman himself or his crew processes his own catch provided that all applicable federal and provincial requirements are satisfied.

2.23 FISHERY USE means commercial aquaculture and uses associated with a fishery use including boat and equipment storage and maintenance buildings and yards, retail and wholesale outlets for fish and fish products, and fish processing plants but does not include fish waste processing plants.

2.24 FORESTRY USE means commercial silviculture and the production of saw logs or pulp logs and any uses associated with a forestry use, including sawmills, vehicle and equipment storage and maintenance buildings and yards, and retail and wholesale outlets for wood and wood products, but does not include pulp mills employing chemical processes.

2.25 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 definition, the walls of an inner court shall be deemed to be exterior walls.

2.26 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.

2.26A 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).

2.27 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 or police station, government office or public works, hospital or medical clinic, public library, museum or gallery, fraternal centre or hall and community centre or hall, but does not mean a penal institution or detention facilities within a hospital.

2.28 KENNEL means a building or structure used for the enclosure of a total of five (5) or more

adult dogs which are kept for the purposes of commercial breeding or showing or for commercial boarding with or without veterinary care.

2.28A LIVESTOCK means horses, cows, pigs, sheep, goats and fowl, whether or not they are kept for commercial purposes. (C-Aug 27/90;E-Sept 22/90)

2.29 LOT

(a) 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 16th day of April, 1987, or is described in a plan **or (RC-Dec 11/25;E-Feb 2/26)** deed **approved (RC-Dec 11/25;Feb 2/26)** 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 County or is created under Section 93(2) of the Planning Act.

(b) Corner Lot means a lot situated at the intersection of, and abutting on, two or more streets or private roads.

(c) Through Lot means a lot bounded on two opposite sides by streets or private roads 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.

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

2.31 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 except for irregular shaped lots where lot depth shall be determined according to the provincial Department of Health regulations.

2.32 LOT FRONTAGE means the horizontal distance between the side lot lines as measured along the front lot line.

2.33 LOT LINE

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

(b) Front Lot Line means the line, including any curved line dividing the lot from the public street or highway or private road; and

(i) in the case of a corner lot, the shorter boundary line abutting the street or private road shall be deemed to be the front lot line and the longer boundary line abutting the street or private road 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; or

(ii) in the case of a lot where the shore line of a lake or the sea or the bank of a river forms one of its boundaries, the lot line facing the access street or private 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 or private road on a corner lot.

2.34 LRIS means the Land Registration and Information Service whose property identification numbering system is used in Appendix A of this By-law to identify particular land parcels.

(The LRIS 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 maritime provinces.)

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

2.36 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.

2.37 MASSAGE PARLOUR means a building or part of a building where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised or solicited in pursuance of trade, calling, or arranged so as to provide such activity, but does not mean a building or part of a building where treatment is routinely offered or performed for the purpose of medical or therapeutic treatment and which is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, occupational therapist, or nurse licensed or registered under the laws of the Province of Nova Scotia.

2.38 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.

2.38A MEZZANINE means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys. (RC-Dec 11/25;E-Feb 2/26)

2.39 MUNICIPALITY means the Municipality of the County of Halifax.

2.40 OBNOXIOUS USE means a use which, from its nature or operation, creates a nuisance or is offensive by reason of noise, vibration, glare or objectionable odour, by the emission of gas, fumes, dust, oil or by the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other materials and shall include operations which produce wastes that cannot be treated by an approved on-site sewage disposal system or which involve, as the primary function, the handling of hazardous materials.

2.41 OFFICE means a room or rooms where business may be transacted, a service performed or consultation given but does not include the manufacturing of any product.

2.42 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 camping grounds, golf courses or tracks for the racing of animals or motorized vehicles.

2.43 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.

2.44 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 (2) 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 private road by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted.

2.45 PARKING SPACE means an area of not less than one hundred sixty (160) square feet (14.9 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 private road by means of driveways, aisles or manoeuvring areas.

2.46 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.

2.47 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.

2.48 PRIVATE ROAD means any street or road which is not public, as defined in the Subdivision By-law, and which is shown as a private road on an approved plan of subdivision and the right-of-way, alignment, and gradient is approved by the Department of Transportation and Communications.

2.49 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.

2.50 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)

2.50A 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-Sep 10/02;E-Nov 9/02)

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

2.51A RESTAURANT - FULL SERVICE means a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building and may 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.

2.51B 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.

2.51C 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 nay 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. (C-Feb 10/92;E-Mar 7/92)

2.52 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.

2.53 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 (5) acres (2.0 ha) and which entrance has been approved by the department of Transportation for the purposes of a public road or private road entrance reserve.

2.54 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)

2.55 SENIOR CITIZEN HOUSING (Deleted: RC-Aug 9/22;E-Sep 15/22)

2.56 SERVICE INDUSTRY means a building or part of a building in which the primary function is to provide services such as assembly maintenance or limited fabrication, 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, a plumbing shop, a sheet metal shop, a truck depot, a construction yard, and similar uses.

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

2.58 SERVICE STATION means a building or part of a building or a clearly defined space on a lot used for the retail sale of gasolines and which may be used for the sale of automobile accessories and the servicing and general repairing of motorized vehicles and may include washing facilities.

2.58A 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)

2.58B 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)

2.58BA 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)

2.58C 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)

2.58D 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)

2.59 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)

2.59A Storey means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

(RC-Dec 11/25;E-Feb 2/26)

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

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

2.62 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.

2.62.5 SUITE (RC-Sep 1/20;E-Nov 7/20)

(a) <u>Backyard Suite</u> means a self-contained subordinate dwelling unit that is located within an accessory building or structure.

(b) <u>Secondary Suite</u> means a self-contained subordinate dwelling unit that is located within a residential main building.

2.62A 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)

2.63 VIDEO ARCADE means any commercial facility which contains more than three (3) amusement machines and, without limiting the generality of the foregoing, includes pinball machines and electronic or mechanical game machines operated by depositing coins or tokens.

2.63A 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)

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

2.65 YARD means an open, uncovered space on a lot appurtenant to a building, except a court bounded on two (2) 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 side yard 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 Planning Districts 8 & 9 Plan Area is divided into the following zones, 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 Lake Echo Community Designation	R-1	Single Unit Dwelling Zone
	R-1A	Auxiliary Dwelling Unit Zone
	R-2	Two Unit Dwelling Zone
	R-3	Mobile Dwelling Subdivision Zone
	R-6	Rural Residential Zone
Residential Zones Mixed Use Designation	R-B	Residential B Zone
	R-BA	Auxiliary Dwelling Unit Zone
	R-A	Residential A Zone
Mixed Use Zones	RE	Rural Enterprise Zone
	CDD	**Comprehensive Development District Zone (RC-Jun 25/14;E-Oct 18/14)**
Commercial Zones	C-1	Community Commercial Zone
	C-2	General Business Zone
Industrial Zones	I-2	Salvage Yard Zone
	I-3	General Industrial Zone
Construction & Demolition (C&D) Zones (RC-Sep 10/02;E-Nov 9/02)	**CD-1**	**C&D Materials Transfer Stations Zone**
	CD-2	**C&D Materials Processing Facilities Zone**
	CD-3	**C&D Materials Disposal Sites Zone**
Infrastructure Charge Zone (RC-Jul 2/02;E-Aug 17/02)	**ICH**	**Infrastructure Charge Holding Zone**
Resource Zones	MR	Mixed Resource Zone
Community Uses Zones	**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)**

D-1	DND Zone
PA	**Protected Area Zone**
	(RC-Jun 25/14;E-Oct 18/14)

3.2 ZONING MAPS

(a) Schedules A2 to A3, B1 to B4, C1 to C4, D2 to D4, E2 to E4, and F3, attached hereto, may be cited as the Planning Districts 8 and 9 Zoning Maps and are hereby declared to form part of this By-law.
(b) The extent and boundaries of all zones are shown on Schedules A2 to A3, B1 to B4, C1 to C4, D2 to D4, E2 to E4, and F3, and for all such zones the provisions of this By-law shall respectively apply.
(c) The symbols used on Schedules A2 to A3, B1 to B4, C1 to C4, D2 to D4, E2 to E4, and F3, refer to the appropriate zones established by Section 3.1.

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 public street or 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;
(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; and
(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 any such zone has previously appeared on any zoning map. Such amendments shall be carried out in accordance with the requirements of the Planning Act and shall be in conformity with the policies of the Municipal Planning Strategy for Planning Districts 8 and 9.

3.5 USES PERMITTED

Uses permitted within any zone shall be determined as follows:

(a) Any use not listed as a use permitted within any zone shall be deemed to be

prohibited in that zone;

(b) Notwithstanding Section 3.5(a) above, unless a use is specifically prohibited within the RE (Rural Enterprise) Zone, it shall be deemed to be a permitted use in that zone;

(c) Any use listed as subject to any special conditions or requirements shall be permitted subject to the fulfilling of such conditions or requirements;

(d) Where a use permitted within any zone is defined in Part 2.0, the uses permitted within that zone shall be deemed to include any similar use which satisfied such definition except where any definition is specifically limited to exclude any use; and

(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 of located on the same lot as, any other use permitted within that zone.

3.6 OTHER USES CONSIDERED BY DEVELOPMENT AGREEMENT

Notwithstanding Section 3.5, certain uses which may not be uses permitted in any zone may be considered in accordance with Sections 55, 66 and 67 of the Planning Act. As provided for by the Municipal Planning Strategy for Planning Districts 8 and 9, such uses are as follows:

(a) Expansion of existing mobile home parks within the Lake Echo Community Designation, according to Policy P-64; and

(b) Hotels, Motels and Motor Inns on lands abutting Highway No. 7 or Old Lake Echo Road within the Lake Echo Community Designation, according to Policy P-68.

(c) New or expanded community commercial uses in excess of 2,000 square feet of gross floor area within the Lake Echo Community Designation, according to Policy P-65A. (MC-Aug 9/93;E-Sep 20/93)

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: (RC-Jun 25/14;E-Oct 18/14)

(i) Conservation Design Developments in accordance with policies S-14A, S-14B, S-15A, S-15B, S-16A, S-17A (RC-Oct 11/22;E-Nov 16/22), 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)

(ii) a mix of residential, commercial and institutional uses under the CDD (Comprehensive Development District) Zone, as per policy S-10 of the Regional Municipal Planning Strategy; and (RC-Jun 25/14;E-Oct 18/14)

(iii) residential development on islands, as per policy S-18 of the Regional Municipal Planning Strategy. (RC-Jun 25/14;E-Oct 18/14)

(d) Pursuant to Policy P-102, 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)

3.7 <u>LARGER CANNABIS PRODUCTION FACILITIES BY DEVELOPMENT AGREEMENT</u> (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 <u>DEVELOPMENT AGREEMENTS FOR REGISTERED HERITAGE PROPERTIES</u> (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.

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 all 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 provided that the request is received before the expiry of the current permit.

(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, provided that such are specified by the permit and provided also that no development permit shall pertain to more than one (1) lot.

(d) Notwithstanding Section 4.1(a) above, no development permit shall be required for the following:

(i) any open space use which does not involve a building or structure;

(ii) any accessory building or structure which has less than three hundred (300) square feet (27.9 m^2) of gross floor area; and

(iii) any sign which is less than one hundred (100) square feet (9.3 m) in area, or any other sign permitted under Section 5.3.

(iv) An accessory hen use (RC- Oct 05/21; E-Jan 08/22)

(v) 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)

(vi) 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)

4.1A (Deleted: RC-Jun 27/06;E-Aug 26/06)

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 except where the reduced lot frontage provisions of the Subdivision By-law have been applied.

4.3 SEWAGE DISPOSAL SYSTEMS

Where any lot is developed with a septic tank and disposal field after the adoption of this By-law, 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 Nova Scotia Department of Health shall prevail.

4.4 REDUCED FRONTAGE OR AREA

(a) Any lot created in accordance with Section 98 of the Planning Act may be used for any purpose permitted in the zone in which the lot is located, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

(b) Notwithstanding the lot frontage requirements found elsewhere in this By-law, lots may be created in accordance with the provisions of Part 14 of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

(c) Notwithstanding the lot frontage and area requirements found elsewhere in this By-law, fish and boat shed lots may be created in accordance with the provisions of the Subdivision By-law, and a development permit may be issued provided that all other applicable provisions of this By-law are satisfied.

(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)**

4.5 ROAD ENTRANCE RESERVES

Notwithstanding the lot frontage provisions contained in this By-law, a portion of a lot identified as a road entrance reserve on any public road shall meet the requirements of the provincial Department of Transportation.

4.6 ONE DWELLING ON A LOT.

(a) Not more than one (1) dwelling shall be erected on a lot.

(b) Notwithstanding Section 4.6(a) above, two dwellings may be erected on a lot within an RE (Rural Enterprise) or MR (Mixed Resource) Zone provided that each dwelling is located on an area of land that is capable of meeting subdivision requirements and a preliminary subdivision examination has been completed in accordance with the municipal Subdivision By-law and provided that all other applicable provisions of this By-law are satisfied.

(c) Notwithstanding Sections 4.6(a) (Deletion: HEMDCC-Mar 4/21;E-Mar 27/21) & 4.6(b) (Deletion: HEMDCC-Mar 4/21;E-Mar 27/21), a single unit dwelling and a backyard suite or a mobile dwelling and a backyard suite may be located on the same lot. (RC-Sep 1/20;E-Nov 7/20)

4.7 SEPARATION BETWEEN MAIN BUILDINGS

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

4.8 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 or a minor variance granted.

(b) Further to Section 4.8(a) above, the Development Officer may issue a development permit for a lot approved according to Part 14 of the Subdivision By-law, where an undersized lot has had its **boundaries altered. (C-Dec 18/89;E-Jan 13/90)**

4.8A LAND TITLES CLARIFICATION AREAS (RC-Dec 11/25;E-Feb 2/26)

(a) Notwithstanding the lot area and frontage requirements in this By-law, any area of land or parcel located within a Land Titles Clarification Area as defined by the Land Titles Clarification Act, having less than the minimum frontage 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 the By-law are satisfied.

(b) Further to subsection (a) above, the Development Officer may issue a development permit for a lot approved pursuant to Section 68A of the Regional Subdivision By-law.

4.9 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 or a minor variance granted.

4.10 EXISTING USES

(a) All existing uses are permitted 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, subject to the requirements of the zone in which it is located, with the exception of uses identified in Subsection 3.6(a), which shall only be permitted by development agreement; and

(b) Notwithstanding anything else in this By-law, an existing use listed in Appendix A of this By-law may expand on the lot which it occupied on the effective date of this By-law subject to the applicable provisions of the zone indicated.

4.11 ACCESSORY USES AND BUILDINGS (MC-Jun 26/95;E-Jul 22/95)

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 built closer to the front lot line than the minimum distance required for the main building or be built closer than four (4) feet (1.2 m) to any other lot line except that:
  1. common semi-detached garages may be centred on the mutual side lot line;

2. boat houses and boat docks may be built to the lot line when the line corresponds to the high water mark;
3. where an area of land is proposed to be subdivided and an existing accessory building is less than one hundred and four (104) feet (31.7 m) from any side or rear lot line forming a boundary of the proposed lot, the minimum side yard requirement for the accessory building may be reduced to two (2) feet (0.6 m);

(iii) exceed **twenty-five (25) feet (7.7 m) (RC-May 23/24;E-June 13/24)** in height in any residential zone;

(iv) exceed **a footprint of (RC-Dec 11/25;E-Feb 2/26) one thousand (1000) square feet (93 square metres)(RC-May 23/24;E-June 13/24)** in any residential zone; nor

(v) be built within eight (8) feet (2.4 m) of the main building.

(vi) be used for the keeping of livestock, except where agriculture is a permitted use. (C-Aug 27/90;E-Sep 22/90)

(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 Section 4.12(a) above.

(c) **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)**

4.12AA 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.

4.12A 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, (RC-Dec 11/25;E-Feb 2/26) or a two unit dwelling subject to the following provisions:

(i) No more than one secondary suite(RC-May 23/24;E-June 13/24) or auxiliary dwelling (RC-Dec 11/25;E-Feb 2/26) 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 4.24, 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, (RC-Dec 11/25;E-Feb 2/26) or a two unit dwelling, or a multiple unit dwelling containing only 3 dwelling units (RC-May 23/24;E-June 13/24) subject to the following provisions:

(i) **No more than one(RC-May 23/24;E-June 13/24) backyard suite shall be permitted on a lot;**

(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 (93.0 square metres)(RC-May 23/24;E-June 13/24);**

(v) **Notwithstanding the parking requirements of Section 4.24, 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;**

(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) and**

(ix) **A non-conforming accessory building may be converted to a backyard suite if the gross (RC-Dec 11/25;E-Feb 2/26) floor area of the backyard suite does not exceed 1,000 square feet (93 square metres). (RC-May 23/24;E-June 13/24)**

4.13 TEMPORARY CONSTRUCTION USES PERMITTED (HECC-Jan 20/09;E-Feb 07/09)

(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 (RC-Dec 11/25;E-Feb 2/26)** 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 except in an RE (Rural Enterprise) Zone. **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.

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, telecommunication towers, space centres, ventilators, skylights, barns, chimneys, clock towers, ~~**windmills**~~ **(RC-Aug 16/11;E-Oct 29/11)** or solar collectors.

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 20 m 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 m² or a combination of an accessory structure and attached deck not exceeding 20 m², 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 (e), 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.

4.18A COASTAL AREAS (RC-Jun 25/14;E-Oct 18/14)

(1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).

(2) Subsection (1) does not apply to any residential accessory structures which do not contain (Deletion: HEMDCC-Mar 4/21;E-Mar 27/21) a backyard suite (RC-Sep 1/20;E-Nov 7/20), marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law.

(3) Notwithstanding subsection (1), any existing dwelling situated less than the required elevation may expand provided that such expansion does not further reduce the existing elevation.

(4) 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 elevations, contours and lot grading information 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, thirty (30) feet (2.8 m) from the front lot line.

4.20 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) 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 (0.6 m) into any required yard;
(c) Window bays and solar collectors may be permitted to project not more than three (3) feet (0.9 m) from the main wall into a required front, rear or flankage yard;
(d) Exterior staircases, balconies, porches, verandas, sun decks and solariums shall not be permitted to project into any required yard;
(e) The provisions of this Section shall not restrict the location of ornamental planting or landscaping in any yard unless otherwise indicated in this By-law; and
(f) Access ramps for the mobility disabled may be located in any yard.

4.21 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 high water mark of a watercourse, or between the top and toe of a cliff or embankment having a slope of fifteen (15) percent or more from the horizontal, then the required yard shall be measured from the main wall of the main building or structure on the lot to the edge of the said area covered by water or marsh, or to the top of the said cliff or embankment if such area is closer than the lot lines.
(b) Where two unit dwellings are permitted, the side yard common to both units of a semi-detached dwelling shall not be required.
(c) Where the proposed creation of a lot, in accordance with Section 14.4(d) of the Subdivision By-law, entails encroachment into a required yard for an accessory building or structure, any new lot line may be located within the required yard, but in no case shall be located within one (1) foot (0.3 m) of the accessory building.

4.22 ILLUMINATION

No illuminated sign shall be erected or no area illuminated outside any building unless such illumination is directed away from adjoining properties and any adjacent streets.

4.23 COMMERCIAL MOTOR VEHICLES

No more than two (2) commercial vehicles exceeding twenty eight thousand (28,000) pounds (12 700 kg) gross vehicle weight shall be kept on a lot within any R-l, R-1A, R-2, R-3, RB, or R-BA Zone and no such commercial vehicle shall be kept less than ten (10) feet (3.1 m) from any front lot line.

4.24 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 or highway or private road 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	1 space per dwelling unit
Multiple unit dwellings	1.5 spaces per dwelling unit
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)	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)	3.3 spaces per 1,000 square feet (92.9 m^2) of gross floor area
Banks, financial institutions and 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	**10 spaces per 1,000 square feet (92.9 sq. m.) of net floor area (HEMDCC-Jul 23/15;E-Aug 8/15)**
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 rooms	the greater of 1 space per 3 seats of 1 space per 100 square feet (92.9 m^2) of gross floor area
Theatres	1 space per 5 seats
Institutional uses except as **otherwise** specified **(RC-Aug 9/22;E-Sep 15/22)**	where there are fixed seats, the greater of 1 spacer 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 senior high school students
Hospitals	2 spaces per bed
Day care facilities	1.5 spaces per 400 square feet (37.2 m^2) of

USE	PARKING REQUIREMENT
	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 general industrial uses	the greater of 2 spaces per 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 4.24(a) above, reserved parking spaces for the mobility disabled shall be provided in 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 churches, 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) Standards for Mobility Disabled Parking Spaces

(i) each reserved parking space shall contain an area of not less than two hundred and forty (240) square feet (22.3 m^2) measuring twelve (12) feet (3.7 m) by twenty (20) feet (6.1 m);

(ii) where the limits of the parking lot are defined by a curb, the parking lot shall be provided with a ramped curb as close as possible to the location which it is intended to serve and in no case shall it be further than three hundred (300) feet (91.4 m) from the location which it is intended to serve;

(iii) each reserved parking space shall be located as close as possible to the location it is intended to serve; and

(iv) each reserved parking space shall be clearly identified by a ground sign.

4.25 STANDARDS FOR PARKING LOTS

Where a parking lot for more than four (4) vehicles is required or permitted, the following shall apply:

(a) 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;

(b) 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 (3.1 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)**; and**

(c) the lot shall be within 300 feet (91.4 metres) of the location which it is intended to serve and shall be situated in the same zone. (HEMDCC-Jul 23/15;E-Aug 8/15)

4.26 COMPOSTING OPERATIONS (MC-Feb 26/96;E-Mar 28/96)

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;

(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 (R-1, R-1A, R-B, R-BA, R-2, R-A, and R-3 Zones).

4.27 SCHEDULE B - 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 B 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 Heritage, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

4.28 SCHEDULE C - 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 C 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.

4.29 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 A-1 - 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 (RC-Dec 11/25;E-Feb 2/26) 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.

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 and,**
- **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 Districts 8 & 9 Land Use By-law:

- **i) RPK (Regional Park) Zone;**
- **ii) PA (Protected Area) 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 A-1 – Wind Energy Zoning

4.30 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.

4.31 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).

4.32 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 shall be provided for each bedroom to be rented.**

c) **Notwithstanding a) and b) above, one dwelling unit per lot may be used as a short-term rental, provided all other requirements of the Land Use By-law are met. (RC-Dec 11/25;E-Feb 2/26)**

4.33 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 Nova Scotia Department of Transportation, the more stringent regulations shall apply.
(b) No sign shall be erected unless all the sign provisions of this By-law are satisfied.
(c) For the purposes of this Part, the area of a sign shall be considered to be the area of the smallest rectangle, triangle or circle which can circumscribe the face of the sign and, in the case of signs having more than one face, shall be the total area of all faces.

5.1A TEMPORARY SIGNAGE (RC-Sep 26/06;E-Nov 18/06)

(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.

5.2 SAFETY

Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed in conformity with the Building Code Act Regulations and any fire prevention and electrical codes.

5.3 SIGNS PERMITTED IN RESIDENTIAL ZONES

The following signs shall be permitted in any R-1, R-1A, R-2, R-3, R-6, R-B, or R-BA Zones:

(a) Any sign which has an area of no more than four (4) square feet (0.4 m) 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 (0.2 m') and which regulates the use of property, such as No Trespassing signs;
(c) Any real estate sign which has an area of no more than eight (8) square feet (0.7 m);
(d) Any sign which has an area of no more than five (5) square feet (0.5 m) 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 such as 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; and
(h) Any memorial sign, plaque or tablet.

5.4 COMMERCIAL SIGN RESTRICTION

Where uses are permitted as commercial, industrial or resource uses in any R-6 or C-l Zone, the following shall apply:

(a) there shall be no more than three (3) signs advertising any commercial, industrial or resource uses or products on any lot; and
(b) the area of any sign shall not be more than one hundred (100) square feet (9.3 m^2).

5.5 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 or health;
(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 street or highway;
(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 advertises a bona fide business which no longer conducts business, or sells a product. Such signs are deemed to be obsolete 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;
(g) Any sign painted on a tree, stone, cliff or other natural object; and
(h) Any sign which incorporates any flashing or any sign which has any visible moving part or mechanical movement whether achieved by natural or artificial means or any searchlight, except for any such sign erected in any RE Zone.

5.6 PROJECTING SIGNS

Where a projecting sign is permitted in any R-1, R-1A, R-2, R-3, R-6, R-B, R-BA, C-l and C-2 Zone, no projecting sign shall:

(a) project over a public right of way or lot line;
(b) be erected below a height of ten (10) feet (3.1 m); or
(c) be permitted to swing freely on its supports.

5.7 GROUND SIGNS

Where a ground sign is permitted in any R-1, R-1A, R-2, R-3, R-6, R-B, R-BA, C-1 and C-2 Zone, no ground sign shall:

(a) extend beyond a property line or project over a public right-of-way or lot line; or
(b) be less than ten (10) feet (3.1 m) from any street line or one (1) foot (0.3 m) from any abutting lot line.

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:

Residential Uses
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)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

Community Uses
Open space uses; and
Shared housing with special care (RC-Aug 9/22;E-Sep 15/22)

6.2 R-1 ZONE REQUIREMENTS: RESIDENTIAL USES

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

Minimum Lot Area	20,000 square feet (1858.1 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)

6.3 OTHER REQUIREMENTS: BUSINESS USES

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

(a) Any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than twenty-five (25) per cent of the combined gross floor area of any dwelling and accessory building shall be devoted to any business use;
(c) No obnoxious uses shall be permitted;
(d) No permanent open storage or outdoor display shall be permitted;
(e) No more than one (1) sign shall be permitted for any business and no such sign shall exceed four (4) square feet (0.4 m^2) in area; and
(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 (13.9 m^2) of gross floor area devoted to any business.

6.4 OTHER REQUIREMENTS: DAY CARE FACILITIES

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

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;
(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed four (4) square feet (0.4 m^2) in area; and
(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

6.5 R-1 ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE (RC-Aug 9/22;E-Sep 15/22)**

In any R-1 Zone, where **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m^2) and 10,000 square feet (929.0 m^2) for each **bedroom (RC-Aug 9/22;E-Sep 15/22)** in excess of three (3)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	½ height of the main building
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

6.6 R-1 ZONE REQUIREMENTS: OPEN SPACE USES

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

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

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;
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 fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

Community Uses
Open space uses; and
Shared housing with special care (RC-Aug 9/22;E-Sep 15/22)

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	20,000 square feet (1858.1 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)

7.3 OTHER REQUIREMENTS: AUXILIARY DWELLING UNITS

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

(a) no more than forty-five (45) per cent of the gross floor area of any dwelling shall be devoted to an auxiliary dwelling unit;
(b) there shall be unrestricted access between the dwelling units; and
(c) one (1) off-street parking space shall be provided for any auxiliary dwelling unit.

7.4 OTHER REQUIREMENTS: BUSINESS USES

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

(a) Any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than twenty-five (25) per cent of the combined gross floor area of any

dwelling and accessory building shall be devoted to any business use;

(c) No obnoxious uses shall be permitted;

(d) No permanent open storage or outdoor display shall be permitted;

(e) No more than one (1) sign shall be permitted for any business and no such sign shall exceed four (4) square feet (0.4 m^2) in area; and

(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 (13.9 m^2) of floor area devoted to any business.

7.5 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R1-A Zone, the following shall apply:

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;

(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed four (4) square feet (0.4 m^2) in area; and

(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

7.6 R-1A ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE (RC-Aug 9/22;E-Sep 15/22)**

In any R-1A Zone, where **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m_2) and 10,000 square feet (929.0 m^2) for each **bedroom (RC-Aug 9/22;E-Sep 15/22)** in excess of three (3)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	½ height of the main building
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

7.7 R-1A ZONE REQUIREMENTS: OPEN SPACE USES

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

Minimum Frontage or Flankage Yard	30 feet (9.l m)
Minimum Rear or Side Yard	30 feet (9.1 m)

PART 8: R-B (RESIDENTIAL B) ZONE

8.1 R-B USES PERMITTED

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

Residential Uses
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)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

Community Uses
Open space uses; and
Shared housing with special care (RC-Aug 9/22;E-Sep 15/22)

8.2 R-B ZONE REQUIREMENTS: RESIDENTIAL USES

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

Minimum Lot Area	20,000 square feet (1858.1 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)

8.3 OTHER REQUIREMENTS: RESIDENTIAL USES

Where residential uses or **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** are permitted in any R-B Zone abutting any RE (Rural Enterprise) Zone, MR (Mixed Resource) Zone, or I-2 (Salvage Yard) Zone, no dwelling or **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** shall be located less than:

(a) Twenty (20) feet (6.1 m) from any RE, MR, or I-2 Zone;
(b) Fifty (50) feet (15.1 m) from any sawmill or other woodworking mill having a gross floor area of less than one thousand (1,000) square feet (92.9 m^2);
(c) One hundred (100) feet (30.5 m) from any building or structure having a gross floor area of one hundred (100) square feet (9.3 m^2) or more that shelters animals;
(d) One hundred and fifty (150) feet (45.7 m) from any sawmill or other woodworking mill having a gross floor area of one thousand (1,000) square feet (92.9 m^2) or more;
(e) One hundred and fifty (150) feet (45.7 m) from any commercial or industrial use covering more than fifty (50) per cent of the lot area; and
(f) Three hundred (300) feet (91.4 m) from any intensive agricultural use, fish processing plant, pulp mill or extractive facility.

8.4 OTHER REQUIREMENTS: BUSINESS USES

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

(a) Any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than twenty-five (25) per cent of the combined gross floor area of any dwelling and accessory building shall be devoted to any business use;
(c) No obnoxious uses shall be permitted;
(d) No permanent open storage or outdoor display shall be permitted;
(e) No more than one (1) sign shall be permitted for any business and no such sign shall exceed four (4) square feet (0.4 m^2) in area; and
(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 (13.9 m) of floor area devoted to any business.

8.5 OTHER REQUIREMENTS: DAY CARE FACILITIES

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

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;
(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed four (4) square feet (0.4 m^2) in area; and
(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

8.6 R-B ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE (RC-Aug 9/22;E-Sep 15/22)**

In any R-B Zone, where senior citizen housing is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m^2) and 10,000 square feet (929.0 m^2) for each **bedroom (RC-Aug 9/22;E-Sep 15/22)** in excess of three (3)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	½ height of the main building
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

8.7 R-B ZONE REQUIREMENTS: OPEN SPACE USES

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

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

8.8 FRONTAGE ON A STREET

No development permit shall be issued in an R-B 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 9: R-BA (AUXILIARY DWELLING UNIT) ZONE

9.1 R-BA USES PERMITTED

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

Residential Uses
Single unit dwellings;
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 fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.
Existing aqua farm operations (MDVCCC-Jul 19/00;E-Aug 6/00)

Community Uses
Open space uses; and
Shared housing with special care (RC-Aug 9/22;E-Sep 15/22)

9.2 R-BA ZONE REQUIREMENTS: RESIDENTIAL USES

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

Minimum Lot Area	20,000 square feet (1858.1 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: RESIDENTIAL USES

Where residential uses or **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** are permitted in any R-BA Zone abutting any RE (Rural Enterprise) Zone, MR (Mixed Resource) Zone, or I-2 (Salvage Yard) Zone, no dwelling or **or shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** shall be located less than:

(a) Twenty (20) feet (6.1 m) from any RE, MR, or I-2 Zone;
(b) Fifty (50) feet (15.1 m) from any sawmill or other woodworking mill having a gross floor area of less than one thousand (1,000) square feet (92.9 m^2);
(c) One hundred (100) feet (30.5m) from any building or structure having a gross floor area of one hundred (100) square (9.3 m^2) or more that shelters animals.
(d) One hundred and fifty (150) feet (45.7 m) from any sawmill or other woodworking mill having a gross floor area of one thousand (1,000) square feet (92.9 m^2) or more;
(e) One hundred and fifty (150) feet (45.7 m) from any commercial or industrial use

covering more than fifty (50) per cent of the lot area; and

(f) Three hundred (300) feet (91.4 m) from any intensive agricultural use, fish processing plant, pulp mill or extractive facility.

9.4 OTHER REQUIREMENTS: AUXILIARY DWELLING UNITS

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

(a) no more than thirty-five (35) per cent of the gross floor area of any dwelling shall be devoted to an auxiliary dwelling unit;
(b) there shall be unrestricted access between the dwelling units; and
(c) one (1) off-street parking space shall be provided for any auxiliary dwelling unit.

9.5 OTHER REQUIREMENTS: BUSINESS USES

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

(a) Any dwelling which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than twenty-five (25) per cent of the combined gross floor area of any dwelling and accessory building shall be devoted to any business use;
(c) No obnoxious uses shall be permitted;
(d) No permanent open storage or outdoor display shall be permitted;
(e) No more than one (1) sign shall be permitted for any business and no such sign shall exceed four 4) square feet (0.4 m^2) in area; and
(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 (13.9 m) of floor area devoted to any business.

9.6 OTHER REQUIREMENTS: DAY CARE FACILITIES

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

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;
(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed four (4) square feet (0.4 m^2) in area; and
(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

9.7 R-BA ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE (RC-Aug 9/22;E-Sep 15/22)**

In any R-BA Zone, where **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m^2) and 10,000 square feet (929.0 m^2) for each **bedroom**

	(RC-Aug 9/22; E-Sep 15/22) in excess of three (3)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	½ height of the main building
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

9.8 R-BA ZONE REQUIREMENTS: OPEN SPACE USES

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

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

9.9 FRONTAGE ON A STREET

No development permit shall be issued in an R-BA 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.

9.10 EXISTING AQUA FARM OPERATIONS (MDVCCC-Jul 19/00;E-Aug 6/00)

(g) Notwithstanding Section 2.20 and 4.10, "Existing" means that the use was lawfully permitted on the lot prior to the date of the first publication of the notice of intention to rezone the lot to the R-BA Zone.

(h) Where existing aqua farm operations are permitted within the R-BA Zone the following shall apply:

Minimum Lot Area	**20,000 square feet (1858.1 m^2)**
Minimum Frontage	**100 feet (30.5 m)**
Minimum Front or Flankage Yard	**30 feet (6.1 m)**
Minimum Rear or Side Yard	**10 feet (2.4 m)**
Maximum Lot Coverage	**35 per cent**
Maximum Height of Main Building	**35 feet (10.7 m)**

(i) Further to Subsection 9.10(b), an aqua farm operation shall conform to the requirements of Section 14.6 and Section 14.7, as applicable.

PART 10: R-2 (TWO UNIT DWELLING) ZONE

10.1 R-2 USES PERMITTED

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

Residential Uses
Two unit dwellings;
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)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

Community Uses
Open space uses; and
Shared housing with special care (RC-Aug 9/22;E-Sep 15/22)

10.2 R-2 ZONE REQUIREMENTS

In any R-2 Zone where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m^2)
Minimum Frontage	100 feet (30.5 m)
Maximum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Minimum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

10.3 OTHER REQUIREMENTS: BUSINESS USES

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

(a) Any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than twenty-five (25) per cent of the gross floor area of any dwelling and accessory building shall be devoted to any business use;
(c) No obnoxious uses shall be permitted;
(d) No permanent open storage or outdoor display shall be permitted;
(e) No more than one (1) sign shall be permitted for any business and no such sign shall exceed four (4) square feet (0.4 m^2) in area; and
(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 (13.9 m') of floor area devoted to any business.

10.4 OTHER REQUIREMENTS: DAY CARE FACILITIES

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

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;
(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed four (4) square feet (0.4 m^2) in area; and
(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

10.5 R-2 ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE (RC-Aug 9/22;E-Sep 15/22)**

In any R-2 Zone where senior citizen housing is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m^2) and 10,000 square feet (929.0 m^2) for each **bedroom (RC – Aug 9/22;E-Sep 15/22)** in excess of three (3)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	½ height of the main building
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

10.6 OTHER REQUIREMENTS: CONVERSION OF DWELLING

Notwithstanding Section 10.2, where a single unit dwelling is converted to a two unit dwelling, the minimum lot area may not be less than twenty thousand (20,000) square feet (1858.1 m^2).

10.7 R-2 ZONE REQUIREMENTS: OPEN SPACE USES

In any R-2 Zone where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the following:

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

PART 11: R-A (RESIDENTIAL A) ZONE

11.1 R-A USES PERMITTED

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

Residential Uses
Single unit dwellings;
Two unit dwellings;
Shared housing use; (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

Resource Uses
Agricultural uses;
Fishery uses except fish and fish waste processing plants; and
Forestry uses except sawmills and other woodworking mills over one thousand (1,000) square feet (92.9 m^2) of gross floor area.

Community Uses
Open space uses; and
Institutional uses.

11.2 R-A ZONE REQUIREMENTS: RESIDENTIAL AND INSTITUTIONAL USES

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

Minimum Lot Area	20,000 square feet (1858.1 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear Yard or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

11.3 OTHER REQUIREMENTS: RESIDENTIAL USES

Where residential uses are permitted in any R-A Zone abutting any RE (Rural Enterprise) Zone, MR (Mixed Resource) Zone, or I-2 (Salvage Yard) Zone no dwelling shall be located less than:

(a) Twenty (20) feet (6.1 m) from any RE, MR, or I-2 Zone;
(b) Fifty (50) feet (15.1 m) from any sawmill or other woodworking mill having a gross floor area of less than one thousand (1,000) square feet (92.9 m^2);
(c) One hundred (100) feet (30.5 m) from any building or structure having a gross floor area of more than one hundred (100) square feet (9.3 m^2) that shelters animals;

(d) One hundred and fifty (150) feet (45.7 m) fran any sawmill or other woodworking mill having a gross floor area of one thousand (1,000) square feet (92.9 m^2) or more;
(e) One hundred and fifty (150) feet (45.7 m) from any commercial or industrial use covering more than fifty (50) per cent of the lot area; and
(f) Three hundred (300) feet (91.4 m) from any intensive agricultural use, fish processing plant, pulp mill or extractive facility.

11.4 OTHER REQUIREMENTS: BUSINESS USES

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

(a) Any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than fifty (50) per cent of the combined gross floor area of any dwelling and accessory structures shall be devoted to any business use;
(c) No obnoxious use shall be permitted;
(d) No permanent open storage or outdoor display shall be permitted.
(e) No more than (1) sign shall be permitted for any business and no such sign shall exceed eight (8) square feet (0.7 m^2) in area; and
(f) One (1) off-street parking space, other than that required for the dwelling, shall be provided for every two hundred and fifty (250) square feet (23.2 m^2) of floor area devoted to any business.

11.5 OTHER REQUIREMENTS: DAY CARE FACILITIES

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

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;
(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed eight (8) square feet (0.7 m^2) in area; and
(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

11.6 R-A ZONE REQUIREMENTS: SENIOR CITIZEN HOUSING (Deleted: RC-Aug 9/22;E-Sep 15/22)

11.7 R-A ZONE REQUIREMENTS: AGRICULTURAL AND FORESTRY USES

In any R-A Zone where buildings or structures except greenhouses and smokehouses are permitted as agricultural and forestry uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	2 acres (0.8 ha)
Minimum Lot Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear Yard or Side Yard	50 feet (15.2 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

11.8 OTHER REQUIREMENTS: AGRICULTURAL AND FORESTRY USES

Where agricultural and forestry uses except greenhouses and smokehouses are permitted in any R-A Zone, the following shall apply:

(a) No building or other structure intended for the sheltering of animals and no sawmill or other woodworking mill shall be located less than:
   (i) one hundred (100) feet (30.5 m) from any dwelling except a dwelling located on the same lot; and
   (ii) three hundred (300) feet (91.4 m) from any watercourse or well except a well located on the same lot.

(b) Notwithstanding Section 11.8(a)(ii) above, where a proposed sawmill or other woodworking mill on an existing lot cannot meet the separation requirements, the minimum separation distance may be less than three hundred (300) feet (91.4 m) but shall not be less than one hundred and fifty (150) feet (45.7 m).

11.9 R-A ZONE REQUIREMENTS: OPEN SPACE USES

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

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

PART 12: R-3 (MOBILE DWELLING SUBDIVISION) ZONE

12.1 R-3 USES PERMITTED

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

Residential Uses
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)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

Community Uses
Open space uses; and
Shared housing with special care (RC-Aug 9/22;E-Sep 15/22)

12.2 R-3 ZONE REQUIREMENTS: RESIDENTIAL USES

In any R-3 Zone where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	20,000 square feet (1858.1 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)

12.3 OTHER REQUIREMENTS: BUSINESS USES

Where business uses are permitted in any R-3 Zone, the following shall apply:

(a) Any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than twenty five (25) per cent of the gross floor area of any dwelling and accessory building shall be devoted to any business use;
(c) No obnoxious uses shall be permitted;
(d) No permanent open storage or outdoor display shall be permitted;
(e) No more than one (1) sign shall be permitted for any business and no such sign shall exceed four (4) square feet (0.4 m^2) in area; and
(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 (13.9 m^2) of floor area devoted to any business.

12.4 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any R-3 Zone, the following shall apply:

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;

(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed four (4) square feet (0.4 m^2) in area; and

(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

12.5 R-3 ZONE REQUIREMENTS: **SHARED HOUSING WITH SPECIAL CARE (RC-Aug 9/22;E-Sep 15/22)**

In any R-3 Zone where **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** is permitted, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	30,000 square feet (2787.1 m^2) and 10,000 square feet (929.0 m^2) for each **bedroom (RC-Aug 9/22;E-Sep 15/22)** in excess of three (3)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	½ height of the main building
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

12.6 R-3 ZONE REQUIREMENTS: OPEN SPACE USES

In any R-3 Zone where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the following:

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

PART 13: R-6 (RURAL RESIDENTIAL) ZONE

13.1 R-6 USES PERMITTED

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

Residential Uses
Single unit dwellings;
Two unit dwellings;
Shared housing use; (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

Resource Uses
Agricultural uses;
Fishery uses except fish and fish waste processing plants; and
Forestry uses except sawmills and other woodworking mills over one thousand (1,000) square feet (92.9 m^2) of gross floor area.

Community Uses
Open space uses

13.2 R-6 ZONE REQUIREMENTS: RESIDENTIAL USES

In any R-6 Zone where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	50,000 square feet (4645.2 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear Yard or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

13.3 OTHER REQUIREMENTS: BUSINESS USES

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

(a) Any dwelling which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than fifty (50) per cent of the combined gross floor area of any dwelling and accessory structures shall be devoted to any business use;
(c) No obnoxious uses shall be permitted;
(d) No more than (1) sign shall be permitted for any business and no such sign shall exceed eight (8) square feet (0.7 m^2) in area; and
(e) One (l) off-street parking space, other than that required for the dwelling, shall be provided for every two hundred and fifty (250) square feet (23.2 m^2) of floor area

devoted to any business.

13.4 OTHER REQUIREMENTS: DAY CARE FACILITIES

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

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility;
(b) no more than one (1) sign shall be permitted for any facility and no sign shall exceed eight (8) square feet (0.7 m^2) in area; and
(c) 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 (13.9 m^2) of gross floor area devoted to any facility.

13.5 R-6 ZONE REQUIREMENTS: SENIOR CITIZEN HOUSING (Deleted: RC-Aug 9/22;E-Sep 15/22)

13.6 R-6 ZONE REQUIREMENTS: AGRICULTURAL AND FORESTRY USES

In any R-6 Zone where buildings or structures except greenhouses and smokehouses are permitted as agricultural and forestry uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	3 acres (1.2 ha)
Minimum Lot Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear Yard or Side Yard	50 feet (15.2 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

13.7 OTHER REQUIREMENTS: AGRICULTURAL AND FORESTRY USES

Where agricultural and forestry uses except greenhouses and smokehouses are permitted in any R-6 Zone, the following shall apply:

(a) No building or other structure intended for the sheltering of animals and no sawmill or other woodworking mill shall be located less than:
  (i) one hundred (100) feet (30.5 m) from any dwelling except a dwelling located on the same lot; and
  (ii) three hundred (300) feet (91.4 m) from any watercourse or well except a well located on the same lot.
(b) Notwithstanding Section 13.7(a)(ii) above, where a proposed sawmill or other woodworking mill on an existing lot cannot meet the separation requirements, the minimum separation distance may be less than three hundred (300) feet (91.4 m) but shall not be less than one hundred and fifty (150) feet (45.7 m).

13.8 R-6 ZONE REQUIREMENTS: OPEN SPACE USES

In any R-6 Zone where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the following:

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

PART 14: RE (RURAL ENTERPRISE) ZONE

14.1 RE USES PERMITTED

A development permit shall be issued for all uses in an RE (Rural Enterprise) Zone except for the following:

Fish waste processing plants;
Salvage Yards;
Adult entertainment uses;
Beverage rooms and lounges over one thousand and five hundred (1,500) sq. ft. (139.4 m^2); Mobile home parks; and
Any industrial or commercial use which is obnoxious
Composting operations (refer to Section 4.26) (MC-Feb 26/96;Minister-Mar 28/96)
C&D Materials Transfer Stations, C&D Materials Processing Facilities and C&D Materials Disposal Sites (RC-Sep 10/02;E-Nov 9/02)

14.2 RE ZONE REQUIREMENTS: RESIDENTIAL USES

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

Minimum Lot Area	20,000 square feet (1858.1 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 RE ZONE REQUIREMENTS: MULTI-UNIT DWELLINGS

In any RE Zone, where multi-unit dwellings are permitted, no development permit shall be issued except in conformity with the following:

Minimum lot area	30,000 sq.ft. (2,787.1 m^2) and 10,000 sq.ft. (929.0 m^2) for each unit in excess of three (3)
Minimum frontage	100 ft. (30.5 m)
Minimum front or flankage yard	30 ft. (9.1 m)
Minimum rear or side yard	½ height of the main building
Maximum lot coverage	35 per cent
Maximum height of main building	**35 ft**. (10.7 m) **(RC-Dec 14/21;E-Feb 05/22)**
Maximum height of Multiple Unit Dwelling with more than 4 units	**3 Storeys (RC-Dec 11/25;E-Feb 2/26)**

14.4 RE ZONE REQUIREMENTS: FISH AND BOAT SHEDS

Notwithstanding the provisions of Section 14.2, in any RE Zone where any fish and boat shed is permitted, no development permit shall be issued except in conformity with the

following:

Minimum Front or Side Yard	4 feet (1.2 m)
Maximum Lot Coverage	50 per cent
Maximum Height of Building	25 feet (7.6 m)

14.5 RE ZONE REQUIREMENTS: OTHER USES

In any RE Zone where uses are permitted other than Residential Uses and Fish and Boat Sheds, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	20,000 square feet (1858.1 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	**10 feet (3.1 m) (C-Sep 23/90;E-Oct 20/90)**
Maximum Lot Coverage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14.6 OTHER REQUIREMENTS: COMMERCIAL AND INDUSTRIAL USES

(a) Where any portion of any lot in any RE Zone is to be used for commercial or industrial uses, no parking and open storage or outdoor display or sign shall be permitted within any side or rear yard where such yard abuts any lot containing a dwelling or any residential zone, except where a fence or other visual and physical barrier is provided within the abutting yard;

(b) Notwithstanding Section 14.6(a) above, where the abutting property is under the same ownership, no fence or other visual and physical barrier shall be required within the abutting yard.

14.7 OTHER REQUIREMENTS: NON-RESIDENTIAL USES

Where non-residential uses are permitted in any RE Zone, the following shall apply:

(a) Minimum separation distances shall be as follows:

USE	DISTANCE IN FEET (METRES)				
	From any lot line	From any dwelling except a dwelling located on the same lot	From any residential zone	From any watercourse	From any well except a well located on the same lot
Buildings and structures sheltering animals	20 (6.1)	50 (15.1)	50 (15.1)	100 (30.5)	100. (30.5)
Intensive agricultural uses	300 (91.4)	300 (91.4)	300 (91.4)	300 (91.4)	300 (91.4)

Sawmills and other woodworking mills under 1,000 sq.ft. (92.9 m^2) gross floor area	20 (6.1)	50 (15.1)	50 (15.1)	300 (91.4)	300 (91.4)
Sawmills and other woodworking mills 1,000 sq.ft. (92.9 m^2) and over gross floor area	50 (15.2)	150 (45.7)	150 (45.7)	300 (91.4)	300 (91.4)
Extractive facilities	100 (30.5)	300 (91.4)	300 (91.4)	300 (91.4)	300 (91.4)
Fish processing plants 1,000 sq.ft. (92.9 m^2) and over gross floor area	50 (15.1)	300 (91.4)	300 (91.4)	0 (0.0)	50 (15.1)
Commercial and industrial buildings and structures 2,000 sq.ft. (185.8 m^2) and over gross floor area	**15 (4.6)**	20 (6.1)	20 (6.1)	25 (7.5)	25 (7.5)
Outdoor commercial recreation uses Entertainment uses and kennels	20 (6.1)	50 (15.2)	50 (15.2)	100 (30.5)	100 (30.5)

(C-Sep 24/90;E-Oct 20/90)

(b) Notwithstanding the provisions of Section 14.7(a) above, where a sawmill or other woodworking mill on an existing lot cannot meet the separation requirement from a watercourse, the minimum separation distance may be less than three hundred (300) feet (91.4 m) but shall not be less than one hundred and fifty (150) feet (45.7 m); and

(c) Notwithstanding Section 14.7(a) above, fish and boat sheds, marinas, or any building or structures related to the fishery or to boat building or repair may be located within the required separation distance from a watercourse.

14.8 OTHER REQUIREMENTS: SERVICE STATIONS

Notwithstanding the provisions of Section 14.5, where any service station is erected in any RE Zone, the following shall apply:

(a) The minimum lot area shall be 30,000 square feet (2787.1 m^2) and the minimum frontage shall be 200 feet (61.0 m);

(b) No portion of any pump island shall be located closer than twenty (20) feet (6.1 m) from any street line.

(c) The minimum distance between ramps or driveways shall not be less than thirty (30) feet (9.1 m).

(d) The minimum distance from a ramp or driveway to a road intersection shall be fifty (50) feet (15 m).

(e) The minimum angle of intersection of a ramp to a road line shall not be less than forty-five (45) degrees.

(f) 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).

14.9 OTHER REQUIREMENTS: SECOND DWELLING ON A LOT

In addition to the requirements of Section 4.6(b), where a second dwelling is erected on a lot in any RE Zone, the second dwelling and any accessory buildings shall be located on the lot in accordance with all the applicable requirements of this by-law, and a plot plan, certified by a Nova Scotia Land Surveyor, shall be submitted before a Development Permit is issued.

14.10 RE ZONE REQUIREMENTS: OPEN SPACE USES

In any RE Zone where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the following:

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

14.11 OTHER REQUIREMENTS: RECYCLING DEPOTS (C-Jul 9/90;E-Aug 4/90)

In any RE Zone, where recycling depots are permitted, no open storage related to the operation of a recycling depot shall be permitted.

14.12 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 14.5 and 14.6.

(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.

14.13 OTHER REQUIREMENTS: PID 40302507 (RC-Dec 14/21;E-Feb 05/22)

(a) Notwithstanding the minimum lot area requirement in Section 14.3, a development permit may be issued for a multi-unit dwelling on PID 40302507.

(b) Notwithstanding Section 4.24, a minimum of 10 parking spaces in total are required on PID 40302507 for a multiple unit dwelling use and a boarding and rooming house use.

(c) Notwithstanding Sections 4.6 and 14.9, two dwellings are permitted on PID 40302507.

PART 15: MR (MIXED RESOURCE) ZONE

15.1 MR USES PERMITTED

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

Residential Uses
Single unit dwellings;
Two unit dwellings;
Shared housing use; (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses in conjunction with permitted dwellings.

Resource Uses
Agricultural uses;
Intensive agricultural uses;
Fishing Uses;
Forestry uses; and
Extractive facilities
Composting operations (refer to Section 4.26) (MC-Feb 26/96;E-Mar 28/96)

Commercial Uses
Hunting and fishing lodges;
Riding arenas; and
Kennels

Industrial Uses
Telecommunication transmission uses.

Community Uses
Open space uses.

Other Uses (RC-Sep 18/18;E-Nov 3/18)
Cannabis production facilities

15.2 MR ZONE REQUIREMENTS: RESIDENTIAL USES

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

Minimum Lot Area	20,000 square feet (1858.1 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)

15.3 MR ZONE REQUIREMENTS: COMMERCIAL, RESOURCE AND INDUSTRIAL USES

In any MR Zone, where uses are permitted as Commercial, Resource, and Industrial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	20,000 square feet (1858.1 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)

15.4 MR ZONE REQUIREMENTS: FISH AND BOAT SHEDS

Notwithstanding the provisions of Section 15.3, in any MR Zone where any fish and boat shed is permitted, no development permit shall be issued except in conformity with the following:

Minimum Front or Side Yard	4 feet (1.2 m)
Maximum Lot Coverage	50 per cent
Maximum Height of Building	25 feet (7.6 m)

15.5 OTHER REQUIREMENTS: BUSINESS USES

Where business uses are permitted in any MR Zone, the following shall apply:

(a) Any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than fifty (50) per cent of the combined gross floor area of any dwelling and accessory structures shall be devoted to any business use; and
(c) One (1) off-street parking space, other than that required for the dwelling, shall be provided for every two hundred and fifty (250) square feet (23.2 m^2) of floor area devoted to any business.

15.6 OTHER REQUIREMENTS: DAY CARE FACILITIES

Where day care facilities are permitted in any MR Zone, the following shall apply:

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility; and
(b) 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 (13.9 m^2) of gross floor area devoted to any facility.

15.7 OTHER REQUIREMENTS: NON-RESIDENTIAL USES

Where non-residential uses are permitted in any MR Zone, the following shall apply:

(a) Minimum separation distances shall be as follows;

USE	DISTANCE IN FEET (METRES)				
	From any lot line	From any dwelling except a dwelling located on the same lot	From any residential zone	From any watercourse	From any well except a well located on the same lot
Buildings and structures sheltering animals	20 (6.1)	50 (15.1)	50 (15.1)	100 (30.5)	100. (30.5)
Intensive agricultural uses	300 (91.4)	300 (91.4)	300 (91.4)	300 (91.4)	300 (91.4)
Sawmills and other woodworking mills under 1,000 sq.ft. (92.9 m^2) gross floor area	20 (6.1)	50 (15.1)	50 (15.1)	300 (91.4)	300 (91.4)
Sawmills and other woodworking mills 1,000 sq.ft. (92.9 m^2) and over gross floor area	50 (15.2)	150 (45.7)	150 (45.7)	300 (91.4)	300 (91.4)
Extractive facilities	100 (30.5)	300 (91.4)	300 (91.4)	300 (91.4)	300 (91.4)
Fish processing plants 1,000 sq.ft. (92.9 m^2) and over gross floor area	50 (15.1)	300 (91.4)	300 (91.4)	0 (0.0)	50 (15.1)
Commercial and industrial buildings and structures 2,000 sq.ft. (185.8 m^2) and over gross floor area	10 (3.1)	20 (6.1)	20 (6.1)	25 (7.5)	25 (7.5)
Outdoor commercial recreation uses	20 (6.1)	50 (15.2)	50 (15.2)	100 (30.5)	100 (30.5)

(b) Notwithstanding the provisions of Section 15.7(a) above, where a sawmill or other woodworking mill on an existing lot cannot meet the separation requirement from a watercourse, the minimum separation distance may be less than three hundred (300) feet (91.4 m) but shall not be less than one hundred and fifty (150) feet (45.7 m); and

(c) Notwithstanding Section 15.7(a) above, fish and boat sheds or any building or structure related to the fishery may be located within the required separation distance from a watercourse.

15.8 OTHER REQUIREMENTS: SECOND DWELLING ON A LOT

In addition to the requirements of Section 4.5(b), where a second dwelling is erected on a lot in any MR Zone, the second dwelling and any accessory buildings shall be located on the lot in accordance with all applicable provisions of this By-law, and a plot plan, certified

by a Nova Scotia Land Surveyor shall be submitted before a Development Permit is issued.

15.9 OTHER REQUIREMENTS: COMMERCIAL USES

(a) Where any portion of any lot in any MR Zone is to be used for commercial uses, no parking and open storage or outdoor display or signs shall be permitted within any side or rear yard where such yard abuts any lot containing a dwelling or any residential zone, except where a fence or other visual and physical barrier is provided within the abutting yard.

(b) Notwithstanding Section 15.9(a) above, where the abutting property is under the same ownership, no fence or other visual and physical barrier is required in the abutting yard.

15.10 ZONE REQUIREMENTS: OPEN SPACE USES

In any MR Zone where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the following:

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

15.11 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 15.3.

(b) A cannabis production facility shall not exceed 5,000 square feet (464.5 square metres) in gross floor area.

(c) 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 16: C-1 (COMMUNITY COMMERCIAL) ZONE

16.1 C-1 USES PERMITTED

No development permit shall be issued in any C-1 (Community Commercial) Zone except for the following:

Commercial Uses
Retail stores;
Rental outlets;
Service and personal service shops;
Banks and financial institutions;
Offices;
Restaurants;
Athletic and health clubs;
Outdoor display courts;
Funeral establishments;
Service stations;
Taxi and bus depots;
Greenhouses and nurseries;
Veterinary hospitals and indoor kennels; and
Recycling Depots (C-Jul 9/90;E-Aug 4/90)

Industrial Service Uses
Service industry uses;
Vehicle repair and body shops;
Trucking, excavation, landscaping and paving services;
Welding, plumbing and heating, electrical, carpentry and other trade contracting services and shops;
Cement works services and manufacturing; and
General contracting, storage yards and services

Community Uses
Open space uses;
Institutional uses; and
Recreation uses.

Residential Uses
Single unit dwellings;
Two unit dwellings;
Single dwelling units in conjunction with permitted commercial, industrial or institutional uses;
Shared housing use; (RC-Aug 9/22;E-Sep 15/22)
Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings; and
Business uses except kennels in conjunction with permitted dwellings.

16.2 C-1 ZONE REQUIREMENTS: COMMERCIAL, INDUSTRIAL SERVICE AND INSTITUTIONAL USES

In any C-1 Zone, where uses are permitted as Commercial, Industrial service or Institutional Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	20,000 square feet (1858.1 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	20 feet (6.1 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

16.3 OTHER REQUIREMENTS: COMMERCIAL AND INDUSTRIAL SERVICE USES

Where uses are permitted as Commercial or Industrial Service Uses in any C-l Zone, the following shall apply:

(a) No more than two thousand square feet (185.8 m^2) of any main building shall be devoted to any commercial or industrial service use;
(b) No building or structure shall be located more than two hundred (200) feet (61.0 m) from the front lot line;
(c) No building or structure shall be located less than twenty-five (25) feet (7.5 m) from any watercourse;
(d) No portion of any lot shall be used for the collection and storage of refuse unless the refuse containers are screened from public view; and
(e) Access to a lot shall only be from Highway No. 7, Mineville Road, Bell Street and Old Lake Echo Road except where access is not permitted by the provincial Department of Transportation, and shall be by either a two lane driveway or separate entrance and exit driveways.

16.4 C-l ZONE REQUIREMENTS: SENIOR CITIZEN HOUSING (Deleted: RC-Aug 9/22;E-Sep 15/22)

16.5 OTHER REQUIREMENTS: INSTITUTIONAL AND RECREATION USES

Where uses are permitted as Institutional Uses and Recreation Uses in any C-1 Zone the following shall apply:

(a) No main building or accessory building shall be located more than two hundred (200) feet (61.0 m) from the front lot line; and
(b) Access to a lot shall only be from Highway No. 7, Mineville Road, Bell Street and Old Lake Echo Road except where access is not granted by the provincial Department of Transportation and shall be by either a two lane driveway or separate entrance and exit driveways.

16.6 OTHER REQUIREMENTS: SERVICE STATIONS

Notwithstanding the provisions of Section 16.2, where any service station is erected in any

C-1 Zone, the following shall apply:

(a) The minimum lot area shall be 30,000 square feet (2787.1 m^2) and the minimum frontage shall be 200 feet (61.0 m);
(b) No portion of any pump island shall be located closer than twenty (20) feet (6.1 m) from any street line;
(c) The minimum distance between ramps or driveways shall not be less than thirty (30) feet (9.1 m);
(d) The minimum distance from a ramp or driveway to a road intersection shall be fifty (50) feet (15.2 m);
(e) The minimum angle of intersection of a ramp to a road line shall not be less than forty-five (45) degrees; and
(f) 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).

16.7 OTHER REQUIREMENTS: OPEN STORAGE AND OUTDOOR DISPLAY

Where any portion of any lot in any C-1 Zone is to be used for open storage or outdoor display, the following shall apply:

(a) Any area devoted to open storage or outdoor display shall not exceed fifty (50) per cent of the lot area;
(b) No permanent open storage shall be permitted within any required front yard;
(c) No outdoor display shall be located within ten (10) feet (3.1 m) of any front lot line; and
(d) No permanent open storage or outdoor display shall be permitted within any yard in a C-l Zone where such yard abuts any residential zone, except where a fence or other visual and physical barrier is provided within the abutting yard.

16.8 OTHER REQUIREMENTS: PARKING LOTS

Where parking lots are permitted in any C-1 Zone in conjunction with other uses, the following shall apply:

(a) Where any C-1 Zone abuts any residential zone, no portion of any parking space within the C-1 Zone shall be permitted within ten (10) feet (3.1 m) of any side or rear lot line; and
(b) No portion of any parking space within any C-l Zone shall be located within ten (10) feet (3.1 m) of any front lot line.

16.9 C-1 ZONE REQUIREMENTS: RESIDENTIAL USES

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

Minimum Lot Area	20,000 square feet (1858.1 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)

16.10 OTHER REQUIREMENTS: BUSINESS USES

Where business uses are permitted as residential uses in any C-1 Zone, the following shall apply:

(a) Any dwelling which is used for such purposes shall be the principal residence of the operator of the business;
(b) No more than fifty (50) per cent of the gross floor area of any dwelling and any accessory structure shall be devoted to any business use;
(c) No obnoxious uses shall be permitted;
(d) No permanent open storage or outdoor display shall be permitted; and
(e) One (l) off-street parking space, other than that required for the dwelling, shall be provided for every one hundred and fifty (150) square feet (13.9 m^2) of floor area devoted to any business;

16.11 OTHER REQUIREMENTS: DAY CARE FACILITIES

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

(a) any dwelling and accessory building which is used for such purposes shall be the principal residence of the operator of the facility; and
(b) 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 (13.9 m^2) of gross floor area devoted to any facility.

16.12 C-1 ZONE REQUIREMENTS: OPEN SPACE USES

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

Minimum Frontage or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	30 feet (9.1 m)

16.13 OTHER REQUIREMENTS: RECYCLING DEPOTS
(C-Jul 9/90;E-Aug 4/90)

In any C-1 Zone, where recycling depots are permitted, no open storage related to the operation of a recycling depot shall be permitted.

PART 17: C-2 (GENERAL BUSINESS) ZONE

17.1 C-2 USES PERMITTED

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

Commercial Uses
All commercial uses permitted in the C-1 (Community Commercial) Zone;
Shopping centres and malls;
Indoor commercial recreation facilities except video arcades;
Drive-in and take-out restaurants;
Theatres and cinemas except drive-in theatres;
Building supply outlets;
Motels, hotels and motor inns;
Automotive sales and service;
Recycling Depots (C-Jul 9/90;E-Aug 4/90); and
Short-term rentals (RC-Feb 21/23;E-Sep 1/23)
Short-term bedroom rentals (RC-Feb 21/23;E-Sep 1/23)

Light Industrial Uses
All industrial service uses permitted in the C-1 (Community Commercial) Zone;
Smokehouses;
Truck terminals;
Warehouses; and
Incubator malls.

Community Uses
Open space uses; and
Institutional uses

17.2 C-2 ZONE REQUIREMENTS

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

Minimum Lot Area	20,000 square feet (1858.1 m^2)
Minimum Frontage	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	20 feet (4.6 m)
Maximum Lot Coverage	50 per cent
Maximum Height of Main Building	35 feet (10.7 m)

17.3 C-2 ZONE REQUIREMENTS: SENIOR CITIZEN HOUSING (Deleted: RC-Aug 9/22;E-Sep 15/22)

17.4 OTHER REQUIREMENTS: SERVICE STATIONS

Notwithstanding the provisions of Section 17.2, where any service station is erected in any

C-2 Zone the following shall apply:

(a) The minimum lot area 30,000 square feet (2787.1 m^2) and the minimum frontage shall be 150 feet (45.7 m);
(b) No portion of any pump island shall be located closer than twenty (20) feet (6.1 m) from any street line;
(c) The minimum distance between ramps or driveways shall not be less than thirty (30) feet (9.1 m);
(d) The minimum distance from a ramp or driveway to a road intersection shall be fifty (50) feet (15 m);
(e) The minimum angle of intersection of a ramp to a road line shall not be less than forty-five (45) degrees; and
(f) 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).

17.5 OTHER REQUIREMENTS: OPEN STORAGE AND OUTDOOR DISPLAY

Where any portion of any lot in any C-2 Zone is to be used for open storage or outdoor display, the following shall apply:

(a) Any area devoted to open storage or outdoor display shall not exceed fifty (50) per cent of the lot area;
(b) No open storage shall be permitted within any required front yard;
(c) No outdoor display shall be located within ten (10) feet (3.1 m) of any front lot line; and
(d) No open storage or outdoor display shall be permitted within any yard in a C-2 Zone where such yard abuts any residential zone except where a fence or other visual and physical barrier is provided within the abutting yard.

17.6 OTHER REQUIREMENTS: PARKING LOTS

Where parking lots are permitted in any C-2 Zone, either in conjunction with other uses or as a separate use of land, the following shall apply:

(a) Where any C-2 Zone abuts any residential zone, no portion of any parking space within the C-2 Zone shall be permitted within ten (10) feet (3.1 m) of any side or rear lot line; and
(b) No portion of any parking space within any C-2 Zone shall be located within ten (10) feet (3.1 m) of any front lot line.

17.7 OTHER REQUIREMENTS: ACCESS

Access to any lot in any C-2 Zone shall only be from the Mineville Road, or from any local road designed only to serve non-residential areas.

17.8 C-2 ZONE REQUIREMENTS: OPEN SPACE USES

In any C-2 Zone, where uses are permitted as open space uses, no development permit shall be issued except in conformity with the following:

Minimum Rear Yard	30 feet (9.1 m)

17.9 <u>OTHER REQUIREMENTS: RECYCLING DEPOTS</u>
(C-Jul 9/90;E-Aug 4/90)

In any C-2 Zone, where recycling depots are permitted, no open storage related to the operation of a recycling depot shall be permitted.

PART 18: I-2 (SALVAGE YARD) ZONE

18.1 I-2 USES PERMITTED

No development permit shall be issued in any I-2 (Salvage Yard) Zone except for the following:

Salvage yards;
Auto repair shops accessory to a salvage yard.

18.2 I-2 ZONE REQUIREMENTS

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

Minimum Lot Area	80,000 square feet (7432.2 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	75 per cent
Maximum Height of Main Building	35 feet (10.7 m)

18.3 OTHER REQUIREMENTS: SEPARATION AND SCREENING

(a) No building or structure shall be located less than three hundred (300) feet (91.4 m) from any existing dwelling, except a dwelling located on the same lot, or residential zone or community facility use, or less than one hundred (100) feet (30.5 m) from any watercourse.

(b) No outdoor storage shall be located within any required yard or within three hundred (300) feet (91.4 m) of a watercourse.

(c) Any materials associated with any salvage yard or accessory auto body shop shall be contained within a building or otherwise enclosed by a fence or other visual and physical barrier.

18.4 OTHER REQUIREMENTS

Access to any lot in any I-2 Zone shall only be from a collector highway.

PART 19: I-3 (GENERAL INDUSTRY) ZONE

19.1 I-3 USES PERMITTED

No development permit shall be issued in any I-3 (General Industry) Zone except for the following:

Industrial Uses
All industrial uses; and
Offices, research facilities and wholesale and retail uses accessory to permitted industrial uses.
Composting operations (refer to Section 4.26) (MC-Feb 26/96;E-Mar 28/96)
Cannabis production facilities (RC-Sep 18/18;E-Nov 3/18)

19.2 I-3 ZONE REQUIREMENTS: INDUSTRIAL USES

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

Minimum Lot Area:	Central Services	6,000 square feet (557.4 m^2)
	On-Site Services	20,000 square feet (1858.1 m^2)
Minimum Frontage:	Central Services	60 feet (18.3 m)
	On-Site Services	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		70 per cent

19.3 OTHER REQUIREMENTS: INDUSTRIAL USES

(a) Notwithstanding the provisions of Section 19.2, where uses are permitted as industrial uses, no building or structure or outdoor storage within any I-3 Zone shall be located less than one hundred (100) feet (30.5 m) from any existing dwelling or residential zone or watercourse.

(b) Where any yard within an I-3 Zone abuts any property containing an existing dwelling or any residential zone, a fence or other visual barrier shall be provided within the abutting yard.

19.4 OTHER REQUIREMENTS: ACCESSORY USES

Where uses are permitted as accessory to industrial uses, the proportion of the total building or structure space which may be used for accessory uses shall not exceed fifty (50) per cent of the gross floor area.

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

(a) 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: RPK (REGIONAL PARK) ZONE (RC-Jun 25/14;E-Oct 18/14)

20.1 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
Commercial uses accessory to a public park use
Uses accessory to the foregoing uses

20.2 RPK ZONE REQUIREMENTS

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

Minimum Front or Flankage Yard:	**20m**	
Minimum Side or Rear Yard:	**20m**	
Maximum Lot Coverage:	**50%**	**for lots less than 4 ha in area, or**
	5%	**for lots 4 ha or more in area**
Maximum Height of Main Building	**10.7 m**	

PART 21: PWS (PROTECTED WATER SUPPLY) ZONE (RC-Jun 25/14;E-Oct 18/14)

21.1 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
Uses accessory to the foregoing uses

21.2 PWS ZONE REQUIREMENTS

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

Minimum Front or Flankage Yard:	**9.1m**
Minimum Rear or Side Yard:	**4.6m**

PART 22: D-l (DND) ZONE

22.1 D-l USES PERMITTED

No development permit shall be issued in any D-l (DND) Zone except for the following:

DND Uses
Canadian military installation; and
Space centres.

PART 22A: CD-1 (C&D MATERIALS TRANSFER STATIONS) ZONE (RC-Sep 10/02;E-Nov 9/02)

22A.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

22A.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)**

22A.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 22A.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 22A.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).

22A.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:
- **(i) noise or sound which is obnoxious because of its volume, duration, intermittent beat, frequency, or shrillness;**
- **(ii) dissemination of smoke, fumes, gas, dust, odour, or any atmospheric pollutant; or**
- **(iii) 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 22A.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, R-B, R-BA, R-A and R-6) or community use (P-3 and P-4); and

(g) no portion of the operation shall be located within a 1:100 year floodplain.

22A.5 GENERAL REQUIREMENTS: SITE PLAN APPROVAL

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:

a) driveway access to the site shall be located in such a manner to minimize land use impacts on adjacent land uses;

b) 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;

c) all off-street loading and unloading areas, stockpiles, processing areas, and parking facilities shall be located on the site such that no aspect impacts upon adjacent uses or streets and screening can be in the form of fencing,

berms, vegetation, or a combination of elements;

d) 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;

e) within any designated side and rear yards, existing vegetation shall be retained unless it does not provide for adequate screening measures;

f) all outdoor lighting shall be oriented such that it is directed away from adjacent properties;

g) all solid waste storage containers shall be screened from view from adjacent properties and streets;

h) impact of the location, number and size of signs;

i) measures, including but not limited to lot grading, berms, shall be required to adequately address the management of stormwater and surface water; and

j) provisions are established to ensure the operation and any required site improvements are maintained to a high standard.

PART 22B: CD-2 (C&D MATERIALS PROCESSING FACILITIES) ZONE (RC-Sep 10/02;E-Nov 9/02)

22B.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

22B.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)**

22B.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.

22B.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 22B.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).

(c) notwithstanding Section 22B.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).

22B.5 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) the operation complies with the general zone requirements as outlined in Section 22A.4.

(b) notwithstanding Sections 22B.2 to 22B.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.

22B.6 GENERAL REQUIREMENTS: SITE PLAN APPROVAL

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 22A.5

PART 22C: CD-3 (C&D MATERIALS DISPOSAL SITES) ZONE
(RC-Sep 10/02;E-Nov 9/02)

22C.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

22C.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)**

22C.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.

22C.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;
(a) 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)**

22C.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 22A.4.

(b) Notwithstanding Sections 22C.2 to 22C.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.

22C.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 22A.5.

PART 22D: ICH (INFRASTRUCTURE CHARGE HOLDING) ZONE (RC-Jul 2/02;E-Aug 17/02)

22D.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

22D.2 ICH ZONE REQUIREMENTS

In any ICH Zone, no development permit shall be issued except in conformity with the requirements of the RA Zone.

PART 22E: PA (PROTECTED AREA) ZONE (RC-Jun 25/14;E-Oct 18/14)

22E.1 PA USES PERMITTED

No development permit shall be issued in any PA (Protected Area) Zone except for the following:

Scientific study and education, involving no buildings
Trails, boardwalks or walkways
Conservation uses
Uses accessory to the foregoing uses

22E.2 PA ZONE REQUIREMENTS

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

Minimum Lot Area:	**930m²**
Minimum Frontage:	**30.5m**
Minimum Front or Flankage Yard:	**20m**
Minimum Side or Rear Yard:	**20m**

22E.3 OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

PART 22F: CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE (RC-Jun 25/14;E-Oct 18/14)

22F.1 CDD USES PERMITTED

No development permit shall be issued in any CDD (Comprehensive Development District) Zone except for the following:

Residential uses
Commercial uses
Institutional uses
Recreation uses
Parking facilities and transit stations or transit stops
Existing uses
Uses accessory to the foregoing uses

22F.2 CDD REQUIREMENTS

(1) In any CDD (Comprehensive Development District) Zone no development permit shall be issued except in conformity with the development agreement provisions of the Halifax Regional Municipality Charter.

(2) Notwithstanding subsection (1), existing uses within any CDD zone 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, subject to the following requirements:

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 23: ADMINISTRATION

23.1 ENFORCEMENT

This By-law shall be administered by the Development Officer.

23.2 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 or partly erected 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.

23.3 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.

23.4 PENALTY

Any person who violates a provision of this By-law shall be subject to prosecution as provided for under Part XL of the Planning Act.

23.5 DATE OF BY-LAW

This By-law shall take effect when approved by the Minister of Municipal Affairs.

23.6 SCHEDULE OF FEES (C-May 28/90;E-Jun 23/90)

An application to amend this By-law or modify any of the provisions of this By-law must be accompanied by a fee at the time of making such application, which fees shall be:

Amendment to Land Use By-law	**$100.00**
Development Agreement	**$100.00**
Rezoning	**$100.00**

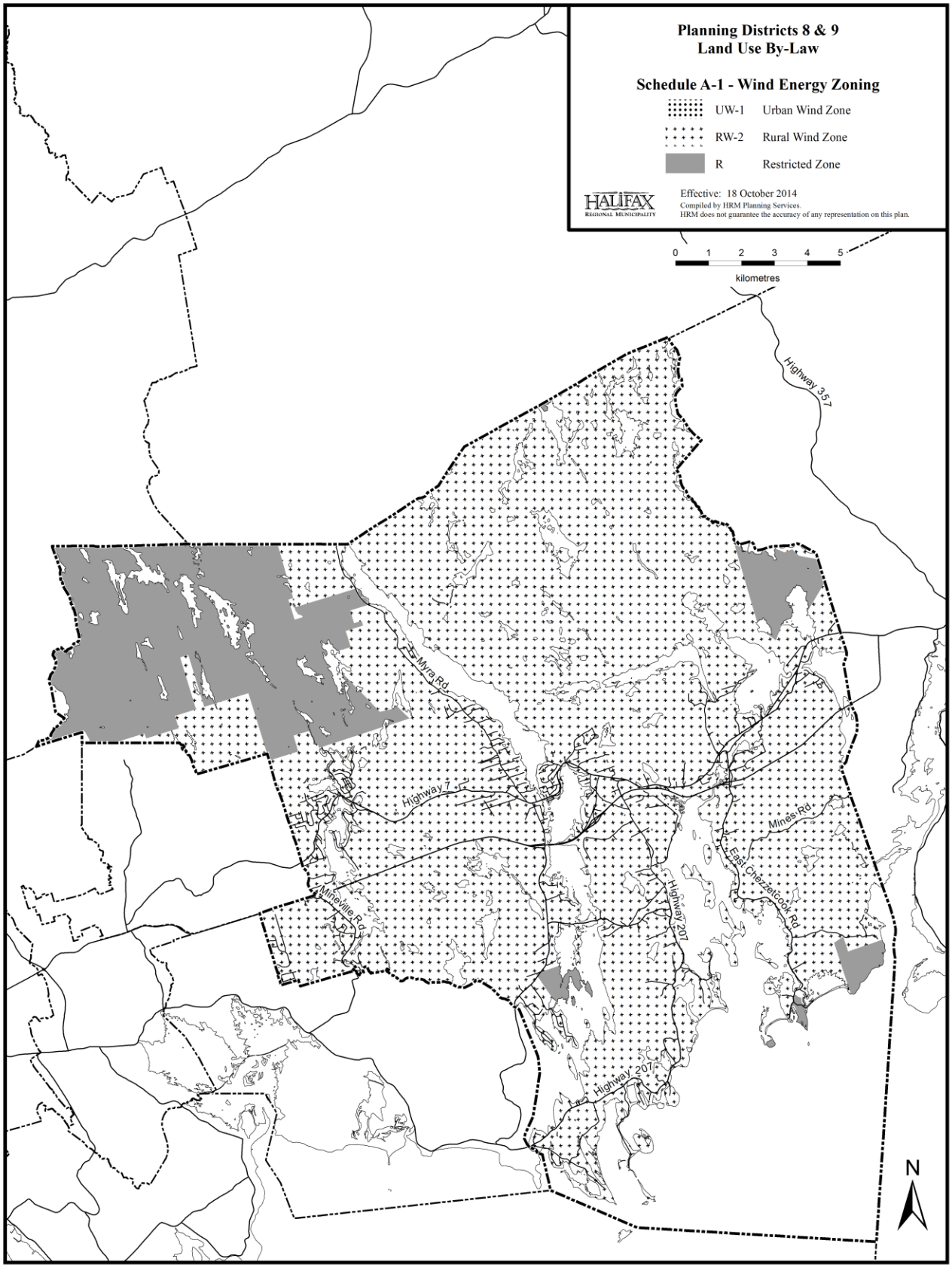
23.7 <u>PUBLIC HEARING NOTIFICATION</u> (Repealed: RC-Jun 20/23;E-Oct 13/23)

APPENDIX "A"

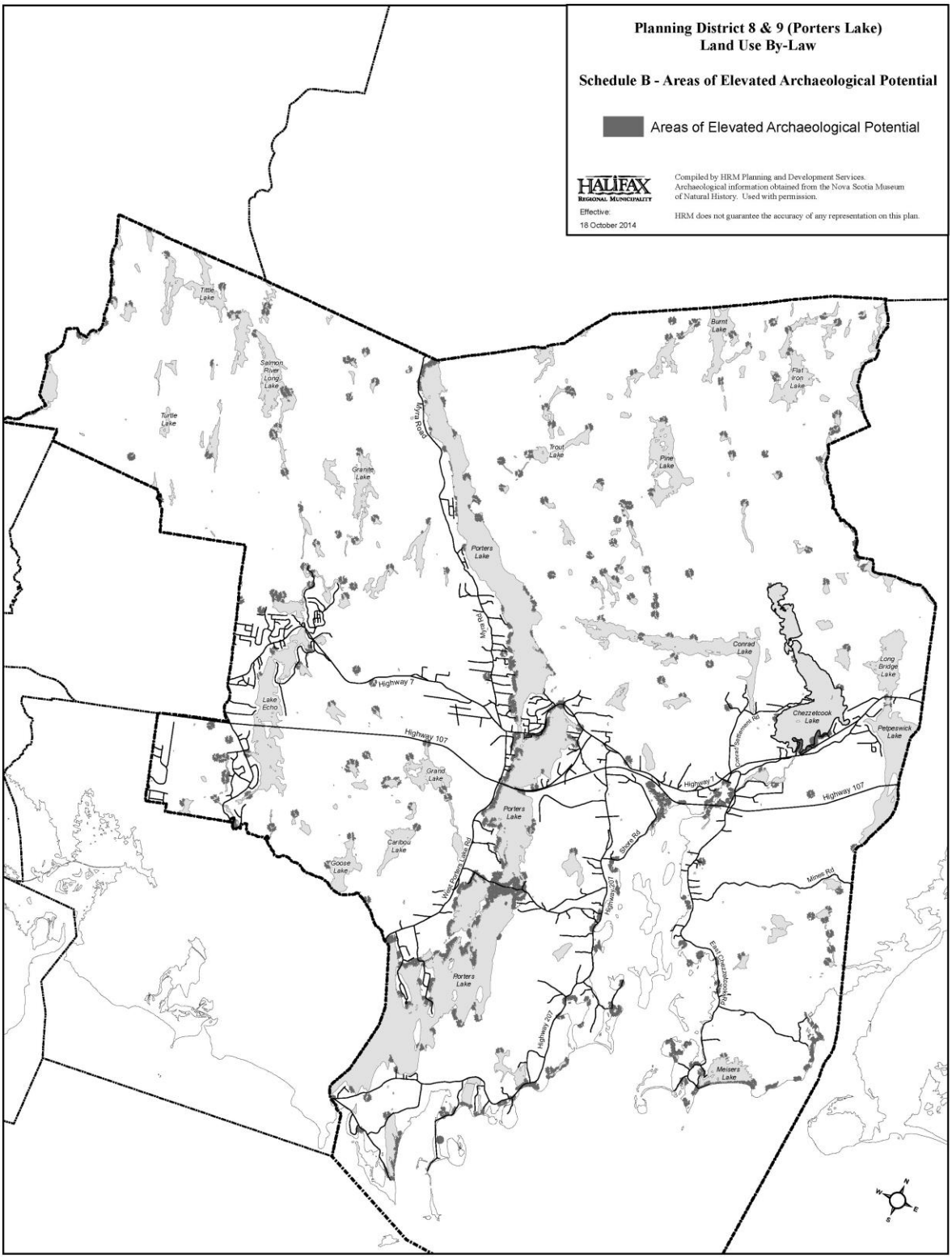
In accordance with Section 4.9(b) of this By-law, the following existing uses shall be permitted to be expanded subject to the appropriate provisions of the applicable zone but shall not be permitted to be changed to any other use other than a use permitted in the zone in which they are located.

LRIS INDEX NUMBER	EXISTING USE	APPLICABLE ZONE
Item deleted (C-Sep 22/90;E-Oct 20/90)		
40265654 (C-Feb 25/91;E-Mar 23/91)	**Seasonal Rental Cottages**	**RE (Rural Enterprise)**

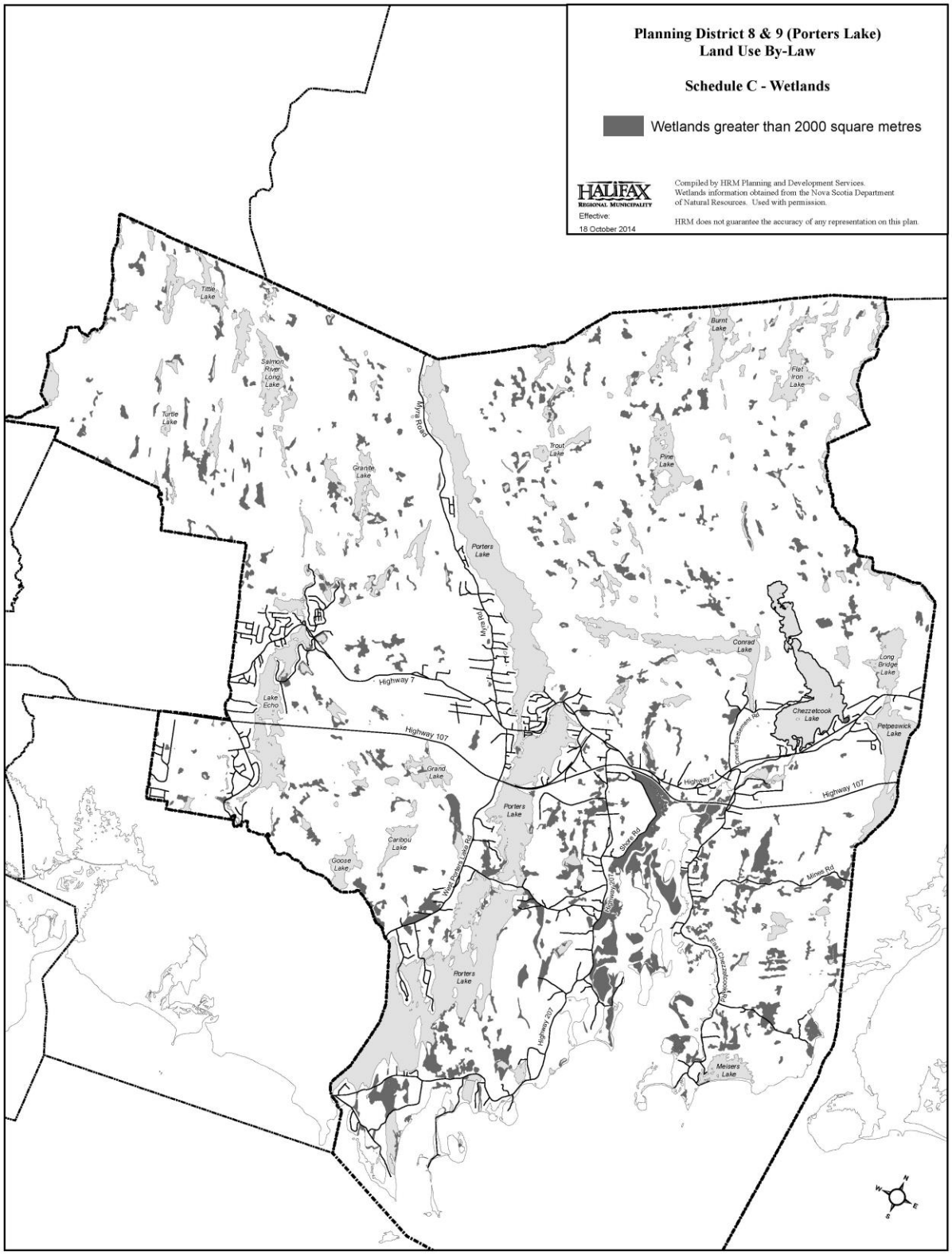
Schedule A-1: Wind Energy Zoning (RC-Jun 25/14;E-Oct 18/14)



Schedule B: Areas of Elevated Archaeological Potential (RC-Jun 25/14;E-Oct 18/14)



Schedule C: Wetlands (RC-Jun 25/14;E-Oct 18/14)



PLANNING DISTRICTS 8 & 9
AMENDMENT INDEX

Amendment Number	Policies/Maps	Subject	Council Adoption	Effective
1	4.8 (b)	Subdivision By-law	December 18, 1989	January 13, 1990
2	13.6	Schedule of fees for zoning by-law amendments, rezonings and development agreements (ZA-8&9-12-89)	May 28, 1990	June 23, 1990
3	2.50A, 14.11, 16.1, 16.13, 17.1, 17.9	Adding definition of recycling depot (ZA-8&9-15-90)	July 9, 1990	August 4, 1990
4	2.28A, 4.12(vi)	Adding definition of livestock (ZA-8&9-35-89)	August 27, 1990	September 22, 1990
5	14.5, 14.7	To correct an error	September 23, 1990	October 20, 1990
6	Appendix "A"	Add Season Rental Cottages to existing uses	February 25, 1991	March 23, 1991
7	2.51A, 2.51B, 2.59C	Adding definitions regarding parking requirements (ZA-8&9-12-91)	February 10, 1992	March 7, 1992
8	23.7	Establish public hearing notification procedure relative to rezonings and development agreements (ZA-8&9-11-92)	December 7, 1992	February 13, 1993
9	3.6(a)	New or expanded community commercial uses in excess of 2,000 square feet (ZA-8&9-05-93)	August 9, 1993	September 20, 1993
10	2.1, 2.2, 4.11	Add definition of accessory buildings and provisions (ZA-ALL-21-94)	June 26, 1995	July 22, 1995
11	2.11A, 4.26, 14.1, 15.1, 19.1	Permit additional opportunities for the establishment of composting operations (ZA-ALL-31-95)	February 26, 1996	March 28, 1996

12	9.1, 9.10	Existing aqua farm operations (Case No. 00221)	July 19, 2000	August 6, 2000
13	3.1, 22D	Infrastructure Charges (Project No. 00423)	July 2, 2002	August 17, 2002
14	Definitions, 3.1, 14.1, 22A, 22B, 22C	Construction and Demolition Waste Management Strategy (Project No. 00082)	September 10, 2002	November 9, 2002
15	4.1A	Interim Growth Management (Project No. 00664)	April 13, 2004	April 22, 2004
16	Adding Schedules B & C. Adding Definitions 2.18A & 2.50. Replacing Sec 2.64, Adding clause 3.6 (i), (ii),(iii)&(iv). Deleting Sec 4.1A. Replacing Sec 4.18 & Adding Sec 4.18A, Sec 4.27 & 4.28. Replacing Part 20 & 21. Adding Part 22E & 22F.	Regional Plan	June 27, 2006	August 26, 2006
17	Add Sec 5.1A following 5.1; Delete Sec 2.59 replace/w new Sec 2.59	Case 00327	RC-September 26, 2006	E-November 18, 2006
18	Amend Section 4.24 (Parking Requirements)	Case 01119	RC - August 5, 2008	E - August 23, 2008
19	Amend Section 4.13; Temporary Construction Uses Permitted	Case 01058	HECC - January 20, 2009	E- February 7, 2009
20	Replace Section 2.13; Day Care Facility	Case 01074	HECC - March 3, 2009	E - March 21, 2009
21	Amendment to Schedule A zoning map	Case 15782	MDVCC- April 1, 2010	E – April 24 2010
22	Deleted the word "windmills" in Section 4.17; Added **Section 4.29 Wind Energy Facilities** in Part 4: General Provisions for All Zones; Added Schedule A-1: Wind Energy Zoning Map	Project No. 00953	RC – August 16, 2011	E – October 29, 2011
23	Amend Part 4, Section 29 IV by adding **b)** and **c)** after a): Wind Energy Facilities.	Project No. 00953	RC – October 18, 2011	E – October 29, 2011
24	**Repeal/Readopt** Section 2.18A, 2.50, 2.64; part of 3.1, 3.6; 4.18, 4.18A, 4.27, 4.28, 4.29; Part 20, 21, 22E, 22F; Schedule A, A-1, B, C; **Add** Section 2.9A, 2.63A; 4.30; **Amend** parts of Section3.6, 4.18, 4.18A, Schedule A, A-1, B, C.	RP+5	RC-June 25, 2014	E-October 18, 2014

25	**Amend** Section 4.24 – Parking for Full Service Restaurants; **Add** Section 4.25(c) – Standards for Parking Lots.	Case 19399	HEMDCC–July 23, 2015	E-August 8, 2015
26	**Add** Section 4.4(d)	25 Acre Lots	RC – January 10, 2017	E – February 25, 2017
27	**Amend** several sections to add Cannabis related uses Nov 3/18	Case 21331	RC - September 18, 2018	E - November 3, 2018
28	**Amend:** Schedule A by rezoning PID: 40740276 from RE (Rural Enterprise) to CD-2 (Construction and Demolition Materials Processing Facility)	Case 19800	HEMDCC – Refused April 4, 2019 Overturned by NSURB – March 23, 2020	E – March 23, 2020
29	**Add** Part 2, Section 2.62.5 – Backyard & Secondary Suite; Part 4, Section 4.12A – Secondary Suites and Backyard Suites; **Amend** Part 4, Section 4.6 – One Dwelling on a Lot; Part 4, Section 4.18A – Coastal Areas	Case 21162 – Secondary / Backyard Suites	RC – September 1, 2020	E – November 7, 2020
30	**Deleted** the '.2' in Part 4, Section 4.2 to make it 4.6(a) and 4.6(b). **Deleted** 'ing' from 'containing' in section 4.18A (2).	Case 23274 – Secondary Backyard Suites Housekeeping Amendments	HEMDCC-March 4, 2021	E – March 27, 2021
19	**Amended:** Part 2 and Part 4 to include definitions and stipulations for Accessory Hen Use.	Case 22227 – Accessory Hen Use	RC – October 5, 2021	E – January 8, 2022
20	**Amended** Part 14.3; **Added** Part 14.13	Case 23856 – Hwy 207 West Chezzetcook and PID: 40302507	RC – December 14, 2021	E- February 5, 2022

21	**Amended** Part 2, Definitions – Section 2,27; Part 4, General Provisions – Section 4.24, 4.29I(a); Part 6, R-1 Zone – Section 6.1, 6.5; Part 7, R-1A Zone – Section 7.1, 7.6; Part 8, R-B Zone – Section 8.1, 8.3, 8.6; Part 9, R-BA Zone – Section 9.1, 9.3, 9.7; Part 10, R-2 Zone – Section 10.1, 10.5; Part 11, R-A Zone – Section 11.1, 11.3; Part 12, R-3 Zone – Section 12.1, 12.5; Part 13, R-6 Zone – Section 13.1; Part 15, MR Zone – Section 15.1; Part 16, C-1 Zone – Section 16.1, 16.5; Part 22D, ICH Zone – Section 22D.1 **Deleted** Part 2, Definitions – Section 2.8, 2.51, 2.55; Part 11, R-A Zone – Section 11.6; Part 13, R-6 Zone – Section 13.5; Part 16, C-1 Zone – Section 16.4; Part 17, C-2 Zone – Section 17.3 **Added** Part 2, Definitions – Section 2.58A, 2.58B; Part 3, Zones and Zoning Map – Section 3.6(d)	Case RP16-16 (Shared Housing)	RC – August 9, 2022	E – September 15, 2022
22	**Amended** Clause 2.15(d); Clause 3.6(c)(i); Section 4.30; Section 12.1; Section 15.1 **Added** Section 3.8	Case 22257 (Regional Plan - Phase 3)	RC – October 11, 2022	E – November 16, 2022
23	**Amended** Part 4, Section 4.24; Part 17, Section 17.1 **Added** Part 2, Section 2.58C, 2.58D; Part 4, Section 4.1(d)(v), 4.1(d)(vi), 4.32	Case 24526 (Short Term Rentals)	RC – February 21, 2023	E – September 1, 2023
24	**Repealed** Part 23, Section 23.7	Case 2023-002 (Public Participation)	RC – June 20, 2023	E – October 13, 2023
21	**Amended** Part 4, Section 4.12(iii0(iv); Part 4 Clause 4.12A(a)(i)(v); Part 4, clause 4.12A(b)(i)(iv)(vi)(viii) **Added** Part 4, Section 4.12(c); Part 4 Clause 4.12A(a); Part 4, Clause 4.12A(b)(ix)	Case 2023-01065 – Housing Accelerator Fund	RC – May 23, 2024	E – June 13, 2024
22	**Amended** Part 2-Section 2.9, 2.29; Part 3-Section 3.6(c)(i); Part 4-Section 4.12(a)(iv), 4.12A, 4.14, 4.29(b)(vi); Part 14-Section 14.3 **Added** Part 2-Section 2.38A, 2.58BA, 2.59A; Part 4-Section 4.8A, 4.12AA, 4.13(ab), 4.32(c), 4.33	MINORREV 2025-02922 (Minimum Planning Requirements)	RC – December 11, 2025	E – February 2, 2026